MANUAL ON SPECIAL LEAVES
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Introduction

Cognizant of the different opportunities that public officers may encounter, the Public Service has introduced a wide range of un/paid leaves to address such requirements. The aim of this manual is to provide a detailed description of each policy which public officers may utilise whilst ascertaining that their career development is secured.

This manual is categorised into six (6) different sections of special leaves, as follows:

1. Paid leave approved by Directors;
2. Unpaid leave approved by Directors;
3. Un/paid leave approved by Permanent Secretaries;
4. Un/paid leave on grounds of public policy approved by the People Support & Wellbeing (PSW) Directorate within the People & Support (PSD) Division;
5. Unpaid leave to take up temporary employment with Institutions, Bodies and Agencies of the European Union;
6. Paid leave approved by Other Authorities

Furthermore, the Public Service promotes continuous learning, self-actualisation and career development. In this regard, it also supports flexibility by providing Study Leave. The rules and procedures regarding study leave are found in the Manual on Staff Development (Fourth Edition, 2014).
General Conditions

SPECIAL UNPAID LEAVE

In computing special unpaid leave, every day of absence is to be counted. Saturdays, Sundays and public holidays falling at the beginning or at the end of such leave are, however, to be excluded. This provision does not apply in respect of those categories of staff for whom Saturdays and Sundays are normal working days.

Approvals of unpaid leave are to be submitted to the Gozo Salaries Section for salary adjustments and for record purposes. All unpaid leave should also be recorded in the officer’s Personal Record Sheet (GP 46) and the Service and Leave Record Form (GP 47).

Before utilising unpaid leave, staff must utilise their vacation leave, computed pro-rata on the period of service actually worked during the calendar year prior to commencement of the unpaid leave.

Officers, who are on/have just exhausted long unpaid leave, should resume duty before being granted any other type of paid leave, including sick leave. Paid leave is granted for actual work periods and cannot be authorised if no service has been given. Nevertheless, during the period of unpaid leave, employees may still avail themselves of Maternity Leave.

Those in the teaching profession who avail themselves of unpaid leave are allowed to resume duty by the end of February or at the end of the scholastic year in September.

Officers who resume duty on the summer time-table following unpaid leave or reduced hours, should be paid for the actual hours worked, unless they opt to compensate for the shortfall in hours by working longer hours.

Officers, who have availed themselves of unpaid leave for two (2) years or more, will have to undergo an induction course on resuming duties.

When officers on special leave fail to resume duty without justification, on the expiration of their authorised leave, disciplinary action is to be taken.

All unpaid leave granted not on grounds of public policy is not reckonable as service for Treasury pension purposes. Furthermore, if officers retire while on unpaid leave, their Treasury pension will be based on the last salary that they had earned before availing themselves of unpaid leave.

Service in the Grade

Details of reckoning of un/paid leave for the purpose of Service in the Grade are found at PAHRO Circular No. 4/2015 and PAHRO Circular No. 7/2015.
Paid Leave approved by Directors
1.1 Pre-Retirement Leave

Public officers are entitled to avail themselves of unutilised sick leave on full pay as pre-retirement leave on the basis of one (1) day’s pre-retirement leave for every four (4) days of unutilised full pay sick leave, immediately preceding their retirement from the Service.

Eligibility

In order to qualify for pre-retirement leave, public officers need to accumulate an average of fifty (50)% unutilised sick leave on full pay per year, throughout their career in the Public Service.

Duration

The maximum amount of unutilised sick leave which employees are entitled to carry over for the purpose of pre-retirement leave is capped at seven (7) working days per calendar year. The resulting number of days of pre-retirement leave entitlement cannot exceed the total of three (3) calendar months.

Pre-retirement leave may:

i. Be utilised in one continuous period at a stretch. In such cases:

   a) Officers are required to utilise all Vacation Leave (including accumulated Vacation Leave) and TOIL together prior to the pre-retirement leave.

   b) The position occupied by an employee on pre-retirement leave will be considered as vacant with effect from the date when the employee commences the pre-retirement leave, and;

   c) All allowances are immediately withheld. Allowances include all supplementary payments and other benefits to which the officers may be entitled to,

Or

ii. Where the circumstances of the job make this possible, in agreement with the respective Head of Department, Public Officers may avail themselves of their pre-retirement leave entitlement over a period equivalent to double the amount of days, working half the hours and receiving full pay. In such cases:

   a) Officers are required to utilise all accumulated Vacation Leave from the previous year and any TOIL together with the pro-rata Vacation Leave entitlement of the current year prior to the pre-retirement leave. Officers are allowed to retain the pro-rata Vacation Leave entitlement of the pre-retirement leave period from the balance of their vacation leave entitlement for utilisation during the pre-retirement leave period. It is the responsibility of the officer on pre-retirement leave to ensure utilisation of this Vacation Leave as any unavailed vacation leave may not be compensated.

   b) Allowances are paid pro-rata.
Application Procedure

Public Officers are to complete the application form (vide Appendix 1) and submit it to the respective Director at least three (3) months before the commencement of such leave.

The Director shall inform the respective officer of the decision, in writing, within five (5) working days from receipt of the application.

Conditions Of Pre-Retirement Leave

• Officers on a Performance Agreement are entitled to avail themselves of pre-retirement leave.
• Officers who are entitled to a fully-expensed vehicle may request to purchase the vehicle before commencing their pre-retirement leave, provided that the depreciated value is computed as at the date of commencement of pre-retirement leave, the car is paid by the officer before its takeover and that no other allowances are allowed\(^2\).
• Where the pro-rata vacation leave entitlement during the year of retirement cannot be availed of, by virtue of the fact that it would have coincided with pre-retirement leave, the commencement of the pre-retirement leave may be pre-dated by the number of hours equivalent to the pro-rata vacation leave, on the basis of the following formula:

\[
\text{No of calendar days up to date of retirement} \times \frac{\text{No of hours annual vacation leave}}{365^*} = \text{hours}
\]

Example: Officer retiring on 16th February, who works a normal timetable

No. of Calendar days up to retirement = 46

\[
= \frac{208}{365^*} = 25 \text{ hours}
\]

*366 in leap years

\(^2\) MFEI Circular No 8/2009
1.2 Injury leave

Special paid leave may be allowed on the authority of the respective Director to officers who are injured on the following conditions:

- the accident happens anywhere within the precincts of one’s workplace; and
- the cause of the accident is directly connected with the work being performed in the workplace, and shall be deemed to arise out of or in the course of one’s employment, provided that the injury sustained is specifically attributable to the nature of one’s duties; or
- by any diseases specified in the first column of the Fourth Schedule to the Social Security Act (being a disease due to the nature of their work);

It must be ensured that the injury sustained on duty is not a result of negligence on the officer’s part or to any contravention of safety rules laid down by the management.

Application Procedure

An officer who is injured on duty is to notify the respective Director of any injury sustained on duty, within twenty-four (24) hours of the accident. The employing Department/ Directorate is to report to the Department of Social Security, on form NI30/GP75 in duplicate, within ten (10) working days from the date of the relevant accident, copying the OHSA.

Part II of the form is to be completed and signed personally by the Director concerned who must be satisfied as to the veracity and accuracy of the relative details, particularly those relating to the circumstances of the injury. It is necessary to have a factual and detailed report on the injury.

As soon as practicable following the injury, the Director concerned is required to consider whether special or ordinary sick leave is to be granted, indicating the decision at Part III of Form NI30/GP75.

Conditions

- Injury Leave is additional to the normal sick leave entitlement. The injured officer is to be paid the full salary, less the full amount of injury benefit to which s/he may be entitled, throughout any period of authorised special leave.

When sick absence on account of injury amounts to six (6) months in any period of twelve (12) months, an application on General Form GP 49 is to be made by the respective Director responsible for People Management to the People Support & Wellbeing Directorate (psw.opm@gov.mt) for the appointment of a Medical Board to ascertain the state of the officer’s health.

- Following resumptions of duties, any time-off required by officers who have been injured whilst on duty, in order to receive prescribed medical treatment in connection with their injury or to attend before Government Boards, is to be paid in full.

- Officers who as a result of an injury on duty or an occupational disease, suffer a physical or mental impairment, have right to either an Injury Grant, an Injury Pension or even an Invalidity Pension. The type and amount of benefit depend on the extent of the injury and the percentage loss of physical or mental faculty as a result of the accident at work:

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4 OPM Circular No 55/1991
• **An Injury Grant** is payable when it is established that a person has suffered a permanent loss of physical or mental faculty resulting in an impairment assessed at less than 20%. The applicable rate of Injury Grant is established according to the percentage impairment with the lowest rate of grant for a percentage impairment of 1% and the highest rate of grant where the impairment is established at 19%.

• **An Injury Pension** is payable where the permanent loss results in a bodily or mental impairment assessed between 20% and 89%. The rate payable will vary according to the resulting percentage disability between 20% and 89%. The Injury Pension is payable (until pension age) if the person remains in employment.

• **An Invalidity Pension** is granted if the employee suffers a permanent loss of physical or mental faculty resulting in an impairment exceeding 89% and the person has to cease employment.

A person entitled to Injury Benefit/Injury Grant/Injury Pension under the Social Security Act (Cap 318) is also entitled to free medical treatment, specifically related to the injury sustained.

In the event of the death of an employee as a result of an accident on duty, the surviving spouse may be entitled to receive a pension in respect of widowhood at the full rate and irrespective of the amount of social security contributions paid or credited by the deceased spouse.

Public officers will be entitled to these benefits only if the relevant Injury Benefit Application Form - NI 30/GP75 is completed and the relevant medical documentation is provided. Where applicable, the public officer will be required to attend for a medical examination by the Medical Panel appointed in terms of the Social Security Act (Cap 318) to determine from the medical aspect, whether the public officer is entitled to any of the above benefits.

• Government does not enter into any insurance scheme but considers granting compensation whenever public officers are injured or die through an accident arising out of or in the course of their work. In this way government provides adequate indemnity to all public officers against all risks.

Government reserves the right to prohibit public officers from this compensation if it can be proved that:

• the officers concerned had acted negligently by disregarding any safety precautions that they were obliged to take in terms of the Occupational Health and Safety Authority Act, thereby causing the accident that resulted in injury.
• the work-related disease came about as a result of the public officers refusing to undergo medical examination when they were requested to do so by their Director, or if they behaved in a manner which resulted in the retardation of their recovery.
• In exceptional cases it may be necessary, for the purposes of the Pension Regulations 14, 19 and 20 and of the award of this special leave to appoint ad hoc boards to investigate the circumstances leading to injuries sustained on duty and report on:
  • the circumstances of the injury, particularly those factors which caused the injury or contributed to it;
  • whether the injury was sustained by officers by accident arising out of and in the course of their employment, or by any diseases specified in the first column of the Fourth Schedule to the Social Security Act (being a disease due to the nature of their work);
  • whether the injury was the result of negligence on the part of the officer or to any contravention of safety rules laid down by the management; and
  • whether the injury was likely to cause any after effects. Information on after-effects is obtained from the Department of Social Security.
1.3 Quarantine Leave

Eligibility

Officers who are precluded by the Superintendent of Public Health from attending to their duties, owing to family/household members suffering from a contagious disease, are to be allowed special leave on full pay during the period of such absence.

Duration

The Superintendent of Public Health shall communicate with the respective Director the duration of Quarantine Leave.

Application Procedure

Officers who are precluded by the Superintendent of Public Health from attending to their duties are to inform their respective Director within twenty-four (24) hours. The Director is to request confirmation from the Superintendent of Public Health in relation to the officer’s eligibility for Quarantine leave and its duration, within two (2) working days. The Superintendent of Public Health shall provide written confirmation within two (2) working days. The Director is to inform the employee of the decision within one (1) working day of receipt.
1.4 Jury Leave

Eligibility
Public officers including temporary and part-time employees, who are called upon to serve as jurors are to be allowed special leave on full pay.

Duration
Duration of the jury.

Application Procedure
The employee should notify the respective Director within three (3) working days from receiving the jury summons. If one is actually called upon to serve as juror, s/he is to inform the respective Director within twenty-four (24) hours.
1.5 Attendance At Local Council Meetings*

Eligibility

Public employees elected as Local Councillors.

Duration

The duration of the official meetings.

Application Procedure

The application form (vide Appendix 1) is to be submitted to the respective Director, attaching documentary evidence of attendance, by not later than two (2) working days prior to the meeting.

Conditions

This special leave may be utilised for official Council meetings, information sessions organised by the Ministry responsible for Local Councils, MEUSAC or the Department for Local Government and activities organised by the Local Councils’ Association held during office hours, without prejudice to their vacation leave entitlement.

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*This arrangement is also applicable to members of the Administrative Councils set up in terms of article 47 of the Local Councils Act.
1.6 Leave To Attend Official Twinning Ceremonies*

Eligibility

Public employees elected as Local Councillors are entitled to special paid leave on the official ceremony day and travelling days, so as to travel abroad to participate in the official ceremony of the signing of a twinning agreement with a foreign municipality. Only one (1) public employee from the same local council may be released.

Duration

A maximum of three (3) working days special paid leave is allowed, including the ceremony and travel dates, as long as these coincide with the employee’s normal working days.

Application Procedure

The application form (vide Appendix 1) is to be submitted to the respective Director, attaching documentary evidence of attendance, by not later than two (2) weeks prior to the ceremony.
Unpaid Leave Approved By Directors

Any of the unpaid leave entitlements in section 2 of the Manual on Work-Life Balance Measures as well as all special unpaid leaves granted not on grounds of public policy in terms of this manual, may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

When officers opt to follow one type of leave with another, they are required to apply at least one (1) month in advance to allow for adequate planning.

6 MPO Circular No 31/2005
2.1 Unpaid Leave To New Recruits

Eligibility
New Recruits

Duration
In truly exceptional and justifiable circumstances, during their first six (6) months of service, new recruits may be allowed up to three (3) working days unpaid leave.

Application Procedure
Applicants should submit the application form (vide Appendix 2) to the respective Director at least one (1) week in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within three (3) working days from receipt of full documentation.

Conditions
• Such absence does not constitute a break of service.
• After the first six (6) months service, public officers may avail themselves of unpaid leave entitled 'Leave for a special reason'.
2.2 Leave For A Special Reason*

Employees working on full-time or part-time basis may, for a special reason (including family-friendly reasons), avail themselves of special leave without pay up to a maximum of three (3) months, in any period of twelve (12) months.

Duration

A maximum of three (3) months.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least two (2) weeks in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision, in writing, copying the respective Director responsible for People Management, within five (5) working days from receipt of full documentation.

* OPM Circular No 117/92
2.3 Leave To Settle In A Foreign Country

Eligibility

Public officers who have completed at least one (1) year’s service and would like to settle abroad in any country.

Duration

A maximum of one (1) year unpaid leave.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least one (1) month in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within five (5) working days from receipt of full documentation.
2.4 Leave For Fishing And Agricultural Purposes

Eligibility

Public officers who have completed at least one (1) year’s service and who:
• engage in fishing during particular fishing seasons; or
• are required to assist in the exportation of onions and potatoes, or to work their fields.

Duration

A maximum of three (3) months unpaid leave.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least two (2) weeks in advance, attaching the relevant documentation. The respective Director shall consider the request and communicate the decision in writing, to the employee, copying the respective Director responsible for People Management, within five (5) working days from receipt of full documentation.

Applications for leave are not approved unless the employees concerned are bona fide part-time farmers or fishermen as the case may be, and are certified as such by the Directors of Agriculture or Fisheries, as applicable.
2.5 Vocational Leave

Eligibility

Public officers who have completed at least one (1) year’s service and wish to test their vocation of joining a religious order.

Duration

A maximum of one (1) year unpaid leave.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least one (1) month in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within ten (10) working days from receipt of full documentation.
2.6 Missionary / Voluntary Service

Eligibility

Public officers who have completed at least one (1) year’s service and wish to engage in Missionary Work or Voluntary Service.

Duration

The maximum duration is pegged to the overall aggregate of eight (8) years unpaid leave. This unpaid leave is renewable on application yearly and the eight (8) years may be utilised at a stretch or broken up by periods of resumption of duty.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least one (1) month in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within ten (10) working days from receipt of full documentation.

*MPO Circular No 70/2004 and MPO Circular No 31/2005*
2.7 Leave To Try Alternative Employment In The Private Sector

Eligibility

Officers in salary scales 11 and lower who have completed one (1) year’s service, may avail themselves of special unpaid leave to try alternative employment in the private sector. Public officers in salary scales 10 and higher may apply through the provisions set out in 3.4 of this Manual.

Duration

A minimum of three (3) months and a maximum of five (5) years, renewable yearly, and is subject to a maximum of four (4) renewals only.

Application Procedure

Applicants should submit the application form (vide Appendix 2) to the respective Director at least one (1) month in advance, attaching the relevant documentation. The respective Director shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within ten (10) working days from receipt of full documentation.

Conditions

• Officers may opt to resume duty before the expiration of the unpaid leave, preferably by giving one (1) month’s notice to their Director.
• Temporary substitutes may be engaged to replace employees who avail themselves of unpaid leave to try alternative employment, provided that prior approval is obtained from the respective Permanent Secretary, subject to the existing parameters.

*MPO Circular No 30/2003 and MPO Circular No 122/2007
Paid/Unpaid
Leave Approved By
Permanent Secretaries
3.1 Duty Leave

Eligibility

Duty leave with full pay may be granted to those public officers who require to be absent from work:
- owing to business directly connected with the official duties of the respective public officers; or
- to attend at international conferences abroad.

Duration

Duration of (i) and (ii) in the Eligibility section.

Application Procedure

Applicants should submit their request to the respective Permanent Secretary, through their Director/Head of Department as soon as practicable. The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days from receipt of the request for the Permanent Secretary’s consideration.
3.2 Unpaid Leave To Take Up A Post With An International Organisation

Eligibility

Public officers who have completed at least one (1) year’s service and are selected to work with an international organisation.

The experience gained by public officers when released to work with renowned international organisations, such as World Health Organisation (WHO), United Nations (UN), Food Agriculture Organisation (FAO) and Commonwealth is not only positive but is also expected to add value to the functions and expertise of the releasing Ministry/Department, once the officer concerned resumes duties.

Duration

One (1) year unpaid leave not on grounds of public policy, which may be renewed yearly, depending on the exigencies of the service.

Application Procedure

Applicants should submit the application form (vide Appendix 3) to the respective Permanent Secretary, through one's Director/Head of Department at least one (1) month in advance. The request should include:

• official documentation from the International Organisation to confirm that the officer has been selected to work with the International Organisation;
• the period of the work assignment;
• job/position description.

The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days from receipt of the completed application form. The Permanent Secretary shall evaluate the request, considering also whether the experience gained by the applicant during the release would be an asset to the public service upon the officer’s return. An application may be refused on the grounds of the exigencies of the service and/or where it is not in the public service interest to accede to such a request. In such instances, the applicant shall be given reasons why the request could not be acceded to. A copy of the decision is to be sent to the Director responsible for People Management for record purposes and onward communication to the applicant within five (5) working days of receipt of the Director/Head of Department’s recommendation. Copies of approvals are also to be forwarded to the People Support & Wellbeing (PSW) Directorate for monitoring purposes.

Conditions

Any of the unpaid leave entitlements in section 2 of the Manual on Work-Life Balance Measures as well as all special unpaid leaves granted not on grounds of public policy in terms of this manual, may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

When officers opt to follow one type of leave with another, they are required to apply at least one (1) month in advance to allow for adequate planning.
3.3 Political Activities Leave (Regulated By Directive 5)*

Public employees can apply for unpaid electoral leave on grounds of public policy to contest elections for the National Parliament, Local Councils and European Parliament, subject to the rules and regulations outlined in Directive 5.

Application Procedure
Applicants should submit the application form (vide Appendix 3) to the respective Permanent Secretary, through the Director/Head of Department. The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days from receipt of the completed application form. The Permanent Secretary shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management within five (5) working days of receipt of the Director/Head of Department’s recommendation.

Conditions

- Public officers who resume duties from electoral leave in terms of the Members of Parliament (Public Employment) Act, may be released from their duties as public officers in order to attend activities related to House business, irrespective of whether these activities are held in or outside the House (e.g. attendance for Committee meetings, travelling abroad on parliamentary delegations, attendance for official events which are related to their role in Parliament etc.). However, elected public officers should not be released in order to attend to their constituency.

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3.4 Leave To Try Alternative Employment In The Private Sector

Eligibility

Officers in salary scales 10 and higher who are not on a performance agreement and have completed one (1) year’s service, may avail themselves of special unpaid leave to try alternative employment in the private sector. Public officers in salary scales 11 and lower may apply through the provisions set out in 2.7 of this Manual.

Duration

A minimum of three (3) months and a maximum of five (5) years, renewable yearly, and is subject to a maximum of four (4) renewals only.

Application Procedure

Applicants should submit the application form (vide Appendix 3) to the respective Permanent Secretary at least one (1) month in advance, attaching the relevant documentation. The respective Permanent Secretary shall consider the request and inform the employee of the decision in writing, copying the respective Director responsible for People Management, within ten (10) working days from receipt of full documentation.

Conditions

- Officers may opt to resume duty before the expiration of the unpaid leave, preferably by giving one (1) month’s notice to their Permanent Secretary.
- Temporary substitutes may be engaged to replace employees who avail themselves of unpaid leave to try alternative employment, provided that prior approval is obtained from the respective Permanent Secretary, subject to the existing parameters.
Paid and Unpaid Leave on grounds of Public Policy approved by the People Support & Wellbeing Directorate
4.1 Releases With Trade Unions*

Trade unions which are signatories to the Collective Agreement for Employees in the Public Service are allowed the release of public employees on full pay to perform trade union activities, according to the Union’s membership. These employees must be below Scale 5 and may also be from public corporations and entities. Public employees may also be released on special leave on no pay on grounds of public policy.

Eligibility

Public employees in Scale 6 or lower

Duration

One (1) year, renewable yearly through a written request.

Application Procedure

The Trade Union is to submit a request to the People Support & Wellbeing (PSW) Directorate, for the release of a public employee. The PSW shall consult with the respective Ministry whether the said individual may be released or otherwise. Once the PSW receives clearance from the respective Ministry, the PSW shall communicate its decision to the respective Trade Union, copying the Ministry and the public employee accordingly.
4.2 RELEASE OF PUBLIC EMPLOYEES TO WORK WITH VOLUNTARY ORGANISATIONS (VOs)*

The objective of this policy is to support registered Voluntary Organisations (VOs) and national non-governmental institutions (hereinafter in this policy collectively referred to as ‘organisations’) in the implementation of projects and activities which are aligned to government policy by enhancing their HR capacity, through the release of public employees on special leave with pay on grounds of public policy, on a full-time basis.

ORGANISATIONS’ ELIGIBILITY & CRITERIA FOR SELECTION

Organisations must be established exclusively to fulfil a social or charitable purpose on a national level, and as defined by the Trusts and Trustees Act, that is, any charitable and philanthropic purpose including:

i. the advancement of education, including physical education and sports;
ii. the advancement of health;
iii. the advancement of religion;
iv. social and community advancement;
v. the advancement of culture, arts and national heritage;
vi. environmental protection and improvement;
vii. the promotion of human rights, conflict resolution and reconciliation.

Organisations must also be non-profit-making and their income, capital or property is not to be available directly or indirectly to any promoter, founder, member, administrator or donor (but they may engage salaried staff to fulfil their purpose).

Organisations that may benefit under this scheme will be selected according to the following criteria:

i. the organisation must provide a service that is complementary to a service provided by government or a service aligned with government policy which is not currently provided by government. An agreement between both parties (i.e. government and the organisation) may be entered into;

ii. the extent to which the proposal submitted by the organisation sets out clearly defined deliverables linked to set target dates;

iii. whether or not the organisation is already receiving Government assistance (financial or in kind) under another scheme. Priority will be given to organisations that are not receiving any assistance, provided that the criteria at (i) and (ii) are satisfied.

Duration

The period of release is for the duration of the project or for a maximum period of twelve (12) months (whichever is shorter), with the possibility of renewal.

Application Procedure

Every twelve (12) months, the People Support & Wellbeing (PSW) Directorate within the People & Standards Division (P&SD) shall issue an Expression of Interest inviting public employees to register their interest in being released for a specified period to work with
VOs and national non-governmental institutions. Applications, which are to include a motivational statement and a copy of the applicant’s curriculum vitae, are to be submitted to the respective Director responsible for People Management / DCS, who, in turn, will refer all applications for endorsement by the respective Permanent Secretary (or his/her authorised delegate). Such endorsement shall signify approval for release.

Directors responsible for People Management / DCSs shall only refer the applications which are endorsed by the Permanent Secretary (or his authorised delegate) to the People Support and Wellbeing Directorate within ten (10) working days from the closing date of the Expression of Interest. Applicants whose application was not endorsed shall be informed accordingly by the respective Director responsible for People Management / DCS.

The decision regarding the release of public employees (including renewals) shall be communicated by the PSW Directorate on an annual basis.

APPLICATIONS BY ORGANISATIONS

Submitted applications are to include the following:

i. A statement, where applicable, setting out the scope/mission of the organisation and which, in conformity with the Trusts and Trustees Act, should define its social/charitable purpose;

ii. A copy of the organisation’s statute and, in the case of VOs, the registration number. This will not be required if the Statute is accessible online (online address should be indicated) or if no amendments to the Statute have been made since the previous submission;

iii. A description of the service provided by the organisation and a statement as to how the service is:
   • within the identified charitable and philanthropic purposes of the policy
   • complementary to services provided by government or, in the case that such a service is not currently provided by government, how the service is aligned with government policy.

iv. A proposal defining a clear project or activity to which the requested employee will be assigned. The proposal must also clearly define the benefits to be attained from the proposed project and/or activity and give target deadlines for the completion of the proposed project/activity. The proposal shall define the level of alignment of the project with Government policy. If the project/activity will be taking place outside Malta, it is particularly important that this is clearly indicated in the proposal submitted;

v. A statement indicating the receipt of Government assistance of any type (financial or otherwise) and under any scheme, already being received by the organisation;

vi. An indication of any concrete initiative, apart from the usual activities, which the organisation can offer the Public Administration, e.g. free lectures, open days or other useful services;

vii. In the case of Sport Organisations, applicant organisations are to submit a declaration by SportMalta confirming that, in accordance with the provisions of the Sports Act (Cap. 455), the Association is registered with SportMalta and that the Organisation actively represents Malta in sporting activities.

The release of public employees already assigned to work with such organisations expires at the end of the agreed period. If organisations already benefiting from this scheme, require the services of the employee assigned to them for a further period, they should re-apply accordingly. The statement and the statute referred to in (i) and (ii) need not be resubmitted unless there were any changes in these documents from the date these were submitted.
TERMS FOR RELEASE

Public employees may be assigned to VOs and national non-governmental institutions on special leave with pay on grounds of public policy, on a full-time basis. Released employees are to work on a forty (40)-hour week basis and are entitled to 208 hours vacation leave yearly. In the case of teachers, the equivalent of 208 hours vacation leave entitlement will be granted pro-rata, depending on the date of release.

Under normal circumstances, only one (1) public employee may be assigned to any organisation. When an organisation operates separate offices in Malta and Gozo, it may benefit from the release of a public employee, both for the Malta as well as the Gozo office, provided that the request for the additional public employee satisfies all the necessary requirements.

In exceptional and specially deserving cases, and where this is justified by the nature of the project or activity being undertaken by the organisation, two (2) or more public employees may be assigned. In such cases, an ad hoc agreement is entered into between the PSW Directorate and the organisation concerned. Unless otherwise specified in the agreement, the provisions of this policy shall apply.

Government reserves the right not to assign any public employee to an organisation, even if all the criteria are satisfied - this, to allow government to distribute its assistance along different types of projects. Government may also impose a limit on the amount of assistance granted to such organisations.

Approval of release under this scheme is communicated by the PSW Directorate in consultation with the relevant stakeholders including the respective Director and Permanent Secretary.

Eligible applicants may be requested by the PSW Directorate to attend for an interview to assess their suitability. In instances where a suitable public employee cannot be identified for release with a particular organisation, the PSW Directorate, will co-ordinate facilitation meetings with the applicant organisation to explain the situation and render the process more transparent.

Public officers on a performance agreement or on a contract must revert to their substantive grade when they are released to work with such organisations. Public Officers on a salary scale higher than Scale 6 and Public Sector employees with a basic salary higher than the equivalent of maximum Salary Scale 6 of the Public Service will be paid the maximum of Salary Scale 6.

The PSW Directorate reserves the right to monitor the released employee to ensure conformity with the terms of release, including the ongoing progress of the project/activity submitted. To this effect spot checks may be carried out and/or reports on the activities may be required by the respective Director General/Director/Head of Entity or by the People & Standards Division. The employing Department/Entity reserves the right to withdraw the released employee by giving a five (5) working day notice if the terms of agreement are not adhered to.
In the case that the released employee is required back at the releasing department/entity owing to prevailing circumstances thereat, the release may be withdrawn by the employing department/entity by giving two weeks’ notice.

The organisation is to submit verified attendance records, endorsed by the Head of the organisation to the respective employing department on a monthly basis.

Such organisations shall request renewals of releases to the PSW Directorate not later than two (2) months prior to the expiry of the approved release. Approval for a further period of leave is communicated by the PSW Directorate following consultations with the employee’s respective Director responsible for People Management / DCS.

Without prejudice to the regulations governing the respective organisation, during the period of release, public officers are liable to the PSC disciplinary procedures for any misconduct. Public Sector employees are regulated by the respective disciplinary procedures prevailing in the employing entity.

Employees will resume duties with their employing Department/Entity at the end of the approved release. Employees who have been released for a period of three (3) years or more will have to undergo an induction course and any other re-training activities considered necessary by the employing Department/Entity, upon resumption of duties.

Employees who, during their period of release are selected for appointment in a grade/position must choose between taking up the duties of the new appointment or else continuing with their release. If they do not accept appointment, they will remain on the order of merit till the validity of the result and the candidate who is next-in-line in the order of merit will be appointed (not on a back-to-back basis).
4.3 Paid Leave to Work With Malta’s Committee of Regions (COR) Representatives*

Eligibility

A public employee, whose salary scale is below scale 5 and has completed one (1) year’s service, may be released on paid leave, on grounds of public policy to work with Malta’s COR representatives. The employee will be identified by the Local Councils Association and will be based in Malta.

Duration

Paid leave will be granted for one (1) year, renewable yearly to a maximum of eight (8) years. During the period of release the employee will be seconded with the Local Councils Association.

Conditions

One (1) public employee at a time will be assigned to assist the COR members.

*MPO Circular No 80/2008
4.4 **Paid Leave For Development Work Abroad**

**Eligibility**

Full time Public Officers who have completed at least one (1) year’s service, may be released on special leave with pay on grounds of public policy, to perform development work in countries that are recipients of Official Development Assistance (ODA).

Public Officers on contract or a performance agreement may still benefit from this policy on condition that they relinquish their contract or performance agreement and revert to their substantive grade.

**Duration**

A maximum of eight (8) years, renewable on application yearly.

**Application Procedure**

Applicants should submit the application form (vide Appendix 4) to the respective Permanent Secretary, through their Director, at least one (1) month in advance, attaching the relevant documentation. The application form, endorsed by all parties and including any relevant documentary evidence, should be forwarded to the People Support & Wellbeing (PSW) Directorate within five (5) working days from receipt of full documentation. The PSW Directorate shall communicate, in writing, its decision to the respective Ministry, copying the applicant, by not later than five (5) working days from receipt of the recommendation from the respective Ministry.

Every year, officers on paid leave must send a report to their Director, with details and documentary evidence regarding the assignment being undertaken. Directors will then submit copies to the PSW Directorate, the Ministry for Foreign Affairs and Trade Promotion, the Ministry for Finance and the Ministry for Family, Children’s Rights and Social Solidarity.

**Conditions**

The number of officers to be posted on paid leave abroad will depend on Malta’s ODA budget, calculated annually by the Ministry for Foreign Affairs and Trade Promotion and the Ministry for Finance. The paid leave will be on the basis of assignments. Unpaid leave (not on grounds of public policy) for voluntary service/missionary work in countries that are not recipients of ODA may still continue to be granted by the employee’s Director, as stipulated in the provision entitled ‘Missionary/Voluntary Service.

Any of the unpaid leave entitlements in section 2 of the Manual on Work-Life Balance Measures as well as all special unpaid leaves granted not on grounds of public policy in terms of this manual, may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

When officers opt to follow one type of leave with another, they are required to apply at least one (1) month in advance to allow for adequate planning.

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12 OPM Circular No 4/2007
4.5 Unpaid Leave To Work As Personal Assistant To Members Of The European Parliament (MEPs)

Public Officers identified to work as personal assistants to Malta’s MEPs may be granted unpaid leave on grounds of public policy.

Eligibility

Public officers who are in a grade/position not higher than that of Principal or analogous grades/positions (capped at Scale 7). (The term ‘analogous’ grade means all those grades which are on a salary scale having the same salary maximum as the scale of the post/position to which they are being compared). Only one (1) public officer may be released with each MEP.

Duration

One (1) year, renewable yearly.

Application Procedure

Applicants should submit a request to the People Support & Wellbeing (PSW) Directorate through the respective Permanent Secretary and Director at least one (1) month in advance, attaching the relevant documentation. The letter of request, endorsed by all parties and including any relevant documentary evidence, should be forwarded to the PSW Directorate within five (5) working days from receipt of full documentation, copying in the Director responsible for People Management. The PSW Directorate shall communicate, in writing, its decision to the respective Ministry, copying the applicant, by not later than five (5) working days from receipt of the recommendation from the respective Ministry.
4.6 Releases With Political Parties *

Regulated by Directive 5

Eligibility

Public employees in salary scale 6 (or equivalent) and lower who occupy a politically free post may be granted unpaid leave on grounds of public policy in order to:

- take up a post in a party’s core administration (irrespective whether the party has a statute or otherwise).
- act as personal assistant to the leader of a political party represented in Parliament. Only one public officer may be released with the Leader of a political party represented in Parliament.

Duration

This unpaid leave may be renewed yearly up to the duration of:

- one’s political appointment in a party’s core administration.
- the assignment as personal assistant to the leader of the political party.

Application Procedure

Applicants should submit the application form (vide Appendix 4) to the respective Permanent Secretary, through their Director, at least one (1) month in advance, attaching the full documentation. The Director/Head of Department shall forward his/her recommendations to the Permanent Secretary within three (3) working days from receipt of the request for consideration. Within five (5) working days from receipt of the Director/Head of Department’s recommendation, the application form, endorsed by all parties and including full documentation, should be forwarded to the People Support & Wellbeing (PSW) Directorate. The PSW Directorate shall communicate, in writing, its decision to the respective Ministry, copying the applicant, by not later than five (5) working days.

For full information regarding political participation and communications with the Media please be guided by Directive 5 and Amending Directive 5-1.

Conditions

Any of the unpaid leave entitlements in section 2 of the Manual on Work-Life Balance Measures as well as all special unpaid leaves granted not on grounds of public policy in terms of this manual, may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

When officers opt to follow one type of leave with another, they are required to apply at least one (1) month in advance to allow for adequate planning.
Unpaid Leave to take up Temporary Employment with institutions, bodies and agencies of the European Union* 13

13 MPO Circular No 89/2005 and MPO Circular No 150/2006
5.1 NOT ON GROUNDS OF PUBLIC POLICY

Eligibility

Public employees who have been in the public service for at least one (1) year.

Duration

A maximum period of three (3) years or the duration of the public employee’s service, whichever is the shorter.

Application Procedure

Applicants should submit the application form (vide Appendix 3) to the respective Permanent Secretary through their Director at least one (1) month in advance, attaching the relevant documentation. In the case of short-term contracts (three (3) months or less), the one (1) month notification is reduced to two (2) weeks. Where the individual is in a post/position that carries a longer notice period, whether by contract or otherwise, it is the longer contractual notice period that shall have to be respected.

The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days of receipt of full documentation, copying in the Ministry’s HR Office. The Permanent Secretary shall consider the request and the final decision is to be communicated to the applicant by not later than five (5) working days from receipt of the respective Director/Head of Department’s recommendation.

Conditions

Subject to the adherence to the conditions and limitations of the granting of such special unpaid leave, public officers will:

• enjoy the right to return to their substantive grade held immediately before their contract with the EU;
• retain all rights and privileges applicable to their public office and those arising from the respective Classification Agreement;
• have their social security rights acquired under the Social Security Act (Cap. 318) safeguarded in line with the provisions of Council Regulation (EEC) No. 1408/71.

Special unpaid leave not on grounds of public policy to work with one of the EU Institutions, Bodies or Agencies may only be availed of once, irrespective of the duration which in any case can never exceed the maximum period of three (3) years. Requests for extension of the unpaid leave to work with the same institution may be considered so long as the three (3) year capping is respected.

Individuals on special unpaid leave shall inform the People Support & Wellbeing (PSW) Directorate of all posts they hold within EU Institutions, Bodies and Agencies as well as any changes in their employment circumstances. Such individuals are obliged to provide at least an annual statement containing such details. Failure to provide such information or the provision of inaccurate information will be considered as a resignation from Government service.
Individuals on special unpaid leave not on grounds of public policy have to submit a new application if they wish to be considered for special unpaid leave on grounds of public policy as a result of their changed circumstances. As these officers are already on unpaid leave, the notice period usually required for the grant of unpaid leave on grounds of public policy, is not necessary. Nevertheless, the submission of an annual statement, as per previous paragraph, shall continue to apply.

Individuals who terminate their employment with the European Institution, Body or Agency shall immediately write to the PSW Directorate, at least thirty (30) calendar days prior to the expiry of the unpaid leave, requesting resumption of duties into Government service and the termination of the unpaid leave. The period of thirty (30) calendar days shall be extended by an additional thirty (30) calendar days for every year of unpaid leave availed of. Termination of unpaid leave and the consequent resumption of duties will be considered to have taken place thirty (30) calendar days following receipt of such request by the PSW Directorate; provided that this one (1) month shall be extended by a further thirty (30) calendar days for every consecutive year of unpaid leave availed of. Failure to inform the PSW Directorate within the established timeframes following the termination of employment with the EU Institution, Body or Agency will be considered as a resignation from the public service.

Public employees may terminate their unpaid leave at any time, if it is to take up a post/position with the Government, as a result of a call for applications to which they are eligible, or a post/position at Government scales 1-4 or a post/position in a Ministerial Secretariat, or the EU Secretariat within the Ministry for European Affairs and Equality (MEAE).

Public employees, who are engaged on definite contract in Ministries and departments of Government and take up an engagement with the EU, are expected to terminate their contract unless they opt to return and continue the remaining period of contract of engagement with Government within the first six (6) months from the effective date of commencement of their employment with the EU Institution, Body or Agency.

Any of the unpaid leave entitlements in section 2 of the Manual on Work-Life Balance Measures as well as all special unpaid leaves granted not on grounds of public policy in terms of this manual, may be followed by one another, subject to an overall maximum of eight (8) years, whether taken at a stretch or broken up by periods of resumption of duty. The eight (8) year limit applies also to Paid Leave for Development Work Abroad.

When officers opt to follow one type of leave with another, they are required to apply at least one (1) month in advance to allow for adequate planning.

Substitute officers may be engaged to replace officers on unpaid leave.
5.2 On Grounds Of Public Policy

Eligibility

Public employees who have been in the public service for at least one (1) year and who are employed by an EU Institution, Body or Agency in one of the following categories will be eligible to be granted special unpaid leave on grounds of public policy:

- Cabinet or similar positions of trust with Commissioners, Judges (European Court of Justice and Court of First Instance), members of the Court of Auditors, President of the Parliament, President of the European Economic and Social Committee and the President of the Committee of the Regions.
- A16 to A13 posts with EU Institutions, Bodies or Agencies.
- A12 to A9 posts with EU Institutions, Bodies or Agencies.

Duration

The following periods of unpaid leave will apply respectively to the categories defined above as follows:

- A maximum period of five (5) years which may be renewed to take up a new position of trust with a different Commissioner, Judge or President of the Institutions mentioned in the Eligibility Criteria at category (1).
- A maximum period equivalent to the duration of the term of office of the posts they may hold.
- A maximum period of five (5) years provided that, if the public employee has been in the public service for more than ten (10) years, the maximum period may be extended to ten (10) years, or to the duration of the terms of office of the posts they hold, whichever is the shorter.

Application Procedure

Applicants should submit the application form (vide Appendix 3) to the respective Permanent Secretary, through their Director, at least one (1) month in advance, attaching the relevant documentation. In the case of short-term contracts (three (3) months or less), the one (1) month notification is reduced to two (2) weeks. Where the individual is in a post/position that carries a longer notice period, whether by contract or otherwise, it is the longer contractual notice period that shall have to be respected.

The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days of receipt of full documentation, copying in the Ministry’s HR Office. The Permanent Secretary shall consider the request and the final decision is to be communicated to the applicant by not later than five (5) working days from receipt of the respective Director/Head of Department’s recommendation.

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14 MPO Circular No 150/2006
Conditions

Public officers on a substantive grade who avail themselves of such special unpaid leave will:

- enjoy the right to return to that grade in the public service;
- be eligible for progression or promotion in the same stream;
- retain all rights and privileges applicable to their public office and those arising from the respective Classification Agreement;
- have their service with the EU reckonable as service with the Government, also for pension purposes. In the case of pensionable officers, their service with the EU is deemed as service given to the Government of Malta for pension purposes under the Pensions Ordinance; and
- have their social security rights acquired under the Social Security Act (Cap. 318) safeguarded in line with the provisions of Council Regulation (EEC) No. 1408/71.

Individuals who have been granted special unpaid leave, should write to the PSW Directorate at least one (1) year prior to the expiry of their special unpaid leave requesting the resumption of their duties into the Public Service.

Individuals on special unpaid leave on grounds of public policy at section 5.2 are eligible to apply to change the category under which their special unpaid leave has been granted. Where applicable, however, the time spent in one category has to be counted as forming part of the special unpaid leave granted in terms of the new category. Individuals who have benefited from special unpaid leave on grounds of public policy are not eligible to apply for special unpaid leave not on grounds of public policy with the EU Institutions, Bodies or Agencies.

Individuals on special unpaid leave shall inform the PSW Directorate of all posts they hold within EU Institutions, Bodies and Agencies as well as any changes in their employment circumstances. Such individuals are obliged to provide at least an annual statement containing such details. Failure to provide such information or the provision of inaccurate information will be considered as the automatic resignation of the officer from the Public Service.

Employees on special unpaid leave may terminate their unpaid leave at any time, if it is to take up a post/position with the Government as a result of a call for applications to which they are eligible or a post/position at Government scales 1, 2, 3 or 4 or a post/position in a Ministerial Secretariat, or the EU Secretariat.

Persons who are engaged on contract in Ministries and Government Departments and who are selected and engaged with the EU are expected to resign, but they will retain the right to return and to complete the remaining period of contract of engagement with Government, provided they do so within six (6) months from the effective date of commencement of their employment with the EU Institution, Body or Agency.

Officers may be engaged to replace officers on unpaid leave on a back to back basis.
Paid Leave approved by other Authorities
6.1 Flexi Training Scheme *

Public employees who are national athletes / athletes with national potential, may be released from work, to train professionally in their sport, for an amount of hours per week as requested by the applicant or as determined by the SportMalta.

Eligibility

Public employees:

• with forthcoming fully approved international sport commitment, in their personal capacity, at the top national level; or
• with great promise in their sport and with a great possibility of representing Malta in fully approved international commitments in the near future. This will be determined by the Board following consultations with the association of the particular sport; and
• registered with a National Sport Organisation, which is registered with the SportMalta and which organisation is also affiliated with the respective International Sport Organisation.

Period Coverage And Parameters

The Flexi Training Scheme will be granted for a period of twelve (12) months, which may be renewed by further periods of twelve (12) months through the submission of an application following the issue a call for applications by SportMalta to this effect.

All employees released on this scheme shall retain their public employee status throughout their release. The following parameters shall furthermore apply:

• During the period of release, employees will only be entitled to receive their basic salary. Allowances will be paid on a pro-rata basis. Any Sunday and/or Public Holiday allowances will be forfeited and the employee will be paid the basic salary for the hours spent training under this scheme on a Sunday and/or public holiday.
• During the period of release, employees are regulated by the PSC disciplinary procedures or the disciplinary procedures applicable in the respective entity (in the case of public sector employees), for any misconduct. This is without prejudice to the regulations governing their respective National Sport Organisation.
• Released employees are not entitled to paid injury leave. They are however, entitled to ordinary sick leave for any injury sustained during the training sessions being undertaken in the period of the release.
• Public employees may not avail themselves of family-friendly measures or any form of special leave concurrent with the Flexi Training Scheme.
**Application Procedure**

This scheme is operational on a yearly basis (January to December). Therefore, applications will not be considered if received mid-year. Applications shall only be accepted when received during the timeframe stipulated in the letter circular issued by SportMalta to National Sport Organisations.

The procedure to be followed is as outlined hereunder:

The employee shall submit a written request, addressed to the respective Head of Department/Director, at least fifteen (15) working days before the closing date for submission of applications to SportMalta. The request should include the international sport event by virtue of which the release is required, as well as details regarding the annual training schedule of the employee.

Within ten (10) working days of receiving the request, the Head of Department/Director shall forward his/her letter of recommendation/objection to the relevant authorities, as specified hereunder, while also informing the employee, in writing, whether the request has been approved or refused.

**I. IN CASES OF REFUSALS**

A request may be refused in such instances as acute staff shortage or when the employee is performing specialised duties which require one’s full-time presence or when no suitable replacement is available. When refusing requests, the Head of Department/Director should clearly indicate the reason for refusal. In such cases, the employee may appeal to the respective Permanent Secretary who shall investigate the case and decide whether to accede to the request or otherwise. The decision taken by the Permanent Secretary shall be final and shall be communicated to the employee and the Permanent Secretary responsible for Sport, and copied to SportMalta and the People Support & Wellbeing (PSW) Directorate.

**II. IN CASES OF APPROVALS**

The Head of Department/Director shall write a letter of recommendation, addressed to SportMalta, through the Permanent Secretary. The employee shall also be copied in this correspondence. The completed application form (vide Appendix 5), endorsed by the respective Head of Department/Director, including all the required documentation as per Section E of the Application Form, shall be attached/enclosed with the letter of recommendation.

Following the recommendation (in both positive and negative cases) by the Head of Department/Director, the Permanent Secretary responsible for Sport is responsible to approve or reject the employee’s application to participate in this Scheme and his/her decision shall be final. If approved, the Head of Department/Director shall immediately make the necessary arrangements for the release of the employee to participate in this scheme in terms of the application.
Accepted Applications: Procedure

The employee/athlete shall sign a contract with SportMalta undertaking that s/he will:

• abide with the Code of Sport Ethics;
• make no use of illegal substances and/or performance enhancing drugs and/or other doping methods;
• undertake any doping tests and update the Anti-Doping Administration & Management system (ADAMS) thereby keeping National Anti-Doping Organisation (NADO) informed of his/her whereabouts (and submit other information, which includes, but is not limited to, details on the athlete residence, training venues and times, competition schedule, holiday arrangements etc., as well as a 60-minute time slot between 6am and 11pm where they can be located for testing) as required by NADO;
• immediately provide a contact telephone number for quick and easy contact if the need arises;
• be available, at all times, in cases where SportMalta and/or the government needs the employee/athlete for sport promotion purposes;
• wear SportMalta Scheme uniform for activities, when so requested by SportMalta;
• immediately inform SportMalta and the respective department when sick and utilising one’s sick leave entitlement, in which case a medical certificate shall be submitted to the respective department and a copy sent to the Social Security Department as per normal procedure. SportMalta shall also be supplied with a photocopy of the certificate;
• will return back immediately to work:
  • in cases of injury, unless covered by a medical certificate;
  • if dropped from the national selection;
  • when not reporting for training;
  • when not fit for training.

The Head of Department/Director and SportMalta have the right to:

• Carry out spot checks during the training programme;
• Request, and be immediately provided with medical/fitness tests to certify that the employee is of an acceptable level of fitness appropriate for his/her sport and according to the set training programme;
• Request, and be immediately provided with, any other information (on the employee and relating to the Scheme) deemed relevant.

Default

Where the employee/athlete is found guilty of:

• Unjustified absence for a training session;
• Illegal doping;
• Misbehaviour;
• Lack of respect towards one’s supervisor/s;
• Any flagrant action followed by indefinite suspension from one’s sport capacity;
• Any other action deemed to be serious in nature;

the immediate termination of the agreement shall ensue, together with any necessary disciplinary action in accordance with the PSC disciplinary procedures or the disciplinary procedures pertaining to the employing entity in the case of public sector employees.
SportMalta shall inform the employing department, copying the PSW Directorate in the event that the employee is dismissed or voluntarily drops out of the scheme. Furthermore, if in default through a doping offence / the use of illicit substances and/or drugs, the employee is responsible for reimbursing the government of Malta for all the training hours allocated to the said employee, that is, from the date when the employee started to benefit from this scheme till the date when s/he was found guilty of such offence, without prejudice to further actions taken in accordance with the Laws of Malta.

For full information on this scheme, you may access the SportMalta website: http://www.sportmalta.org.mt/assistance/sports-organisations/flexi-training-scheme
6.2 **International Sports Activities Held Locally And Abroad**

Public officers participating as athletes, coaches or accompanying officials in international sports activities, both locally and abroad, may be granted special leave with pay. Public officers benefitting from the Flexi Training Scheme are not precluded from being granted special paid leave under this policy.

**Eligibility**

- members of a National Sport Organisation who shall be representing Malta in both competitive and friendly events held locally / abroad;
- members of Local Sport Organisations (individual clubs) who shall be participating in competitive events held locally / abroad.

**Duration**

- **INTERNATIONAL SPORTS ACTIVITIES HELD LOCALLY**
  One (1) day paid leave for actual participation in international sports activities held locally.

- **INTERNATIONAL SPORTS ACTIVITIES HELD ABROAD**
  A maximum of ten (10) events per calendar year. All absences directly related to the actual duration of the specific event, such as travel days, are also to be covered by special paid leave.

- **ATTENDANCE AT MANDATORY CONFERENCES AND MEETINGS**
  Special paid leave is allowed for attendance at mandatory conferences and meetings when officials of a National / Local Sport Organisation will be representing their organisation at mandatory conferences and meetings held abroad, such as the annual general meetings of their respective international federation. All absences directly related to the actual duration of the specific conference and meeting, such as travel days, are also to be covered by special paid leave.

**Application Procedure**

The applicant is required to submit an application (vide Appendix 6) to the respective Director, copied to the Director responsible for People Management, attaching the required documentation, by not later than fifteen (15) working days before the event. The request should be endorsed by SportMalta, copying the Permanent Secretary for Sport. Documentation should include:

- information about the International Sports Event or a copy of the official invitation in case of a conference or meeting;
- the duration of the event, in the case of events and mandatory conferences and meetings being held abroad;
- the number of days of special leave being requested;

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13 PAHRO Circular 43/2011
• the endorsement of the National Sport Organisation of the discipline concerned and SportMalta, in the case of members or officials of National Sport Organisations representing Malta in competitive or friendly events or attending mandatory conferences or meetings;
• the endorsement of the Local Sport Organisation and SportMalta, in the case of members or officials of Local Sport Organisations participating in competitive events or attending mandatory conferences or meetings;
• the day/s during which the applicant will actually be participating in sports activities held locally;

The National / Local Sport Organisation, responsible for endorsing the request, should support the application with documentation that:

• it is registered with SportMalta;
• the event is recognised by SportMalta as an International event; or that the conference/meeting is recognised by SportMalta as mandatory;
• the officer will be participating in and representing Malta at the International event or mandatory conference/meeting held locally or abroad; and whether
• the event is being held in Malta or abroad.

In cases where the applicant is an athlete already benefitting from the Flexi Training Scheme, presentation of the related approval would suffice, so long as the request for special paid leave is being made in connection with the same International event.

Within five (5) working days from receiving the application, the respective Director shall inform the employee, in writing, whether the application has been approved or otherwise. A request may be refused in such instances as acute staff shortage or when the employee is performing specialised duties which require one’s full time presence. In those cases where the employee cannot be released, one may appeal to one’s respective Permanent Secretary who shall investigate the case and decide whether to accede to the request or otherwise. The decision taken by the respective Permanent Secretary shall be final.

All decisions shall be addressed to the Permanent Secretary responsible for Sport, copied to SportMalta and the People Support & Wellbeing (PSW) Directorate. The Permanent Secretary responsible for Sport shall notify SportMalta, the PSW Directorate, the employee and the respective Director of the final decision. The Permanent Secretary responsible for Sport shall have the power to overturn a positive recommendation.
6.3 Cultural Leave

Public Officers may be granted special paid leave to participate in cultural activities abroad.

Eligibility

The leave applies to actual performers, directors, producers, conductors and choreographers, provided that:

• the activities concerned are organised by foreign Governments, Government Agencies or are ones included in bilateral cultural agreements; or
• the invitation to perform abroad either:
  • has been made public through the culture directorate; or
  • includes performances that are specifically assisted by the Government of Malta.

Duration

Eligible officers may be granted up to a maximum of ten (10) working days per calendar year.

Application Procedure

Public Officers are to complete the application form (vide Appendix 7), attaching the required documentation, and submit the completed application form to the respective Director at least fifteen (15) working days prior to the actual event. Attached documents should include:

• details regarding the nature of the event and the applicant’s involvement;
• duration of the event
• a copy of the invitation/request to perform overseas together with any other verifiable documentation.

The respective Director/Head of Department shall forward his/her recommendation to the Permanent Secretary within three (3) working days from receipt of the completed application form. Approvals shall then be submitted and endorsed by the Permanent Secretary responsible for Culture. The final decision shall be communicated to the employee, copying the Director responsible for People Management by not later than five (5) working days from receipt of approval from the respective Director/Head of Department.

16 OPM Circular No 96/1992
6.4 Seminars and Courses Organised by Trade Unions

Eligibility

Public Employees in Scale 6 or lower

Duration

A maximum of five (5) days paid leave every calendar year. Employees who wish to attend further seminars in excess of the five (5) days entitlement are to avail themselves of vacation leave or special unpaid leave.

Application Procedure

At least ten (10) working days prior to the event, the Trade Union should submit a request to the Director responsible for People Management in the officer’s employing Ministry, to attend a seminar/course organised by the Trade Union.

The Director responsible for People Management is to inform the Trade Union of the decision, copying the individuals concerned, within five (5) days of original request from the Trade Union. In cases where a public officer will be exceeding the five (5) day limit, they are to be informed that they have to avail themselves of vacation leave. In cases of refusals, the Director responsible for People Management should also include the reasons for refusal.
6.5 Seminars Abroad for Trade Union Officials

Eligibility

Trade Union Officials may be granted paid leave to attend to EU funded trade union seminars abroad.

Attendance to seminars/conferences abroad which are not EU funded should be covered by vacation or unpaid leave.

Duration

The duration of the EU funded seminar abroad.

Application Procedure

The Trade Union should submit a request to the Director responsible for People Management in the officer’s employing Ministry, for the release of a public employee to attend a seminar abroad, at least ten (10) working days prior to the event.

The Director responsible for People Management should inform the Trade Union of the decision, copying the individuals concerned within five (5) days of original request from the Trade Union. In cases of refusals, the Director responsible for People Management is required to include the reasons for refusal.
Cooperatives Schemes

Cooperatives registering after 22 May 2018 are to be guided by the provisions set in the New Scheme, which is also applicable to Public Sector employees. No new Cooperatives may be set up under the ‘old’ Schemes A and B. Those Cooperatives set up under these ‘old’ Schemes are to be guided by Scheme A or Scheme B, as applicable.
7.1 New Scheme for Cooperatives in the Public Administration

Public employees may join to set up and register a Cooperative with the Board of Cooperatives. The Cooperative is to be composed of a minimum of 5 members in accordance with the eligibility criteria in this policy.

Through this Scheme, public employees continue to receive their salary and may benefit from a share of any profits that may result from any work contract. Employees in a Cooperative are regulated by all regulations governing public employees, namely the Public Administration Act, Code of Ethics, Directives, Public Service Management Code and its Manuals, the PSC Disciplinary Regulations and/or comparable regulations in the respective Public Sector Entity.

The Cooperatives Scheme Unit within the People & Standards Division has been specifically set up to provide managerial assistance to Cooperatives and to provide assistance and advice in the financial aspect (accounting). This section may be contacted by email on psw.opm@gov.mt or by telephone on 2200 1279.

Eligibility

Public Officers in salary scales 8 to 20 or Public Sector employees in comparable grades.

Application Procedure

Applicants who wish to join up in a Cooperative should seek the approval of their respective Director/Head of Department, providing all details required for the evaluation of the request. The Director/Head of Department shall evaluate the request and inform the applicants of the approval or otherwise within one (1) month from the date of the request, after having consulted the respective Permanent Secretary. If a reply is not forthcoming within this period, the request is approved by default. Following the necessary approval, the Cooperative may be registered with the Board of Cooperatives.

Conditions

A Director/Head of Department may assign work to Cooperatives through a contract for work in conformity with the Public Procurement Regulations. The authority of the Director/Head of Department and the relationship between the Cooperative and the Director/Head of Department are to be stipulated in the contract for work which is approved by the Permanent Secretary. All parties are to ensure full accountability and transparency in the operations and value for money for public funds. The contract for work should specify clear demarcation of the roles of the Cooperative and the Director/Head of Department concerned. The Director/Head of Department cannot sign on behalf of the Cooperative, neither for bank account/s nor in relation to its audited accounts.

17 OPM Circular No 4/2018
The Cooperative and the Director/Head of Department are to agree on the duration by which the contract should be finalised (unless this was already stipulated) and the percentage of the income to be retained by the Department, which should be approved by the respective Permanent Secretary. If a Cooperative makes use of Government assets such as buildings, machines or machinery, these are to be rented out to the Cooperative depending on the value established by the respective Head of Department as authorised by the respective Permanent Secretary. The Cooperative is to refund any expenses paid by the Department for the Cooperative’s utilisation.

Cooperatives falling under this Scheme may compete for tenders and enter into contracts for work with the Private Sector. These should be done under the direct control and scrutiny of the respective Director/Head of Department. Cooperatives in the Public Sector may not subcontract work or employ people from outside the Cooperative.

The performance and operations of the Cooperative are subject to the scrutiny of the respective Permanent Secretary, or his/her delegate, and to internal auditing by the Internal Audit and Investigations Department (IAID). All IAID Reports are sent to the respective Permanent Secretary for any necessary follow up.

Cooperatives falling under the criteria of this Scheme are to open a bank account in the Cooperative’s name and the account should have at least two signatories from the members of the Cooperative’s Steering Committee. The external auditor of the Cooperative is appointed by the Cooperative’s members and should be replaced every 4 years.

These Cooperatives will be registered on a separate register under provisional registration. The Cooperatives Board will inform the Internal Audit and Investigations Department and the People & Standards Division regarding all new registrations.

At the end of each year, or in cases of works, or termination of contracts, the Cooperative will convene a General Meeting inviting the Board of Cooperatives. During these meetings, the Cooperative shall determine how the balance in the bank account shall be apportioned, following the payment of the monies due to the Department. This process shall follow in accordance with the established criteria hereunder:

- 5% to the Central Cooperative Fund;
- A minimum of 20% reserves, where applicable; and
- Up to a maximum of 75% distributed to the Cooperative’s members, as agreed, by way of patronage refund.
7.2 Old Cooperatives Schemes

Scheme A

Public officers in scales 8 to 20 may be granted unpaid leave on grounds of public policy to set up cooperatives with the intention of competing for tenders issued by Central Government, Local Councils and other enterprises. Workers joining this scheme retain the rights and benefits enjoyed through their government employment. They can return to the government post if they leave the cooperative or if the co-operative stops functioning and is disbanded. This request for unpaid leave is drawn up by the employees’ Director and submitted for approval to the respective Director responsible for People Management.

Scheme B

Scheme B is intended for public officers in scales 8 to 20 to set up a co-operative in cooperation with their respective directorate. Through this scheme public officers continue to:

- receive their government salary;
- retain their previous rights; and
- benefit from a share of any financial profits made through their work.

The Director and the employees who are interested in this scheme are to apply and seek approval from their Permanent Secretary, who must be provided with all the necessary details, for approval to be given.

A directorate may:

- allocate work to be carried out by the cooperative; and
- compete for tenders in the name of the cooperative.

The Director together with the cooperative must agree on a completion date for the contract (as long as this time limit is not set down beforehand). They also have to agree on the percentage share for the directorate.

The directorate may receive commission, rent out or sell equipment to the cooperative.

A bank account between the Director and the cooperative members has to be opened. The account must have at least two signatures - the signature of the respective Director and the signature of a member nominated by the cooperative.

The respective Director responsible for People Management and Permanent Secretary must use their discretion:

- when renting out equipment and issuing material from the Department to the cooperatives;
- in ensuring that the Department is paid for any expenses which are incurred on behalf of the cooperative;
- when considering the possibility of taking up the initiative themselves to set up a cooperative within their Department.

The Board of Cooperatives is responsible to monitor these cooperatives.

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18 OPM Circular No 12/1996
Appendices
Appendix 1.

Application for Paid Leave approved by Directors

Date of request: _____________________

(applications should be made in conformity with PSMC provisions & Directive 8.1)

SECTION 1: APPLICANT’S DETAILS

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SECTION 2: TYPE OF PAID LEAVE (tick as appropriate)

- Leave to attend local council meetings
- Leave to attend official twinning ceremonies

Pre-Retirement Leave:
- Full-time utilisation, continuous, at a stretch
- Part-Time utilisation, working half the hours over a period equivalent to double the amount of days

Period of Paid Leave being requested: From ____________ To ____________

Document(s) supporting request enclosed with application Yes ☐ No ☐

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant: ___________________________ Date: ___________________________

For Official Use: Approved ☐ Not Approved ☐ (if not approved please state reason)

__________________________

Signature of Director/Head of Dept: ___________________________ Date: ___________________________

Directors should take disciplinary action when officers fail to resume duty at the expiration of unpaid/paid leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.
Appendix 2.

Application for Unpaid Leave approved by Directors

Date of request: ____________________
(applications should be made in conformity with PSMC provisions & Directive 8.1)

SECTION 1: APPLICANT’S DETAILS

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| ID Card No.:               |
| Surname:                   |
| Office Tel:                |
| Ministry/Entity:           |
| Department/ Directorate:  |
| Grade/Position             |
| E-mail:                   |

SECTION 2: TYPE OF UNPAID LEAVE (tick as appropriate)

| Leave to new recruits     | Vocational leave |
| Leave for a special reason| Missionary/Voluntary Service |
| Leave to settle in a foreign country | Leave to try alternative employment in the private sector (Salary scales 11 and lower) |

Period of Unpaid Leave being requested: From ____________  To ____________

Document(s) supporting request enclosed with application Yes ☐ No ☐

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant: ________________  Date: ________________

For Official Use: Approved ☐ Not Approved ☐ (if not approved please state reason)

Signature of Director/Head of Dept: ________________  Date: ________________

Directors should take disciplinary action when officers fail to resume duty at the expiration of unpaid/paid leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.
Appendix 3.

Application for Unpaid Leave approved by Permanent Secretaries

Date of request: _____________________

(applications should be made in conformity with PSMC provisions & Directive 8.1)

Permanent Secretary

Thro' Director/ Head of Department _______________________

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SECTION 2: TYPE OF UNPAID LEAVE (tick as appropriate)

Political Activities Leave to contest the following elections (only applicable in respect of officers holding a politically free post)

National Parliament ☐ Local Councils ☐ European Parliament ☐

Leave to try alternative employment in the private sector (salary scales 10 and higher) ☐

Leave to take up a Post with an International Organisation ☐

Leave to take up Temporary Employment with EU Institutions, Bodies & Agencies

On Grounds of Public Policy ☐ Not On Grounds of Public Policy ☐

Period of Unpaid Leave being requested: From __________ To __________

Document(s) supporting request enclosed with application Yes ☐ No ☐

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant: __________________________ Date: ______________________

For Official Use: Approved ☐ Not Approved ☐ (if not approved please state reason)

Signature of Permanent Secretary: __________________________ Date: ______________________

Directors should take disciplinary action when officers fail to resume duty at the expiration of unpaid/paid leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.
Appendix 4.

Application for Paid and Unpaid Leave not/on Grounds of Public Policy approved by the People Support & Wellbeing (PSW) Directorate

Date of request: ____________________

(applications should be made in conformity with PSMC provisions & Directive 8.1)

Director (People Support & Wellbeing)

Thro’ Permanent Secretary

Thro’ Director/Head of Department

SECTION 1: APPLICANT’S DETAILS

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SECTION 2: TYPE OF PAID LEAVE ON GROUNDS OF PUBLIC POLICY

Leave for Development Work Abroad

SECTION 3: TYPE OF UNPAID LEAVE ON GROUNDS OF PUBLIC POLICY

Releases with Political Parties

Period of Paid/ Unpaid Leave being requested: From ___________ To ___________

Document(s) supporting request enclosed with application Yes ☐ No ☐

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant: ____________________ Date: ____________________

For Official Use: Approved ☐ Not Approved ☐ (if not approved please state reason)

________________________________________

Signature: ____________________ Date: ____________________

Directors should take disciplinary action when officers fail to resume duty at the expiration of unpaid/paid leave.

The information supplied in this application form shall be used exclusively by the employing Ministry and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.
**Appendix 5.**

**Skema ta’ taħriġ sportiv għall-impjegati fis-Settur Pubbliku**

*Flexi Training Scheme*

**Formula ta’ applikazzjoni**

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Jiena, hawn taħħ irriżort/a, niddekkjara illi qrajt, fhimtu naċċetta it-termini u kundizzjonijiet relatati ma’din l-iskema u li l-informazzjoni kollha imniżli f’din l-applikazzjoni hija kompleta u korretta.

Firma tal-coach: ____________________________  Data: ____________________________
Sezzjoni E:

Dokumentazzjoni Annessa ma’ din l-Applikazzjoni:

Niddikjara li qed nannett d-dokumentli li huma mmarkati hawn isfel ma’ din l-applikazzjoni:

1. Ittra mingħand id-Direttur tar-Rizorsi Umani tal-post tax-xoghol tal-Applikant/a li tindika li l-Ministeru kkonċernat ta’ l-permess u l-approvazzjoni għall- partecippazzjoni tal-applikant/a fil-iskema u biex jibqa’ jithallas is-salarju □

2. Ċertifikati li jindikaw il-kwalifiċi tal-coach □

3. Ċertifikat ta’ Kondotta tajba maħruġ mill-Pulizija □

Importanti:


Il-parti tas-salarju rimborżata mill-Gvern xorta waħda għandha tibqa’ tifforma parti niddikjarazzjonijiet FSS tal-kumpanja. Din il-parti xorta waħda għandha tkun taxxabbli f’idejn l-Impjegat u m’għandhiex tkun imnaqqśa minn min ihaddem.

Din l-iskema hija applikabbli għal-hlas tar-rata gross fis-siegħa tal-Impjegat.

Jiena, hawn taħt iffirmat/a, niddikjara illi qrajt, fl’hint u naċċetta it-termini u kundizzjonijiet relatati ma’ din l-iskema u li l-informazzjoni kollha imnizzla f’din l-applikazzjoni hija kompleta u korretta.

Firma tal-Applikant/a

Data
# Special Sports Leave Application Form

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<td>President/Secretary details</td>
<td>Name &amp; Surname _____________________________ Email Address _____________________________</td>
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| Event Abroad |  □ National Team competition  □ National Team non-competitive match/game/tournament  
  □ Club competitive event  
  □ National Sports Organisation Mandatory Conference/Meeting |

Stamp of Association/Federation and Signature of Secretary/President required here
**Dates Required**

**Amount of Days**

**Declaration of Federation / Association**

I, President/Secretary, of _______________________________, confirm that the athlete / coach / official / other (specify __________________) will be participating and representing Malta in the

- [ ] local international sports event (national team competitive event)
- [ ] local international sports event (club competitive event)
- [ ] international sports event abroad (national team competitive event)
- [ ] international sports event abroad (national team friendly event)
- [ ] international sports event abroad (club competitive event)
- [ ] mandatory conference/meeting (attendance required by international federation)

as contemplated in the Public Service Management Code and therefore I recommend that Special Sports Leave is granted.

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Stamp of Association/Federation and Signature of Secretary/President required here
THE PROCEDURE FOR APPLYING FOR SPECIAL SPORTS LEAVE IS AS FOLLOWS:

1. FILL IN APPLICATION FORM AND REQUEST ENDORSEMENT OF RESPECTIVE NATIONAL SPORTS ORGANISATION.

2. ATTACH OFFICIAL LETTER FROM RESPECTIVE SPORTS ORGANISATION INDICATING NATURE OF EVENT (National team competitive/friendly, club competitive event or mandatory conference /meeting) AND WHAT THE ATHLETE / COACH / OFFICIAL WILL GAIN OUT OF SUCH PARTICIPATION (E.G. REPRESENTING MALTA, ACHIEVE RANKING IN NATIONAL COMPETITION THROUGH PARTICIPATION IN EVENTS ABROAD, ETC) AND/OR INVITE SENT BY ORGANISATION FOR MANDATORY MEETINGS AND CONFERENCES.

3. PASS THROUGH SPORTMALTA FOR RECOGNITION OF EVENT.

4. FORWARD TO RESPECTIVE DIRECTOR FOR APPROVAL OF SPORTS LEAVE AND PASS ON TO HUMA RESOURCES

5. HUMAN RESOURCES TO FORWARD TO PERMANENT SECRETARY (SPORTS).

Stamp of Association/Federation and Signature of Secretary/President required here
Appendix 7.

Application for Cultural Leave

Date of request: __________________

(applications should be made in conformity with PSMC provisions & Directive 8.1)

Permanent Secretary (Ministry for Justice, Culture and Local Government)

Thro’ Permanent Secretary _________________________________

Thro’ Director/Head of Department ___________________________

SECTION 1: APPLICANT’S DETAILS

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Period of Paid Leave being requested: From _____________ To _______________

Duration of the event: (insert total no. of working days) __________________

Document(s) supporting request with application YES ☐ NO ☐

SECTION 2: ATTACHED DOCUMENTS (tick as appropriate)

Details and duration of the event and the applicant’s involvement ☐

A copy of the invitation / request to perform overseas ☐

Any other related documentation ☐

I, the undersigned, declare that the information and documentation submitted in this application is correct.

Signature of Applicant: ___________________ Date: ___________________

For Official Use: Approved ☐ Not Approved ☐ (if not approved please state reason)

______________________________

Signature of Permanent Secretary (MJCL): ___________________ Date: ___________________

Directors should take disciplinary action when officers fail to resume duty at the expiration of unpaid/paid leave.

The information supplied in this application form shall be used exclusively by the employing Ministry, MJCL and the People & Standards Division for record keeping and verification purposes. Personal information provided on this application form is protected, and used in accordance with the provisions of the Data Protection Act.