

Done at Valletta, Malta, on the 26th day of January one thousand nine hundred and ninety-five in two origináis, each in the Italian and English languages, both texts being equally authentic.

For the Holy See
& PIER LUIGI CELATA
Titular Archbishop of Doclea
Apostolic Nuncio

For the Government of Malta
MICHAEL FALZON
Minister of Education and
Human Resources

Instrumenta ratihibitionis Conventionis inter Sanctam Sedem et Gubernium Rei Publicae Melitensis constitutae, accepta et reddita mutuo fuerunt in urbe Valletta die XXV mensis Martii anno MCMXCV. Per horum instrumentorum permutationem Sancta Sedes et Res Publica Melitensis accessionem significaverunt — uniuscuiusque servatis legibus — Facultatis Theologicae ad studiorum Universitatem Melitensem secundum normam eiusdem pactionis.

CONVENTIO

**INTER SANCTAM SEDEM ET REM PUBLICAM MELITENSEM
AD APTIUS INSTITUTIONEM ET EDUCATIONEM RELIGIOSAM CATHOLICAM
IN SCHOLIS ISTIUS REI PUBLICAE ORDINANDAM.**

ACCORDO

**TRA LA REPUBBLICA DI MALTA E LA SANTA SEDE
PER MEGLIO ORDINARE L'ISTRUZIONE
E L'EDUCAZIONE RELIGIOSA CATTOLICA NELLE SCUOLE STATALI**

La Repubblica di Malta e la Santa Sede

— considerando che i principi della religione cattolica fanno parte del patrimonio storico, culturale e sociale del popolo maltese;

— riconoscendo il valore dell'istruzione e dell'educazione religiosa nel processo educativo globale della persona umana;

— tenendo presenti, da parte della Repubblica di Malta, i principi sanciti dalla Sua Costituzione e, da parte della Santa Sede, i documenti del Concilio Vaticano II nonché le disposizioni del Codice di Diritto Canonico; hanno convenuto sull'opportunità di addivenire ad un Accordo per meglio ordinare l'istruzione e l'educazione religiosa cattolica nelle scuole statali.

A tal fine la Santa Sede, rappresentata dal Suo Plenipotenziario Mons. Pier Luigi Celata, Arcivescovo titolare di Doclea e Nunzio Apostolico a Malta, e la Repubblica di Malta, rappresentata dal Suo Plenipotenziario On. Dott. Ugo Mifsud Bonnici, Ministro dell'Educazione, hanno stabilito di comune intesa quanto segue:

Articolo 1

La Repubblica di Malta garantisce l'istruzione e l'educazione religiosa cattolica, nel quadro delle finalità e come parte integrante dell'attività della scuola, nelle scuole statali di ogni ordine e grado non di livello terziario.

Nessuno, tuttavia, sarà obbligato a ricevere l'istruzione e l'educazione religiosa cattolica.

Articolo 2

L'insegnamento della religione cattolica dovrà essere conforme alla dottrina della Chiesa, secondo i programmi e i metodi stabiliti dalla Conferenza Episcopale Maltese, cui compete anche di preparare o scegliere i libri di testo per gli studenti e le guide per i docenti.

Detto insegnamento sarà impartito da insegnanti che abbiano il riconoscimento di idoneità, non revocato, da parte del Vescovo Diocesano nel cui territorio è situata la scuola.

Allo stesso insegnamento sarà riconosciuto uno « status » ed un'importanza pari a quelli delle altre materie principali del programma scolastico.

Articolo 3

L'animazione religiosa e la guida morale degli studenti, come parte essenziale della loro educazione religiosa, sarà assicurata da « Religious Counsellors » nominati dal Vescovo Diocesano nel cui territorio è situata la scuola ed aventi lo « status » di « Counsellor in the Education Department » o uno « status » ad esso equipollente. Essi svolgeranno la loro attività educativo-pastorale secondo le direttive della Conferenza Episcopale Maltese.

Articolo 4

L'« Education Officer (Religion) » sarà un ufficiale del Governo scelto tra i ministri ordinati della Chiesa Cattolica. Egli dovrà avere l'approvazione, non revocata, della Conferenza Episcopale Maltese.

Articolo 5

Le disposizioni di cui ai precedenti Articoli 2, 3 e 4 saranno applicate secondo i « Modes of Regulation on Catholic Religious Instruction and Education in State Schools », oggetto dell'intesa sottoscritta, contestualmente al presente Accordo, dal Presidente della Conferenza Episcopale Maltese e dal Ministro dell'Educazione.

Articolo 6

Il presente Accordo entrerà in vigore al momento della sua sottoscrizione.

Articolo 7

Se in avvenire sorgessero difficoltà di interpretazione o di applicazione del presente Accordo o dei « Modes of Regulation on Catholic Religious Instruction and Education in State Schools », la Santa Sede e la Repubblica di Malta affideranno la ricerca di un'amichevole soluzione ad una Commissione Paritetica che sarà composta, per parte della Santa Sede, dal Nunzio Apostolico a Malta e dal Presidente della Conferenza Episcopale Maltese o da loro delegati, e, per parte della Repubblica di Malta, dal Ministro della Educazione e dall'Ambasciatore di Malta presso la Santa Sede o da loro delegati.

Fatto a Malta, in doppio originale, il sedici novembre millenovecentotantanove.

Per la Repubblica di Malta

UGO MIFSUD BONNICI

Ministro dell'Educazione

Per la Santa Sede

© PIER LUIGI CELATA

*Arcivescovo tit. di Doclea
Nunzio Apostolico a Malta*

Una cum supra memorata Conventione ipsaque ad effectum ut perducatur, a Conferentiae Episcopalis Melitensis Praeside et Ministro Educationis Rei Publicae Melitensis hoc constitutum subsignatum est:

MODES OF REGULATION
ON CATHOLIC RELIGIOUS INSTRUCTION AND EDUCATION
IN STATE SCHOOLS

The President of the Maltese Episcopal Conference and the Minister of Education of the Republic of Malta, establish with common accord the following Modes of Regulation for the implementation and application of the Agreement, signed this same day by the Holy See and the Republic of Malta, concerning the éducation and teaching of the Catholic Religion in State schools of all grades and levéis:

1. With référence to article 2:

1.1 Whilst it shall remain the responsibility of the State Authorities to engage or appoint the teachers of Religion, these Authorities shall, in the case of teachers who teach Religion as a separate subject, (as is presently done in schools of post-primary level), bind themselves to engage in the teaching of Religion only those who have been cleared in writing by the Local Ordinary.

1.2 In the case of teachers engaged to teach one class and consequently teach Religion together with the other class subjects, (as is presently done in the primary level), it is to be assumed that, if no adverse comments are made by the Local Ordinary, no difficulties should be deemed to exist with regard to their teaching of Religion.

1.3 It is to be understood in the case of ail teachers who in any way teach Religion, that the State Authorities shall take the necessary steps to remove these teachers from imparting religious knowledge, when, in the opinion of the Local Ordinary, there are reasons to believe they are not teaching Religion adequately in content or in method, or when their conduct or the faith they profess is such that it renders difficult the Christian witness every teacher of Religion should give as a basis of his role. The State Authorities will provide other teachers to supplément the teaching of Religion in the classes where teachers have been precluded from teaching Religion according to this paragraph.

2.1 Ail those who in any way teach Religion in State schools should have the following qualifications:

- (a) a serious Catholic religious conviction;
- (b) a personal situation that accords with the Roman Catholic morality to which the teacher must testify;
- (c) the absence of any attitude that could seriously harm the dignity of his function; and
- (d) the necessary professional and académie qualifications.

2.2 The following académie qualifications will be ordinarily accepted as sufficient for the purpose of 2.1:

1. for teachers of Religion at secondary and comparable levéis:

- (a) a Degree or Diploma in Theology or Religious Studies recognised for this purpose by the Maltese Episcopal Conference; or
- (b) a Certificate attesting a full course of Theological Studies in a Catholic Seminary or other Catholic Institution recognised by the Maltese Episcopal Conference; or
- (c) a University Degree in Education, (or an appropriate Teaching Certificate), which includes the Catholic Religion as one of the subjects of académie and/or professional spécialisation, taken in a recognised Institution and recognised by the Maltese Episcopal Conference;
- (d) subsidiarily, expérience in the teaching of Religion in schools or religious lay societies for a number of years. Such expérience is to be recognised as being sufficient by the Local Ordinary.

2. for primary school teachers and teachers of comparable levéis who teach Religion as part of their normal duties:

- (a) any of the above qualifications in (2.2.1): or
- (b) a University Degree in Education, or an équivalent Certificate, which includes such course, or courses, in Religious Education and recognised by the Maltese Episcopal Conference.

2.3 A Board to include the Education Officer (Religion) will advise the Maltese Episcopal Conference on the récongnition and équivalence of the above académie and professional qualifications.

3. It is expected that such teachers foUow approved refresher up-dating courses in the teaching of the Catholic Religion (content and method). The Church Authorities will organise such courses as necessary to facilitate the in-service, up-dating and refresher training of teachers of Religion, preferably conjointly with the Education Department. The help and the advice of the Education Department will be sought in the organisation of

such courses, especially where they concern Education Department personnel. Normally, this will be achieved through the Education Officer (Religion), working through the Board, or Boards, set up by the Maltese Ecclesiastical Authorities for the purpose. The Education Department will encourage and promote the attendance of teachers of Religion in State schools for such courses.

4. The time allotted to the teaching of the Catholic Religion, should reflect the status attributed to it. In any case, it should not be less than half an hour daily in primary schools and not less than one hour and a half per week in all types of post-primary schools. This time does not include religious broadcasting or religious animation.

5. The teaching of the Catholic Religion in schools is to be supported by the necessary facilities and teaching aids.

6. The Episcopal Conference has the right to point out to the Minister of Education any teaching (in syllabi or texts of other subjects) which is at variance with the Catholic Church, its Doctrine or its Morais. The Minister will on his own responsibility take due notice of this advice from the Episcopal Conference when this involves Catholic students, and will take all those measures which, in his judgement, will be required in the spirit of this agreement and of the existing laws concerning the matter:

II. With référence to article 3:

1. The work of a Religious Counsellor (R.C.), designated up till now as Spiritual Director, requires that in a school:

(a) he should be a living witness of dedication and moral values;

(b) he gives counselling on religious and moral problems to the students assigned to him, both individually and in groups according to needs;

(c) he makes visits to the classrooms to talk to the students and answer any questions they might ask him on Christian living; (he should not assume the role of an Inspector of Religion, nor must he **Substitute** the teacher of Religion by giving a formal lesson in Religion). If invited by the **teacher**, he may **animate or participate in a religious célébration** in the classroom;

(d) he regularly organises, or sees that there be organised, those célébrations that form an integral part of the religious éducation and formation in

schools: e.g. the Sacraments of Reconciliation and the Eucharist; Célébrations of the Word of God in the more important periods of the liturgical year such as Advent, Christmastide, Lent and Eastertide; other religious célébrations and functions in agreement with the Head of the school;

(e) he helps the school staff in religious matters when requested;

(f) he exercises his activities under the direction of the Education Officer (Religion), — E.O. (R) — in agreement with the Board nominated by the Church Authorities for this end.

2.1. The R.C. is a full-timer with the Education Department. He is bound to work a 27.5 hour week like teachers; he will have the same number of holidays, but if necessary, he may be asked by the E.O. (R) to take part in meetings, seminars, discussions, etc. as required.

2.2. The R.C. exercises his activities during school hours. If he feels the need that sometimes he should exercise his activities among the students during the midday break, he can avail himself of time in lieu.

2.3. He signs the attendance register daily like other members of the staff.

2.4. His activities generally are to be planned in this way:

(a) 25% of the school time to animation in the classrooms and 75% to individual or group counselling in secondary schools and other schools comparable to them.

(b) not less than 50% of school time for animation in the classroom or in the school at primary level.

2.5. The R.C. will be assigned by the Local Ordinary to the school or schools he is to serve, after consultation with the Minister.

2.6. In consultation with the Head of school, the R.C. establishes the need of help by other priests, e.g. for confessions, Mass, Spiritual Exercises, congrégations and célébrations.

2.7 He keeps a register of all the students in the school or schools where he exercises his activities so as to meet all the Catholic students in the school and give to each one the required help.

2.8 As far as possible he should stick to a fixed time-table for school visits.

2.9 He should animate each classroom (10-15 minutes) at least once a term in secondary schools and in schools comparable to them. This should be done by using the lessons of the teachers who happen to be absent from school.

2.10 He should plan a programme of visits to the schools, and of religious functions and célébrations for each term. This should be done in agreement with the Head of school and the E.O. (R).

2.11 He should submit a forecast of his plans for each fortnight to the E.O. (R) on the Friday of the preceding fortnight. The fixed time-table for school visits should be adhered to as much as possible.

2.12 In case of absence, the R.C. should inform the Head of school, if possible before school starts. The Head of school will then inform the E.O. (R).

3.1 The school should provide the necessary facilities so that the R.C. may satisfactorily exercise his duties. This means that besides the matters agreed to and fixed with the E.O. (R).

(a) a room, not necessarily for his exclusive use, equipped with a crucifix, table, some chairs and, if necessary, a prie-dieu or confessional;

(b) didactic material and access to teaching aids available in the school.

3.2 The R.C. will have access to all the classrooms in the schools entrusted to him as well as to the staff rooms and other rooms just as any other member of the staff. He should also have direct access to the Head of school.

3.3 He should not proselitize among the students who have been exempted from receiving éducation in the Catholic Religion, with the proviso of 3.4.

3.4 All students should be allowed to speak to the R.C. whenever they feel the need.

4.1 The Religious Counsellors are chosen by the Ordinary of the respective diocèse, and the Director of Education is to be duly informed and given the necessary information.

4.2 The Ordinary of the respective diocèse reserves the right to **Substitute** and/or remove an R.C. The Director of Education is to be officially informed about this.

4.3 The Director **of** Education, on the advice **of** the E.O. (R), may request the Ordinary **of** the respective diocèse to admonish any R.C. who **fails seriously to abide by normal disciplinary rules**. In case such **infringements persist**, the Ordinary may be asked to **Substitute** or remove the **said** R.C.

4tA In case of long absence of a R.C. due to illness, travel, etc., the Ordinary of the respective diocese should try to provide another R.C. in consultation with the E.O. (R). This is to be done when absence is more than 15 calendar days at a stretch.

4.5 Absence from duty of a R.C. is to be reported to the Ordinary of the respective diocese by the E.O. (R) in the name of the Director of Education.

5. The coordination of activities and administration of the R.C.s is the responsibility of the E.O. (R) who shall act in accordance with the policy guidelines determined by the Board nominated by the Maltese Episcopal Conference for the animation of Religious Education. When there is lack of agreement between the E.O. (R) and the other members of the Board, the matter shall be referred to the competent Authorities, it being understood that matters of faith, morals and pastoral activities shall be referred solely to the Ecclesiastical Authorities.

6.1 The qualifications required for a person to be chosen and nominated as a R.C. are those fixed by the Maltese Episcopal Conference.

6.2 The R.C. must have the necessary qualifications, including a knowledge of developmental psychology.

6.3 The Church Authorities bind themselves to give the R.C.s the required training.

7.1 Without préjudice to the rights of those Spiritual Directors who are at présent employed with the Department of Education, the number of R.C.s which the Ordinary of the respective diocese is to provide for service in State schools is to be fixed by agreement between the said Ordinary and the Director of Education, or their representatives. The number is to be fixed in proportion to the global number of Catholic students in State schools, and the possibilities of the Church in the Maltese Islands.

7.2 The number is not to be less than 14. This number may be reviewed at the instance of the Church according to its possibilities.

7.3 The Parish Priests or other members of the clergy delegated by them may be asked by the R.C. to help him in his pastoral activities and/or animation in the primary and pre-primary schools in their parishes.

7.4 Without any préjudice to what has been stated as regards the number of R.C.s, the R.C., in consultation with the E.O. (RC) may ask other

members of the clergy to help him in special circumstances (e.g. confessions, spiritual exercises), according to the number of students in the school concerned.

8.1 Because the mission of a R.C. is an ecclesiastical mandate, the rémunération of the R.C. is given by the Church Authorities.

8.2 The Government of Malta, through the Minister/Director of Education, binds itself to give a sum of money to the Church Authorities each year as a sign of recognition of its duty to provide such a service in the schools. The sum offered shall be at the discretion of the Minister of Education.

III. With référence to article 4:

1.1 The Education Officer (Religion) — E.O. (R) — is appointed by the State Authorities to serve in State schools.

1.2 This appointment is made by selection from among eligible persons in the Education Department on the same criteria as other Education Officers.

1.3 Applicants to the post E.O. (R) must have the previous written approval of the Maltese Episcopal Conference.

1.4 The nomination of the Selection Board is made in agreement with and the approval of the Maltese Episcopal Conference.

1.5 In the event that no ordained ministers having the approval of the Maltese Episcopal Conference are eligible as required in III: 1.2 of these Modes, applications are to be opened to other ordained ministers, having the approval of the Maltese Episcopal Conference, from outside the Education Department.

2. The E.O. (R), vis-à-vis the Department of Education, will enjoy the same rights as other Educational Officers in so far as they regard conditions of service such as working hours, salary, leave and pension, without préjudice to what is established in the Agreement and these Modes of Regulation referring to it.

3. The duties of the E.O. (R) include:

i. a) to tender advice to the Director of Education regarding those aspects of his work which fall under the compétence of the Education Department.

b) to keep the Director of Education informed about the work being performed in his area of duties, which include educational standards and the inspection of teachers.

c) to refer to the Director of Education the directives, advice and recommendations of the Maltese Episcopal Conference regarding the teaching of Religion in schools.

ii. to carry out the directives of the Maltese Episcopal Conference as far as these regard the teaching of Religion and religious formation of Catholic students in schools.

iii. to promote the syllabi, text books and methodology as regulated by the Maltese Episcopal Conference and to see that these being pursued.

iv. to see that the policy of the Education Department as far as it concerns his area of activity is being carried out.

v. to give advice to Heads of schools and teachers how to carry out their duties as regards the teaching of Religion and the Catholic formation of students.

vi. to organise and direct educational and cultural activities in the teaching of Religion.

vii. to organise together with the Church Secrétariat for Catechesis and for Church schools courses of in-service training for teachers, or to see that these are held.

viii. together with the Board established by the Church for the animation of religious éducation, (Religious Counsellors), to determine, organise and coordinate the work of Religious Counsellors in schools.

ix. together with other nominated members of the Sélection Board, to examine and propose suitable teachers from among applicants, or the promotion of teachers of Religion in the Education Department.

x. to carry out such other work compatible with his duties as the Director of Education may direct.

4.1 The E.O. (R) will tender appropriate advice to the Maltese Episcopal Conference regarding the teaching of Religion, the formation of the religious character of students and the animation of Religion in schools.

4.2 He will be an effective member of the Church Secrétariat for Catechesis.

4.3 It will be appropriate that he will also be a member of those Boards or Committees concerned with the teaching and animation of the Catholic Religion in schools set up by the Church.

5. On a déclaration by the Maltese Episcopal Conference revoking its approval to the E.O. (R), the Director of Education will take those steps necessary to withhold him from continuing his services as an E.O. (R) and appoint a new one.

/ V. Condition of Agreement of these Modes of Regulation

If need arises, changes in the above Modes of Regulation shall be discussed and effected by mutual consent of the two sides.

This 16th day of November 1989.

UGO MIFSUD BONNICI

Minister of Education

✠ JOSEPHI MERCIECA

*President of the
Episcopal Conference*

Conventio supra memorata vigere coepit eo tempore quo subsignata est, scilicet die XVI mensis Novembris anno MCMLXXXIX, secundum eiusdem Conventionis articulum VI.

HOMILIA

In foro Sancti Petri habita occasione oblata beatificationis quinque Servorum Dei.*

1. « Questo è il mio comandamento: che vi amiate gli uni gli altri, come io vi ho amati »¹

La Liturgia di questa sesta domenica di Pasqua ci invita a riflettere sul grande comandamento dell'amore alla luce del Mistero pasquale. Proprio la meditazione del nuovo comandamento, cuore e sintesi dell'insegnamento morale di Cristo, ci introduce nell'odierna celebrazione, resa particolarmente solenne e suggestiva dalla proclamazione di cinque nuovi Beati.

* Die 4 Maii 1997.

¹ Gv 15, 12.