

## Financing adult learning database

|                                                     |                                                                                         |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>Name of the instrument - Local language</b>      | Payback clause                                                                          |
| <b>Name of the instrument - English translation</b> | Payback clause                                                                          |
| <b>Scheme ID</b>                                    | 360                                                                                     |
| <b>Country</b>                                      |  Malta |
| <b>Reporting year</b>                               | 2020                                                                                    |
| <b>Type of instrument</b>                           | Payback clause                                                                          |
| <b>Sub-type of instrument</b>                       | Payback clauses are possible with no explicit limitations                               |
| <b>Type of entry</b>                                | Single instrument                                                                       |

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Short description</b> | <p>In Malta, the applicable laws set no explicit limitations to a payback clause, that is an agreement between employer and employee on the payback of training costs covered by the employer in case of voluntary termination of the employment by the employee. The parties can freely agree on any component of the payback clause. Agreements deemed unfair, however, can be challenged in the Labour Courts. Overall, the application of payback clauses for training costs is perceived as of limited importance within the overall co-funding arrangements for CVT. As suggested by the national VET experts, employers would normally include a payback agreement when training expenses exceed EUR 1 000.</p> |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                      |                    |
|------------------------------------------------------|--------------------|
| <b>Level of operation</b>                            | National           |
| <b>Name of a part of the country</b>                 | Not applicable     |
| <b>Name of the region (for regional instruments)</b> | Not applicable     |
| <b>Name of the sector (for sectoral instruments)</b> | Not applicable     |
| <b>Relevance</b>                                     | Further instrument |
| <b>Legal basis</b>                                   | Not applicable     |

|                                                           |                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective(s) and target(s)</b>                         | Not applicable (use of payback clauses are not limited by law)                                                                                                                                                                                                                            |
| <b>Operation/management</b>                               | Not applicable (use of payback clauses are not limited by law)                                                                                                                                                                                                                            |
| <b>Eligible group(s)</b>                                  | All employers                                                                                                                                                                                                                                                                             |
| <b>Group(s) with preferential treatment</b>               | No preferential treatment                                                                                                                                                                                                                                                                 |
| <b>Education and training eligible</b>                    | Not applicable (use of payback clauses are not limited by law)                                                                                                                                                                                                                            |
| <b>Source of financing and collection mechanism</b>       | Employers can recapture a part of training costs in case an employees premature leave - no limitations are set for the free agreement of the payback clause by law.                                                                                                                       |
| <b>Financing formula and allocation mechanisms</b>        | Employees need to repay a part of the training costs after voluntary termination - no limitiations are set for the details of the payback clause. As suggested by the national VET experts, employers would normally include a payback agreement when training expenses exceed EUR 1 000. |
| <b>Eligible costs</b>                                     | Not applicable (use of payback clauses are not limited by law)                                                                                                                                                                                                                            |
| <b>Volumes of funding</b>                                 | There are no studies available, however, the topic plays no role on the policy agenda                                                                                                                                                                                                     |
| <b>Beneficiaries/take up</b>                              | Not applicable                                                                                                                                                                                                                                                                            |
| <b>Organisation responsible for monitoring/evaluation</b> | Not applicable                                                                                                                                                                                                                                                                            |
| <b>Most relevant webpage - in English</b>                 | Not available                                                                                                                                                                                                                                                                             |
| <b>Recent changes</b>                                     | <p>Not applicable (use of payback clauses are not limited by law)</p> <p>Recent changes in response to COVID-19</p> <p>Not applicable (use of payback clauses are not limited by law)</p>                                                                                                 |