

Universities Act¹

Passed 12 January 1995

(RT I 1995, 12, 119; consolidated text RT I 2003, 33, 206),

entered into force 18 February 1995,

amended by the following Acts:

20.10.2005 entered into force 27.11.2005 - RT I 2005, 61, 475;

16.06.2005 entered into force 17.07.2005 - RT I 2005, 38, 297;

05.05.2005 entered into force 05.06.2005 - RT I 2005, 29, 215;

16.02.2005 entered into force 18.03.2005 - RT I 2005, 13, 65;

28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404;

13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316;

07.08.2003 entered into force 01.09.2003 - RT I 2003, 58, 387.

Chapter 1

General Provisions

§ 1. Purpose of Act

The purpose of the Universities Act is to provide the procedure for the establishment, merger, division, and termination of the activities of universities, the bases for the activities, limits of autonomy and principles of management of universities, the forms of and conditions for acquiring higher education, the legal status of the assets of universities, the procedure for financing universities, the basic rights and obligations of teaching staff and students, and state supervision over the activities of universities.

§ 2. Definitions used in this Act

In this Act, the following definitions are used:

1) "credit point" means a unit in which study load is calculated. One credit point corresponds to 40 hours or one week of study by a student. The study load of one academic year is 40 credit points. Upon implementation of the European Credit Point Transfer System, the study load of one academic years shall be 60 credit points;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

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2) "academic degree" means a Bachelor's level degree, Master's level degree or Doctoral level degree which is awarded by a university to a person who has completed the curriculum of the corresponding academic level and defended his or her final paper or passed the final examination and which is certified by a corresponding graduation document;

3) "accreditation" means the activity in the course of which a university and its curricula are evaluated and a decision is made thereon;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

4) "study based on the integrated curricula of Bachelor's and Master's study" means study following the curricula of medical training, veterinary training, pharmacist training, dentistry training, architectural studies or civil engineering studies or teacher training for class teachers, upon the completion of which a person is awarded a qualification corresponding to a Master's level degree;

5) "occupational training" means the acquisition of knowledge, skills and experience for expert decision making and the execution of decisions in management, government and administration;

6) "professional training" means the acquisition of knowledge, skills and experience for operating as an expert in a particular field or area of specialisation;

7) "vocational training" means the acquisition of knowledge, skills and experience which is accompanied by ethical preparation for professional and occupational activities;

8) "qualification" means the required level of knowledge and skills which is documented;

9) "higher education, including higher education acquired by completing professional higher education curricula" means education based on the scientific approach which is acquired on the basis of secondary education and which is certified by a corresponding graduation document;

10) "Standard of Higher Education" means the uniform requirements which are established by the Government of the Republic for study at higher education level and which set out broad groups of studies and fields of study, the objectives and total volume of study, general and specific requirements for curricula, including the requirements for studies and final papers or final examinations, and general and specific requirements for educational institutions concerning their teaching staff, including requirements for the research, pedagogical and professional qualifications of the members of the teaching staff who provide instruction on the basis of a curriculum;

11) "state-commissioned education" means the number of graduates by academic levels in a broad group of studies or, if necessary, in a field of study or as per a curriculum, as determined by a contract under public law between the Ministry of Education and Research and a university, which the university is required to ensure by the end of the standard period of study and which the Ministry of Education and Research is required to finance, during the standard period of study, from the state budget through the budget of the Ministry of Education and Research;

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

12) "research degree" means a Doctoral level degree which is awarded by a university to a person who has completed the curriculum of Doctoral study to the full extent and defended a Doctoral thesis and which is certified by a corresponding graduation document;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

13) "curriculum" means the source document for study which sets out the objectives of the studies to be undertaken, the standard period and volume of study, the conditions for the commencement of studies, the extent of the list of subjects, short descriptions of subjects, the opportunities and conditions for choosing subjects, the opportunities for specialisation and the conditions for the completion of studies;

14) "calculated cost of a student place" means the calculated cost of a specific student place which is obtained by multiplying the basic cost of a student place by the factor established by the Government of the Republic for the broad group of studies or, if necessary, for the field of study or, as an exception, for the curriculum. Staff expenditure shall constitute at least 60 per cent of the calculated cost of a student place. Any new calculated cost of a student place shall not be less than the calculated cost of a student place in the previous year;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

15) "basic cost of a student place" means the minimum cost of a student place in any study at higher education level which is established annually by a regulation of the Government of the Republic, except the basic cost of a student place in Doctoral study which is established for the standard period of Doctoral study. The basic cost of a student place comprises the expenses incurred for the education of one student, except expenses for investments which are part of the state investments programme;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

16) "study costs" means the expenses incurred by a university in order to finance a student place during a given academic year;

17) "field of study" means a part of the classification of education established in the Standard of Higher Education which belongs to a broad group of studies and which covers groups of curricula with similar theoretical bases;

18) "broad group of studies" means a part of the classification of education established in the Standard of Higher Education which covers fields of study with similar content;

19) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 3. Scope of application of Act

(1) This Act regulates the activities of the University of Tartu, Tallinn Technical University, Tallinn University, the Estonian University of Life Sciences, the Estonian Academy of Arts and the Estonian Academy of Music and Theatre. The specifications for the bases and organisation of the activities of the University of Tartu as compared to other universities are provided in the University of Tartu Act.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965 16.02.2005 entered into force 18.03.2005 - RT I 2005, 13, 65; 20.10.2005 entered into force 27.11.2005 - RT I 2005, 61, 475)

(2) This Act applies to private universities in so far as the Private Schools Act does not provide otherwise.

(03.06.98 entered into force 06.07.98 - RT I 1998, 57, 859)

(3) The provisions of the Administrative Procedure Act (RT I 2001, 58, 354; 2002, 53, 336; 61, 375; 2003, 20, 117; 78, 527) apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

(19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375)

§ 4. University

(1) A university is a research, development, educational and cultural institution where Bachelor's study, Master's study and Doctoral study are carried out in various fields of study. Study based on the integrated curricula of Bachelor's and Master's study may be carried out in a university and professional higher education may be provided in an educational institution which is part of the structure of a university.

(2) The mission of a university is to advance science and academic practices, to create and develop opportunities based on integrated education and research for the acquisition of contemporary higher education which conforms to the Standard of Higher Education, to organise continuing education and to provide education and research services to society.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 5. Establishment, merger, division, termination of activities and change of name of university

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(1) The establishment, merger, division, termination of activities and change of name of a university shall be decided by the Riigikogu² on the proposal of the Government of the Republic.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(2) The establishment, merger, division, termination of activities and change of name of a university shall be organised by the Ministry of Education and Research on the basis of a resolution of the Riigikogu.

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 6. Establishment of university

(1) The establishment of a university shall be initiated by the Government of the Republic on the proposal of the Minister of Education and Research.

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(2) The mandatory requirements for the establishment of a university are as follows:

1) justification of the need to establish a new university;

2) a comprehensive development plan for the university which sets out the existence or the method of acquiring buildings, furnishings and material and financial resources which are necessary for education and research, and the curricula for the acquisition of academic higher education and the existence or the methods of recruiting teaching staff so that instruction can be provided pursuant to such curricula.

(3) The compliance of a university with the requirements provided for in subsection (2) of this section shall be verified by the Ministry of Education and Research in co-operation with the Higher Education Quality Assessment Council. The Minister of Education and Research shall submit the verification results to the Government of the Republic.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) The establishment of a university shall be decided by the Riigikogu on the proposal of the Government of the Republic.

(5) On the basis of the resolution to establish a university, the Ministry of Education and Research shall register the statutes of the university and the curricula which were the basis for the resolution to establish the university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(6) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(7) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 7. Merger and division of universities

(1) Merger is the unification of universities into one university or the joining of one university to another university. Division is the division of a university into two universities or the separation of one university from another university.

(2) A proposal for the merger or division of universities shall be presented where such merger or division is necessary for the development of the research and education system and to increase the standard of education and research.

(3) A proposal for merger or division shall be submitted to the Government of the Republic by the Minister of Education and Research in co-operation with the Higher Education Quality Assessment Council.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) The merger and division of universities shall be decided by the Riigikogu on the proposal of the Government of the Republic.

(5) The procedure for the establishment of a university prescribed in §§ 5 and 6 of this Act applies to a new university created as a result of a merger or division.

(6) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 8. Dissolution of university

(1) A university shall be dissolved by way of liquidation proceedings pursuant to the General Part of the Civil Code Act (RT I 2002, 35, 216; 2003, 13, 64; 78, 523).

(2) A university shall be dissolved:

- 1) if there is no need for it to continue its activities;
- 2) if it is not possible to finance the university;
- 3) if the standard of education does not meet the requirements;
- 4) in other cases prescribed by law.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3) A proposal to terminate the activities of a university shall be submitted to the Government of the Republic by the Minister of Education and Research in co-operation with the Higher Education Quality Assessment Council.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) The dissolution of a university shall be decided by the Riigikogu on the proposal of the Government of the Republic.

(05.06.2002 entered into force 01.07.2002 - RT I 2002, 53, 336)

§ 9. Legal status of university

(1) A university is a legal person in public law which operates pursuant to this Act, other legislation and its statutes.

(2) The statutes of a university shall be adopted by the council of the university and registered by the Ministry of Education and Research. The passive legal capacity of a university shall commence as of the moment of the registration of its statutes.

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(3) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(4) A university is autonomous to the extent provided for in this Act.

(5) A university has the rights of a legal person to the extent provided for in this Act. The list of such rights does not preclude other rights of legal persons which are in accordance with this Act, other Acts and the objectives of the university.

(6) The statutes of a university shall contain the following information:

1) the full name and seat of the university;

2) the purpose of the activities and the functions of the university, and the areas of activity of the university (education, research, development, etc.);

3) the conditions and procedure for studies and the procedure for the preparation of curricula;

4) members of the university and their rights and obligations;

5) the council of the university, the procedure for its formation and the bases for its activities;

6) the structure of the university, the development thereof, the procedure for amendment thereof, and the management of structural units;

- 7) reporting and auditing;
- 8) the procedure for the adoption of the statutes of the Student Body.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(7) A university and the institutions of a university shall be registered in the state register of state and local government agencies pursuant to the procedure provided for in the statutes of the register.

(12.06.2002 entered into force 01.08.2002 - RT I 2002, 57, 357)

§ 10. Higher Education Quality Assessment Council

(1) The Higher Education Quality Assessment Council is a body operating in the area of government of the Ministry of Education and Research which:

- 1) accredits educational institutions providing higher education and their curricula and submits the accreditation results to the Minister of Education and Research for approval;
- 2) on the basis of the accreditation results and the conformity of the education provided in educational institutions providing higher education to the requirements provided by law and relevant standards, makes proposals to the Minister of Education and Research concerning the merger or division or the termination of the activities of educational institutions providing higher education;
- 3) develops the evaluation criteria and methods for educational institutions providing higher education and their curricula;
- 4) performs other functions assigned thereto by legislation.

(2) The Higher Education Quality Assessment Council is comprised of twelve members and is formed and its membership is approved for three years by the Government of the Republic on the proposal of the Minister of Education and Research. Candidates for the post of member of the council shall be submitted to the Minister of Education and Research by universities, institutions of professional higher education, research and development institutions, registered professional associations, associations of employers and associations of Student Bodies. No more than two members from the same university, institution of professional higher education, research and development institution, registered professional association, association of employers or association of Student Bodies may belong to the Higher Education Quality Assessment Council.

(3) The costs related to the activities of the Higher Education Quality Assessment Council (including expert analyses and business travel) shall be covered from the state budget through

the budget of the Ministry of Education and Research. Members of the Higher Education Quality Assessment Council shall not receive remuneration.

(4) The procedure for the formation of the Higher Education Quality Assessment Council and its rules of procedure shall be established by a regulation of the Government of the Republic.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 11. (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 12. Accreditation

(1) In the course of the accreditation of a university, the conformity of the management and administration of the university and of the structural units thereof and of the learning environment to the objectives of the curricula, to legislation and to the relevant standards shall be evaluated, as well as the sufficiency of resources and the expediency and efficiency of the ways in which the resources are used.

(2) In the course of the accreditation of a curriculum, the conformity of the curriculum and the instruction provided on the basis thereof to legislation and the relevant standards shall be evaluated, including the level of corresponding theoretical and practical instruction, the research and pedagogical qualifications of the teaching staff and research staff, and the sufficiency of resources for the provision of instruction on the basis of the given curriculum.

(3) Requirements for curricula and universities upon accreditation and the accreditation procedure shall be developed by the Ministry of Education and Research in co-operation with the Higher Education Quality Assessment Council and shall be established by a regulation of the Government of the Republic.

(4) Accreditation shall be organised and carried out by a person or agency authorised by the Ministry of Education and Research in co-operation with the Higher Education Quality Assessment Council. In order for accreditation to be organised and carried out, the Ministry of Education and Research shall enter into a contract with the authorised person or agency.

(5) A university shall submit a request for accreditation to the person or agency authorised by the Ministry of Education and Research. A curriculum may be accredited for the first time when the students have completed two-thirds of the study determined in the curriculum. A curriculum of Doctoral study may be accredited for the first time after the first students have graduated.

(6) In the event of significant deficiencies or violations of law in a university or a curriculum thereof, the Higher Education Quality Assessment Council or the Ministry of Education and Research may initiate the accreditation of the university or its curricula. An educational institution shall prepare a self-evaluation report and submit it to the person or agency authorised by the Ministry of Education and Research within four months after receipt of the corresponding notice.

(7) In order to evaluate a curriculum or university, the Higher Education Quality Assessment Council shall form a temporary evaluation committee. A temporary evaluation committee shall consist of at least three members and its members shall generally be outside experts.

(8) Upon the accreditation of a curriculum for a profession regulated by international legislation, the Higher Education Quality Assessment Council may take into account the results of accreditation arising from the international legislation regulating the profession and, on the basis thereof, make an accreditation decision without following the accreditation procedure provided in this section.

(9) The costs related to accreditation shall be covered from the state budget through the budget of the Ministry of Education and Research or, at the request of the university, through the budget of the university.

(10) If a university withdraws a request for accreditation after the formation of the temporary evaluation committee specified in subsection (7) of this section or if a conditional accreditation decision is made, the university shall cover the costs related to the next accreditation of the same curriculum or university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 12¹. Accreditation results

(1) Accreditation results shall be approved by a directive of the Minister of Education and Research on the proposal of the Higher Education Quality Assessment Council. The Minister of Education and Research has the right to reject the proposal of the Higher Education Quality Assessment Council by a reasoned directive and to submit the proposal to the Higher Education Quality Assessment Council to be reviewed for a second time. After the second review, the Minister of Education and Research shall approve the accreditation results on the proposal of the Higher Education Quality Assessment Council or refuse to approve the accreditation results and initiate a new accreditation of the university or its curricula. When a new accreditation is conducted, the members of the evaluation committee which carried out

the previous evaluation of the same university or curriculum shall not be members of the temporary evaluation committee.

(2) The period of validity of a positive accreditation decision is seven years. A conditional accreditation decision is a positive decision and its period of validity is three years.

(3) Accreditation decisions shall be published in the *Riigi Teataja* pursuant to the procedure prescribed by the *Riigi Teataja* Act (RT I 1999, 10, 155; 2001, 24, 133; 93, 565; 2002, 44, 283; 102, 600; 2003, 4, 19 and 22).

(4) If a university has requested a new accreditation at least one year before the expiry of the period of validity of an accreditation decision but the accreditation has not been carried out for reasons independent of the university, the period of validity of the accreditation decision shall be extended until the entry into force of the new accreditation decision.

(5) In the event of a negative accreditation decision concerning a curriculum, the university shall terminate the admission of students and the provision of education pursuant to the curriculum and, in co-operation with the Ministry of Education and Research, shall ensure that the students have the opportunity to continue their studies at the same or another university in the same or a similar field of study. In the event of a negative accreditation decision concerning a university, dissolution of the university shall be initiated and the university shall, in co-operation with the Ministry of Education and Research, ensure that the students have the opportunity to continue their studies at another university in the same or a similar field of study.

(6) After two years have passed from the approval of an accreditation decision, a person or agency authorised by the Ministry of Education and Research on the proposal of the Minister of Education and Research or the Higher Education Quality Assessment Council has the right, in co-operation with the Higher Education Quality Assessment Council, to verify the compliance of a university or its curricula with the information submitted upon accreditation. If it becomes evident that there are significant deficiencies or violations of law in the activities of a university or in its curricula, the Minister of Education and Research may, in co-operation with the Higher Education Quality Assessment Council, revoke the accreditation decision as of the academic year following verification.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 13. State recognition of graduation documents of universities

(1) A graduate of a university shall be awarded a state document certifying education (diploma) if the graduate studied on the basis of a positively accredited curriculum.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(1¹) After a positive accreditation decision concerning a curriculum is made, a person who graduated after completion of studies on the basis of the same curriculum and who was awarded a document certifying education not more than two years before the positive accreditation decision concerning the curriculum is made has the right to obtain a state document certifying education (diploma) from the university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(1²) In addition to state documents certifying education (diplomas), a university has the right to issue other documents certifying education.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3) State documents certifying education (diplomas) awarded by universities shall be entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act (RT 1992, 12, 192; RT I 2003, 33, 205; 48, 342; 58, 387; 78, 526; 2004, 27, 180; 41, 275 and 276; 45, 316).

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)

§ 13¹. State-commissioned education

(1) The provision of state-commissioned education at a university shall be determined by the Ministry of Education and Research based on the predicted need for specialists with higher education in the labour market, on the proposals of ministries, local government associations, registered professional associations and universities, and on the resources designated for state-commissioned education in the state budget.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(2) The provision of state-commissioned education shall be formalised as a contract under public law between a university and the Ministry of Education and Research. The following shall be set out in the contract:

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

- 1) the number of graduates by academic level according to broad groups of studies or, if necessary, fields of study or curricula;
- 2) the standard period of study;

3) the procedure for the allocation of funds from the state budget to the university for the provision of state-commissioned education;

4) the liability of the parties.

(3) The basic cost of a student place created on the basis of state-commissioned education shall be established by a regulation of the Government of the Republic for each budgetary year.

(4) The factors for broad groups of study shall be established by a regulation of the Government of the Republic. The Government of the Republic may differentiate the factors by fields of study or by curricula.

(5) A university shall create the number of student places needed to provide state-commissioned education on the basis of positively accredited curricula. A university may create student places on the basis of curricula which have not been accredited if so agreed in the contract for state-commissioned education.

(6) The Ministry of Education and Research shall finance student places according to the number of graduates with a Master's level degree specified in the contract for state-commissioned education. Student places shall be financed to the extent of the calculated cost of a student place in Master's study from the beginning of the standard period of Bachelor's study until the end of the standard period of Master's study, but not for longer than five years. On the basis of state-commissioned education, a university shall create at least 1.5 student places in Bachelor's study per student place in Master's study for the calculated cost of the said student place in Master's study.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(7) The Ministry of Education and Research may finance student places for curricula determined in a contract for state-commissioned education according to the number of graduates with a Bachelor's level degree as specified in the contract for state-commissioned education. Student places shall be financed to the extent of the calculated cost of a student place in Bachelor's study during the standard period of Bachelor's study.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(8) The Ministry of Education and Research may finance student places for curricula determined in a contract for state-commissioned education according to the number of graduates with a Master's level degree as specified in the contract for state-commissioned education. Student places shall be financed to the extent of the calculated cost of a student place in Master's study during the standard period of Master's study.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(9) If, after the end of the standard period of Bachelor's study or Master's study, or in the cases specified in subsection (7) of this section after the standard period of Bachelor's study, or in the cases specified in subsection (8) of this section after the standard period of Master's study, the number of university graduates with a Master's level degree or, in the cases specified in subsection (7) of this section, with a Bachelor's level degree is less than the number of graduates specified in the contract for state-commissioned education, the Ministry of Education and Research has the right, when next determining state-commissioned education, to decrease the financing of state-commissioned education by deducting that part of the expenditure which was made from the state budget for state-commissioned education which was not provided.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(10) The Ministry of Education and Research shall finance the number of student places in study based on the integrated curricula of Bachelor's and Master's study which are required for the provision of state-commissioned education to the extent of the calculated cost of student places in such study until the end of the standard period of study.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(11) If, after the end of the standard period of study based on the integrated curricula of Bachelor's and Master's study, the number of persons who graduate from university having completed such study is less than the number of graduates specified in the contract for state-commissioned education, the Ministry of Education and Research has the right, when next determining state-commissioned education, to decrease the financing of state-commissioned education by deducting that part of the expenditure which was made from the state budget for state-commissioned education which was not provided.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(12) In order for a contract for state-commissioned education to be performed, the Ministry of Education and Research shall cover the costs of Doctoral study in equal parts in the first two academic years to the extent of 60 per cent of the amount which is obtained by multiplying the number of graduates with a Doctoral level degree as specified in the contract for state-commissioned education by the basic cost of a student place in Doctoral study. After the end of the standard period of Doctoral study, the Ministry of Education and Research shall cover the costs of Doctoral study to the extent of 40 per cent of the amount which is obtained by multiplying the number of Doctoral level degrees defended within that term (but not more than the total number of graduates with a Doctoral level degree as specified in the contract for state-commissioned education) by the basic cost of a student place in Doctoral study.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 13². Filling of student places formed on basis of state-commissioned education

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(1) Student places formed on the basis of state-commissioned education shall initially be filled pursuant to the procedure established by the council of the university and according to the results of the entrance examinations taken by persons who wish to study according to the given curriculum.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(2) Each academic year, the university shall replace students studying in student places formed on the basis of state-commissioned education who do not fulfil the requirements of full-time study or who have been exmatriculated with persons who wish to study in the corresponding student places and, in the event of such replacement, the persons with the higher level of academic achievement shall be preferred. The university shall not replace a student studying in a student place formed on the basis of state-commissioned education who does not fulfil the requirements of full-time study if the student is studying in a field of study or following a curriculum agreed upon in the contract for state-commissioned education on the basis of which the university has, for the provision of state-commissioned education, created student places for part-time study.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3) (Repealed - 12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

(4) A student studying at a university in a student place formed on the basis of state-commissioned education or a person who has graduated from a university on the basis of state-commissioned education shall not commence studies at a university for a second time at the same academic level in a student place formed on the basis of state-commissioned education within a period equal to three times the standard period of study according to the curriculum. A person who has studied in a student place formed on the basis of state-commissioned education but who has not graduated from the university may be reinstated by the university in a student place formed on the basis of state-commissioned education in the same field of study unless he or she has exceeded the standard period of study according to the curriculum. A contract for state-commissioned education may specify the fields of study and curricula according to which it is possible to commence studies for a second time at the same academic level in a student place formed on the basis of state-commissioned education.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 13³. Reimbursement of study costs

(1) A university may demand that study costs be reimbursed, under the conditions and pursuant to the procedure established by the council of the university, by students who do not study in a student place formed on the basis of state-commissioned education and by students who studied in a student place formed on the basis of state-commissioned education but who exceeded the standard period of study according to the curriculum by one year or who failed to fulfil the requirements of full-time study and have been transferred to part-time study. The rate for the reimbursement of study costs shall be established by the council of the university for each academic year. The council of the university may increase the rate for the reimbursement of study costs by up to 10 per cent from one academic year to the next.

(2) A student who studied in a student place formed on the basis of state-commissioned education and who exceeded the standard period of study according to the curriculum by one year or who failed to fulfil the requirements of full-time study and has been transferred to part-time study shall be released from the reimbursement of study costs if the student continues his or her studies according to the same curriculum and if:

- 1) he or she is a person with a moderate, severe or profound disability;
- 2) he or she is the parent or guardian of a child under 7 years of age or a disabled child, or
- 3) he or she is studying in a field of study or following a curriculum agreed upon in the contract for state-commissioned education on the basis of which the university has, for the provision of state-commissioned education, created student places for part-time study.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 13⁴. Support for studies abroad

The Ministry of Education and Research may support, out of the funds prescribed for state-commissioned education in the state budget, the studies of a student at a foreign university or a foreign educational institution of equal status in a speciality prioritised by the state. Support for the studies of a student and the obligations of the student arising therefrom shall be formalised in a contract between the Ministry of Education and Research and the student or between the Ministry of Education and Research, the student and an employer.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

Chapter 2

Management and Structure

§ 14. Council of university

(1) The collegial decision-making body of a university is the council of the university, the procedure for the formation of which and the bases for the activities of which are provided for in the statutes of the university.

(2) The following shall belong to the council of a university:

- 1) the Rector;
- 2) the Vice Rectors;
- 3) representatives of the teaching staff and the research staff;
- 4) representatives of the students, who shall make up at least one-fifth of the membership of the council of the university;
- 5) other persons prescribed by the statutes.

(3) The council of a university:

- 1) shall approve the statutes of the university and make amendments thereto;
- 2) shall approve the statutes of structural units of the university and the statutes of the Student Body;

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

3) shall adopt development plans for the university and submit them to the Minister of Education and Research for his or her information;

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

4) shall approve the curricula of the university;

4¹) shall establish the conditions and procedure for the assessment of the qualifications of the teaching staff and for taking into account the previous study results and professional experience of students;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

5) shall establish the procedure and conditions for the defending of degrees;

6) shall establish the conditions and procedure for the admission of students;

6¹) shall establish the conditions and procedure for dismissal of students from the university;

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

7) shall make proposals to the Minister of Education and Research concerning state-commissioned education;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

8) shall approve the fields and format of and procedure for continuing education provided at the university;

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

9) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

10) shall approve the budget and the annual report of the university;

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

11) shall establish general rules concerning the administration of the university and concerning teaching and research;

12) shall make decisions on general issues pertaining to instruction and research which concern at least two structural units;

13) shall establish the rules of competitions for the employment of ordinary teaching staff and research staff;

14) shall elect professors *ordinaria*;

15) may award the title of professor *emeritus* to a member of the teaching staff who worked as a professor *ordinarius* and who is retiring;

16) shall make decisions on issues relating to the assets of the university to the extent and pursuant to the procedure provided for in this Act;

17) shall hear the reports of the Rector, the Vice Rectors and the heads of the structural units;

18) may express no confidence in the Rector;

19) shall decide on the university joining international organisations;

20) shall decide on other issues which are presented for an opinion by the Rector or members of the council of the university and which fall within the competence of the council according to this Act and the statutes of the university.

§ 15. Legislation of council of university

(1) The council of a university shall adopt regulations and decisions within the limits of its competence.

(2) An opinion of the council of a university which contains general rules shall be prepared as a regulation signed by the Rector or, in his or her absence, a Vice Rector and the

secretary of the council of the university and it shall be communicated to the employees and students of the university.

(3) An opinion of the council of a university on an individual matter shall be prepared as a decision signed by the Rector or, in his or her absence, a Vice Rector and the secretary of the council of the university.

(19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375)

(4) Legislation of the council of a university shall be sent to the Ministry of Education and Research for information purposes not later than within ten days as of the adoption thereof.

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 16. Rector

(1) A university shall be directed by a Rector. The Rector is responsible for the general state and development of the university and for the lawful and expedient use of financial resources.

(2) The Rector:

1) shall exercise the highest administrative and disciplinary authority in the university within the limits of his or her competence;

2) shall approve the internal procedure rules of the university;

3) shall approve the documentary procedure rules of the university;

4) shall issue orders and directives with which compliance is mandatory for all members of the university;

5) shall determine the number of Vice Rectors and their areas of activity;

6) shall appoint the Vice Rectors;

7) shall ensure that the regulations and decisions of the council of the university are implemented;

8) has the right to a single veto with regard to a regulation or decision of the council of the university;

9) may form a board of the university to manage the university effectively and may determine the bases and procedure for the activities thereof;

10) shall ensure that teaching activities and research are organised in an expedient manner;

11) shall ensure that the draft budget of the university is prepared;

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

- 12) shall ensure that the budget is implemented and shall submit a report thereon to the council of the university;
- 13) shall represent the university and conclude transactions on behalf of the university within the limits of the authorisation granted to him or her by this Act and the statutes of the university;
- 14) shall resolve other issues placed within his or her competence pursuant to law and the statutes of the university;
- 15) is accountable to the council of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965; 15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

§ 17. Appointment of Rector to office and release of Rector from office

- (1) A Rector shall be elected for five years pursuant to the procedure prescribed by the statutes of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

- (2) The Rector shall assume office by taking an oath of office before the council of the university.

- (3) The eldest member of the council of the university shall enter into a contract of employment with the Rector on behalf of the university and the contract of employment shall be in accordance with the provisions of the Republic of Estonia Employment Contracts Act (RT 1992, 15/16, 241; RT I 1993, 10, 150; RT I 1993, 26, 441; 1995, 14, 170; 16, 228; 1996, 3, 57; 40, 773; 45, 850; 49, 953; 1997, 5/6, 32; 1998, 111, 1829; 1999, 16, 276; 60, 616; 2000, 25, 144; 51, 327; 57, 370; 102, 669; 2001, 17, 78; 42, 233; 53, 311; 2002, 61, 375; 62, 377; 110, 656; 111, 663; 2003, 4, 22; 13, 69; 88, 591; 90, 601; 2004, 37, 256) and this Act.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

- (4) Upon termination of the contract on the initiative of the Rector, the council of the university shall release the Rector from the performance of his or her duties within four months as of the submission of the corresponding request.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

- (5) The Rector shall be released from office prior to the expiry of the term of contract by the council of the university:

- 1) on the grounds prescribed in the Republic of Estonia Employment Contracts Act;
- 2) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

3) if the council of the university has expressed no confidence in the Rector by a two-thirds majority of its membership.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(6) The authority of a Rector shall terminate on the date of the Rector being released from the performance of his or her duties if he or she resigns at his or her own request, or on the date of expiry of the term of his or her contract or on the date of his or her release from office prior to expiry of the term of the contract.

(7) Upon the termination of his or her authority, the Rector has the right to return to the position he or she occupied in the university prior to his or her election as Rector.

§ 18. Requirements for Rector candidates

Any person who is an Estonian citizen, who is or has been elected to the position of a professor and who is less than 60 years of age may be a candidate for the position of Rector.

§ 19. Structure of university

(1) The structure of a university, its development and the procedure for changes thereto shall be prescribed in the statutes of the university in accordance with this Act, the objectives of the university and the scope and specific characteristics of its activities.

(2) The bases for the activities of structural units of a university shall be prescribed in statutes approved by the council of the university.

(3) Structural units specified in the statutes of a university shall be directed by collegial decision-making bodies and elected or appointed employees as provided for in the statutes of the university or the statutes of the structural unit.

(3¹) The structure of a university may include university institutions which have independent balance sheets and which operate on the basis of statutes approved by the council of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(4) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(5) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(6) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 20. Board of governors

(1) A board of governors is an advisory body which serves as a link between a university and society.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(2) The Government of the Republic shall determine the number of members of a board of governors and their term of authority, appoint the members of a board of governors and approve the rules of procedure of a board of governors, after having heard the opinion of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(3) A board of governors shall make proposals to the Minister of Education and Research and the council of the university on issues relating to the development of the university.

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(4) A board of governors shall present its assessment of the university to the public at least once a year.

(5) An authorised representative of the board of governors shall participate in the sessions of the council of the university with the right to speak.

Chapter 3

Organisation of Studies

§ 21. General requirements for admission to university

(1) All persons with secondary education or foreign qualifications equal thereto have an equal right to compete to be admitted to a university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 22. General requirements for organisation of studies

(1) At a university, study may be undertaken in the form of full-time study, part-time study or external study.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) The provisions of the Adult Education Act (RT I 1993, 74, 1054; 1998, 71, 1200; 1999, 10, 150; 60, 617; 2002, 90, 521; 2003, 20, 116; 71, 473; 2004, 41, 276) concerning formal education acquired within the adult education system apply to students in part-time study and to external students.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

- (3) The conditions and procedure for studies shall be established by the university and such conditions and procedures may vary in different fields of study.
- (4) Study at a university shall provide professional, vocational and occupational training.
- (5) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)
- (6) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)
- (7) The basis for the organisation of studies shall be uniform curricula for all forms of study which are prepared and established by the university and which are in conformity with the Standard of Higher Education. After approval by the council of the university, a curriculum which is in conformity with the Standard of Higher Education shall be entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act. The procedure for the registration of the curricula of universities shall be established by a regulation of the Minister of Education and Research. (12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)
- (8) The language of instruction at universities is Estonian. The use of other languages shall be decided by the council of a university.
- (9) Students shall have at least eight weeks of holiday in an academic year.
- (10) Any period of academic leave taken by a student shall not be included in the standard period of study according to the curriculum. (29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)
- (11) In terms of completing a curriculum in Bachelor's study, a university may take account of the previous study results and, in Master's and Doctoral study and in study based on the integrated curricula of Bachelor's and Master's study, the previous study results and professional experience of the given person to the extent of up to 50 per cent, unless otherwise provided by an international agreement binding on the Republic of Estonia. An agreement may be set out in a contract for state-commissioned education concerning fields of study and curricula with regard to the completion of which a university may, in Bachelor's study, take account of the prior professional experience of the given person to the extent of up to 50 per cent. A university may take account of the previous study results of a student at the same university to an extent of more than 50 per cent to the extent and pursuant to the procedure established by the council of the university. (29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116; 13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)

§ 23. Full-time study and part-time study

(1) In full-time study, a student shall cumulatively complete at least 75 per cent of the study load subject to completion according to the curriculum by the end of each academic year. The council of a university may specify curricula according to which only full-time study may be conducted and curricula regarding which higher requirements are set for full-time study conducted according thereto.

(2) In part-time study, a student shall cumulatively complete less 75 per cent of the study load subject to completion according to the curriculum by the end of each academic year. The council of a university may specify the minimum study load subject to completion according to a curriculum in part-time study.

(3) When a student enrolls at a university, he or she shall designate whether he or she is to study full-time or part-time study in the first academic year, unless only full-time study may be conducted according to the curriculum. In the following academic years, the university shall base its determination of whether the student is studying full-time or part-time on the student's completion of the study load subject to completion according to the curriculum by the end of each academic year. The university shall transfer a student who does not meet the requirements of full-time study to part-time study without dismissing the student from the university and the university may demand that the student reimburse study costs.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 24. Academic levels

(1) At a university, higher education is acquired at three levels - Bachelor's study, Master's study and Doctoral study. In an educational institution which is part of the structure of a university, higher education may be acquired by following a professional higher education curriculum of one level.

(2) Higher education acquired in study based on the integrated curricula of Bachelor's and Master's study is made up of two levels.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

§ 25. (Repealed - 12.06.2002 entered into force 05.07.02 - RT I 2002, 56, 348)

§ 26. Professional higher education

(1) Professional higher education may be provided, according to regional needs, in an educational institution which is part of the structure of a university.

(2) The provisions of the Institutions of Professional Higher Education Act (RT I 1998, 61, 980; RT I 2003, 33, 207; 58, 387; 2004, 45, 316) concerning professional higher education and the teaching staff providing professional higher education apply to the implementation of curricula of professional higher education in universities.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

§ 27. Bachelor's study

(1) Bachelor's study is study at the first level of higher education during which a student improves his or her general educational knowledge and acquires the basic knowledge and skills of a speciality and the knowledge and skills necessary for Master's study and to commence work.

(2) The standard period of Bachelor's study is three to four years.

(3) The pre-condition for the commencement of Bachelor's study is secondary education or a foreign qualification equal thereto.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) Bachelor's study ends with the taking of a Bachelor's degree examination or the defence of a Bachelor's thesis. A person who has completed Bachelor's study shall be awarded a Bachelor's level degree.

(5) A person who has completed Bachelor's study has the right to continue his or her studies in Master's study under the conditions and pursuant to the procedure established by the board of the educational institution.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

§ 28. Master's study

(1) Master's study is study at the second level of higher education during which a student improves his or her knowledge and skills in his or her speciality and acquires the knowledge and skills necessary for independent work and Doctoral study.

(2) The standard period of Master's study is one to two years. The standard period of Bachelor's and Master's study is at least five years in total.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

- (3) The pre-condition for the commencement of Master's study is a Bachelor's level degree, higher education acquired by completing a professional higher education curriculum or a qualification equal thereto.
- (4) Master's study ends with the defence of a Master's thesis or the taking of a Master's degree examination. A person who has completed Master's study shall be awarded a Master's level degree.
- (5) A person who has completed Master's study has the right to continue his or her studies in Doctoral study pursuant to the procedure established by the council of the university.
(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

§ 29. Doctorate study

- (1) Doctorate study is study at the highest level of higher education during which a student acquires the knowledge and skills necessary for independent research, development or professional creative activity.
- (2) The standard period of Doctoral study is three to four years.
- (3) The pre-condition for the commencement of Doctoral study is a Master's level degree or a qualification equal thereto.
- (4) Doctoral study ends with the defence of a Doctoral thesis. A person who has completed Doctoral study shall be awarded a research degree – a Doctoral level degree.
- (5) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 29¹. Study based on integrated curricula of Bachelor's and Master's study

- (1) The standard period of medical training and veterinary training is six years. The standard period of pharmacist training, dentistry training, architectural studies, civil engineering studies and teacher training for class teachers is five years.
(1¹) The clinical instruction of medical training shall be carried out at Tartu University Hospital.
(13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)
- (2) Secondary education or a foreign qualification equal thereto shall be the pre-condition for the commencement of study based on the integrated curricula of Bachelor's and Master's study.
(13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)
- (3) Teacher training for class teachers, pharmacist training and veterinary training ends with the taking of a final examination or the defence of a final paper. Medical training and

dentistry training ends with the taking of a final examination. Architectural studies and civil engineering studies ends with the defence of a final paper. A person who has completed study based on the integrated curricula of Bachelor's and Master's study shall be awarded a Master's level degree. A person who has completed study based on the integrated curricula of Bachelor's and Master's study has the right to continue his or her studies in Doctoral study pursuant to the procedure established by the council of the university.

(13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)

(4) Medical training and dentistry training shall be followed by residency in a medical or dentistry speciality with a duration of three to five years. Residency shall be completed and financed under the conditions and pursuant to the procedure established by the University of Tartu Act (RT I 1995, 23, 333; 1996, 49, 953; 51, 965; 1998, 61, 986; 1999, 102, 908; 2001, 16, 71; 2002, 61, 375; 90, 521; 2003, 20, 116; 2004, 45, 316).

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

(5) The framework requirements for medical training, veterinary training, pharmacist training, dentistry training, architectural studies and civil engineering studies shall be established by a regulation of the Government of the Republic.

(13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)

§ 30. (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

§ 30¹. External students

(1) In external study, it is possible for a person to take examinations and assessments according to a curriculum and to defend his or her final paper and take the final examination without participating in regular study, under the conditions and pursuant to the procedure established by the council of the university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) Provisions concerning formal education acquired within the adult education system within the meaning of the Adult Education Act (RT I 1993, 74, 1054; 1998, 71, 1200; 1999, 10, 150; 60, 617; 2002, 90, 521; 2003, 20, 116; 71, 473; 2004, 41, 276) apply to external students.

(3) External students are not deemed to be students. The legal status of external students and participants at continuing education courses is determined by law, the statutes of universities and other legislation.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

§ 31. Graduation documents certifying higher education

(1) A person who has completed Bachelor's study, Master's study or Doctoral study or study based on the integrated curricula of Bachelor's and Master's study shall, after completion of the curriculum to the full extent, be awarded a diploma certifying completion of the curriculum or the academic degree awarded together with an academic report.

(2) A person who has completed Bachelor's study or Master's study or study based on the integrated curricula of Bachelor's and Master's study may, under the conditions established by the Minister of Education and Research, be awarded a diploma *cum laude*.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(3) A university shall issue, free of charge, a diploma supplement in English to a person who has completed Master's study or Doctoral study or study based on the integrated curricula of Bachelor's and Master's study. A university shall issue, free of charge, a diploma supplement in English to a person who has completed Bachelor's study if the person so requests.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) The format and statute of the diploma and academic report shall be approved by a regulation of the Government of the Republic.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

§ 32. Continuing education

(1) Continuing education is continuing vocational training as defined in the Adult Education Act.

(2) The fields and formats of and procedure for continuing education provided at a university shall be approved by the council of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(3) Continuing education shall be legally regulated and financed pursuant to the Adult Education Act.

Chapter 4

Members

§ 33. Members of university

Employees and students of a university comprise the members of the university.

§ 34. Teaching staff and research staff

(1) The teaching staff of a university consists of professors, docents, lecturers, assistants and teachers.

(2) The research staff of a university consists of senior research fellows and research fellows.

(3) A member of the ordinary teaching staff or research staff shall be elected to office by way of competition for up to five years. Members of the extraordinary teaching and research staff shall be employed for a term of up to three years. A contract of employment for an unspecified term shall be entered into with any person who has been working as a professor at the same university for at least eleven years.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3¹) The requirements established for the positions of members of the extraordinary teaching staff or research staff apply to the positions of members of the ordinary teaching staff or research staff.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) Under the conditions established by the council of the university, the Rector has the right to invite scientists from outside the university to positions of ordinary teaching staff.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 35. Professorship

(1) The professorship consists of professors and professors *emeritus*.

(2) A professor is a leading faculty member in his or her speciality who organises the teaching of his or her subject (group of subjects) and directs relevant research at a university. The main duty of a professor is to organise academic study.

(3) A recognised specialist in his or her field who has been awarded a Doctoral level degree or has qualifications equal thereto and who has teaching experience may apply for the position of professor.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) The title of professor *emeritus* may be awarded by the council of a university to a member of the teaching staff who has worked at the university as a professor for at least ten years and who is retiring.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(5) A professor *emeritus* shall receive the remuneration of a professor *emeritus* which is 75 per cent of the remuneration of an academician. The remuneration of professors *emeritus* shall be allocated to the university from the state budget through the budget of the Ministry of Education and Research.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 36. Docents

(1) A docent teaches a subject or a group of subjects and participates in relevant research.

(2) A person who has been awarded a Doctoral level degree or has qualifications equal thereto may apply for the position of docent.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3) The title of docent *emeritus* may be awarded by the council of a university to a member of the teaching staff who has worked at the university as a docent for at least fifteen years and who is retiring. A docent *emeritus* has the right to participate in the activities of the university but he or she shall not fill the position of a docent who is a staff member, and he or she has the right to receive the remuneration of a docent *emeritus* which is up to 50 per cent of the remuneration of a professor *emeritus*.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(4) Payment of the remuneration of docent *emeritus* shall be supported from the state budget.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 37. Lecturers, assistants and teachers

(1) A lecturer is a member of the teaching staff who performs teaching tasks related to lectures. A person who has been awarded a Master's level degree or has qualifications equal thereto may apply for the position of lecturer.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) An assistant is a member of the auxiliary teaching staff with professional qualifications whose main task is to lead seminars, practical training classes and practice sessions. A person who has been awarded a Master's level degree or has qualifications equal thereto may apply for the position of assistant.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3) A teacher performs teaching tasks of a practical nature. A person who has been awarded a Master's level degree or has qualifications equal thereto may apply for the position of teacher.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 38. Research staff

Requirements for research staff are provided by the Research and Development Organisation Act (RT I 1997, 30, 471; 2001, 43, 237; 2002, 61, 375; 90, 521; 105, 611; 2003, 75, 495; 88, 594).

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

§ 39. Employment relationships of teaching staff and research staff

(1) All vacant positions of ordinary teaching staff and research staff at a university shall be filled for up to five years by way of public competition with equal conditions for all participants, except in the cases specified in subsections 34 (3) and (4) of this Act.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) The conditions of a competition and the competition procedure shall be determined by the council of the university.

(3) Professors shall be elected by the council of the university, and other members of the teaching staff and research staff shall be elected by the collegial decision-making body of the structural unit.

(4) The Rector shall enter into contracts of employment with persons who win a competition. Entry into a contract of employment may be refused if the conditions of the competition or the competition procedure have been violated.

(5) Members of the extraordinary teaching staff and research staff may be employed for up to three years in positions of members of the ordinary teaching staff and research staff which have not been filled by way of competition or for the implementation of national programmes.

(6) It is not permitted to make members of the teaching staff of a university redundant during an academic semester.

(7) Members of the ordinary teaching staff of a university have the right to a sabbatical semester with pay once every five years in order to supplement their professional skills or for other creative activity.

§ 40. Other employees of universities

The employment relationships of other employees of universities are regulated in accordance with labour laws.

§ 41. Student

A student is a person who has been admitted (matriculated) to a university in full-time or part-time professional higher education, Bachelor's, Master's or Doctoral study or study based on the integrated curricula of Bachelor's and Master's study.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 42. Rights and obligations of students

(1) Students have the right to:

- 1) choose subjects for their curricula outside their field of study pursuant to the procedure established by the council of the university, regardless of their speciality;
- 2) attend lectures, practical training classes and seminars and take examinations and assessments outside their curricula, although members of the teaching staff may restrict the participation of students from outside their curricula if the study conditions (workplaces, teaching aids, etc.) do not allow for it;
- 3) use lecture halls, laboratories, computer rooms, libraries, equipment and other assets free of charge pursuant to the procedure established in the university;
- 4) continue their studies pursuant to another curriculum or at another university should the university or any of its curricula be closed;
- 5) elect their representatives and be represented to the collegial decision-making bodies of the university;
- 6) submit a reasoned request to the Rector for the removal of a member of the teaching staff from teaching activities;
- 7) obtain a study allowance and a study loan under the conditions and pursuant to the procedure provided for in the Study Allowances and Study Loans Act;

(07.08.2003 entered into force 01.09.2003 - RT I 2003, 58, 387)

- 8) take academic leave, generally of up to one year, once at each academic level pursuant to the procedure established by the council of the university, and additional academic leave of up to two years for health reasons, of up to one year in the case of service in the Defence Forces, and to care for a child until the child attains 3 years of age;

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

9) obtain the study programmes, study modules and other information necessary for their studies;

10) request the opportunity to take an examination or assessment before a board;

11) obtain a student identification card pursuant to the procedure established by the Minister of Education and Research;

(26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

11¹) student self-government under the conditions and pursuant to the procedure provided for in § 43;

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

12) exercise other rights provided for students by law, the statutes and internal procedure rules of the university and other legislation.

(2) Students shall fulfil the obligations provided for students by this Act, the statutes and internal procedure rules of the university and other legislation and be liable for any violation thereof.

§ 43. Student Body and student council

(1) The students of a university form the Student Body.

(2) The Student Body is an institution which exercises the right of the students to self-government – to decide on and manage independently, pursuant to law and legislation issued on the basis thereof, issues of student life based on the interests, needs, rights and obligations of students.

(3) Student Bodies have the right to:

1) form associations and organisations with other Student Bodies on the bases of and pursuant to the procedure provided by legislation;

2) become members of corresponding international organisations or to develop co-operation with such organisations;

3) elect their representatives to the council of the university;

4) decide on and manage all other issues of student life which, pursuant to law and legislation issued on the basis thereof, are within the competence of a Student Body and which have not been awarded on the same grounds to any other person to decide or manage.

(4) Student Bodies have statutes in which the procedure for the formation of students' representative and executive bodies and the rights, obligations, liability and rules of procedure thereof are provided. A Student Body shall adopt the statutes of the Student Body and submit

the statutes to the council for approval pursuant to the procedure provided for in the statutes of the university. The council shall approve the statutes of the Student Body if the statutes comply with law, legislation issued on the basis of law and internationally recognised democratic principles.

(5) The responsible representative body which governs a Student Body is the democratically elected student council which all the students of the university have the right to elect. A student council and the executive bodies of the Student Body formed by the student council pursuant to the statutes of the Student Body shall represent the Student Body in relations with the university, Estonian and international organisations, agencies and persons.

(6) The Rector shall approve the rules for election and organise the elections of the first student council on the basis of democratic principles.

(7) A student council shall control the funds specified in subsection 51 (5) of this Act independently on the basis of authorisation issued by the Rector and pursuant to the procedure established by the Student Body.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

Chapter 5

University as Subject of Civil Law

§ 44. Assets of university

(1) A university is the owner of its assets and it shall possess, use and dispose of its assets pursuant to the procedure prescribed by this Act. A university is only entitled to own assets which are necessary for the performance of its functions.

(2) The assets of a university shall be comprised of the following:

1) assets transferred into the ownership of the university by the state pursuant to law upon the establishment of the university;

2) assets transferred into the ownership of the university later pursuant to law and at the request of the university;

3) assets transferred by another person for the benefit of the university;

4) assets acquired by the university in the course of its activities.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3) A university shall transfer assets which are not necessary for the performance of its mission pursuant to the procedure prescribed in § 46 of this Act.

(4) (Repealed - 05.06.2002 entered into force 01.07.2002 - RT I 2002, 53, 336)

(5) A university has the right to own property which was in the ownership of the university before 16 June 1940.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 45. Use of assets

(1) A university shall use its assets to attain the mission of the university.

(2) A university may grant the use of its assets to another person for a specified term provided that the council of the university agrees that such assets are necessary to attain the mission of the university but it is impossible or impractical to use such assets at the time.

§ 46. Disposal of assets

(1) Real property belonging to a university may be transferred with the permission of the Government of the Republic.

(2) The amounts of assets which the Rector, Vice Rectors and heads of structural units may dispose of shall be determined by the council of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 47. Active legal capacity of university

(1) A university does not have the right to secure the obligations of other persons with its assets.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(2) (Repealed - 05.06.2002 entered into force 01.07.2002 - RT I 2002, 53, 336)

(3) A university has the right to obtain credit with the permission of the council of the university.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 48. Other restrictions on civil rights

(1) A university shall not provide sponsor support, grant loans or credit or make donations to foundations.

(2) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3) Universities may found legal persons in private law for the performance of the functions specified in their statutes pursuant to the procedure provided by law.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3¹) Legal persons in private law specified in subsection (3) of this section, with the exception of foundations where one of the founders is the state, shall not found private schools or research and development institutions in private law.

(07.03.2000 entered into force 07.04.2000 - RT I 2000, 25, 140)

(4) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(5) A university has the right to accept property, including securities, as a pledge pursuant to the procedure established by the Government of the Republic.

(6) A university has the right to provide services related to the main activities of the university for a charge (continuing education for a charge, contractual research, professional consultations, etc.) to other persons and any revenue received therefrom shall accrue to the budget of the university.

(7) The provisions of this section do not restrict the passive legal capacity of a university.

(05.06.2002 entered into force 01.07.2002 - RT I 2002, 53, 336)

Chapter 6

Procedure for Financing

§ 49. Financing of universities

(1) The revenue of a university is comprised of money allocated from the state budget, money received to reimburse study costs, revenue from the provision of services related to the main activities for a charge, revenue from research and development activities and other income.

(2) The costs of student places at a university shall be covered from the state budget to the extent of state-commissioned education. Legal and natural persons have the right to apply for the opening of student places at a university out of their own funds.

(3) Other expenses shall be covered from the state budget, the reimbursement of study costs, services related to the main activities of the university provided for a charge, and other income.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

§ 50. (Repealed - 21.05.97 entered into force 01.07.97 - RT I 1997, 42, 678)

§ 51. Budget of university

- (1) A balanced budget shall be prepared concerning all revenue and expenditure of a university.
- (2) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)
- (3) A report on the implementation of the budget of a university shall be prepared and the report shall be approved by the council of the university.
- (4) The draft budget of a university shall be approved by the council of the university.
(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)
- (5) Funds shall be prescribed in the budget of a university which the student council shall use for the performance of functions arising from law and the statutes of the Student Body in order to exercise student self-government.
(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

Chapter 7

Auditing, Supervision and Reporting

§ 52. Auditing

- (1) The State Audit Office shall audit the activities of universities pursuant to the State Audit Office Act.
- (2) The economic activities of a university shall be monitored by regular and special audits prescribed by the council of the university.
(29.01.2002 entered into force 04.03.2002 - RT I 2002, 21, 117)

§ 53. State supervisory authority

State supervision over the legality of the activities of universities is exercised by the Ministry of Education and Research (hereinafter state supervisory agency). The state supervisory agency has the right to involve experts in the exercise of state supervision.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 53¹. Competence of state supervisory agency

- (1) In order to achieve its objectives, the state supervisory agency has the right to:
 - 1) examine the evidence and information at the disposal of a university on the basis of which it is possible to establish facts essential to the performance of the functions of the state supervisory agency, and to obtain copies of or extracts from documents;

2) issue precepts for termination of violations of the requirements provided for in this Act or legislation established on the basis thereof, prevention of further violations and elimination of the consequences of a violation.

(2) In the performance of its functions, the state supervisory agency shall be impartial in its assessments and base its decisions on legislation and reliable information.

(3) In the event of failure to comply with a precept, the state supervisory agency may impose a penalty payment pursuant to the procedure provided for in the Substitutive Enforcement and Penalty Payment Act (RT I 2001, 50, 283; 94, 580). The upper limit for a penalty payment is 10 000 kroons.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 53². Precept

(1) A precept shall contain:

1) the bases for the issue of the precept together with a reference to the relevant provisions of legislation;

2) the date of preparation of the precept;

3) the term for compliance with the precept;

4) the names, positions and signatures of the officials who carried out state supervision;

5) the possibilities, term and procedure for contestation of the precept.

(2) The Ministry of Education and Research shall send a precept to the Rector of the university by post or using electronic means within ten days as of the making of the precept.

(3) If the Rector of the university does not agree with the precept, he or she has the right to file a challenge with the Ministry of Education and Research within one month as of the receipt of the precept.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 54. Reporting

(1) A university shall report on its activities to the extent and pursuant to the procedure provided by law or on the basis thereof.

(2) A university shall submit a statistical report on its activities and a report on the implementation of its budget pursuant to the procedure and within the terms prescribed by law.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(3) A university shall report on the spending of targeted financing to the financier at the latter's request.

Chapter 8

Implementation of Act

§ 55. Accreditation and status

(1) Any person who, before 1 June 2002, graduates from a university in public law on the basis of a curriculum which is entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act but which has not been accredited shall be issued a document certifying state education by the university, until the entry into force of an accreditation decision concerning the university.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)

(2) (Repealed - 26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(3) A university has the right to apply for the extension of an accreditation decision before the expiry of the period of validity thereof concerning a curriculum which has been entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act before 1 June 2002 to a curriculum in the same field of study which has been approved by the council of the university and which has been entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act as of 1 June 2002. The extension of an accreditation decision concerning a curriculum to curricula in the same field of study which have been approved by the council of the university and which have been entered in the register of curricula at the Ministry of Education and Research shall be approved by the Minister of Education and Research on the proposal of the Higher Education Quality Assessment Council.
(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404; 05.05.2005 entered into force 05.06.2005 - RT I 2005, 29, 215; 16.06.2005 entered into force 17.07.2005 - RT I 2005, 38, 297)

(4) If, by 30 June 2003, less than three years have passed since the entry into force of a negative accreditation decision concerning a curriculum, the university may request a second accreditation of the curriculum within one year as of 1 September 2003. If the university does not request a second accreditation, the university shall terminate the admission of students and the provision of education pursuant to the curriculum and, in co-operation with the Ministry

of Education and Research, ensure that the students have the opportunity to continue their studies at the same or another university in the same or a similar field of study.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 55¹. Implementation of state-commissioned education

(1) Contracts for state-commissioned education entered into between the Ministry of Education and Research and universities before 1 June 2002 shall be valid until the parties to such contracts have performed their contractual obligations.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(2) Until the admission of students for the academic year 2005/2006, the Ministry of Education and Research may determine the provision of state-commissioned education at a university in the training of teachers pursuant to a teacher training curriculum which follows Bachelor's study and the standard duration of which is one year by financing the number of student places specified in the contract for state-commissioned education to the extent of the calculated cost of a student place on the teacher training during the standard period of study for teacher training.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(3) The Ministry of Education and Research may exercise the right to decrease the financing of state-commissioned education by deducting that part of the expenditure which was made from the state budget for state-commissioned education which was not provided, as specified in subsections 13¹ (9) and (11) of this Act, as of determining state-commissioned education for the academic year 2009/2010.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 56. Transition

(1) Collegial decision-making bodies and employees elected at universities prior to the entry into force of this Act shall act until the end of the election cycle unless statutes which have entered into force in the meantime prescribe otherwise.

(2) A Rector shall ensure that the statutes of the university are brought into conformity with the requirements of this Act within six months as of the entry into force of this Act.

(3) Graduation documents certifying higher education acquired prior to the entry into force of this Act grant the right to commence Master's study and Doctoral study pursuant to the procedure established by the council of a university.

(4) The Government of the Republic shall form the Higher Education Quality Assessment Council within six months as of the entry into force of this Act.

(5) The Government of the Republic shall appoint the members of the boards of governors not later than by 1 January 1997.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(6) Universities shall bring their curricula into conformity with the requirements of this Act by 1 September 2002. The curricula shall apply to students matriculated at universities as of the academic year 2002/2003. A university has the right to apply the curricula to students matriculated at the university before the academic year 2002/2003 if a student so requests.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

(7) Until 1 September 2005, universities also have the right to create student places on the basis of the curricula of Master's study and Doctoral study which have been entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act before 1 June 2002 and on the basis of teacher training curricula which follow Bachelor's study and the standard duration of which is one year for students matriculated at a university as of the academic year 2002/2003. Persons who graduate from a university on the basis of the specified curricula of Master's study or Doctoral study shall be awarded a Master's level degree or Doctoral level degree as a research or professional degree.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)

(8) In order for students matriculated in diploma study before 30 June 2002 to undergo their studies, diploma study may continue at universities until 1 September 2007.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348)

(9) Subsection 31 (3) of this Act applies to students who graduate as of the academic year 2002/2003. Persons who graduated before the academic year 2002/2003 have the right to obtain a diploma supplement in English pursuant to the procedure established by the council of the university.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(10) Universities shall bring their statutes into conformity with the requirements of this Act by 1 September 2003.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(11) Universities shall bring their activities into conformity with subsection 4 (1) of this Act by 1 September 2005. If, after 1 September 2005, Bachelor's study, Master's study and Doctoral study are not carried out in several fields of study at a university, the Government of the Republic shall make a proposal to the Riigikogu to terminate the activities of the university.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(12) Full-time and part-time study shall apply to students admitted to universities as of the academic year 2003/2004.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(13) The transition to the European Credit Point Transfer System shall take effect not later than by 1 September 2006.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(14) Universities shall establish the conditions and procedure for assessing the qualifications of teaching staff and for taking account of the previous study results and professional experience of students as specified in clause 14 (3) 4¹) of this Act not later than by 1 September 2004. Universities shall, not later than by 1 September 2003, establish the conditions and procedure for taking account of the previous study results and professional experience of students who study in a field of study or according to a curriculum agreed upon in the contract for state-commissioned education and on the basis of which the university has formed student places for part-time study for the provision of state-commissioned education.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(15) The reimbursement of study costs specified in § 13³ of this Act shall apply to students admitted to universities as of the academic year 2003/2004. A university has the right to demand that students admitted to the university before the academic year 2003/2004 reimburse study costs under the conditions and pursuant to the procedure applied with regard to them before the academic year 2003/2004.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 56¹. Extension of nominal period of studies

If, while acquiring higher education, a student who is not proficient in Estonian studies the official language in depth under the conditions and pursuant to the procedure established by the Minister of Education and Research, the nominal period of studies shall be extended by up to one academic year.

(13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 56². Persons serving internship

Pursuant to the University of Tartu Act, persons matriculated in medical training, dentistry training or pharmacist training before the academic year 1997/1998 who continue their studies in the form of an internship are also students.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

§ 56³. Persons serving residency

(1) Pursuant to the University of Tartu Act, students matriculated in medical training or dentistry training before the academic year 1997/1998 shall complete a residency with a standard duration of two to five years.

(2) Persons matriculated in residency before the academic year 2001/2002 are students.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71)

§ 56⁴. Persons matriculated at university

(1) Persons matriculated in full-time or distance diploma study, architecture-engineering studies or a teacher training which follows diploma or Bachelor's study at a university before 30 June 2002 are students.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) Persons admitted before 30 June 2003 to full-time or distance study at a university or, on the basis of subsection 56 (7) of this Act, to a teacher training at a university with a standard duration of one year are students.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 56⁵. Continuation of studies

(1) Students matriculated at a university before 30 June 2002 have the right to continue their studies until 1 September 2007 under the conditions and pursuant to the procedure applied to them before 30 June 2002. Students matriculated in medical training before 30 June 2002 have the right to continue their studies until 1 September 2008 under the conditions and pursuant to the procedure applied to them before 30 June 2002.

(2) A person who has completed diploma study has the right to continue his or her studies in Master's study under the conditions and pursuant to the procedure established by the board of the educational institution.

(3) A university may consider the Bachelor's studies and Bachelor's thesis of a person who completed Bachelor's study before 1 June 2002 on the basis of a curriculum entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act as part of Master's study under the conditions and pursuant to the procedure established by the council of the university.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)

(4) A university may consider the Master's studies and Master's thesis of a person who completed Master's study before 1 June 2002 on the basis of a curriculum entered in the Estonian Education Information System founded on the basis of subsection 36⁶ (4) of the Republic of Estonia Education Act as part of Doctoral study under the conditions and pursuant to the procedure established by the council of the university.

(12.06.2002 entered into force 05.07.2002 - RT I 2002, 56, 348; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521; 28.06.2004 entered into force 01.09.2004 - RT I 2004, 56, 404)

§ 56⁶. Teaching staff

The requirements established by law for teaching staff shall apply as of the first election of teaching staff after 1 September 2003.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

§ 57. Specifications concerning entry into force of Act

(1) (Repealed - 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) (Repealed - 13.01.99 entered into force 15.02.99 - RT I 1999, 10, 150)

(3) Section 13¹ of this Act enters into force 1 January 1997.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(4) The requirement stating that staff expenditure shall constitute at least 60 per cent of the calculated cost of a student place as set out in clause 2 14) of this Act enters into force on 1 January 2004.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(5) Subsections 36 (3) and (4) of this Act enter into force on 1 January 2006.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(6) The council of a university has the right to apply subsection 36 (3) of this Act to members of the teaching staff who retire before 1 January 2006.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(7) The Ministry of Education and Research shall enter into a contract under public law with Tartu University for the reimbursement of costs relating to the clinical instruction of medical studies and the contract shall enter into force on 1 January 2004.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116; 13.05.2004 entered into force 27.05.2004 - RT I 2004, 45, 316)

§ 58. Amendments to earlier Acts

(1) The Private Schools Act (RT I 1993, 35, 547) is amended as follows:

1) in subsections 8 (3) and (4), the words "an institution of professional higher education or a university" are substituted by words "an institution of higher education or a university" in the appropriate case form;

2) subsection 12 (1) is amended and worded as follows:

"(1) Admission to a private school the graduation documents of which are recognised by the state shall take place pursuant to the procedure established for admission to state schools or municipal schools of the same type. The owner of the school may establish additional requirements.";

3) subsection (5) is added to § 13 worded as follows:

"(5) The requirements for the organisation of studies and the provision of education at a private school shall be the same as the requirements established for state schools or municipal schools of the same type.";

4) subsection 16 (2) is amended and worded as follows:

"(2) Graduation from a private school the graduation documents of which are recognised by the state shall take place pursuant to the procedure established for graduation from state schools or municipal schools of the same type. The owner of the school may establish additional requirements.";

5) subsection 16 (3) is amended and worded as follows:

"(3) A graduation document from a private school shall be deemed to be equal to corresponding graduation documents from state or municipal schools provided that the graduate followed a curriculum approved by the standard of education or on the basis of national curricula for his or her entire period of study.";

6) subsection 18 (5) is repealed.

(2) The Republic of Estonia Education Act (RT 1992, 12, 192; RT I 2003, 33, 205; 206; 207; 48, 342; 58, 387; 78, 526; 2004, 27, 180; 41, 275; 276; 45, 316) is amended as follows:

1) subsection 3 (3) is amended and worded as follows:

"(3) State and municipal educational institutions, except universities, shall be called public educational institutions.";

2) in subsection 5 (1), the words "Supreme Council" are substituted by the word "Riigikogu";

3) clause 5 (1) 3) is amended and worded as follows:

"3) deciding on the establishment, merger, division and termination of the activities of state universities.";

4) the words "state universities and" are omitted from clause 5 (2) 2);

5) clause 4) is added to subsection 5 (2) worded as follows:

"4) establishment of the procedure for the grant and repayment of study loans and for assistance in the repayment of study loans;";

6) the existing clauses 5 (2) 4) and 5) are considered to be clauses 5) and 6) respectively;

7) clause 7) is added to subsection 5 (2) worded as follows:

"7) establishment of the Standard of Higher Education;";

8) clause 8) is added to subsection 5 (2) worded as follows:

"8) formation of the Higher Education Quality Assessment Council for the accreditation of universities and their curricula, and appointment of the members and approval of the statutes of the Council.";

9) clauses 6 (2) 1), 2) and 12) are repealed;

10) clause 6 (2) 7) is amended and worded as follows:

"7) shall, on the proposal of the Higher Education Quality Assessment Council, establish the procedure for the accreditation of universities and their curricula and register graduation documents which are recognised by the state;";

11) clause 6 (2) 16) is amended and worded as follows:

"16) shall appoint heads of state educational institutions to office and release them from office;";

12) clause 17) is added to subsection 6 (2) worded as follows:

"17) shall register universities, their statutes and graduation documents.";

13) subsections 17 (1), (2), (5) and (6) are repealed;

14) subsection 23 (1) is amended and worded as follows:

"(1) Higher education is acquired at a university.";

15) in § 27, the words "of which shall be established by the Ministry of Education and Research" are substituted by the words "and statute of which shall be approved by the Government of the Republic";

16) in subsection 28 (2), the words "Ministry of Education and Research of the Republic of Estonia" are substituted by the words "Government of the Republic";

17) in subsection 32 (3), the words "board of governors, " are inserted after the words "board of trustees,";

18) a third sentence is added to § 35 worded as follows:

"The legal status of the assets of universities shall be provided for in the Universities Act.";

19) in the entire text of the Act, the words "Ministry of Education and Research" are substituted by the words "Ministry of Culture and Education" in the appropriate case form.

¹ RT = *Riigi Teataja* = *State Gazette*

² Riigikogu = the parliament of Estonia