

**National Council of the Slovak Republic**

**L A W No. 131**

**of 21 February 2002**

**on Higher Education and on Changes and Supplements to Some Laws**

The National Council of the Slovak Republic has resolved upon the following Law:

**Article I**

**Part One  
General Provisions**

Mission, Tasks and Status of Higher Education Institutions

Section 1

- (1) Higher education institutions are top educational, scientific and artistic institutions.
- (2) The mission of higher education institutions is to develop a harmonious personality, knowledge, wisdom, goodness and creativity in man and to contribute to development of education, science, culture and health for the welfare of the whole society.
- (3) The major task of higher education institutions in fulfilment of their mission is the provision of higher education and creative scientific research or creative artistic activity.
- (4) Higher education institutions shall fulfil their mission by:
  - a) education of professionals with the highest education, high moral principles, civil and social responsibility,
  - b) education in spirit of values of democracy, humanism and tolerance, and leading students towards creative, critical and independent thinking, self-esteem and national pride,
  - c) education for understanding, preservation, propagation and cultivation of the national cultural heritage and of different cultures in spirit of cultural pluralism,
  - d) development, preservation and propagation of knowledge through research, development or artistic and other creative activities,

- e) provision of the further education,<sup>1)</sup>
- f) contribution to development of education at all levels, from basic education up to higher education particularly through in-service training of teachers of basic schools, secondary schools, school facilities and higher education institutions,
- g) contribution to prevention and treatment of illnesses,
- h) involvement in public discussions on social and ethic issues and on formation of a civil society,
- i) creation of theoretical models of development of the society, economy, culture and art, particularly for the needs of State bodies of the community and higher self-government units,
- j) cooperation with bodies of the State administration, communities, higher self-government units and with institutions of cultural and economic life,
- k) development of international and particularly European cooperation by promotion of joint projects with higher education institutions and other institutions abroad, exchange of academic staff and students, and by mutual recognition of studies and diplomas.

## Section 2

- (1) Higher education institutions are legal entities.
- (2) Higher education institutions are:
  - a) public higher education institutions (Section 5),
  - b) State higher education institutions (Section 42),
  - c) private higher education institutions (Section 47).
- (3) Labour relations between the employees of the public higher education institutions and the State higher education institutions and their employer shall be governed by a special regulation<sup>2)</sup> unless stipulated otherwise by the present Law.
- (4) Higher education institutions have the prerogative to provide higher education. The provision of the PhD study programmes may be also shared pursuant to Sections 54 and 86 with institutions other than higher education institutions (hereinafter referred to as "non-higher education institutions"). Higher education institutions shall also provide the further education.<sup>1)</sup>
- (5) Higher education institutions shall provide higher education within the framework of accredited study programmes (Section 51). The study programmes shall be carried out at three levels. The study programmes may join the first two levels of higher education into one whole (Section 53, Clause 3). The study programme of the first level is the Bachelor study programme. The study

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<sup>1)</sup> Law No. 386/1997 of Law Code on Further Education and on the change of Law of National Council of the SR No. 387/1996 of Law Code on Employment, as amended by Law No. 70/1997 of Law Code, as amended by Law No. 567/2001 of Law Code.

<sup>2)</sup> Law No. 313/2001 of Law Code on Public Service, as amended by Law No. 118/2002 of Law Code.

programmes of the second level and the study programmes of the first two levels of higher education joined into one whole are: Master study programme, Engineer study programme and Doctoral study programme. The study programme of the third level is the PhD study programme and specialised training in medicine (Section 46).

(6) Any higher education institution shall provide higher education within the framework of the study programmes of the first level.

(7) The study programme shall be carried out at the faculty, if its professional and organisational provision is upon the faculty of the higher education institution.

(8) Higher education institutions have the prerogative to admit applicants for higher education.

(9) Higher education institutions have the prerogative to award academic degrees and scientific-pedagogical degrees, use academic insignia and hold academic ceremonies.

(10) A higher education institution shall set in greater detail its mission and tasks in the form of a long-term strategy of the higher education institution according to Section 1, Clauses 2 to 4. The long-term strategy of the higher education institution shall include its strategies in individual areas of its activity. The long-term strategy shall be prepared for at least five years.

(11) Higher education institutions are legal entities carrying out research and development with the seat in the territory of the Slovak Republic.<sup>3)</sup>

(12) The task of higher education institutions concerning science and technology shall be to carry out especially the basic research, to make use of the latest knowledge of science and technology at education of students and to involve them in creative scientific activity.

(13) Higher education institutions are classified by nature and scope of their activities as follows

- a) university type of higher education institutions,
- b) non-university type of higher education institutions.

(14) The university type of higher education institutions shall provide education in the study programmes of all the three levels with a significant portion of study programmes of the second level and study programmes of the third level. The study programmes shall be carried out in connection with activities of higher education institutions in the field of science, technology or art, and in compliance with the current state and development of such fields. The term of "university" or the derived forms hereof may be used only in the name of university type of higher education institution.

(15) The non-university type of higher education institutions (Section 52 Clause 2 and Section 75 Clause 2) shall be named professional higher education institutions; they shall provide higher education mostly in the study programmes of the first level.

(16) The university type of higher education institution that shall achieve outstanding results in the field of science and technology as well as at implementing the study programmes of the third level, is a research university.

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<sup>3)</sup> Law No. 132/2002 of Law Code on Science and Technology, Section 4.

Section 3  
Academic Community of a Higher Education Institution

The academic community of a higher education institution is composed of academic teachers and research workers, who entered into employment with a higher education institution for the set weekly working hours, the other employees of the higher education institution if stipulated by the Statute of a higher education institution (the employee part of the academic community of the higher education institution), and of students of the higher education institution (the student part of the academic community of the higher education institution).

Section 4  
Academic Freedoms and Academic Rights

(1) The following academic freedoms and academic rights shall be guaranteed at higher education institution:

- a) freedom of scientific investigation, research, development of artistic and other creative activities and publicising their achievements,
- b) freedom of teaching consisting especially in openness to diverse scientific opinions, scientific and research methods and artistic trends,
- c) right of learning while preserving free choice of study specialisation within the framework of accredited study programmes, freedom of expression of one's opinions during lecturing,
- d) right of members of the academic community to elect the academic community bodies and be elected for them,
- e) right of using academic insignia and signs and holding academic ceremonies.

(2) The use of academic freedoms and academic rights referred to under Clause 1 above shall be in compliance with principles of democracy, humanity, and law and order.

(3) For the purpose of securing academic rights and academic freedoms at higher education institutions, inviolability of their precincts shall be guaranteed, except for events of risks to life, health, property or those of natural disaster. The precinct of a higher education institution shall be the space limited by immovable property owned, maintained or leased by the higher education institution or the space where the mission and main tasks of higher education institutions and faculties shall be carried out. Investigative, prosecuting and adjudicating bodies may enter the precinct of a higher education institution if so allowed by the Rector.

(4) Political parties and political movements may not carry out political activities and form their branches on the precinct of a higher education institution.

**Part Two**  
**Public Higher Education Institution and its Parts**

**Chapter One**  
**Public Higher Education Institution**

Section 5  
Establishment and Dissolution of a Public Higher Education Institution

- (1) The public higher education institution is a statutory and self-governing institution that shall come into existence and shall end its existence by law. The law shall also provide for its name, classification (Section 2 Clause 13) and seat. If a public higher education institution is divided into faculties, it shall also provide for establishment of its faculties.
- (2) The organisation and activity of a public higher education institution shall be determined by the bodies of academic self-government to the extent provided for by this Law (Section 7).
- (3) A public higher education institution may be affiliated to or fused with only other public higher education institution; it may be split into other public higher education institutions only. These changes may be implemented only by law.
- (4) The law whereby the existence of a public higher education institution ends, shall also provide for the legal entities onto which the assets, receivables and liabilities shall be made over. The law shall also define which public higher education institutions shall enable the students of the dissolved institution to complete their higher education, if not decided otherwise by the student, in the same field of study as he pursued at the institution that comes to end or in the field of study which is closest to the field of study pursued.
- (5) After establishment of a public higher education institution the function of a statutory body of the higher education institution is performed until appointment of the Rector by a person delegated by the Minister of Education of the Slovak Republic (hereinafter referred to as the "Minister"). A public higher education institution established according to Clause 1 above is liable to set up its bodies of academic self-government (Section 7) within six months at the latest from its establishment and, if the higher education institution is divided into faculties, also the individual faculties are liable to do so (Section 22).

Section 6  
Scope of Self-Government Activities of a Public Higher Education Institution

- (1) The scope of self-government of a public higher education institution shall include:
  - a) internal organisation,
  - b) determination of the number of applicants admitted to studies, conditions of admission to studies and decision-making in the admission procedure,
  - c) design and implementation of study programmes,
  - d) organisation of studies,
  - e) decision-making in issues concerning student academic rights and duties,
  - f) objectives of research, development, artistic or other creative activities and their organisation,
  - g) establishment, changes and termination of labour relations, and determination of the number and structure of positions in a higher education institution,
  - h) award of scientific-pedagogical degrees of "docent" and "profesor" (Section 76),

- i) cooperation with other higher education institutions, legal entities and natural persons, this also with foreigners,
  - j) election of members of academic self-government bodies of a public higher education institution,
  - k) economic management of the public higher education institution and assets management in accordance with this Law,
  - l) determination of amount of students' contribution towards a part of their study costs (hereinafter referred to as the "tuition fees") and study-related fees pursuant to Section 92, unless provided otherwise herein.
- (2) The basis of the academic self-government of a public higher education institution is the academic community (Section 3) of a public higher education institution, voting and recalling members of the Academic Senate of the same (Section 7, Letter a)).
- (3) The details on organisation and activities of public higher education institutions are subject to their internal regulations; the same applies to the status of members of the academic community (Section 15).
- (4) If the higher education institution is divided into faculties, the self-government activities of the public higher education institution shall be carried out by the faculties to the extent provided for under Section 23.

#### Section 7 Academic Self-Government Bodies of a Public Higher Education Institution

- (1) The academic self-government bodies of a public higher education institution are:
- a) the Academic Senate of a public higher education institution,
  - b) the Rector,
  - c) the Scientific Board of a public higher education institution and the Artistic Board of a higher education institution, the Scientific and Artistic Board of a public higher education institution and, at a professional higher education institution, the Academic Board of a public higher education institution (hereinafter referred to as the "Scientific Board of a public higher education institution"),
  - d) the Disciplinary Commission of a public higher education institution for students (hereinafter referred to as the "Disciplinary Commission of a public higher education institution").

#### Section 8 Academic Senate of a Public Higher Education Institution

- (1) The Academic Senate of a public higher education institution is composed of elected representatives of the academic community of a higher education institution; it has at least fifteen members of which students constitute not less than one third. The Academic Senate of a public higher education institution that is divided into faculties, shall be elected in such a way as to represent each faculty by equal number of members.

(2) The Academic Senate of a public higher education institution is divided into the employee part and the student part. Members of the employee part of the Academic Senate of a public higher education institution are voted by ballot by members of the employee part of the academic community. Members of the student part of the Academic Senate of a public higher education institution are voted by ballot by members of the student part of the academic community. Only a member of the employee part of the academic community of the given public higher education institution may become a member of the employee part of the Academic Senate of a public higher education institution. Only a member of the student part of the academic community of the given higher education institution may become a member of the student part of the Academic Senate of a public higher education institution.

(3) The function of a member of the Academic Senate of a public higher education institution is incompatible with the function of Rector, Vice-Rector, Dean and Vice-Dean, Bursar and Registrar of a faculty.

(4) The term of office for members of the Academic Senate of a public higher education institution is four years at most.

(5) The meetings of the Academic Senate of a public higher education institution are open to public. The Rector or Vice-Rector acting in his behalf, or Bursar have the right to deliver a speech at the meeting any time at making a request to do so in accordance with the rules of procedure of the Academic Senate. Upon the Rector's request the Chairman of the Academic Senate is bound to call an extraordinary meeting of the Academic Senate of a public higher education institution without delay, however, not later than within fourteen days.

(6) The membership in the Academic Senate of a public higher education institution terminates by

- a) expiry of the member's term of office,
- b) appointment of a member to one of the functions pursuant to Clause 3 hereof above,
- c) expiry of employment at the public higher education institution with members of the employee part of the Academic Senate of a public higher education institution, and by interruption or termination of study with members of the student part of the Academic Senate of a public higher education institution,
- d) resignation from the function of the member,
- e) recalling a member from his function by the appropriate part of the academic community of a public higher education institution; the reasons for recalling and procedure for voting and recalling are set out by internal regulations of the public higher education institution (Section 15, Clause 1, Letter f)),
- f) death of the member.

(7) If the membership of a member of the Academic Senate of a public higher education institution has ceased pursuant to Clause 6, Letters b) to f) hereof above before expiry of his term of office, the respective part of the academic community shall vote a new member of the Academic Senate of a public higher education institution to the vacancy, the term of office of who shall continue until the end of term of office of the member whose membership has terminated.

## Section 9

### Activities of the Academic Senate of a Public Higher Education Institution

- (1) The Academic Senate of a public higher education institution shall
  - a) approve the Rector's proposal for establishment, merger, affiliation, split, dissolution, change of name or change of the seat of a public higher education institution and a faculty of the public higher education institution after a prior opinion given by the Accreditation Commission (Section 82, Clause 2, Letter d)),
  - b) approve at the Rector's proposal the internal regulations of the public higher education institution according to Section 15, Clause 1, Letters a) to e) and i) to l), at the proposal of the Chairman of the Academic Senate of a higher education institution, the internal regulations of the public higher education institution according to Section 15, Clause 1, Letter f) and g), and at the proposal of the Dean, the internal regulations of the faculty according to Section 33, Clause 2, Letter a), Section 33, Clause 3, Letter a) and Section 34, Clause 1,
  - c) elect a candidate for the Rector, and shall propose to recall the Rector from his office; shall submit the respective proposal to the Minister within fifteen days from adopting the decision. When after recalling the Rector or after early termination of execution of his office for other reasons the higher education institution has no Rector, it shall propose the Minister a person to be charged with execution of the Rector's office until a new Rector is appointed,
  - d) approve the Rector's proposal for appointing and recalling Vice-Rectors,
  - e) approve the Rector's proposal for appointing and recalling members of the Scientific Board of the public higher education institution,
  - f) approve the budget of the public higher education institution presented by the Rector and shall supervise the use of financial means of the public higher education institution; the collective bargaining of trade union organisation is not aggrieved thereby,
  - g) agree with the draft Statute of the Board of Trustees presented by the Rector; after agreement by the Academic Senate of a public higher education institution the Rector shall present the draft Statute of the Board of Trustees to the Minister for approval,
  - h) approve the Rector's proposal for members of the Board of Trustees and shall propose the Minister one member of the Board of Trustees pursuant to Section 40, Clause 2,
  - i) approve the Rector's proposals for acts pursuant to Section 41, Clause 1 before their presentation for approval to the Board of Trustees of a public higher education institution; if the Rector's proposals are concerned with the assets that serve for fulfilment of the faculty's tasks and the opinion of the Academic Senate of a faculty on the proposals according to Section 27, Clause 1, Letter m) is negative, their approval by the Academic Senate of a public higher education institution requires a two-third's majority,
  - j) approve the long-term strategy of the public higher education institution (Section 2, Clause 10) presented by the Rector after its discussion at the Scientific Board of the public higher education institution and its update,
  - k) approve the annual report on activities and annual statement on economic management of the public higher education institution, presented by the Rector,

- l) approve, after having discussed it by the Scientific Board of a higher education institution, the Rector's proposal of the study programmes not to be carried out at the faculty but at the higher education institution,
- m) approve the requirements for admission to study presented by the Rector, if their approval is beyond the competence of the Academic Senate of a faculty,
- n) give its opinion on the Rector's proposal for establishment, change of name, merger, affiliation, split or dissolution of parts of the public higher education institution which are not faculties,
- o) comment on incentives and opinions of the Board of Trustees of a public higher education institution pursuant to Section 41, Clause 4,
- p) elect the representative of the public higher education institution for the Higher Education Council (Section 107, Clause 3),
- q) - the student part of the Academic Senate of a public higher education institution shall elect the representative of the public higher education institution for the Student Higher Education Council (Section 107, Clause 4),
- r) submit once a year a report on its activity to the academic community of the public higher education institution by exposing it at a place open to public and by publicising it on the website of a public higher education institution,
- s) fulfil other tasks according to the present Law.

(2) The Academic Senate of a public higher education institution shall make decisions on the issues referred to under Clause 1, Letters c) to e), h), p), q) hereof above by ballot as well as on other issues indicated in Clause 1 above, if the voting by ballot on the particular issue shall be decided upon.

## Section 10 Rector

(1) The Rector is a statutory body of the public higher education institution, managing it, acting on its behalf and representing it. The Rector is accountable for his activities to the Academic Senate of a public higher education institution; as well as to the Minister regarding the issues referred to under Section 102, Clause 2, Letters e) to h) and j).

(2) The Rector shall be appointed and recalled at the proposal of the Academic Senate of a public higher education institution by the President of the Slovak Republic<sup>4)</sup> (hereinafter referred to as the "President of the Republic"). The proposal of the Academic Senate of a public higher education institution shall be presented to the President of the Republic by the Minister (Section 102, Clause 3, Letter a)). The Academic Senate of a public higher education institution shall submit a proposal for the Rector's recalling any time he has been lawfully convicted of an intentional crime or he has been imposed an unconditional confinement.

(3) The Rector's term of office is four years. The same person may perform the Rector's office at the same public higher education institution for at most two consecutive terms of office. After recalling

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<sup>4)</sup> Constitution of the Slovak Republic, Article 102, Clause 1, Letter h).

the Rector or after early termination of the Rector's execution of his office for other reasons, until appointment of a new Rector, the Rector's office shall be executed by a person charged by the Minister at the proposal of the Academic Senate of a public higher education institution (Section 102, Clause 3, Letter b)).

(4) The Rector is responsible for establishment, merger, affiliation, split and dissolution of parts of the public higher education institution (Section 21, Clause 1) after a prior opinion by the Academic Senate of a public higher education institution; in case of the faculties of a public higher education institution he does so after approval by the Academic Senate of a public higher education institution.

(5) The Rector submits the budget of the public higher education institution to the Academic Senate of a public higher education institution for approval.

(6) The Rector awards after habilitation the scientific-pedagogical degree or artistic-pedagogical degree of "docent".

(7) The Rector submits to the Minister the proposals for nomination by the President of "profesors", approved in the Scientific Board of the public higher education institution (Section 12, Clause 1, Letter g)).

(8) 8) The Rector charges a person, at the proposal of the Academic Senate of a faculty, with the performance of the Dean's office until election of a new Dean.

(9) The Rector is substituted by Vice-Rectors to the extent determined by the same. Vice-Rectors are appointed and recalled by the Rector after an approval by the Academic Senate of a public higher education institution. The term of office of Vice-Rectors is four years.

(10) The Rector determines salaries of Deans of the faculties that form a part of the public higher education institution (Section 21, Clause 1, Letter a)).

#### Section 11 Scientific Board of a Public Higher Education Institution

(1) Members of the Scientific Board of a public higher education institution are appointed and recalled by the Rector, after an approval by the Academic Senate of a public higher education institution (Section 9, Clause 1, Letter e)). The term of office for the members of the Scientific Board of the public higher education institution is four years.

(2) Members of the Scientific Board of a public higher education institution are distinguished experts in the fields in which the public higher education institution carries out its teaching, research, development, artistic or other creative activities. Not less than one quarter nor more than one third of members of the Scientific Board of public higher education institution are not concurrently the members of the academic community of this institution.

(3) The Scientific Board of a public higher education institution is presided by the Rector.

#### Section 12 Activities of the Scientific Board of a Public Higher Education Institution

(1) The Scientific Board of a public higher education institution shall

a) discuss the long-term strategy of the public higher education institution,

- b) give a regular, but not less than once a year, evaluation of the level of the public higher education institution regarding its teaching activity and activities in the field of science, technology or art,
  - c) discuss a proposal of the study programmes, if their discussing is beyond the scope of authority of the Scientific Board of the faculty; for discussions of the Scientific Board of the public higher education institution concerning proposals of study programmes, are invited the student representatives elected by the student part of the Academic Senate of a public higher education institution,
- (2) approve other experts who have the right to examine at the State examinations for the study programmes carried out at the higher education institution (Section 63, Clause 3); it shall approve supervisors for the PhD study pursuant to Section 54, Clause 4,
- (3) approve criteria for habilitation of "docents" and criteria for nomination of "profesors",
- a) discuss the habilitation of "docents" and shall make decisions on their results in the fields of study within the study programmes which are carried out by the higher education institution,
  - b) discuss and approve proposals for nomination of "profesors"; if it is nomination of a "profesor" in a field of study within the study programmes which are carried out by the faculty, it does so at the proposal of the Scientific Board of a faculty. If it rejects the proposal, it shall return it to the Scientific Board of a faculty with its opinion given,
  - c) approve general criteria for filling posts of "profesors" and "docents"; if it is filling posts of "profesors" and "docents" at a faculty, it does so at the proposal of the Scientific Board of the faculty,
  - d) approve specific conditions for filling posts of "profesors"; if it is filling posts of "profesors" at a faculty, it does so at the proposal of the Scientific Board of the faculty,
  - e) approve the Rector's proposals for filling posts of "host'ujúci profesors"; if it is filling posts of "host'ujúci profesors" at a faculty, it does so at the proposal of the Scientific Board of the faculty (Section 79),
  - f) approve the Rector's proposals for filling posts of "host'ujúci docents", if it is filling posts of "host'ujúci docents" not assigned to a faculty (Section 79),
  - g) award scientific honours of "doctor scientiarum" (abbr. "DrSc."),<sup>5)</sup>

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<sup>5)</sup> Law No. 53/1964 of Law Code on Award of Scientific Degrees and on State Commission for Scientific Degrees, as amended by Law No. 324/1996 of Law Code of the National Council of the Slovak Republic;

Decree of the Slovak Commission for Scientific Degrees No. 65/1977 of Law Code on the Procedure at Award of Scientific Degrees, as amended by Decree of the Slovak Commission for Scientific Degrees No. 302/1990 of Law Code.

- h) award the degree of "doctor honoris causa" (abbr. "Dr.h.c.") to domestic as well as foreign distinguished personalities,
  - i) propose the Rector of the public higher education institution to award the honorary degree of "profesor emeritus" to professors older than sixty five years of age pursuant to Section 78,
  - j) approve, at the proposal of the Chairman of the Scientific Board of the public higher education institution, the rules of procedure of the Scientific Board of the public higher education institution.
- (4) The Scientific Board of the public higher education institution shall discuss the issues presented by the Chairman of the Scientific Board of the public higher education institution or the issues it shall resolve upon.

### Section 13 Disciplinary Commission of a Public Higher Education Institution

- (1) The Disciplinary Commission of a public higher education institution shall discuss disciplinary misdemeanours committed by the students of a public higher education institution that are not enrolled on any study programme carried out at the faculty, and shall submit a proposal to the Rector for resolution.
- (2) Members of the Disciplinary Commission of a public higher education institution and its Chairman shall be chosen from members of its academic community by the Rector upon approval by the Academic Senate of a public higher education institution. Students shall constitute one half of members of the Disciplinary Commission.
- (3) The activity of the Disciplinary Commission of a public higher education institution shall be governed by the rules of procedure of the Disciplinary Commission of a public higher education institution.

### Section 14 Management Personnel of a Public Higher Education Institution

- (1) Management personnel of a public higher education institution are represented by the Bursar and heads of the parts of a public higher education institution pursuant to Section 21, Clause 1, Letters b) and c). Posts of management personnel of a public higher education institution shall be filled by selection procedure. The rules of selection procedure for filling posts of management personnel of a public higher education institution shall be set out by internal regulations of a public higher education institution (Section 15, Clause 1, Letter c)).
- (2) The Bursar shall provide for the economic management and administrative run of the public higher education institution and acts on its behalf to the extent determined by the Rector. He is directly subordinate to the Rector.

### Section 15 Internal Regulations of a Public Higher Education Institution

- (1) The public higher education institution shall issue the following internal regulations:
- a) the Statute of the public higher education institution,

- b) the Study Rules of the public higher education institution,
  - c) the Rules of Selection Procedure for filling positions of academic teachers and research workers, and posts of "professors" and "docents", and management personnel,
  - d) the Employment Rules of the public higher education institution,
  - e) the Organisation Rules of the public higher education institution,
  - f) the Electoral Rules for members of the Academic Senate of a public higher education institution,
  - g) the Rules of Procedure of the Academic Senate of a public higher education institution,
  - h) the Rules of Procedure of the Scientific Board of a public higher education institution,
  - i) the Scholarship Rules of a public higher education institution,
  - j) the Disciplinary Rules for Students of a public higher education institution,
  - k) the Rules of Procedure of the Disciplinary Commission of a public higher education institution,
  - l) other regulations, if stipulated so by the Statute of a public higher education institution or the present Law (Section 21, Clause 3).
- (2) The Statute of a public higher education institution shall detail in particular:
- a) name and seat of the public higher education institution and the name of its legal predecessor, if any,
  - b) basic organisational structure of the public higher education institution, including the way for determination of the number and structure of positions,
  - c) provisions on the bodies and system of the academic self-government,
  - d) election procedure of a candidate for the Rector and the procedure for adoption of the proposal for his recalling,
  - e) basic characteristics of the higher education system and the system of further education provided by the higher education institution,
  - f) general conditions for admission to study (Section 57), including the way for determination of the number of admitted applicants,
  - g) general conditions pertaining to study of foreigner citizens,
  - h) general provisions on tuition fees and study-related fees (Section 92),
  - i) general provisions on social welfare aid to students (Sections 97 to 100) on the part of the higher education institution,
  - j) more detailed definition of the student academic rights and duties,
  - k) rules of using academic insignia and holding academic ceremonies,
  - l) basic principles of labour relations at the higher education institution and its faculties, and the procedure in decision-making thereof,

- m) internal rules of economic management of the public higher education institution, including the rules on performing entrepreneurial activities,
  - n) rules of performing the faculty's competencies concerning the issues in which they act on behalf of the higher education institution (Section 23, Clause 1).
- (3) The internal regulations as referred to under Clause 1, Letters a) to c) hereof above are subject to registration at the Ministry (Section 103).

Section 16  
Financial Resources and Budget of a Public Higher Education Institution

- (1) A public higher education institution shall make its budget (Section 10, Clause 5) for the calendar year and shall run the institution accordingly.
- (2) The public higher education institution shall give a financial statement at the end of each calendar year and shall present it to the Minister at the date set for clearing financial relations with the State budget.
- (3) The budget revenues of a public higher education institution are the following:
- a) grants from the State budget (hereinafter referred to as the "grant") pursuant to Section 89,
  - b) tuition fees pursuant to Section 92, Clauses 1 to 6,
  - c) study-related fees pursuant to Section 92, Clauses 7 to 10 (hereinafter referred to as "the study-related fees"),
  - d) revenues from the further education<sup>1</sup>),
  - e) assets revenues,
  - f) intellectual ownership revenues,
  - g) revenues from donations from domestic natural persons and legal entities and foreign natural persons and legal entities,
  - h) legacy revenues,
  - i) revenues from entrepreneurial activities (Section 18),
  - j) other revenues, if stipulated by the law.
- (4) The budget revenues of a public higher education institution may include subsidies from the budgets of municipalities and higher regional self-government units.
- (5) The budget expenditures of a public higher education institution shall be used for fulfilment of the tasks for which it was established and for its development.
- (6) The public higher education institutions may also use loans from banks as a source of funding, after a prior opinion given by the Board of Trustees.
- (7) A public higher education institution shall raise in particular the following funds:
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- a) reserve fund,
- b) reproduction fund,
- c) scholarship fund,
- d) funds by special regulations.<sup>6)</sup>

(8) The funds of a public higher education institution, except for the funds pursuant to Clause 7, Letter d), are generated from economic pursuit, revenues from donations, legacy revenues and revenues from entrepreneurial activities. Specific donations in cash shall be used in agreement with the purpose of their designation. The other resources may also be a source of individual funds.

(9) The reserve fund is primarily used to cover the loss for the current year or the loss for previous years, if the public higher education institution shows such losses.

(10) The source of reproduction fund includes, in addition to resources under Clause 8 above, especially the tangible and intangible assets depreciation according to a special regulation<sup>7)</sup>. Reproduction fund is used according to Section 17, Clause 3.

(11) The source of scholarship fund includes, in addition to resources under Clause 8 above, the incomes from tuition fees (Section 92, Clause 15) and partly the subsidies for welfare benefits to students (Section 89, Clause 7) designed for social scholarships (Section 96). The scholarship fund is used for provision of scholarships according to Sections 95 to 97 and loans according to Section 101, Clause 3.

(12) Details on the creation and use of the funds of a public higher education institution pursuant to Clause 7 above shall be provided for by generally binding legal regulations issued by the Ministry.

#### Section 17 Assets of a Public Higher Education Institution

(1) The assets of a public higher education institution consist of a sum of asset values, fixed assets, current assets, liabilities, and other rights and values priced.

(2) A public higher education institution uses the assets it owns for fulfilment of its tasks in educational, research, development, artistic and other creative activities. It may also use it for its entrepreneurial activities under the conditions set out in Section 18, as well as for provision of services for students and employees of a public higher education institution (Section 94, Clause 3).

(3) The extent of obtaining tangible and intangible property of a public higher education institution, including its technical evaluation, is determined by the amount of resources in the reproduction fund

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<sup>6)</sup> E.g., Law No. 152/1994 of Law Code of the National Council of the Slovak Republic on Social Fund, and on change and supplements to Law No. 286/1992 on Income Taxes, as amended.

<sup>7)</sup> Law No. 563/1991 of Law Code on Accounting, Section 28, as amended by Law No. 336/1999 of Law Code.

(Section 16, Clause 7, Letter b)), resources incurred from received credits and capital resources received from the State budget provided in the form of a subsidy according to Section 89.

(4) Management of assets of a public higher education institution is within the competence of the Rector; the cases as referred to under Section 41, Clause 1, Letters a) to d) are decided on by the Rector after a prior consent of the Board of Trustees of a public higher education institution and the Academic Senate of the same. Management of assets that serve for fulfilling the faculty tasks is within the competence of the Rector after a prior opinion given by the Academic Senate of a faculty.

(5) A public higher education institution is obliged to keep its assets in due condition and to use all of its remedies for their protection, and to see to it that they do not suffer from damage, loss, misuse or theft. The public higher education institution is bound to manage its assets effectively, purposefully and with utmost efficiency.

(6) A public higher education institution may let out, sell or exercise lien on its assets especially those which do not serve, nor will they serve in the future, for fulfilment of its tasks, in agreement with the present Law and at reasonable price; reasonable price is a market price at which the assets concerned or comparable are usually sold or let out at a certain time and a certain place, but at least the price determined according to price order.<sup>8)</sup>

(7) The price agreed in the contract on capital transfer of fixed assets of a public higher education institution should be paid by the acquirer at the contract signing at the latest.

(8) A public higher education institution may let its immovable property on lease by a contract of lease.<sup>9)</sup> A public higher education institution may not release its immovable property by a contract of loan.<sup>10)</sup>

(9) A public higher education institution may donate by a written contract its current assets if their residual value does not exceed the residual book value worth twenty thousand Slovak crowns, or conclude a contract of loan<sup>10)</sup> with a social service institution,<sup>11)</sup> health-service establishment,<sup>12)</sup> non-profit organisation,<sup>13)</sup> school or other legal entity that is not an entrepreneur, provided the donated or borrowed current assets will serve for purposes connected with the proper object of activity of the endowed or borrower.

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<sup>8)</sup> Decree of the Ministry of Finance of the Slovak Republic No. 465/1991 of Law Code on Prices of Constructions, Land, Lasting Vegetation, Charges for Establishment of Right to Personal Use of Land and Charges for Temporary Use of Land, as amended.

<sup>9)</sup> Sections 663 to 723 of Civil Code.

<sup>10)</sup> Sections 659 to 662 of Civil Code.

<sup>11)</sup> Section 18 Clause 2 Letter b) and Clause 3 Letter b) of Law No. 195/1998 of Law Code on Social Aid, as amended.

<sup>12)</sup> Section 24 Clause 1 Letters a) to r) of Law No. 277/1994 of Law Code of National Council of the Slovak Republic on Health Care, as amended.

<sup>13)</sup> Law No. 213/1997 of Law Code on Non-Profit Organisations Providing Generally Useful Services, as amended by Law No. 35/2002 of Law Code.

(10) The leaseholder or borrower may use the assets of the public higher education institution only to the extent defined by the contract of lease<sup>9)</sup> or the contract of loan<sup>10)</sup>. The public higher education institution is bound to agree in the contract of lease and the contract of loan that neither the leaseholder nor borrower is authorised to let the property of the public higher education institution for leasing, hiring or loaning. The leaseholder or borrower has not a privilege to purchase such asset. The leaseholder or borrower may not exercise lien on the assets of the public higher education institution or encumber it in other way.

(11) A public higher education institution may deposit its immovables as a deposit for purposes of concluding a contract on association according to a special regulation<sup>14)</sup> only in case that the agreed purpose of association is connected with the activity of the public higher education institution; the assets of the public higher education institution the value of which exceeds two hundred thousand Slovak crowns may be deposited only with agreement of the Board of Trustees.

(12) A public higher education institution may not conclude contracts on silent partnership.

(13) A public higher education institution may not offer credits, issue securities, draw bills of exchange, and accept or aval bills. A public higher education institutions may grant loans to its students (Section 101, Clause 3).

(14) A public higher education institution is obliged to see to it that the debtor has fulfilled all of his duties in due time and due course so that the claim is duly applied at the respective bodies and that the decisions of these bodies are made in due time. If the debtor is late in fulfilling his commitments, a public higher education institution is obliged to see to it that the delay interests or the delay charges are on time and duly applied and claimed. A public higher education institution may for expediency transfer reciprocally the property of liabilities; if the price of transfer of the property of liabilities is less than ninety per cent of the liability value, the transfer is liable to consent of the Board of Trustees.

(15) At the written request of the debtor for his insolvency, the public higher education institution may conclude with the debtor a written contract on instalments or postponement in payments, provided

- a) the debtor has acknowledged his debt in writing, or it is a liability of a public higher education institution recognised by a legal decision of the Court,
- b) the debtor is not able to pay his debt all at once due to worsening of his economic conditions or social conditions, or
- c) the debtor binds himself in a contract on instalments or on postponement in payments to pay the whole debt all at once; if he does not pay an instalment in due course and due time, or in case that his economic conditions or social conditions will improve; the debtor may be allowed postponement in payment for one year at most since the day his liability is due for payment.

(16) In case of breaching the date of instalment for individual payments or paying a lower sum in individual instalments the whole payable sum becomes due. At permitting instalments or their postponement the delay interests are not charged.

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<sup>14)</sup> Sections 829 to 841 of Civil Code.

(17) A public higher education institution may cancel the claim on its own initiative only in case that the claim is not recoverable; the unrecoverable claim that is over two hundred thousand Slovak crowns with one debtor, may be depreciated only with the consent of the Board of Trustees.

(18) For the purposes of this Law the claim that cannot be transferred according to Clause 14 above is considered as unrecoverable, and the forfeit expenses of which

- a) would probably exceed the income of forfeit,
- b) would not lead to the least satisfaction of the claim considering the well-known conditions of the debtor,
- c) would be connected with excessive difficulties while it is evident that the further exacting would not lead to the least satisfaction of the claim.

(19) If the debtor covers the claim that the public higher education institution forfeited, this payment is not considered as fulfilment without legal reason and the debtor has no right to be returned the paid sum.

## Section 18 Entrepreneurial Activities

(1) A public higher education institution may carry out entrepreneurial activities.<sup>15)</sup> Within the framework of its entrepreneurial activities, the public higher education institution carries out according to Section 15, Clause 2, Letter m), the activities related to its educational, research, development, therapeutic-preventive, artistic or other creative activities or those for a more effective use of human resources and assets, for a payment. Entrepreneurial activities shall not put at risk the quality, scope and availability of activities fulfilling the mission of the public higher education institution.

(2) Expenditures for entrepreneurial activities must be covered by revenues earned thereof. Revenues achieved by the activities are used by the public higher education institution for fulfilment of the tasks it has been established for.

(3) A public higher education institution keeps a separate current account for the entrepreneurial activities. The income (revenues) and expenditure (costs) from the activities are not budgeted.

(4) The revenues from the entrepreneurial activities are a source of financial resources of a public higher education institution (Section 16, Clause 8).

(5) Details on performance of entrepreneurial activities of a public higher education institution shall be set out by generally binding rules issued by the Ministry.

## Section 19 Economic Management of a Public Higher Education Institution

(1) A public higher education institution shall keep accounts pursuant to a special regulation.<sup>16)</sup>

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<sup>15)</sup> Commercial Code, Section 2, Clause 2, Letter c).

<sup>16)</sup> Law No. 563/1991 of Law Code on Accounting, as amended.

- (2) The financial means of a public higher education institution are kept on accounts in banks.<sup>17)</sup>
- (3) A public higher education institution is due to carry out annual balancing verified by an auditor, at least once in three years.<sup>18)</sup>
- (4) The supervision of economic management of a public higher education institution shall be carried out by the Ministry. The supervision execution is referred to in basic rules on supervision governed by a special regulation.<sup>19)</sup>
- (5) A public higher education institution has no right to assume liabilities for another person's financial debt. A public higher education institution has no right to make contributions to companies with liability with all of their property. A public higher education institution has no right to contribute to a commercial company or a co-operative with immovable property acquired by transfer from the State and funds granted from the State budget pursuant to Section 16, Clause 3, Letter a). The condition for making financial or non-financial contributions to other legal entities is existence of rules set out by internal regulations of the public higher education institution.
- (6) The State does not provide the guarantee for liabilities of a public higher education institution; however, based on a request of the public higher education institution it may grant the guarantee pursuant to a special regulation.<sup>20)</sup>
- (7) The Rector is accountable to the Minister for the proper use of subsidies and their clearing with the State budget and for management of assets of the public higher education institution.

## Section 20 Other Duties of a Public Higher Education Institution

- (1) A public higher education institution is due to perform the following tasks:
  - a) to keep and publicise in the form as determined by the Ministry the list of study programmes in which it provides the higher education (Section 2, Clause 5), including their level, form of teaching, standard length of study, the field of study to which they belong, and latest information on their accreditation (hereinafter the "list of study programmes of the higher education institution"); higher education institution shall enlist a new study programme in the list of study programmes after being granted the right to award the graduates of the study programme the academic degree according to Section 83, Clause 1,

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<sup>17)</sup> Section 2, Clause 1 Law No. 483/2001 of Law Code on Banks, as amended.

<sup>18)</sup> Law of National Council of the Slovak Republic No. 73/1992 of Law Code on Auditors and on Slovak Chamber of Auditors, as amended.

<sup>19)</sup> Sections 8 to 13 of Law of the National Council of the Slovak Republic No. 10/1996 on Control in State Administration, as amended by Law No. 502/2001 of Law Code on Financial Inspection and Internal Audit, as amended.

<sup>20)</sup> Law of the National Council of the Slovak Republic No. 303/1995 of Law Code on Budgetary Rules, as amended.

- b) to annually prepare, to present to the Ministry and to publicise the annual report on activities and annual statement on economic management of the public higher education institution in the form and at the date set by the Ministry,
  - c) to prepare, to discuss with the Ministry and to publicise the long-term strategy of the public higher education institution in the form and at the date set by the Ministry,
  - d) to provide at the request of the Accreditation Commission and the Ministry free information as required for their activities at the set out date pursuant to this Law,
  - e) to prepare comprehensive information on opportunities of study in a higher education institution (hereinafter referred to as "information about study opportunities"); the structure of information about study opportunities shall be set out by general regulations issued by the Ministry,
- (2) The annual report on activities of the public higher education institution shall contain in particular:
- a) overview of activities carried out in the previous calendar year connected with fulfilment of mission of higher education institution and its long-term strategy,
  - b) results of evaluation of the level of the public higher education institution with regard to educational activity and activities in the field of science, technology or art, carried out by the Scientific Board of the same (Section 12, Clause 1, Letter b)),
  - c) changes of internal regulations and changes in bodies of the public higher education institution which took place in the previous calendar year.
- (3) The annual report on economic management of the public higher education institution shall contain in particular:
- a) annual book balancing and evaluation of its fundamental data,
  - b) statement of auditor on annual book balancing, if verified by the auditor (Section 19, Clause 3),
  - c) overview of financial revenues and expenditures,
  - d) overview of the amount of incomes and revenues classified by sources,
  - e) history and final balance of funds,
  - f) current state and flow of assets, liabilities and receivables,
  - g) total value of costs with the expenditure for entrepreneurial activities earmarked (Section 18, Clause 2).

## **Chapter Two**

### **Parts of a Public Higher Education Institution**

#### Section 21

#### Division of a Public Higher Education Institution

- (1) A public higher education institution can be divided into the following parts:
- a) faculties,

- b) other units focused on educational, research, developmental, artistic, economic and administrative activity and information service,
  - c) special-purpose facilities.
- (2) The units providing information service of public higher education institutions include the academic library. Its position and tasks are regulated by special regulations.<sup>21)</sup>
- (3) Internal regulations of individual parts should comply with internal regulations of the public higher education institutions. The way of approval of internal regulations of the parts pursuant to Clause 1, Letters b) and c) above is regulated by internal regulations of the public higher education institution.

## **Title One** **Faculty**

### Section 22 Faculty

- (1) The faculty shall
- a) contribute to fulfilment of the mission of higher education institution and participate in fulfilment of major tasks of the public higher education institution in the determined field of knowledge expressed in its name,
  - b) develop the field of study or several related or allied fields of study and shall carry out one or more study programmes in such a field or fields,
  - c) carry out, in accordance with its orientation, research, development, artistic or other creative activities.
- (3) At the faculty, the bodies of academic self-government shall be established.
- (4) The faculty has the right to use its own academic insignia and hold academic ceremonies in accordance with internal regulations and traditions of the higher education institution.
- (5) The faculties are established, merged, ordered affiliation, split and dissolved by the Rector, with the consent of the Academic Senate of a public higher education institution after a prior opinion given by the Accreditation Commission. The name and seat of the faculty are established similarly.
- (6) A newly established faculty is obliged to establish bodies of its academic self-government (Section 24) within six months from the day of its establishment. Until establishment of such bodies, persons charged by the Rector shall act in lieu as necessary.

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<sup>21)</sup> Law No. 183/2000 of Law Code on Libraries, on supplement to Law of the Slovak National Council No. 27/1987 of Law Code on State Monument Preservation, and on change and supplement to Law No. 68/1997 of Law Code on Matica slovenská, as amended by Law No. 416/2001 of Law Code.

Section 23  
Scope of the Faculty Self-Government Activities and Rights

- (1) The bodies of academic self-government of the faculty have the right in compliance with the present Law to decide or act on behalf of the public higher education institution in the following issues belonging to the self-government activities of the higher education institution (Section 6):
- a) determination of additional conditions for admission to the study (Section 27, Clause 1, Letter i)) and decision-making in the admission procedure for study programmes carried out at the faculty (Section 58, Clause 3),
  - b) development of new accredited study programmes and their accomplishment at the faculty (Section 30, Clause 1 Letter c)),
  - c) decision-making in issues concerning academic rights and duties of students enrolled on the courses according to the study programmes carried out at the faculty (Sections 70 to 72),
  - d) establishment, changes and termination of labour relations to the extent and under conditions set out by the Statute of the public higher education institution (Section 15, Clause 2, Letter l),
  - e) exercise of entrepreneurial activities (Section 18) according to the rules set by the Statute of the public higher education institution (Section 15, Clause 2, Letter m)),
  - f) cooperation with other higher education institutions, legal entities and natural persons, including foreign ones, in the areas in which the faculty carries out its activity, to the extent and under conditions set out by the Statute of the public higher education institution.
- (2) The activities of the faculty self-government shall further include the following:
- a) internal organisation of the faculty,
  - b) determination of the number of admitted applicants for the study as determined by the Statute of the public higher education institution (Section 15, Clause 2, Letter f)),
  - c) organisation of the study in accordance with the study rules of the public higher education institution,
  - d) determination of the course and organisation of research, development, artistic or other creative activities,
  - e) determination of the number and structure of positions for the staff assigned to the faculty, to the extent set out by the Statute of the public higher education institution (Section 15, Clause 2, Letter b)),
  - f) election of members of academic self-government bodies of the faculty,
  - g) development of foreign relations and activities in the areas in which the faculty is active,
  - h) management of funds allocated to the faculty by a higher education institution and of funds acquired by the same in different way for fulfilment of its tasks; the faculty also gives its opinion on management of assets which serve for fulfilment of its tasks (Section 17 Clause 2).

Section 24  
Academic Self-Government Bodies of a Faculty

Academic self-government bodies of a faculty are the following:

- a) the Academic Senate of the faculty,
- b) the Dean,
- c) the Scientific Board of the faculty, Artistic Board of the faculty, Scientific and Artistic Board of the faculty or, at a faculty of a professional higher education institution, the Academic Board of the faculty (hereinafter referred to as the "Scientific Board of the faculty"),
- d) the Disciplinary Commission of the faculty for students (hereinafter referred to as "Disciplinary Commission of a faculty").

Section 25  
Academic Community of a Faculty

- (1) The academic community of a faculty is the basis of the academic self-government of the faculty. It elects and recalls members of the Academic Senate of a faculty (Section 26, Clause 2).
- (2) The academic community of a faculty is composed of academic teachers and research workers assigned to the faculty, who have entered into employment with the higher education institution for fixed weekly working hours and also other employees assigned to the faculty if so determined by the Statute of the public higher education institution (the employee part of the academic community of the faculty) and of students enrolled in the study programmes carried out at the faculty (the student part of the academic community of the faculty).

Section 26  
Academic Senate of a Faculty

- (1) The Academic Senate of a faculty is a self-government representative body of the faculty. It has at least eleven members, of who at least one third is composed of students.
- (2) The Academic Senate of a faculty is divided into the employee part and the student part. Members of the employee part of the Academic Senate of a faculty are voted by ballot by members of the employee part of the academic community of the faculty. Members of the student part of the Academic Senate of a faculty are voted by ballot by members of the student part of the academic community of the faculty. Only the member of the employee part of the academic community of the faculty may be a member of the employee part of the Academic Senate of a faculty. Only the member of the student part of academic community of the faculty may be a member of the student part of the Academic Senate of a faculty.
- (3) The function of a member of the Academic Senate of a faculty is incompatible with the function of Rector, Vice-Rector, Dean and Vice-Dean, Bursar and Registrar of the faculty.
- (4) The term of office of members of the Academic Senate of a faculty is four years at most.
- (5) The meetings of the Academic Senate of a faculty are open to public. The Dean or Vice-Dean acting in his behalf or Registrar and the Rector have the right to deliver a speech at the meeting any time at making a request for it in accordance with the rules of procedure of the Academic Senate. At

the Dean's or Rector's request the Chairman of the Academic Senate of a faculty is bound to call an extraordinary meeting of the Academic Senate of a faculty without delay, however, not later than within 14 days.

(6) The membership in the Academic Senate of a faculty terminates by

- a) expiry of the member's term of office,
- b) appointment of the member to a function indicated in Clause 3 above,
- c) expiry of employment at the public higher education institution with members of the employee part of the Academic Senate of a faculty, and by interruption or completion of study with members of the student part of the Academic Senate of a faculty,
- d) resignation from the function of the member,
- e) recalling the member from the function by the academic community; reasons for recalling and the procedure for election and recalling are set out by internal regulations of the faculty (Section 33, Clause 2, Letter c)),
- f) death of the member.

(7) If the membership of a member of the Academic Senate of a faculty has terminated before expiry of the term of office pursuant to Clause 6, Letters b) to f) above, the appropriate part of the academic community shall elect a new member of the Academic Senate of a faculty to the vacancy, the term of office of who shall continue until the end of the term of office of the member whose membership has already terminated.

## Section 27

### Activities of the Academic Senate of a faculty

(1) The Academic Senate of a faculty shall

- a) approve at the Dean's proposal the internal regulations of the faculty according to Section 33, Clause 2, Letter a), b), and f), and internal regulations of the faculty according to Section 33, Clause 3, unless it is decided at the Dean's proposal that the faculty will be regulated by the respective internal regulations of the public higher education institution (Section 15, Clause 1, Letter b), d), i) and j)); it shall approve at the proposal of the Chairman of the Academic Senate of a faculty the internal regulations of the faculty according to Section 33, Clause 2, Letters c) and d),
- b) elect a candidate for the Dean or shall propose to recall the Dean from the office and shall approve the Rector's proposal for recalling the Dean (Section 28, Clause 3); if after recalling the Dean or after early termination of the Dean's execution of his office for other reasons the faculty has no Dean, it proposes the Rector a person to be charged with performance of the Dean's office until a new Dean is appointed,
- c) approve the Dean's proposal for appointing and recalling Vice-Deans,
- d) approve the Dean's proposal for appointing and recalling members of the Scientific Board of the faculty,
- e) approve the budget of the faculty presented by the Dean and shall supervise the use of the faculty finances,

- f) approve the long-term strategy in educational, research, development, artistic or other creative activities of the faculty (hereinafter referred to as the "long-term strategy of the faculty") prepared in accordance with the long-term strategy of the public higher education institution, submitted by the Dean after its discussion by the Scientific Board of the faculty and its update,
- g) approve the annual report on activities and annual statement on economic management of the faculty, presented by the Dean,
- h) approve, after discussing it by the Scientific Board the proposal of the study programmes to be carried out by the faculty, presented by the Dean,
- i) approve the additional conditions for admission to study in the study programmes carried out by the faculty, as presented by the Dean (Section 15, Clause 2, Letter f)),
- j) give comments on the Dean's proposal for establishment, merger, affiliation, split or dissolution of faculty units,
- k) elect a representative of the faculty for the Higher Education Council (Section 107, Clause 3),
- l) submit the annual report on its activity to the academic community of the faculty by exposing it at places open to public and by publicising it at the faculty website,
- m) give its opinion on the Rector's proposals on the actions according to Section 41, Clause 1, Letter a) to c) concerning the transfer of property or creation of an easement or the right of pre-emption that serve for fulfilment of tasks of the faculty before submitting them for approval to the Academic Senate of a public higher education institution.

(2) The Academic Senate of a faculty shall make decisions on the issues referred to under Clause 1, Letters b), c), d) and k) above in voting by ballot and on the other issues provided for under Clause 1 above it shall decide in voting by ballot, if the ballot on the given issue is decided upon.

#### Section 28 Dean

(1) The Dean is a representative of the faculty, providing management, representation and operations in matters of the faculty. On issues pursuant to Section 23, Clause 1 he acts on behalf of a public higher education institution. The Dean is accountable for his activities to the Academic Senate of a faculty. The Dean is accountable for his activity to the Rector in the matters in which he acts on behalf of the higher education institution (Section 23, Clause 1), for economic management of faculty and for other activities to the extent set out by internal regulations of the public higher education institution.

(2) The Dean is appointed and recalled at the proposal of the Academic Senate of a faculty by the Rector. The Rector shall appoint for the Dean a candidate proposed by the Academic Senate of a faculty, unless it is contrary hereto. The Academic Senate of a faculty shall submit a proposal for recalling the Dean any time he has been lawfully convicted of intentional crime or imposed an unconditional confinement.

(3) The Rector may recall the Dean with the consent of the Academic Senate of a faculty at his own instance in the event of Dean's

- a) gross negligence of his duties,

- b) gross or repeated violence of internal regulations of higher education institution or the faculty,  
or
  - c) gross impairment of the interests of the public higher education institution or the faculty.
- (4) The Dean's term of office is four years. The same person may perform the function of Dean at the same faculty for at most two consecutive terms of office. After recalling the Dean or after early termination of the Dean's execution of his office, until appointment of a new Dean, the Dean's office shall be executed by a person charged by the Rector at the proposal by the Academic Senate of a faculty.
- (5) The Dean submits the faculty budget to the Academic Senate of a faculty for approval.
- (6) The Dean is substituted by Vice-Deans to the extent determined by the same. Vice- Deans are appointed and recalled by the Dean after approval by the Academic Senate of a faculty. The term of office of Vice-Deans is four years.
- (7) The Dean performs legal acts with regard to labour relations with employees of the public higher education institution assigned to the faculty to the extent and under the conditions determined by the Statute of the public higher education institution (Section 23, Clause 1, Letter d)).

#### Section 29 Scientific Board of a Faculty

- (1) Members of the Scientific Board of a faculty are appointed and recalled by the Dean, after an approval by the Academic Senate of a faculty. The term of office for the members of the Scientific Board is four years.
- (2) Members of the Scientific Board of a faculty are distinguished experts in the fields in which the faculty carries out its teaching, research, development, artistic or other creative activities. Not less than one quarter nor more than one third of members of the Scientific Board of a faculty are not concurrently the members of the academic community of the public higher education institution, a part of which the faculty is.
- (3) The Scientific Board of a faculty is presided by the Dean.

#### Section 30 Activities of the Scientific Board of a Faculty

- (1) The Scientific Board of a faculty shall
- a) discuss the long-term strategy of the faculty prepared in accordance with the long-term strategy of the public higher education institution,
  - b) evaluate, not less than once a year, the level of the faculty regarding its educational activity and activities in the field of science, technology or art,
  - c) discuss the proposal of the study programmes, to be carried out by the faculty; for the discussions of the Scientific Board of a faculty on proposal of the study programme the representatives of students elected by the student part of the Academic Senate of a faculty are invited,

- d) approve other experts who have the right to examine at State examinations for the study programmes carried out at the faculty (Section 63, Clause 3); it shall approve supervisors for the PhD study pursuant to Section 54, Clause 4,
  - e) discuss and present to the Scientific Board of the public higher education institution the criteria for habilitation of "docents" and criteria for nomination of "profesors",
  - f) discuss the habilitation of "docents" and make decisions on their results,
  - g) discuss and submit to the Scientific Board of the public higher education institution proposals for nomination of "profesors",
  - h) discuss and submit to the Scientific Board of the public higher education general criteria for filling posts of "profesors" and "docents" at the faculty,
  - i) discuss and submit to the Scientific Board of the public higher education specific criteria of the selection procedure for filling posts of "profesors" at the faculty,
  - j) approve the Dean's proposals for filling posts of "host'ujúci docents",
  - k) discuss and submit to the Scientific Board of the public higher education the Dean's proposals for filling posts of "host'ujúci profesors" (Section 79),
  - l) approve at the proposal by the Chairman of the Scientific Board of a faculty, the rules of procedure of the Scientific Board of the faculty.
- (2) The Scientific Board of the faculty shall discuss issues presented by the Chairman of the Scientific Board of the faculty.

### Section 31 Disciplinary Commission of a Faculty

- (1) The Disciplinary Commission of a faculty shall discuss misdemeanours committed by the students enrolled in the study programme carried out at the faculty, and shall submit a proposal to the Dean for resolution.
- (2) Members of the Disciplinary Commission of a faculty and its Chairman shall be chosen from members of its academic community by the Dean upon approval by the Academic Senate of a faculty. The students shall constitute one half of members of the Disciplinary Commission.
- (3) The activity of the Disciplinary Commission of a faculty shall be governed by the rules of procedure of the Disciplinary Commission of a faculty.

### Section 32 Management Personnel of a Faculty

- (1) Management personnel of a faculty are represented by the Registrar of the faculty and individual heads of teaching, research, development or artistic, economic-administrative and information units and special-purpose facilities. Posts of faculty management personnel shall be filled by selection procedure. The rules of selection procedure for the management personnel of a faculty shall be determined by employment rules of the faculty (Section 33, Clause 3, Letter b)) or employment rules of the public higher education institution (Section 15, Clause 1, Letter d)) as the case may be.

(2) The Registrar of the faculty shall provide for the economic management and administrative run of the faculty. He is directly subordinate to the Dean.

### Section 33 Internal Regulations of a Faculty

(1) Internal regulations of a faculty shall regulate issues of a faculty, belonging to its self-government activities, and its relation to the public higher education institution, unless regulated by law.

(2) The faculty shall issue the following internal regulations:

- a) the Statute of the faculty,
- b) the Organisation Order of the faculty,
- c) the Electoral Rules of the Academic Senate of a faculty,
- d) the Rules of Procedure of the Academic Senate of a faculty,
- e) the Rules of Procedure of the Scientific Board of the faculty,
- f) other regulations, if stipulated by the Statute of the faculty.

(3) The faculty shall also issue the following internal regulations:

- a) the Study Rules of the faculty if decided that it needs to complete in greater detail the Study Rules of the public higher education institution to match its conditions (Section 15, Clause 1, Letter b)),
- b) the Employment Rules of the faculty if decided that it needs to complete in greater detail the Employment Rules of the public higher education institution to match its conditions (Section 15, Clause 1, Letter d)),
- c) the Scholarship Rules of the faculty if decided that its needs to complete in greater detail the Scholarship Rules of the public higher education institution to match its conditions (Section 15, Clause 1, Letter i)),
- d) the Disciplinary Order of the faculty for students if decided that it needs to complete in greater detail the Disciplinary Order of the public higher education institution to match its conditions (Section 15, Clause 1, Letter j)),
- e) the Rules of Procedure of the Disciplinary Commission of faculty if it decides that it needs to complete in greater detail the Rules of Procedure of the public higher education institution to match its conditions (Section 15, Clause 1, Letter k)).

(4) The content of the Statute of a faculty is referred to under Section 15, Clause 2 accordingly.

(5) The Statute of a faculty, the study rules and the employment rules are subject to approval by the Academic Senate of a public higher education institution. The Statute of a faculty, the study rules and employment rules shall take effect on the day of their approval at the Academic Senate of a public higher education institution. Other internal regulations, except the rules of procedure of the Scientific Board of a faculty (Clause 2, Letter e) hereof above) shall take effect upon their approval at the Scientific Board of a faculty (Section 30, Clause 1, Letter l)).

## Section 34

### Public Higher Education Institutions of Divinity, Faculties of Divinity of Public Higher Education Institutions and Confessional Public Higher Education Institutions

(1) Internal regulations of a public higher education institution of divinity, faculties of divinity of a public higher education institution and confessional higher education institution shall be presented for approval to the Academic Senate of a public higher education institution and the Academic Senate of a faculty after an opinion given by the relevant church or religious society in agreement with internal regulations of such church or religious society.

(2) The public higher education institutions of divinity, faculties of divinity of public higher education institutions and confessional public higher education institutions are accordingly referred to under provisions of Sections 4, 5, 6, 8, 9, 10, Section 21, Clause 3, Sections 23, 25, 26, 27, 28, 30, Section 40, Clause 2, Section 58, Clause 6, Sections 66, 67, 70, 71, 72, Section 75, Clauses 4, 6, 8, 9, 10 and Section 102, Clause 3, Letter b), c) hereof of the present Law.

## **Title Two**

### **Specialised Training Facilities of Public Higher Education Institutions**

## Section 35

### Types of Specialised Training Facilities of Public Higher Education Institutions

(1) The specialised training facilities of public higher education institutions are parts of public higher education institutions, independent legal entities established by public higher education institutions or the units with which the public higher education institutions have concluded contracts, serving for practical training in the fields of study requiring such training.

(2) The specialised training facilities shall include in particular:

- a) teaching hospitals and teaching hospitals with health centres, public pharmacies, hospital pharmacies and public pharmacies established as teaching bases,<sup>22)</sup>
- b) training schools and training school facilities,
- c) agricultural enterprises, forestry enterprises and other enterprises of higher education institutions,
- d) seminaries of the clergy.

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<sup>22)</sup> Law of the National Council of Slovak Republic No. 277/1994 of Law Code.

Law No. 140/1998 of Law Code on Medicaments and Sanitary Aids, on change of Law No. 455/1991 of Law Code on Entrepreneurship (Enterprise Law), as amended and on change and supplement of Law No. 220/1996 of Law Code on Promotion, as amended.

### Section 36

#### Teaching Hospitals and Teaching Hospitals with Health Centres, Public Pharmacies, Hospital Pharmacies and Public Pharmacies Established as Teaching Bases

Clinical and practical training in the field of health care or in the field of pharmacy shall be carried out in teaching hospitals and teaching hospitals with health centres, in State health centres, hospital pharmacies and public pharmacies, eventually, in other State and non-state health-care institutions if established as teaching bases.<sup>22)</sup>

### Section 37

#### Training Schools and Training School Facilities

- (1) Practical training in teacher study programmes is carried out particularly in training schools and training school facilities.
- (2) The training school or training school facility is the institution with which the public higher education institution shall conclude a contract on cooperation.
- (3) The training school or training school facility may be a kindergarten, basic school, secondary school, special school, basic school of art, school facility and special educational establishment that are assigned to the network of schools and school facilities determined by the Ministry<sup>23)</sup>; the training school or training school facility may be also represented by a secondary school for health care, if it is a part of the school network determined by the Ministry of Health of the Slovak Republic. The teaching practical training of students of a higher education institution at the training school is supervised by a tutor of the training school or training school facility.
- (4) Details on establishment, area of competence, management, activity and financial provision of training schools and training school facilities shall be provided for by general regulations issued by the Ministry.

### Section 38

#### Agricultural Enterprise, Forestry Enterprise and Other Enterprises of Higher Education Institutions

- (1) Higher education institutions may establish enterprises of higher education institution as specialised training facilities for practical training of students.
- (2) A public higher education institution shall establish an enterprise as its constituent or as an independent legal entity.
- (3) The head of an enterprise which is a constituent of a public higher education institution, is a director appointed and recalled by the Rector.
- (4) The agricultural enterprise or forestry enterprise of higher education institution represent specialised training facilities of a public higher education institution wherein practical training of

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<sup>23)</sup> Section 6, Clause 3 of Law No. 542/1990 of Law Code on State Administration in Education and School Self-Government, as amended.

students of agriculture, veterinary medicine and hygiene or forestry study programmes take place, and research or development activities are carried out in connection with such study programmes.

(5) The forestry enterprise of higher education institution makes use of the forestry property of the State<sup>24</sup>) based on dispensation from the State forest property administration by the Ministry of Agriculture of the Slovak Republic (hereinafter referred to as "the Ministry of Agriculture").

(6) The agricultural enterprise of higher education institution makes use of agricultural land within the State ownership that is administered by the Slovak Land Fund on the basis of a contract on a long-term lease concluded with the Slovak Land Fund.<sup>25</sup>)

#### Section 39 Seminaries of the Clergy

A seminary of the clergy is a specialised unit of a faculty of divinity, in which higher education courses and education of students for values supported by the relevant church is carried out in accordance with internal regulations of the relevant church.

### **Chapter Three Board of Trustees of a Public Higher Education Institution**

#### Section 40 Board of Trustees of a Public Higher Education Institution

(1) The Board of Trustees of a public higher education institution is a body that supports within the operation hereof the strengthening of the link between the public higher education institution and the society. It implements and promotes the public interest in activities of a public higher education institution, particularly in connection with the use of its assets and funds granted to the public higher education institution by the State.

(2) The Board of Trustees of a public higher education institution has thirteen members. Members of the Board of Trustees are appointed and recalled by the Minister. Six members of the Board of Trustees are proposed for appointment by the Rector, with the consent of the Academic Senate of a public higher education institution. Six members of the Board of Trustees are appointed by the Minister at the Rector's discretion. They comprise particularly representatives of the public life including entrepreneurial area and territorial self-government and representatives of central bodies of the State administration responsible for education, financing, economy and social area. One member of the Board of Trustees is proposed for appointment by the Academic Senate of a public higher education institution. A proposal for recalling a member of the Board of Trustees is presented to the Minister by the body having proposed his appointment. In case of members of the Board of Trustees proposed by the Rector the proposal of their recalling may be also presented by the Academic

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<sup>24</sup>) Section 11 of Law No. 61/1977 of Law Code on Forests, as amended.

<sup>25</sup>) Section 2 of Law No. 229/1991 of Law Code on Regulation of Property Relations to Land and Other Agricultural Property, as amended.

Senate of a public higher education institution. Members of the Board of Trustees, except the one proposed by the Academic Senate of a public higher education institution, may not be employees of the respective public higher education institution.

(3) Members of the Board of Trustees of a public higher education institution, except the one proposed by the Academic Senate of a public higher education institution, are appointed for six years. After the first appointment of such members of the Board of Trustees, one third of the members with a two-years' term of office shall be determined by lot, as well as those of one third of the members with a four-years' term of office. Proposals for new members are presented by the Rector or the Minister, so as to maintain the Board of Trustees composition as referred to under Clause 2 above. The term of office of a member proposed by the Academic Senate of a public higher education institution is four years.

(4) The Board of Trustees shall elect the Chairman and Vice-Chairman from its members. The election of the Chairman, Vice-Chairman and rules of procedure of the Board of Trustees of a public higher education institution shall be regulated by its Statute, approved by the Minister at the Rector's proposal after the consent of the Academic Senate of a public higher education institution.

(5) The meetings of the Board of Trustees of a public higher education institution are called by its Chairman, this at least twice a year. The Rector or Vice-Rector acting in his behalf or Bursar, and the Chairman of the Academic Senate of a public higher education institution, have the right to attend the meeting of the Board of Trustees. At the Rector's request, the Chairman of the Board of Trustees is bound to call an extraordinary meeting of the Board of Trustees of a public higher education institution in a way allowing for it to be held not later than within thirty days.

#### Section 41

##### Activities of the Board of Trustees of a Public Higher Education Institution

(1) The Board of Trustees of a public higher education institution gives its previous consent in writing to the Rector's proposal for legal acts by which the public higher education institution wishes to do the following:

- a) acquire or transfer immovable assets,
- b) acquire or transfer movable property, the price of which is five hundred times higher than the sum from which the property is deemed as tangible by special regulations,<sup>26)</sup>
- c) establish the material burden or right of first refusal,
- d) establish other legal entity or to make financial or non-financial deposit into another or other legal entities (Section 19, Clause 5).

(2) The Board of Trustees of a public higher education institution gives its opinion on the following matters:

- a) long-term strategy of the public higher education institution and other issues presented for discussion by the Minister, Rector or Chairman of the Academic Senate of a public higher education institution,

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<sup>26)</sup> Law No. 366/1999 of Law Code on Income Taxes, as amended.

- b) budget of the public higher education institution,
- c) intent of the public higher education institution to accept a loan from a financial institution,
- d) annual report on activities and annual statement on economic management of the public higher education institution.

(3) The approval of the legal act as referred to under Clause 1, Letters a) to d) above requires consent of at least two thirds of the Board of Trustees' members present.

(4) The Board of Trustees of a public higher education institution encourages activities and presents its views on activities of the public higher education institution that it makes public.

(5) The activities of the Board of Trustees' members of a public higher education institution are acts in the general interest.<sup>27)</sup> The public higher education institution provides for expenses of such persons by special regulations.<sup>28)</sup>

### **Part Three** **State Higher Education Institutions**

#### Section 42 State Higher Education Institutions

State higher education institutions are the following:

- a) military higher education institutions,
- b) police higher education institutions,
- c) medical higher education institutions.

#### Section 43 Military Higher Education Institutions

(1) Military higher education institutions are attended especially by students carrying out the military service; they may be also attended by students not carrying out the military service. Expenditures related to the higher education of students not carrying out the military service are partially covered by the Ministry based on an agreement with the Ministry of Defence of the Slovak Republic (hereinafter referred to as the "Ministry of Defence").

(2) Military higher education institutions are the State budgetary organisations.<sup>20)</sup>

(3) Military higher education institutions have a separate registry for students carrying out the military service and a separate registry for students not carrying out the military service.

(4) Activities of the Minister of Defence of the Slovak Republic (hereinafter referred to as the "Minister of Defence") with regard to military higher education institutions are the following:

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<sup>27)</sup> Labour Code, Law No. 311/2001 of Law Code, Section 136 Clause 1.

<sup>28)</sup> Law No. 119/1992 of Law Code on Travel Expenses Compensations, as amended.

- a) presenting to the President of the Republic a proposal for appointing or recalling the Rector of the military higher education institution after a prior opinion given by the Academic Senate of a military higher education institution,
- b) presenting to the President of the Republic proposals of the military higher education institution for nomination of "profesors",
- c) making decisions, after a prior opinion of the Accreditation Commission (Section 82, Clause 2, Letter d)) on establishment, merger, affiliation, split, dissolution, name or change of name, seat or change of seat for faculties of the military higher education institution, this also at the Rector's proposal after a prior opinion given by the Academic Senate of a military higher education institution,
- d) appointing and recalling at the Rector's proposal the Vice-Rectors of the military higher education institution after a prior opinion given by the Academic Senate of a military higher education institution,
- e) appointing and recalling at the Rector's proposal the Dean of the faculty of the military higher education institution after a prior opinion given by the Academic Senate of a faculty,
- f) determining the service salary of the Rector of the military higher education institution,
- g) charging, after recalling the Rector of the military higher education institution or after early termination of the Rector's execution of his office for other reasons or in other cases, when the military higher education institution has no Rector, after an opinion given by the Academic Senate of a military higher education institution, one of the employees of the military higher education institution or other person with execution of the Rector's office until a new Rector is appointed,
- h) charging, after recalling the Dean of a faculty of a military higher education institution or after early termination of the Dean's execution of his office for other reasons or in other cases, when the faculty of the military higher education institution has no Dean, one of the employees of the military higher education institution or other person with execution of the Dean's office until a new Dean is appointed, at the proposal of the Rector of the same.

(5) Activities of the Ministry of Defence with regard to military higher education institutions are the following:

- a) registering the internal regulations of military higher education institutions pursuant to Section 103,
- b) approving at the proposal of the military higher education institutions the fields of study concerning military area after a prior opinion given by the Accreditation Commission,
- c) submitting to the Ministry of Education proposals for changes in the list of the fields of study related to the fields of military area (Section 50, Clause 4),
- d) permitting in the fields of study related to military area to join the first and second levels of higher education study into one whole after a prior opinion of the Accreditation Commission (Section 53, Clause 3),
- e) approving the study programmes of military higher education institutions and determining the study programmes intended exclusively for students carrying out the military service,

- f) determining additional conditions for admission to the study at military higher education institutions and criteria for determination of the required fitness for the study,
- g) determining numbers of students, carrying out the military service, to be admitted to military higher education institutions; determining in cooperation with the Ministry of Education the numbers of students not carrying out the military service, after an opinion given by the Academic Senate of a military higher education institution,
- h) approving the structure and number of employees of military higher education institutions and their faculties doing so also at the Rector's proposal after an opinion given by the Academic Senates of military higher education institutions,
- i) establishing research, teaching, development, management and information units of military higher education institutions and their faculties doing so also at the Rector's proposal after an opinion given by the military higher education institutions,
- j) allocating funds from the State budget from the chapter of the Ministry of Defence to military higher education institutions,
- k) checking the use of funds granted from the State budget and management of assets owned by the Slovak Republic, maintained by a military higher education institution, for lawfulness and economisation,
- l) adopting measures regarding military higher education institutions pursuant to Section 104,
- m) making decisions after an opinion given by the Accreditation Commission on granting to a military higher education institution the right to award the appropriate academic degree after successful completion of the given study programme and on granting a military higher education institution the right to conduct habilitation in the field of study, and to perform the procedure for nomination of "profesors"; fulfilling other tasks of the Ministry concerning accreditation, as referred to under Sections 83 to 87,
- n) carrying out activities on behalf of military higher education institutions as referred to under Section 20, Clause 1, Letters a) to d), based on documentation prepared by military higher education institutions,
- o) fulfilling the task of the appellate body in the administrative procedure,
- p) fulfilling tasks of the Ministry and higher education institution, as referred to under Section 106, Clause 2, Letter b), in the field of recognition of foreign higher education and qualifications received at military institutions abroad,
- q) discussing and evaluating long-term strategies of the military higher education institutions and their updates,
- r) granting scholarships, as the case may be, in accordance with programmes announced by the Minister of Defence, to students not in the service, if the student undertakes to remain in the service or employment in the budgetary organisation or partially budgeted organisation falling under the Ministry of Defence, after having graduated from the higher education institution,
- s) granting at its discretion and paying scholarships, as the case may be, to students and citizens of the Slovak Republic studying abroad, who have pledged in the direct connection with such study, to remain in the service or employment in the budgetary organisation or partially budgeted organisation falling under the Ministry of Defence,

- t) assembling and making use of information from the registry of students of military higher education institutions in accordance with special regulations.
- (6) The information unit pursuant to Clause 5, Letter i) is represented by academic library. Its position and tasks are regulated by a special regulation.<sup>21)</sup>
- (7) The Rector of a military higher education institution is accountable for his activities to the Minister of Defence and the Academic Senate of a military higher education institution.
- (8) The Rector of a military higher education institution appoints and recalls at the Dean's proposal its Vice-Deans after an opinion given by the Academic Senate of a faculty.
- (9) The Rector of a military higher education institution is accountable to the Minister of Defence for the use of funds allotted from the State budget and for due management of assets owned by the Slovak Republic, maintained by the military higher education institution.
- (10) Students of military higher education institutions, who are in the service or active service, are subject of provisions hereof, unless provided otherwise by special regulations<sup>29)</sup>.
- (11) On the day of their military service termination, the students of military higher education institutions, studying in study programmes intended for students carrying out the military service, shall terminate also their study at the military higher education institution (Section 66).
- (12) The student of military higher education institution studying according to study programmes intended for students carrying out the military service, except for the cases referred to under Section 66, shall be terminated his study at the military higher education institution even if recognised permanently unfit to carry out the military service on grounds of health by the Military Medical Board. He may continue studying at military higher education institution only in such study programmes in which students not carrying out the military service are prepared.
- (13) Provisions of Sections 74 to 80 are applied accordingly to teachers and research workers of military higher education institutions in the service as members of armed forces, in accordance with special regulations.<sup>29)</sup>
- (14) Management personnel of a military higher education institution are the Rector's alternates, Bursar, commanders and heads of teaching, development, management and information units and specialised facilities.
- (15) The Rector's alternates provide for the military training and other tasks relating to the military character of the military higher education institution.
- (16) Practical training in accordance with study programmes of military higher education institutions is also carried out in training and other military school facilities. Details shall be provided by generally binding legal regulations issued by the Ministry of Defence.

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<sup>29)</sup> Law No. 351/1997 of Law Code on National Defence Law, as amended by Law No. 401/2001 of Law Code.

Law No. 370/1997 of Law Code on Military Service, as amended.

Law No. 380/1997 of Law Code on Monetary Questions of Soldiers, as amended.

(17) Military higher education institutions are not referred to under provisions of Section 6, Clause 1, Letters b), k), Section 9, Clause 1, Letters a), c), g), h), i), k), n), o), Section 10, Clauses 2, 4, 8, Sections 16, 17, Section 22, Clause 4, Section 27, Clause 1, Letter b), Section 28, Clauses 2, 3, 6 and 7, Sections 40, 41, 91, 93, Section 102, Clause 3; they are accordingly referred to under provisions of Section 6, Clause 1, Letters c), d), e), g), l), Section 9, Clause 1, Letters f), m), Section 10, Clauses 1, 3, 9, 10, Sections 18, 19, 20, Section 22, Clause 4, Section 23, Section 27, Clause 1, Letters g), i), j), Section 28, Clauses 4, 5, 6, Section 30, Clause 1, Letter c), Section 33, Clause 3, Letter c), Section 50, Clause 4, Sections 55, 58, 61, 62, 64, 66, 70, 71, 73, 75, 77, 92, Sections 94 to 101, Section 102, Clause 2, and Section 107 hereof.

(18) Details on activities of military higher education institutions hereby shall be regulated by military regulations issued by the Ministry of Defence.

#### Section 44 Police Higher Education Institutions

(1) Police higher education institutions teach experts especially for the Police Force. They may be also attended by students who are not in the service in the Police.<sup>30)</sup> Expenditures related to the higher education of students who are not in the service in the Police or on active service are partially covered by the Ministry based on an agreement with the Ministry of the Interior of the Slovak Republic (hereinafter referred to as the "Ministry of the Interior").

(2) Police higher education institutions are the State budgetary organisations.<sup>20)</sup>

(3) Police higher education institutions have a separate registry for students - members of the Police Force, a separate registry for students in the service or active service<sup>30)</sup> and a separate registry for other students. Special regulations on protection of secret facts are applied to keeping registry for students in the service and active service.

(4) Activities of the Minister of the Interior of the Slovak Republic (hereinafter referred to as the "Minister of the Interior") with regard to police higher education institutions are the following:

- a) presenting to the President of the Republic a proposal for appointing or recalling the Rector of the police higher education institution (Section 10, Clause 2),
- b) presenting to the President of the Republic proposals of the police higher education institution for nomination of "profesors" (Section 102, Clause 3, Letter a)),
- c) making decisions on establishment, merger, affiliation, split, dissolution, on name and change of name, on seat and change of seat of faculties of the police higher education institution after

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<sup>30)</sup> E.g., Law No. 73/1998 of Law Code on Civil Service of Members of Police Corps, the Slovak Intelligence Service, Corps of Penitentiary Judicial Guard of the Slovak Republic and Railway Police, as amended, Law No. 315/2001 of Law Code on Fire Brigade, Law No. 370/1997 of Law Code, as amended, Law No 200/1998 of Law Code on Civil Service of Customers and on change and supplements to additional laws, as amended.

a prior opinion given by the Rector, Academic Senate of the police higher education institution and Accreditation Commission (Section 82, Clause 2, Letter d)),

- d) appointing and recalling at the Rector's proposal the Vice-Rectors of the police higher education institution after a prior opinion given by the Academic Senate of the same,
- e) appointing and recalling at the proposal of the Academic Senate of a faculty the Dean of the faculty of the police higher education institution,
- f) appointing and recalling at the Dean's proposal the Vice-Deans of the faculty of the police higher education institution after a prior opinion given by the Academic Senate of a faculty,
- g) determining the service salary of the Rector of the police higher education institution and that of the Dean of the faculty of the same,
- h) charging, after recalling the Rector of the police higher education institution or after early termination of the Rector's execution of his office for other reasons or, in other cases, when the police higher education institution has no Rector, at the proposal of the Academic Senate of the police higher education institution, one of the employees of the police higher education institution with execution of the Rector's office until a new Rector is appointed,
- i) charging, after recalling the Dean of the faculty of the police higher education institution or after early termination of the Dean's execution of his office for other reasons or in other cases, when the faculty of the police higher education institution has no Dean, at the proposal of the Academic Senate of a faculty, one of the employees of the police higher education institution with execution of the Dean's office until a new Dean is appointed.

(5) Activities of the Ministry of the Interior with regard to the police higher education institutions are the following:

- a) registering the internal regulations of the police higher education institutions pursuant to Section 103,
- b) approving at the proposal of the police higher education institutions the fields of study related to security services after a prior opinion given by the Accreditation Commission,
- c) submitting to the Ministry of Education proposals for changes in the list of the fields of study related to security services (Section 50, Clause 4),
- d) permitting in the fields of study related to security services a fusion of the first and second levels of higher education study into one whole after a prior opinion of the Accreditation Commission (Section 53, Clause 3)),
- e) determining study programmes of the police higher education institutions intended exclusively for students in the service or active service,
- f) approving additional conditions for admission to the study at the police higher education institutions and criteria for determination of the required fitness for the study,
- g) approving numbers of students to be admitted to the police higher education institutions and their faculties,
- h) approving the number and structure of employees of the police higher education institutions and their faculties,

- i) establishing scientific, educational, development, management and information units of the police higher education institutions and their faculties,
  - j) allocating funds from the State budget from the chapter of the Ministry of the Interior to the police higher education institutions,
  - k) checking the use of funds granted from the State budget and management of assets owned by the Slovak Republic, maintained by the police higher education institution, for lawfulness and economisation,
  - l) adopting measures regarding the police higher education institutions pursuant to Section 104,
  - m) making decisions after an opinion given by the Accreditation Commission on granting a police higher education institution the right to award the appropriate academic degree after successful completion of the given study programme and on granting a police higher education institution the right to conduct habilitation in the field of study and to perform the procedure for nomination of “profesors”; fulfilling other tasks of the Ministry on the issues of accreditation as referred to under Sections 83 to 87,
  - n) fulfilling the task of an appellate body in the administrative procedure,
  - o) fulfilling tasks of the Ministry and higher education institution as referred to under Section 106, Clause 2, Letter b) in the field of recognition of foreign higher education and qualifications in the field of security services,
  - p) discussing and evaluating long-term strategies of the police higher education institutions and their updates,
  - q) granting scholarships, as the case may be, in accordance with programmes announced by the Minister of the Interior to students not in the service, if they undertake to remain in the service after having graduated from the higher education institution,
  - r) granting and paying scholarships at its discretion, as the case may be, to students and citizens of the Slovak Republic studying abroad, who have pledged in the direct connection with such study to remain in the service or employment in the sector of the Ministry of the Interior,
  - s) assembling and making use of information from the registry of students of police higher education institutions in accordance with special regulations.
- (6) The Rector of a police higher education institution is accountable for his activities to the Minister of the Interior and the Academic Senate of a police higher education institution.
- (7) The Rector of a police higher education institution is accountable to the Minister of the Interior for the use of funds allotted from the State budget and for due management of assets owned by the Slovak Republic, maintained by the police higher education institution.
- (8) Students of police higher education institutions, who are in the service or active service, are referred to under provisions hereof, unless provided otherwise by special regulations.<sup>31)</sup>

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<sup>31)</sup> E.g., Law No. 73/1998 of Law Code, as amended, Section 54 of Law No. 277/1994 of Law Code of the National Council of the Slovak Republic, as amended by Law No 118/2002 of Law Code.

(9) Students of police higher education institutions, who are in the service shall be terminated their study (Section 66), if their service is terminated by special regulations, and if they study in the study programmes designed exclusively for students in the service.

(10) Provisions of Sections 74 to 80 are applied accordingly to teachers and research workers of police higher education institutions in the service as members of the Police Force, in accordance with special regulations.<sup>32)</sup>

(11) Police higher education institutions and their faculties are not referred to under provisions of Section 6, Clause 1, Letter b), Section 9, Clause 1, Letters a, g, h, i, o, Section 10, Clauses 4 and 10, Sections 16, 17, 19, Section 22, Clause 4, Section 28, Clause 2, and 3, Sections 34 to 41, Sections 43 to 49, Section 56, Clause 2, Sections 89, 91, 93, Section 102, Clause 3, and Section 105 hereof; they are referred to under provisions of Section 6, Clause 1, Letters a, f), g), Section 10, Clause 9, Section 15, Clause 2, Letter h, Sections 20, 58, 66, 92, 94, and Section 102, Clause 2 hereof, accordingly.

#### Section 45 Medical Higher Education Institutions

(1) Medical higher education institutions provide a specialised training for medical staff<sup>33)</sup> with healthcare experience and students trained for selected categories of medical staff.

(2) Medical higher education institutions are the State partially budgeted organisations.<sup>20)</sup>

(3) Medical higher education institutions keep a separate registry of students in full-time form of study and a separate registry of students in part-time form according to individual specialised fields.

(4) Activities of the Minister of Health of the Slovak Republic (hereinafter referred to as Minister of Health) with regard to medical higher education institutions are as follows:

- a) presenting to the President of the Republic a proposal for appointing or recalling the Rector of the medical higher education institution,
- b) presenting to the President of the Republic proposals of the medical higher education institution for nomination of "profesors",
- c) determining the salary of the Rector of the medical higher education institution,
- d) charging, after recalling the Rector of the medical higher education institution or after early termination of the Rector's execution of his office or for other reasons or in other cases, when the medical higher education institution has no Rector, at the proposal of the Academic Senate of a medical higher education institution, one of the employees of the medical higher education institution with execution of the Rector's office until a new Rector is appointed.

(5) Activities of the Ministry of Health of the Slovak Republic (hereinafter referred to as the Ministry of Health) with regard to medical higher education institutions are the following:

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<sup>32)</sup> Law No. 73/1998 of Law Code, as amended.

<sup>33)</sup> Section 54 of Law No. 277/1994 of Law Code of National Council of the Slovak Republic, as amended by Law No. 118/2002 of Law Code.

- a) registering the internal regulations of medical higher education institutions,
  - b) approving at the proposal of the medical higher education institutions the fields of study and specialised fields of study concerning health care after a prior opinion given by the Accreditation Commission (Section 83),
  - c) submitting to the Minister of Education proposals for changes in the list of the fields of study related to health care,
  - d) permitting in the fields of study related to health care to join the first and second levels of higher education study into one whole after a prior opinion of the Accreditation Commission,
  - e) establishing scientific, educational, development, management and information units of medical higher education institutions and their faculties,
  - f) checking the use of funds allotted from the State budget and management of assets owned by the Slovak Republic, maintained by a medical higher education institution, for lawfulness and economisation,
  - g) adopting measures regarding medical higher education institutions pursuant to Section 104,
  - h) making decisions after an opinion given by the Accreditation Commission on granting a medical higher education institution the right to award the appropriate academic degree after successful completion of the given study programme and on granting a medical higher education institution the right to conduct habilitation in the field of study and to perform the procedure for nomination of “profesors”; fulfilling other tasks of the Ministry of Health on the issues of accreditation, as referred to under Sections 83 to 87,
  - i) fulfilling the task of the appellate body in the administrative procedure,
  - j) fulfilling tasks of the Ministry and higher education institution as referred to under Section 106, Clause 2, Letter b) in the field of recognition of foreign higher education and qualifications in the field of health care,
  - k) discussing and evaluating long-term strategies of the medical higher education institutions and their updates.
- (6) The Rector of a medical higher education institution is accountable for his activities to the Minister of Health and the Academic Senate of a medical higher education institution.
- (7) The Rector of a medical higher education institution is accountable to the Minister of Health for the use of funds allotted from the State budget and for due management of assets owned by the Slovak Republic, maintained by the medical higher education institution.
- (8) The medical higher education institutions and their faculties are not referred to under provisions of Section 9, Clause 1, Letters g), h), i), Sections 16, 17, 19, Section 22, Clause 4, Sections 34, 38, 39 to 41, Sections 43, 44, 47 to 49, Section 90, Clause 2, Sections 91 and 105; they are referred to under provisions of Section 6, Clause 1, Letters a), f), g), Section 10, Clause 10, Sections 18, 20, 58, 66, and 94 hereof accordingly.

Section 46  
Specialised Training in Medicine

- (1) Specialised training in medicine is the study programme of the third level (Section 2, Clause 5); it is oriented at acquisition of specialised knowledge connected with the provision of health care in the pertinent specialised field and the latest scientific knowledge in medicine. The graduates of the study programme in medicine shall receive higher education of the third level.
- (2) Specialised fields of study shall be divided into basic specialised fields and advanced specialised fields of study.
- (3) The length of training in the part-time form of basic specialised field shall take at least three years and at most five years; in the advanced courses the specialised training shall take at least three years and at most five years depending on demands of the specialised field of study.
- (4) The specialised training in medicine shall be carried out according to individual curricula under a supervisor. The regular completing of the specialised training in medicine shall be a subject of defence of specialised thesis and completion of a specialised examination that is a State examination.
- (5) The function of supervisor for the respective specialised training may be performed by a health worker with the pertinent specialisation who works in the specialised field. The supervisor shall be obliged to undergo the approval procedure of the respective faculty.
- (6) The admission for specialised training in medicine is a subject of completing the initial practical training, performance of work in the specialised field and successful completion of admission procedure. After admission of applicant to the specialised training in medicine the medical higher education institution and its faculty shall determine for the applicant his/her supervisor and a theme of the specialised thesis.
- (7) The specialised training in medicine shall consist of theoretical part and practical part.
- (8) The theoretical part of the specialised training in medicine shall consist of participation in lectures, seminars, scientific conferences, foreign language courses, individual study of professional literature aimed at the specialised field and elaboration of a specialised thesis.
- (9) The practical part of the specialised training in medicine shall consist of individual and team vocational practical training in the specialised field.
- (10) The specialised training in medicine shall include performance of work in the specialised field.
- (11) The specialised training in medicine shall be completed by a specialised examination before an examination board that is appointed by the Dean of the respective faculty of the medical higher education institution.
- (12) The graduates of the specialised training in medicine shall be awarded a diploma of specialisation.
- (13) The medical higher education institution may also provide the specialised training in medicine for foreign applicants.

**Part Four**  
**Private Higher Education Institutions**

Section 47  
Private Higher Education Institutions

- (1) A legal entity with its domicile in the Slovak Republic that was established for education and research, is authorised to act as a private higher education institution, provided it has been granted an approval by the Government of the Slovak Republic (hereinafter referred to as the "Government") on behalf of the State (hereinafter referred to as the "State consent"). The proposal for giving the State consent is presented to the Government by the Ministry.
- (2) The State consent is non-negotiable to another legal entity and shall not pass to its legal successors.
- (3) The application for being granted the State consent is submitted to the Ministry by the legal entity wishing to operate as a private higher education institution.
- (4) The application for being granted the State consent contains the following:
- a) name, seat, and classification of the higher education institution pursuant to Section 2, Clause 13,
  - b) legal form of the legal entity and its statutory body,
  - c) long-term strategy of a private higher education institution,
  - d) proposed study programmes,
  - e) draft Statute, study rules, rules of selection procedure for filling posts of teachers and other internal regulations specifying which bodies carry out the activities as referred to under Part Five to Part Ten of this Law,
  - f) way of providing financial coverage of the higher education institution activities,
  - g) evidence of scientific and educational qualifications of teachers and research or art workers who shall work at such higher education institution.
- (5) Should any insufficiencies in the application under Clauses 3 and 4 hereof above be removable, the Ministry shall invite the applicant to eliminate these in due term and it shall interrupt the proceedings. Should the applicant fail to eliminate the insufficiencies within the stipulated term, the Ministry shall propose the Government not to give the State consent.
- (6) The Government shall make its resolution on the application within six months from its delivery to the Ministry. Before submission of the application to the Government, the Ministry shall ask the Accreditation Commission to present its opinion.
- (7) The Government shall not give the approval if
- a) the Accreditation Commission has issued a negative opinion on each of the presented study programmes,
  - b) draft internal regulations are contrary to law or other generally binding legal regulations.

- (8) Should the Government give its approval, the Ministry shall decide on authorising the higher education institutions to award the respective academic degrees after successful completion of the study programme and on registration of the internal regulations.
- (9) The State consent shall become ineffective in case that the private higher education institution fails to commence its teaching activities within two years upon the entry of the agreement into effect.
- (10) At the Ministry's proposal, the Government may deprive the private higher education institution of the State consent under the conditions provided for under Section 105, Clause 3 to 7.
- (11) Funding private higher education institution is referred to under provisions of Section 91.
- (12) Should a private higher education institution discontinue its teaching activities for a reason other than deprivation of the State consent, it is obliged to notify the Ministry of it without delay.
- (13) Provisions of Sections 47 to 49 hereof also apply to branches of foreign higher education institutions.
- (14) The change of name, seat, classification according to Section 2, Clause 13 and the legal form of the private higher education institution shall be approved by the Government at the proposal of the Ministry. The Ministry shall submit the proposal on the basis of application of the private higher education institution. Before submitting the proposal to the Government it shall ask the Accreditation Commission for its opinion.
- (15) The private higher education institutions are referred to under provisions of Section 21 accordingly.

#### Section 48 Internal Regulations of a Private Higher Education Institution

- (1) The private higher education institution shall issue the following internal regulations:
- a) the Statute of the private higher education institution,
  - b) the Study Rules of the private higher education institution,
  - c) the Rules of Selection Procedure for filling posts of academic teachers, research workers and posts of "profesors" and "docents",
  - d) the Employment Rules of the private higher education institution,
  - e) the Organisation Order of the private higher education institution,
  - f) the Scholarship Rules of the private higher education institution,
  - g) other regulations, if so determined by the Statute of the private higher education institution.
- (2) The internal regulations of a private higher education institution shall specify which bodies carry out activities referred to under Part Five to Part Ten of the present Law.
- (3) The content of the Statute of a private higher education institution is referred to under Section 15, Clause 2.
- (4) The internal regulations referred to under Clause 1, Letters a) to c) above are subject to registration at the Ministry (Section 103).

Section 49  
Other Duties of a Private Higher Education Institution

- (1) A private higher education institution is due to perform the following duties
  - a) to keep and publicise in the form as determined by the Ministry, the list of the study programmes of the higher education institution (Section 20, Clause 1, Letter a)),
  - b) to annually prepare, submit to the Ministry and publicise the annual report on activities and, if having received a grant from the State budget, also the annual statement on economic management of the private higher education institution in the form and at the date set by the Minister,
  - c) to discuss with the Ministry and publicise the long-term strategy of a private higher education institution in the form and at the date set by the Minister,
  - d) to provide the Accreditation Commission and the Ministry, at their request at the fixed dates, information required for their activities hereby,
  - e) to notify the Ministry of the private higher education institution being declared bankrupt or terminated bankruptcy procedures by special regulations,<sup>34)</sup>
  - f) to notify the Ministry of the dissolution of the legal entity that acquired the right to act as a private higher education institution.
- (2) The content of the annual report on activities of the private higher education institution is referred to under Section 20, Clause 2 accordingly.
- (3) The annual report on activities and annual statement on economic management, long-term strategy of the private higher education institution and results of evaluation of the private higher education institution' activities shall be open to public.

**Part Five**  
**Field of Study, Study Programme and Study Plan**

Section 50  
Field of Study

- (1) The field of study is a field of knowledge which may be a subject of higher education in one of its three levels.
- (2) The field of study is defined by its content characterised especially by fields and extent of knowledge, abilities and skills forming the graduate's profile.
- (3) The Ministry administers the list of the fields of study of the Slovak Republic (hereinafter referred to as "the list of the fields of study"). The list of the fields of study contains the fields of

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<sup>34)</sup> Law No. 328/1991 on Competition Procedure and Balance, as amended.

study in which the higher education institutions in the Slovak Republic may provide higher education.

(4) A proposal for including a new field of study into the list of the fields of study or a proposal for another change in the list of the fields of study (hereinafter referred to as the "proposal for change in the list of fields of study") is submitted to the Ministry. The proposal is usually submitted by a higher education institution.

(5) The proposal for a new field of study contains, particularly:

- a) name of the field of study,
- b) levels of higher education study in which the field of study shall be pursued and the standard length of study programmes for these levels of higher education study,
- c) content of the field of study,
- d) reasons for the need of the new field of study,
- e) examples of similar fields of study abroad,
- f) definition of the related fields of study and differences between them.

(6) The Ministry may enlist a new field of study or make another change in the list of the fields of study only after an opinion given by the Accreditation Commission.

(7) Details on the list of the fields of study and on its administration shall be provided for by generally binding legal regulations issued by the Ministry.

#### Section 51 Study Programme and Study Plan

(1) Higher education in a field of study or in combination of fields of study is acquired by the study according to the accredited study programme (Section 83, Clause 1) in this field of study or in combination of fields of study (Clause 5 below).

(2) The study programme is a set of educational activities such as, in particular, lectures, seminars, exercises, dissertation theses, diploma theses, project work, laboratory work, internship, field trips, practical training (hereinafter referred to as the "unit of the study programme") and a set of rules devised so that successful completion of the educational activities while pursuing the given rules enables to acquire higher education (Clause 1 above).

(3) A constituent part of the study according to any study programme is a final thesis; its defence is a part of the State examinations.

(4) A study programme is specified in greater detail by the following:

- a) name of the study programme,
- b) field of study or combination of two fields of study in which the higher education is received by completing the study programme,
- c) level of higher education study for which the study programme is designed,
- d) form of studies,
- e) graduate's profile,

- f) characteristics of units of the study programme or the length of practical training, including the number of credits acquired by their completion,
- g) rules and conditions for curriculum design,
- h) standard length of study expressed in academic years,
- i) division of the study into periods expressed in academic years or their parts and conditions required to be met by a student in order to be able to advance to the next part of study; the conditions are expressed by number of credits acquired for completed units of the study programme,
- j) number of credits the achievement of which is a condition for due completion of the study,
- k) other conditions to be met by a student during the course of the study programme and for its due completion, including the State examinations,
- l) special characteristics if available in the study programme according to Clause 7 below, Section 53, Clauses 5, 6, 8, or Section 54 Clause 16,
- m) academic degree awarded.

(5) A study programme may be carried out in a field of study which is included in the list of the fields of study. A study programme may be carried out also in combination of two fields of study. If the proportion of both fields of study is about the same in the study programme, it is an interdisciplinary course, in opposite case one field of study is major and the other is minor.

(6) The name of a study programme is derived, as a rule, from the name of the corresponding field of study. If it is combination of major and minor, the name of study programme shall be derived from the name of the major.

(7) The study programme is artistic if it is aimed at development of talent and creativity in the field of artistic performance and work of art on the basis of artistic principles. A significant part of artistic study programme is an artistic performance. The name of the study programme may contain the term "artistic", "art" or similar term only in case that it is an artistic study programme.

(8) The study plan determine the time and content sequence of individual units of the study programme, and the forms of assessment of student's achievements. The study plan is designed, except for the form of assessment of achievements, by the student himself or in cooperation with his supervisor (Clause 9 below) within the framework of set out rules (Clause 2 and Clause 4, Letter g) above) and in compliance with the study rules of the higher education institution (Section 15, Clause 1, Letter b)) or the faculty (Section 33, Clause 3, Letter a)).

(9) To provide counselling services to students for study plan design, there are supervisors at higher education institutions. The supervisor is appointed from among academic teachers and recalled by the Rector or by the Dean, if the same should act at a faculty.

## Section 52 Bachelor Study Programme

(1) The Bachelor study programme as the study programme of the first level (Section 2, Clause 5) is aimed at acquisition of theoretical knowledge and practical knowledge based on the current state of science and art, and at mastering their use in execution of a profession or in the follow-up higher

education study. The graduates of the Bachelor study programme receive higher education of the first level.

(2) The Bachelor study programmes provided by a professional higher education institution (Section 2, Clause 15) are aimed particularly at application of current knowledge of science and art and at mastering its use including practical abilities and skills required for execution of a profession.

(3) The standard length of the study for the Bachelor study programme including the practical training, is at least three and at most four years.

(4) The final thesis (Section 51, Clause 3) prepared within the framework of the Bachelor study programme (hereinafter referred to as the "Bachelor study") is the Bachelor thesis.

(5) Graduates of the Bachelor study are awarded the academic degree of "bakalár" (abbr. "Bc.").

(6) The name of the Bachelor study programme may contain the term "engineering" or "engineer's" or similar term only in case that it is oriented at development of creativity in the field of engineering projects or processes, including the economic ones, while the projecting forms its significant part.

### Section 53 Master, Engineer and Doctoral Study Programmes

(1) The study programme of the second level is aimed at acquisition of theoretical and practical knowledge based on the current state of science and art, and development of ability of their creative application in execution of a profession or continuation of the higher education study within the framework of PhD study programme. Graduates of the study programme of the second level receive higher education of the second level.

(2) The standard length of study in the study programme of the second level including the practical training, is not less than one year nor more than three years, however, with the total standard length of the study according to the Bachelor study programme and the follow-up study programme of the second level in the same or related field of study, it is not less than five years.

(3) The Ministry may after an opinion given by the Accreditation Commission and in specially justified cases, particularly with regard to specifics of the field of study, allow joining the first and second levels of higher education study in one integrated whole. The standard length of study in the study programmes with the first and second levels of higher education joined, is at least four years and at most six years, and their graduates receive higher education of the second level.

(4) The final thesis (Section 51, Clause 3) at the study carried out within the framework of the study programme of the second level pursuant to Clause 3 above is the diploma thesis.

(5) The study programmes of the second level or the study programmes under Clause 3 above that are aimed at development of creativity in the field of engineering projects or processes, including economic ones, are Engineer study programmes. A significant part of the Engineer study programmes consists of projecting. The name of the study programme of the second level or the study programme pursuant to Clause 3 above may contain the term "Engineering" or "Engineer" or similar term only in case that it is an Engineer study programme. Graduates of the Engineer study programmes (hereinafter referred to as "Engineer study") are awarded the academic degree of "inžinier" (abbr. "Ing."). Graduates of Engineer study in the field of architecture and town planning are awarded the academic degree of "inžinier architekt" (abbr. "Ing. arch.").

(6) The study programmes of the second level or those pursuant to Clause 3 above that are aimed at the studies in the field of human medicine and veterinary medicine, are the doctoral study programmes. Within the framework of the doctoral study programmes (hereinafter referred to as "doctoral study") in the field of human medicine the graduates are awarded the academic degree of "doktor medicíny" (abbr. "MUDr."). Graduates of the doctor study in the field of veterinary medicine are awarded the academic degree of "doktor veterinárskej medicíny" (abbr. "MVDr.").

(7) The study programmes of the second level or the study programmes pursuant to Clause 3 above, except for the study programmes pursuant to Clauses 5 and 6 above, are the Master study programmes. Graduates of the Master study programmes (hereinafter referred to as the "Master study programmes") are awarded the academic degree of "magister" (abbr. "Mgr."). Graduates of the Master of art study programmes (Section 51, Clause 7) are awarded the academic degree of "magister umenia" (abbr. "Mgr. art.").

(8) Graduates of the study programmes who were awarded the degree of "magister" may take *examina rigorosa* a part of which is the defence of a thesis in the field of study in which they have received higher education or in a related field of study. After its completion, higher education institutions award the following academic degrees to the graduates:

- a) the degree of "doktor prírodných vied" (abbr. "RNDr.") in the study programmes of natural sciences,
- b) the degree of "doktor farmácie" (abbr. "PharmDr.") in the study programmes of pharmacy,
- c) the degree of "doktor filozofie" (abbr. "PhDr.") in the study programmes of social sciences and history of fine art,
- d) the degree of "doktor práva" (abbr. "JUDr.") in the study programmes of law,
- e) the degree of "doktor pedagogiky" (abbr. "PaedDr.") in the study programmes of teacher training and physical education,
- f) the degree of "doktor teológie" (abbr. "ThDr.") in the study programmes of theology, except for the study programmes in the field of Roman Catholic Theology.

(9) The *examina rigorosa* and the defence of a thesis are to demonstrate that on the basis of independent study the applicant has achieved deeper knowledge in its broader scope and is able to master the recent knowledge of science and practice, and use it in creative way in practice.

#### Section 54 PhD Study Programme

(1) The PhD study programme as a study programme of the third level (Section 2, Clause 5) is aimed at acquisition of knowledge based on current scientific and artistic knowledge and particularly at the student's own contribution to it as a result of a scientific research and independent creative activity in the field of science or technology or an independent theoretical and creative activity in the field of art. Graduates of PhD study receive higher education of the third level.

(2) The standard length of PhD study programme in the full-time form is at least three and at most four years, in the part-time form and at faculties of medicine in the fields of study requiring a specialised examination, it is five years at most.

(3) The study within the framework of PhD study programme (hereinafter referred to as "PhD study") is carried out on the basis of individual study plan supervised by a supervisor. The condition of due completion of PhD study is passing examination that belongs among the State examinations and the defence of a dissertation. The dissertation is a final work (Section 51, Clause 3).

(4) The function of a supervisor for the given field of study may be carried out by teachers of a higher education institution, at which the PhD study takes place and by other experts after the approval by the Scientific Board of the higher education institution or the faculty, if the PhD study is carried out at the faculty. The function of a supervisor for topics offered by a non-higher education institution (Clause 6 hereof below) having acquired the right to participate in implementation of the study programme in the field of study referred to under Section 86 (external teaching institution), may be carried out by supervisors approved by such institution. The external teaching institution shall provide for the Scientific Board of the higher education institution or faculty the scientific-educational characteristics of such supervisors. The rules for approval of supervisors are a part of background materials submitted to the Accreditation Commission according to Section 82, Clause 5 in connection with evaluation of the capacity of the higher education institution or an external teaching institution to carry out the PhD study (Section 82, Clause 2, Letter a) and b)).

(5) Before commencing the admission procedure for the PhD study, the higher education institution or the faculty, if the PhD study is carried out at the faculty, offers topics for dissertations, which may be applied for under the admission procedure. Each of the topics offered is assigned a supervisor. The applicant for the PhD study shall apply for one of the topics offered. Simultaneously with the admission of applicant to the PhD study the higher education institution or the faculty, if the study programme is carried out at the faculty, shall determine the applicant's supervisor, and the topics of the selected dissertation.

(6) The higher education institution or the faculty, if the PhD study is carried out at the faculty, shall enlist among the topics of dissertations also the topics and supervisors offered by the external teaching institution; in addition to the topics offered, the name of the external teaching institution is indicated. The external teaching institution may also publicise a separate list of topics.

(7) If an applicant for the PhD study chooses for his dissertation a topic offered by the external teaching institution, the external teaching institution shall also agree with the applicant's admission to the PhD study. The entrance examination (Section 57, Clause 3) is taken before the examination board composed of representatives from the higher education institution and members designated by director of the external teaching institution. Members determined from a higher education institution for study programmes carried out at the faculty, are appointed by the Dean, those for the study programmes that are not carried out at the faculty, are appointed by the Rector. By agreement between the higher education institutions or faculty and the external teaching institution the entrance examination may be held on the premises of the external teaching institution, attended by representatives of the higher education institution.

(8) The PhD study consists of the study part and the research part. The curriculum is developed by the supervisor and presented to the Board of Specialists for approval (Clause 17 hereof below).

(9) The study part of the PhD study consists especially of lectures, seminars and individual study of professional literature required with regard to the orientation of the dissertation.

(10) The research part of the PhD study consists of individual or team research work of the student of PhD study programme (hereinafter referred to as the "PhD student"), relating to the dissertation topic. The research part of the PhD study is professionally directed by the supervisor.

(11) A part of the PhD study of the full-time form is a teaching activity or other professional activity related to teaching to the extent of not more than four hours per week on the average per academic year in which the teaching takes place.

(12) If the PhD student has chosen the topic of his/her dissertation offered by the external teaching institution, he/she shall carry out the research part of the PhD study, and duties agreed with the higher education institution, of the study part of the same. The higher education institution concludes an individual agreement on the student's PhD study with the external teaching institution. It deals with labour and financial issues connected with the PhD student's activities in the external teaching institution. The activities as referred to under Clause 11 hereof above are related to teaching activities of the higher education institution.

(13) If the PhD student has chosen a dissertation topic offered by the external teaching institution (Clause 12 hereof above), the examination as well as the defence of a dissertation shall be made before the examination board with parity representation of members from the higher education institution designated pursuant to Section 63, Clause 4 and members designated by the external teaching institution. The examination board shall be composed of at least four members. By agreement of the higher education institution or the faculty and the external teaching institution, the defence of a dissertation may be carried out on the premises of the external teaching institution. The diploma shall also show the name of the external teaching institution.

(14) The PhD study is completed by the defence of a dissertation. It demonstrates the ability of and preparedness for the independent scientific and creative activity in the field of research or development, or for independent theoretical and creative artistic activity.

(15) Graduates of the PhD study are awarded the academic degree of "doktor" ("philosophiae doctor") (abbr. "PhD."; "PhD." is written after the name). Graduates of artistic PhD study programmes (Section 51, Clause 7) are awarded the academic degree of "doktor umenia" ("doctor artis") (abbr. "ArtD."; "ArtD." is written after the name).

(16) The PhD students in the field of Catholic Theology are awarded the degree of "licenciát teológie" (abbr. "ThLic.") after completing the first comprehensive part of the PhD study. The graduates of PhD study are also awarded in these fields the degree of "doktor teológie" (abbr. "ThDr.").

(17) The PhD study in the given field of study is monitored and evaluated by the Board of Specialists established in compliance with internal regulations of the higher education institution or faculty that has the corresponding study programme. Higher education institution may create, on the basis of agreement, common Board of Specialists in individual fields of study. The Board of Specialists elects a Chairman from among its members. If a higher education institution provides the PhD study in cooperation with an external teaching institution, as referred to under Clause 6 hereof above, the external teaching institution is accordingly represented in the relevant Board of Specialists.

(18) The full-time PhD student has the status of an employee for the purposes of health insurance, social security and unemployment insurance.<sup>35)</sup>

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<sup>35)</sup> Law of National Council of the Slovak Republic No. 273/1994 of Law Code on Health Insurance, Health Insurance Funding, on Establishment of General Health Insurance Company

(19) A higher education institution or external teaching institution shall provide the full-time PhD student a scholarship during the PhD study, which is deemed a salary. The external teaching institution provides scholarships from funds allocated to such purpose in its budget. Details on provision of the scholarship shall be provided for by generally binding legal regulations issued by the Ministry.

(20) A higher education institution may conclude an agreement on common defence of dissertations in the accredited PhD study programmes with a foreign higher education institution, if the legal regulations of the State on the territory of which the foreign higher education institution operates, allow so.

(21) A dissertation defence of the PhD study of a higher education institution with its seat on the territory of the Slovak Republic and a concluded agreement on common dissertation defence as referred to under Clause 20 hereof above, may be held at the foreign higher education institution before a commission for the defence of dissertations with parity representation of members of the Slovak party, designated pursuant to Section 63, Clause 4, and members designated by the foreign higher education institution. The commission for the defence of dissertation shall have at least four members. The same procedure is used for dissertation defence of a PhD student of a foreign higher education institution in the Slovak Republic.

(22) The credential on award of an academic degree based on the successful defence of dissertation before a commission for the defence of dissertations pursuant to Clause 21 hereof above, issued by a foreign higher education institution, is recognised in the Slovak Republic.

## **Part Six**

### **Study at a Higher Education Institution**

#### Section 55 General Provisions

(1) A person has the right to pursue a chosen study programme at a higher education institution, provided he/she meets the basic conditions for admission to study according to Section 56 and other conditions determined by the higher education institution offering the study programme chosen, as referred to under Section 57, Clause 1.

(2) A higher education institution may admit applicants only for accredited courses of study programmes it has on the list of study programmes (Section 20, Clause 1, Letter a)).

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and on Establishment of Sectorial, District, Company and Civil Health Insurance Companies, as amended.

Law of National Council of the SR No. 274/1994 of Law Code on Social Insurance Company, as amended.

Law of National Council of the SR No. 387/1996 of Law Code on Employment, as amended.

(3) A higher education institution determines the number of students to be admitted to the study of the given study programme. If a higher number of applicants meets the conditions for admission to the study of such programme, those applicants shall be admitted who have demonstrated the highest level of abilities<sup>36)</sup> for the study in accordance with the conditions determined by the higher education institution.

#### Section 56 Basic Conditions for Admission

(1) The admission to the Bachelor study or to courses in the study programme according to Section 53, Clause 3, is a subject of completing general secondary education or technical secondary education with school-leaving certificates giving access to higher education.

(2) The admission to the study programme of the second level according to Section 53, Clause 1 and 2, is a subject of completing the study programme of the first level.

(3) The admission to the PhD study is a subject of completing the study programme of the second level or the study programme according to Section 53, Clause 3.

#### Section 57 Additional Requirements for Admission

(1) A higher education institution or a faculty, if the programme is carried out at a faculty, may determine additional requirements with the aim to ensure that only applicants with required abilities and qualifications are admitted. The conditions and method determined for verification of their fulfilment shall enable selection of the applicants showing the highest level of abilities for the study. A higher education institution may not condition the admission to study by any financial compliance, except for the fees paid according to Section 92, Clause 7.

(2) Additional requirements determined by a higher education institution for admission to study according to Section 56, Clause 1, shall consider, from the point of view of the content of knowledge, the secondary education curricula.<sup>37)</sup>

(3) A higher education institution or a faculty, if the programme is carried out at a faculty, verifies fulfilment of the conditions pursuant to Clause 1 hereof above, by the entrance examination, provided such examination is designed as a part of verification of abilities for the study. The admission procedure for PhD study always includes the entrance examination.

(4) If a part of verification of abilities for study consists of the entrance examination (Clause 3 hereof above), an applicant with special needs shall be, at his/her request, determined a form of the entrance examination and method of doing it, taking regard of his/her special needs.

(5) A higher education institution or a faculty, if the study programme is carried out at a faculty, shall publicise in advance, not later than four months before deadline for submission of applications, the time period for submission of applications for study, conditions for admission pursuant to Clause

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<sup>36)</sup> Constitution of the Slovak Republic, Article 42, Clause 2.

<sup>37)</sup> Law No. 29/1984 on the System of Basic and Secondary Schools (Education Law), as amended

1 hereof above, date and method for verification of their fulfilment, and, if a part of verification of abilities for the study consists of the entrance examination, also the form and general content of the examination and the method for evaluation of its results. Such information shall be posted up on an official board of the higher education institution or faculty and made public in accordance with special regulations.<sup>38)</sup> A higher education institution or a faculty shall publicise information on the number of applicants planned for admission to study on the related study programme in the same way.

#### Section 58 Admission Procedure

- (1) The admission procedure is a process enabling the applicant proving fulfilment of determined requirements for admission to the study, to become a student in the chosen study programme at the selected higher education institution.
- (2) The admission procedure begins for the applicant by delivery of his/her written application for study to the higher education institution or faculty carrying out the respective study programme. The application should be delivered in the time period determined by the higher education institution or faculty.
- (3) The decision on admission to the study in a study programme carried out by a faculty is made by the Dean. The decision by the Dean on not admitting to the study may be changed by the Rector pursuant to Clause 6. The decision on admission to study the study programme carried out by a higher education institution is made by the Rector.
- (4) At private higher education institutions, the admission to study is decided by a body set out by internal regulations of the higher education institution.
- (5) The decision on the result of the admission procedure must be made in writing within thirty days from verification of fulfilment of conditions for admission. It shall include a statement, reasons and information on possibility to submit an application for review. The resolution must take the form of personal delivery. The applicant with unknown abode is delivered the decision by its posting up on the official board of the higher education institution or faculty during fifteen days. The last day of the period is considered as the day of delivery.
- (6) The applicant having received a decision on non-admission to study, may request a review. The request is presented to the authority having issued the decision, in a time period of eight days from its delivery. If such authority is the Dean, he may grant the request himself/herself, if ascertaining that the decision has been issued contrary to law, internal regulations of the higher education institution or faculty or conditions provided for under Section 57, Clause 1. Otherwise the Dean shall pass the request to Rector. The Rector shall change the decision, if made contrary to law, internal regulations of the higher education institution or conditions provided for under Section 57, Clause 1. Otherwise the application shall be rejected and the original resolution confirmed. If the decision on

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<sup>38)</sup> Law No. 211/2000 on Free Access to Information, and on Amendment to Some Laws (Law on Freedom of Information).

non-admission to study was made by the Rector, he may grant the request by himself/herself, if ascertaining that the decision has been made contrary to law, internal regulations of the higher education institution or conditions provided for under Section 57, Clause 1. Otherwise he will pass the request to the Academic Senate of a higher education institution. The Academic Senate of a higher education institution shall change the decision if it has been made contrary to law, internal regulation of the higher education institution or conditions provided for under Section 57, Clause 1. Otherwise the request shall be rejected and the original decision confirmed. The response to the applicant for review of the resolution shall be sent within 30 days from delivery of the application for review of the resolution on non-admission to the higher education institution or faculty.

(7) The higher education institution has the right to ask the admitted applicants for information whether they enrol on the study. The applicant is obliged to provide the higher education institution or faculty such information before the beginning of the academic year (Section 61). Should the applicant fail to show interest in the study or provide the information at the determined time, his/her right to enrol on the given study programme shall lapse and the higher education institution or faculty may offer the place to another applicant in order by results of the admission procedure.

(8) The admission procedure for PhD study is referred to, in addition to the provisions hereof, under the provisions of Section 54, Clauses 5 to 7.

(9) The applicant who received the decision on non-admission to study has the right to examine at his/her request the documents of his/her admission procedure.

#### Section 59 Enrolment on Study

(1) By notification of the decision on admission to study according to Section 58, Clause 5, the applicant is granted the right to enrol on the study. The date, place and way of the applicants' enrolment shall be determined by the higher education institution or faculty and admitted applicants shall be notified.

(2) At the enrolment the student shall define what part of duties prescribed by the study programme he/she shall complete in the following period of study concerned by the enrolment.

(3) The right of the applicant to enrol on the study pursuant to Clause 1 hereof above shall lapse, if his/her response to the higher education institution's or faculty's inquiry whether he/she enrolls on the study (Section 58, Clause 7), is negative or he/she fails to answer within the set time limit.

#### Section 60 Forms and Methods of Study

(1) A study programme may be carried out in a full-time form or in a part-time form of study.

(2) The full-time form of study is characterised by the student's daily attendance of educational activities (Section 51, Clause 2).

(3) The part-time form of study is characterised by prevailing independent study and consultations.

(4) The study programme in both forms of study according to Clauses 2 and 3 hereof above may be carried out by

- a) attendance method,

- b) distance method, or
  - c) combined method.
- (5) The attendance method of study consists in direct contact between teacher and student.
- (6) The distance method replaces the teacher - student direct contact by using means of communication, especially the means based on the use of computer networks.

### Section 61 Academic Year and Its Organisation

- (1) The academic year begins on 1 September of the current year and ends on 31 August of the next year.
- (2) Study in one academic year may be divided into two semesters or three trimesters. The specific division of study is determined for every higher education institution in its Statute.
- (3) The Bachelor study, Master study, Engineer study and Doctoral study start at the beginning of the first semester or the first trimester of the academic year. PhD study may also start at the beginning of the second semester or the second trimester, or the third trimester of the academic year.

### Section 62 Credit System

- (1) Organisation of all levels and forms of higher education study is based on a credit system. The credit system of study uses accumulation and transfer of credits. By means of credits, it enables to assess the student's load connected with completion of units of the study programme, in accordance with regulations contained in the study programme.
- (2) Credits are numerical values assigned to units of the study programme expressing the amount of work required for their completion. The student's standard load is expressed by the number of sixty credits per academic year, thirty credits per semester, and twenty credits per trimester.
- (3) The higher education institution shall determine the total number of credits required for due completion of the study in its respective levels.
- (4) General guidelines for introduction and application of the credit system of study shall be provided for by generally binding legal regulations issued by the Ministry.

### Section 63 State Examinations, Examina Rigorosa

- (1) Any study programme shall contain as one of the conditions for its successful completion the passing of the State examination or State examinations.
- (2) The State examination is held before the examination board. The course of the State examination and announcement of its results are open to public. Decision of the examination board on results of the State examination is made at a closed meeting of the examination board. The same conditions and procedure are also applied to examina rigorosa (Section 53, Clause 8).

(3) Only academic teachers working in the posts of "profesors" and "docents" (Section 75, Clause 1) and other experts approved by the Scientific Board have the right to examine at the State examination and at examina rigorosa (Section 12, Clause 1, Letter d)).

(4) The examination board for the State examinations is composed of persons entitled to examine, as referred to under Clause 3 hereof above, appointed by the Dean for study programmes carried out at faculties; by the Rector for study programmes carried out at the higher education institution. As a rule, the examination board shall also include distinguished experts in the given field of study from other higher education institutions, legal entities carrying out research and development in the territory of the Slovak Republic<sup>3</sup>) or from practice.

(5) The examination board for examina rigorosa is composed of persons entitled to examine, as referred to under Clause 3 hereof above, appointed by the Dean for study programmes referred to under Section 83, Clause 1, carried out at faculty; by the Rector for study programmes referred to under Section 83, Clause 1, not carried out at the faculty.

(6) The examination board for State examinations has at least four members.

#### Section 64 Interruption of Studies

(1) A course in a study programme may be interrupted at the student's request under conditions specified in the study rules. Study rules shall specify the maximum total length of interruption of studies.

(2) Interruption of study is allowed by the Dean for a study programme carried out at a faculty. Interruption of study in a study programme carried out at a higher education institution is allowed by the Rector.

(3) Interruption of study of PhD student who applied for the topic of dissertation offered by the external teaching institution (Section 54, Clause 12), is agreed in accordance with Clause 2 above by Dean or Rector after affirmative statement of Director of the external teaching institution.

#### Section 65 Due Completion of Studies

(1) The study shall be duly completed by completion of a course according to the respective study programme. The date of study completion corresponds to the date of meeting the last of conditions prescribed for due completion of the study programme.

(2) The study according to study programme should not go beyond its standard length (Section 51, Clause 4, Letter h)) by more than two years.

(3) The due completion of a course in an accredited study programme and acquisition of the degree is documented by the diploma and certificate of the State examinations.

#### Section 66 Irregular Termination of Studies

(1) In addition to due completion of study, the study may be terminated by the following events:

- a) suspension from the study,

- b) failure to complete the study at the date specified under Section 65, Clause 2,
  - c) exclusion from the study as a result of failure to meet requirements following from the study programme and the study rules of the higher education institution,
  - d) exclusion from the study pursuant to Section 72, Clause 2, Letter c),
  - e) cancellation of the study programme pursuant to Section 87, Clause 2 provided the student refuses the offer of the higher education institution to continue in another study programme,
  - f) student's death.
- (2) The date of the study termination is
- a) pursuant to Clause 1, Letter a) hereof above, the date of delivery of the student's statement to higher education institution on giving up his/her study,
  - b) pursuant to Clause 1, Letter b) hereof above, the end of the academic year in which the student should have completed the higher education,
  - c) pursuant to Clause 1, Letters c) and d) hereof above, the date of resolution on exclusion from the study taking effect,
  - d) pursuant to Clause 1, Letter e) hereof above, the date for which the higher education institution has announced cancellation of the study programme.

#### Section 67 Documents of Study

- (1) There are the following forms of evidence of study:
- a) student's card,
  - b) study book ("index"),
  - c) transcript.
- (2) The student's card is a document confirming the student's status, entitling to use student rights and advantages resulting from laws, internal regulations of the higher education institution and agreements with other legal entities. Such a document also serves to produce information written in it. The student is handed the student's card upon entry in the students' registry. It is issued by the higher education institution. In addition to other information, it includes specification of the time period for which the student has fulfilled conditions for continuing the study pursuant to Section 51, Clause 4, Letter i). The student's card uses a uniform information structure determined by the Ministry. The Ministry shall also set by regulation the binding technical design of the card.
- (3) The study book is a document in which especially units of the study programme (Section 51, Clause 2) and results of examinations or achievements in the course are recorded. It is issued by the higher education institution or the faculty, if the study programme is carried out at the faculty. The use of this evidence is not compulsory, the decision on its use is left at discretion of the higher education institution and is laid down in the study rules.
- (4) The transcript contains information on study duties fulfilled by the student within his/her course in the study programme.

(5) The transcript is issued by the higher education institution or faculty, if the study programme has been carried out at the faculty. The document is issued in accordance with principles included in a generally binding regulation issued by the Ministry; the higher education institution or faculty shall also issue it at the request in a foreign language. The document shall be given to

- a) a person having terminated the study programme pursuant to Section 66, Clause 1 of this Law,
- b) a student on the basis of his/her request,
- c) a graduate of the study programme on the basis of his/her request.

#### Section 68 Credentials

(1) The credentials of completed study programmes within the framework of a field of study are the following:

- a) higher education diploma,
- b) certificate of State examination,
- c) Diploma Supplement.

(2) The higher education diploma is a certificate on completion of an accredited study programme in the field of study and on award of academic degree. It is issued by the higher education institution. The diploma of higher education contains the graduate's first name and surname, diploma registration number, name of the higher education institution, name of the field of study, name of the study programme pursued, name of the faculty if the programme has been carried out at the faculty, academic degree and other data determined by the higher education institution. The diploma of higher education is usually delivered at the academic ceremony.

(3) The certificate of the State examination is a document on the State examination taken, its parts and its result. It is issued by a higher education institution.

(4) The Diploma Supplement is a document containing details on the completed study programme. Information to be included in the Diploma Supplement shall be provided for by regulations issued by the Ministry. The Diploma Supplement shall be issued by a higher education institution. The graduate shall receive the Diploma Supplement along with his/her diploma.

(5) The higher education institution shall also issue the credentials under Clause 1 above in a foreign language at a special request.

### **Part Seven** **Students of Higher Education Institutions**

#### Section 69 General Provisions

(1) The applicant admitted to study (Section 58) shall become a student on the day of enrolment on the study; the student who was suspended the study shall become a student on the day of re-enrolment on the study.

(2) The student ceases to be a student on the day of completion of the study pursuant to Section 65, Clause 1 and Section 66 or on the day of interruption of the study pursuant to Section 64, Clause 1.

#### Section 70 Student Rights

- (1) The student is entitled, in particular, to
- a) attend the course of study in the study programme to which he/she has been admitted,
  - b) develop his/her study plan in accordance with the regulations of the study programme (Section 51, Clause 4, Letter g)),
  - c) enrol on the next part of the study programme upon fulfilling requirements stipulated in the study programme or study rules,
  - d) choose with respect of time and capacity limits given in the study rules and study programme, the speed of the study, sequence of completing units of the study programme with the fixed sequence preserved, and to choose teacher for a subject lectured by several teachers,
  - e) apply within his/her study also for study at another higher education institution, this even abroad,
  - f) take part in research, development or artistic and other creative activities of the higher education institution,
  - g) take part in establishing independent associations active on the higher education institution precinct (clubs, unions, professional associations) and their activities in accordance with legal regulations,
  - h) have at least once a year the option to comment on the quality of teaching and teachers in the form of an anonymous questionnaire,
  - i) express freely his/her opinions and comments on the system of higher education.
- (2) A student performing practical classes or practical training is a subject to general regulations on labour safety, health protection and working conditions of women.<sup>39)</sup>

#### Section 71 Student Duties

- (1) The student duties result from his/her study programme and from the study rules.
- (2) The student is obliged to abide by internal regulations of the higher education institution and its parts.
- (3) Furthermore, a student is obliged to:

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<sup>39)</sup> Law No. 311/2001 of Law Code

Law No. 330/1996 of Law Code of the National Council of the SR on Security and Health Protection at Work, as amended.

- a) protect and economize on the assets, means and services of the higher education institution,
- b) pay tuition fees and study-related fees according to the present Law exclusively and directly to the higher education institution in which he/she has been enrolled and to provide true data needed to set the amount of these fees,
- c) report his/her delivery address to the higher education institution or faculty if the study programme he/she is enrolled in is carried out at the faculty,
- d) show up upon being called forth by Rector, Dean or a higher education institution's employee authorised by them to discuss questions pertaining to the course of his/her study, or termination of his/her study or other issues related to his/her rights and duties.

## Section 72 Disciplinary Misdemeanours

- (1) The disciplinary misdemeanour is violation of legal regulations or internal regulations of the higher education institution or its parts or the public order, caused by the student.
- (2) The following sanctions can be inflicted for disciplinary misdemeanours:
  - a) admonition,
  - b) expulsion from studies on probation, including the term and conditions of acquittal,
  - c) expulsion from studies.
- (3) A disciplinary misdemeanour cannot be discussed upon expiration of a one-year term from its commitment.
- (4) The sanctions pursuant to Clause 2 hereof above can be inflicted by the Rector; students enrolled on study programmes carried out at a faculty are inflicted the sanctions by the Dean. The Rector or the Dean are not allowed to inflict more strict sanctions than those proposed by the Disciplinary Commission.
- (5) The disciplinary proceedings before the Disciplinary Commission of the higher education institution (faculty) are oral in the student's presence; if the student does not appear without a proper apology the proceedings may take place without his/her presence.
- (6) The decision on imposing disciplinary measure should be done in writing and contain the reasoning and instruction on possibility to submit an application for its review; it must be delivered in the student's own hands. The application should be submitted to the body that issued the decision within eight days from the day of its delivery. If the body is the Dean he may himself grant the application, and change or cancel the decision. In case he does not grant the application he shall forward it to the Rector. The Rector shall examine the Dean's decision and if it is contrary to law, internal regulations of the public higher education institution or its part, he shall change or cancel the decision. The Rector is bound to issue the resolution not later than within 30 days from delivery of the application for review of the Dean's decision.

### Section 73 Students' Registry

- (1) The higher education institution maintains the students' registry. The students' registry serves for registration of students and for budgetary and statistic purposes.
- (2) The following are recorded in the students' registry, in particular: the name, surname, date of birth, marital status, student's permanent residence, sex, domicile in the Slovak Republic and citizenship. The structure of the information sentence of the operated database, and specifications shall be set by the Ministry after a prior discussion with the higher education institution.
- (3) The students' registry contains in particular the following information:
  - a) enrolment on the study,
  - b) previous education,
  - c) study programme,
  - d) enrolment on another year or another bloc of study (Section 51, Clause 4, Letter i)),
  - e) lodging at a hostel,
- (4) completion of the State examination and academic degree awarded,
- (5) interruption of the study,
- (6) termination of the study.
- (7) Records in the students' registry may be carried out only by specifically charged employees of the higher education institution; records pursuant to Clause 3, Letters a), c) to g) above are entered within three days upon the event.
- (8) Employees as referred to under Clause 4 above are obliged to abide at the work with registry to the generally binding regulations on personal data protection.<sup>40)</sup>
- (9) The higher education institution shall permanently store the data from the students' registry.

### **Part Eight Academic Staff**

#### Section 74 Academic Staff

- (1) The academic staff working in higher education institutions include academic teachers, research workers, art workers and other personnel.
- (2) The academic staff working as clinical and practical training teachers at specialised training facilities of public higher education institutions pursuant to Section 36, provide health care according to special regulations.<sup>22)</sup>

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<sup>40)</sup> Law No. 52/1998 on Protection of Personal Data in Information Systems, as amended by Law No. 241/2001 of Law Code.

(3) Weekly working hours of the employees provided for under Clauses 1 and 2 above who carry out their work for fixed weekly working hours according to special regulations<sup>41)</sup> including the overwork, are fifty eight hours at most even when employed with several employers.

#### Section 75 Academic Teachers

(1) The academic teachers work in the posts of "profesor", "host'ujúci profesor", "docent", "host'ujúci docent", lecturer, assistant lecturer and lector.

(2) The academic teachers of university type of higher education institutions (Section 2, Clause 14 and Section 111, Clause 1) except lectors (Clauses 4, 5, 8, 9) shall take active part in research, development, therapeutic-preventive or artistic activities aimed at acquisition of new knowledge, development products or works of art, or in artistic performances. With academic teachers of professional higher education institutions working in the posts of "docent", lecturer and assistant lecturer, the active participation in research, development or artistic activities aimed at acquisition of new knowledge, development products or works of art, may be substituted by pursuing the current state of science, technology and art to secure that the teaching activities are realised at the level of the latest knowledge.

(3) The post of "profesor" and post of "docent" are associated with the fields of study in which the scientific-pedagogical degrees of "profesor" and "docent" are awarded (Section 76, Clause 2).

(4) The academic teacher working in the post of "profesor" for a field of study is responsible for research and teaching in this field of study within the framework of the higher education institution or faculty. He contributes by his research, development, therapeutic-preventive or artistic, educational and organisational activities to development of knowledge in the respective field of study and to clarification of relations with other fields of study; he/she guarantees or participates in guaranteeing the quality and development of the study programme that the higher education institution or faculty implements. Among the employment duties of a "profesor" in the field of education is, particularly, giving lectures and seminars, and subsequent evaluation of students including examining at the State examinations, supervision of PhD students, making opponent of final theses (Section 51, Clause 3), development of study materials. In the field of science and technology or art "profesor's" duties include the formation of trends and concepts, the research, development or artistic activities and publishing their results in journals, and at scientific, professional or artistic events of international significance, leading research or art teams and organisation of international scientific or artistic events.

(5) The academic teacher working in the post of "docent" for a field of study contributes in cooperation with "profesor" to this field of study by his research, development or artistic, educational and organisation activities to development of knowledge in this field of study. He guarantees or participates in guaranteeing the quality and development of the Bachelor study programme that the higher education institution or faculty implements, if the activity is not performed by "profesor". Among the employment duties of "docent" in the field of education is,

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<sup>41)</sup> Section 85, Clause 5, Law No. 311/2001 of Law Code.

Section 12, Clause 1, Law No. 313/2001 of Law Code.

particularly, giving lectures and seminars, and subsequent evaluation of students including examinations at State examinations, supervision of PhD students, making opponent of final theses (Section 51, Clause 3), development of study materials. In the field of science and technology or art the "docent's" duties include research, development or artistic activities and publishing their results in journals, and at scientific, professional or artistic events of international significance, leading research or art teams and organisation of scientific or artistic events.

(6) A qualification requirement for performing the post of "profesor" is the scientific-pedagogical degree (Section 76) in the field of study to which the post is linked or in a related field of study. A qualification requirement for performing the post of "docent" is the scientific-pedagogical degree of "docent" (Section 76) in the field of study to which the post is linked or in a related field of study.

(7) The academic teacher who is the holder of the scientific-pedagogical degree of "profesor" and performs the post of "profesor", during his/her activity in such post he/she is a regular "profesor" of the respective higher education institution. The academic teacher who is the holder of the scientific-pedagogical degree of "docent" and performs the post of "profesor", during his/her activity in such post he/she is an extraordinary "profesor" of the respective higher education institution. If the extraordinary "profesor" of a higher education institution receives the scientific-pedagogical degree of "profesor" during his/her activity in the post of "profesor", he/she becomes a regular "profesor" of the higher education institution.

(8) The academic teacher working in the post of lecturer provides for the fulfilment of tasks in the field of education and in the field of science, technology or art in cooperation with "profesors" and "docents" of higher education institution (Clauses 4 and 5). If the academic teacher working in the post of lecturer has not the academic degree of PhD. or scientific-pedagogical degree, he/she educates himself/herself to receive them. Among the working duties of a lecturer in the field of education is, especially, giving lectures from selected chapters, supervising seminars and practical training and subsequent evaluation of students, and making an opponent of final theses (Section 51, Clause 3) in two initial levels of higher education, development of study materials, consultations for students, and provision of field trips and practical training of students. In the field of science and technology or art the working duties of a lecturer include participation in research, development or artistic activities of the workplace and publishing their results in journals and at scientific, professional or artistic events, and cooperation in organisation of scientific or artistic events. A qualification requirement for performing the post of a lecturer is, depending on concrete content of working tasks, higher education of the second level or higher education of the third level.

(9) The academic teacher working in the post of assistant lecturer provides for the fulfilment of tasks of the higher education institution (Clauses 4 and 5) in the field of education and in the field of science, technology or art under supervision of "profesors" and "docents" of the higher education institution. The higher education institution creates for assistant lecturer space for education leading to acquisition of the academic degree of PhD. Among the working duties of an assistant lecturer in the field of education is, particularly, giving practical classes, assessment of students, involvement in the provision of the other teaching activities and participation in development of study materials. In the field of science and technology or art the duties of assistant lecturer include participation in research, development or artistic activities and publicising their results, and participation in organisation of scientific, professional or artistic events. A qualification requirement for performing the function of an assistant lecturer is the higher education of the second level.

(10) The academic teacher working in the post of lector provides for the fulfilment of tasks of the higher education institution in the specified area of education. Among the working duties of a lector is teaching not requiring active participation in research or development, but teaching practical classes and subsequent evaluation of students, participation in the provision of other teaching activities and participation in development of study materials. Other working duties of lectors are determined by internal regulations of the higher education institution. A qualification requirement for performing the function of a lector is, depending on concrete content of working tasks, higher education of the first level or higher education of the second level.

(11) To provide for the student mobility, the Rector or Dean, if this is a faculty activity, appoints a coordinator as a rule from among academic teachers whose task it is particularly to take part in preparation and implementation of programmes of international cooperation in the field of education, to solve tasks connected with sending and accepting students, to provide for students the advisory service on study opportunities in other higher education institutions in the Slovak Republic and abroad.

#### Section 76

#### Scientific-Pedagogical Degrees of "Docent" and "Profesor"

(1) An expert scientifically and educationally active at a higher education institution and meeting the set criteria, may apply for the award of the scientific-pedagogical degree or artistic-pedagogical degree of "docent" or "profesor" in the given field of study at the higher education institution having the recognised rights to award it.

(2) The scientific-pedagogical degree of "docent", artistic-pedagogical degree of "docent", scientific-pedagogical degree of "profesor" and artistic-pedagogical degree of "profesor" are awarded only in the fields of study that may be pursued in the second level or in the third level of higher education study or in the first and second level of higher education study joined into one whole according to Section 53, Clause 3.

(3) A prerequisite for acquisition of the scientific-pedagogical degree of "docent" is

- a) higher education of the third level (Section 54, Clause 1),
- b) habilitation based on habilitation thesis and successful completion of habilitation procedure.

(4) A prerequisite for acquisition of the artistic-pedagogical degree of "docent" is habilitation based on habilitation thesis and successful completion of habilitation procedure.

(5) A prerequisite for acquisition of scientific-pedagogical degree or artistic-pedagogical degree of "profesor" is preceding acquisition of scientific-pedagogical degree or artistic-pedagogical degree of "docent" according to Clauses 3 and 4 above, and successful completion of appointment procedure.

(6) The prerequisites to and procedure for acquisition of scientific-pedagogical degrees "docent" and "profesor" shall be provided for by generally binding legal regulations issued by the Ministry.

#### Section 77

#### Filling Posts of Academic Teachers

(1) Positions of academic teachers and posts of "profesors" and "docents" are filled by selection procedure pursuant to Section 15, Clause 1, Letter c). The selection procedure for filling the post of "profesor" and the post of "docent" is simultaneously the competition for filling the position of an

academic teacher. Invitation for the competition should be posted on an official board of the higher education institution or faculty, if it is a position or post at the faculty, and supplied to the Ministry to make it public on a special website. Invitation for the competition for filling the post of "profesor" should be also published in dailies with the nation-wide scope.

(2) An employee having no scientific-pedagogical degree of "profesor" or "docent" may be employed as a academic teacher based on one competition for a period not longer than five years.

(3) The employment of academic teacher (Clause 1 above) who has not the scientific-pedagogical degree of "profesor" or "docent", employed in the faculties of medicine, pharmacy and veterinary medicine and at workplaces of public higher education institutions where the execution of employees' work requires completion of a certain level of specialised training, may be concluded on the basis of one competition for a period longer than that in Clause 2 above. The period shall be determined by the Dean or Rector for ten years at most.

(4) An academic teacher may fill the post of "docent" or "profesor" on the basis of one competition for a period not longer than five years. If a academic teacher has filled the post of "docent" or "profesor" for the third time, with the total time period of his/her work in such posts at least nine years, and having the appropriate scientific-pedagogical degree, he/she acquires the right for an employment contract with such higher education institution for the position of academic teacher and appointment to this post until reaching sixty five years of age.

(5) An academic teacher may be released by the Rector or the Dean, if this is a academic teacher assigned to the faculty, from fulfilment of educational tasks for a reasonable time period and to enable him/her to pursue only scientific work or artistic work. The provisions of special regulations on remuneration of employees are not referred to hereof. <sup>2)</sup>

(6) Employment of academic teachers terminates at the end of the academic year in which they complete sixty five years of age, unless their employment has terminated earlier by special regulations.<sup>42)</sup> The Rector or the Dean, if this is an employee assigned to the faculty, may conclude an employment contract for the position of academic teacher with a person older than sixty five years if the employee has been engaged at the faculty for not longer than one year, with agreement of the Academic Senate of a higher education institution or faculty; such employment contract may be also concluded repeatedly.

(7) Should an academic teacher hold the post of Rector or Dean at a higher education institution and his/her employment terminate based on the employment contract or having reached the age of sixty five years referred to under Clause 6 above, his/her employment shall terminate on the day of his/her term of office termination.

(8) The Rector or the Dean may accept an employee to a part-time employment for a position of academic teacher without the competition for one year at most.

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<sup>42)</sup> ) Law No. 311/2001 of Law Code.

Section 78  
Profesor Emeritus

At a proposal of the Scientific Board, the Rector may confer upon a "profesor" older than sixty-five years of age, having terminated employment with the higher education institution as its regular "profesor" (Section 75, Clause 7) and continuing in his/her research and teaching activities, the honorary degree of "profesor emeritus" for his/her significant contributions to the field of science or art and education. The higher education institution shall enable emeriti to participate in research and its other activities in accordance with internal regulations.

Section 79  
"Host'ujúci docent" and "host'ujúci profesor"

(1) The Dean may, with the approval of the Scientific Board of a faculty, conclude an employment contract with a distinguished expert, for a time period not exceeding two years, for a position of academic teacher with the post of "host'ujúci docent". The "host'ujúci docent" is a subject of provisions of Section 75 on "docents", except for Clause 6 thereof. Provisions of Section 77 shall not apply to filling posts of "host'ujúci docents". If a "host'ujúci docent" is to work at a higher education institution, he/she shall conclude the employment contract with the Rector, with the approval of the Scientific Board of the higher education institution.

(2) The Rector or the Dean may, in case of post listed at the faculty, conclude with the approval of the Scientific Board of the higher education institution, an employment contract with a distinguished expert for a time not exceeding two years, for a position of academic teacher with the post of "host'ujúci profesor". The "host'ujúci profesor" is a subject of provisions of Section 75 on "profesors", except for Clause 6 thereof. Provisions of Section 77 shall not apply to filling posts of "host'ujúci profesors".

Section 80  
Research Workers and Art Workers

(1) To fulfil its tasks in science, technology or art, a higher education institution may employ research workers and art workers.

(2) Research workers and art workers may also take part in teaching activities of the higher education institution.

**Part Nine  
Accreditation**

**Chapter One  
Accreditation Commission**

Section 81  
Composition and Activities of the Accreditation Commission

(1) The Accreditation Commission is established by the Government as its advisory body, approving its Statute (Section 102, Clause 1, Letter b)).

(2) The Accreditation Commission is composed of the Chairman, Vice-Chairman and other members (hereinafter referred to as the "member of the Commission"), appointed and recalled by the Government at the Minister's proposal after an opinion given by representative bodies of higher education institutions (Section 107, Clause 1); they are appointed from among distinguished personalities of higher education institutions, professional and scientific establishments. Members of the Accreditation Commission also include foreign experts.

(3) The Accreditation Commission has twenty one members.

(4) One third of members of the Accreditation Commission is composed of non-higher education institutions.

(5) The Government shall appoint members of the Accreditation Commission for six years; they may be appointed for not more than two consecutive terms of office. At the first appointment of members of the Accreditation Commission hereby one third of the members shall be determined by lot, the term of office of who shall end after two years, and one third of the members, the term of office of who shall end after four years. The Chairman of the Accreditation Commission shall be appointed for six years.

(6) The function of the member of the Accreditation Commission is incompatible with the post of Rector, Vice-Rector, Dean and Vice-Dean.

(7) The membership in the Accreditation Commission shall terminate by:

- a) expiry of the term of office of its member,
- b) resignation from the membership based on a written request,
- c) accepting one of the posts under Clause 6 hereof above,
- d) recalling the member,
- e) death of the member.

(8) The Government may recall a member of the Accreditation Commission at the Minister's proposal after an opinion given by representative bodies of higher education institutions provided the member

- a) fails to fulfil his/her obligations resulting from the membership; the reason shall be considered by the Accreditation Commission and the recalling shall be proposed to the Minister by the Chairman of the Accreditation Commission,
- b) has been lawfully sentenced for an intentional crime or he/she has been sentenced to unconditional imprisonment.

(9) If the membership of a member of the Accreditation Commission terminates before the end of his/her term of office and the Government appoints a new member to the vacancy, the term of office of member of the Accreditation Commission shall end on the date by which the term of office of the originally appointed member of the Accreditation Commission should duly end by lapse of time.

(10) The Accreditation Commission may establish work teams for professional preparation of its discussions.

(11) The Chairman and other members of the work team are appointed and recalled by the Chairman of the Accreditation Commission after the approval of the Accreditation Commission; the Chairman of the work team is appointed from members of the Commission. The work team

members must fulfil the criterion of a high professional level and authority. Also foreign experts may become members of the work team.

(12) The method of discussion of the Accreditation Commission and its work teams shall be regulated by the Statute of the Accreditation Commission approved by the Government.

(13) Activities of the Accreditation Commission are physically and financially provided for by the Ministry.

(14) Activities of members of the Accreditation Commission and its work teams are acts in the general interest.<sup>27)</sup> The employer shall, at the Minister's proposal, grant them a remuneration and cover their travel expenses in accordance with special regulations.<sup>28)</sup> The funds for the remuneration are refunded to the employer by the Ministry.

## Section 82 Activities of the Accreditation Commission

(1) The Accreditation Commission monitors, estimates and independently evaluates the quality of the teaching, research, development, artistic or other creative activities of higher education institutions and contributes to their improvement. It generally assesses conditions under which such activities are carried out at individual institutions of higher education and works out recommendations for improvement of work in higher education institutions. The Accreditation Commission may inform the public about its findings.

(2) The Accreditation Commission gives its opinion on the following:

- a) capacity of the higher education institution to implement the study programme with the right to award to its graduates the academic degree,
- b) capacity of the non-higher education institution to take part in implementation of the PhD study programme (Section 86),
- c) capacity of the higher education institution to conduct the habilitation procedure and procedure for nomination of "profesors",
- d) proposals for establishment, merger, affiliation, split, dissolution, change of name or change of seat of a public higher education institution or a State higher education institution, faculty of a public higher education institution or faculty of a State higher education institution,
- e) proposal for granting the State consent for a legal entity wishing to act as a public higher education institution,
- f) proposal for classification of a higher education institution as referred to under Section 2, Clause 13 and 16,
- g) proposal for change in the list of the fields of study,
- h) other proposals with regard to the system of higher education presented by the Minister.

- (3) The Accreditation Commission appraises the level of research, development, artistic or other creative activities of higher education institutions. In doing so it considers the results of periodical evaluation of a higher education institution according to special regulations.<sup>43)</sup>
- (4) The Accreditation Commission also performs complex accreditation of activities of the higher education institutions (Section 84).
- (5) When fulfilling its tasks pursuant to Clauses 2 to 4 above and Section 83, Clause 11 thereof, the Accreditation Commission is entitled to require information, documentation and cooperation, essential for its activities, from central bodies of the State administration, from higher education institutions and legal entities carrying out research and development at the territory of the Slovak Republic<sup>3)</sup>, applying for accreditation pursuant to Section 86.
- (6) (6)The Accreditation Commission gives its opinion on the facts according to Clause 2 above, except for the statement within the framework of complex accreditation of activities of the higher education institution referred to under Section 84 not later than within one hundred fifty days from receipt of complete documents.
- (7) The establishment of the Accreditation Commission, the way of selection of its members, the procedure at performing its activities according to this section as well as the way of submission and a more detailed content of applications and background materials for activity of the Accreditation Commission according to this Section, shall be regulated by Decree of the Government of the Slovak Republic.
- (8) Criteria applied at evaluation of capacities under Clause 2, Letter a) to c) above, at the proposal for classification of a higher education institution according to Section 2, Clause 13 and 16, and at appraisal of level of research, development, artistic and other creative activities according to Clause 3 above, shall be approved by the Ministry at the proposal of the Accreditation Commission upon statement of representative bodies of higher education institution.

## **Chapter Two**

### **Granting Rights and Complex Accreditation of Activities of a Higher Education Institution**

#### Section 83

#### Accreditation of Individual Activities of a Higher Education Institution and Granting Rights

(1) Accreditation of a study programme is a process within the framework of which the Accreditation Commission shall assess at the request of a higher education institution its capacity to implement the study programme. After the statement of the Accreditation Commission according to Section 82, Clause 2, Letter a) the Ministry may grant to the higher education institution the right to award for graduates of this study programme the appropriate academic degree. The study programme for which the higher education institution achieved the above right, is the accredited study programme. The higher education institution that has an accredited study programme upon completing of which the degree of "magister" is awarded, has the right in accordance with Section

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<sup>43)</sup> Law No. 132/2002 on Science and Technology, Section 18, Clause 7.

53, Clause 8 to award the appropriate academic degree after successful completion of examina rigurosa.

(2) At assessment of the capacity to implement the study programme according to Section 82, Clause 2, Letter a), the subjects of evaluation include according to the set criteria (Section 82, Clause 7), its content, requirements for applicants and the method of their selection, requirements for completion, personnel, material, technical and information provision of the study programme and the level of students and graduates of the study programme. For the new study programmes it is possible to apply special criteria at the first accreditation, while the Accreditation Commission shall give positive statement if it considers that there are all grounds to anticipate that the higher education institution shall be capable to implement this study programme at the end of the period corresponding to the standard length of study at the latest, having applied the standard criteria, and that the existing conditions shall enable also the first graduates to receive the standard higher education.

(3) The accreditation of the habilitation procedure and the procedure for nomination of "profesors" in the study programme is the process within which the Accreditation Commission shall assess at the request of the higher education institution its capacity to conduct habilitation procedure and the procedure for nomination of "profesors" in this field of study. After the statement of the Accreditation Commission according to Section 82, Clause 2, Letter c) the Ministry may grant for the higher education institution the right to conduct habilitation procedure and the procedure for nomination of "profesors" in the required field of study.

(4) The higher education institution may apply for accreditation of habilitation procedure and the procedure for nomination of "profesors" in the field of study in which it has an accredited study programme of the second level or the study programme according to Section 53, Clause 3, or the study programme of the third level. If the study programme is carried out at the faculty, the habilitation procedure and the procedure for nomination of "profesors" is performed at the faculty.

(5) At assessment of the capacity to conduct the habilitation procedure and the procedure for nomination of "profesors" according to Section 82, Clause 2, Letter c) according to the set criteria (Section 82, Clause 7) the subject of evaluation is the scientific or artistic profile of the higher education institution, also from the point of view of international significance of the achieved results, the criteria for habilitation procedure and nomination of "profesors" according to Section 12, Clause 1, Letter e), and Section 30, Clause 1, Letter e), and their observation and personnel provision, including the composition of the Scientific Board of the higher education institution and the Scientific Board of the faculty, if the habilitation procedure and the procedure for nomination of "profesors" are conducted at the faculty.

(6) A basic document for the statement of the Accreditation Commission according to Clauses 1 and 3 is especially an evaluation report of the working group. The annex to the evaluation report is a statement on its content made by the higher education institution. This statement is also an annex to the Accreditation Commission's statement that is submitted to the Ministry.

(7) If a higher education institution meets at the time of accreditation the criteria (Section 82, Clause 7) applied at assessment of the capacity according to Clauses 2 and 5, and the way of their meeting creates sufficient conditions for preservation of the capacity until the nearest complex accreditation of the higher education institution activity, the Ministry grants the rights by Clauses 1 and 3 above without the time limits. The rights granted without time limits are regularly assessed within the framework of complex accreditation of the higher education institution's activity according to

Section 84. If a new study programme is considered, the Ministry grants the rights according to Clause 1 for the period corresponding at most to the standard length of study.

(8) If a higher education institution meets at the time of accreditation the criteria (Section 82, Clause 7) applied at assessment of the capacity according to Clauses 2 and 5, but the way of their meeting does not create sufficient conditions for preservation of the capacity until the nearest complex accreditation of the higher education institution's activity, the Ministry grants the rights by Clause 1 and 3 with the time limit, as a rule, for two years. At the same time, it shall require the higher education institution to take measures for removal of shortcomings and to submit a report on their results within the set time limit. If required by the nature of shortcomings found out at the accreditation, it shall ask the Accreditation Commission to provide check-up of the result of measures by visiting the higher education institution. If the measures taken guarantee the preservation of the appropriate capacity until the nearest complex accreditation of the higher education institution's activity, the Ministry shall, upon the statement by the Accreditation Commission, cancel the time limit of the granted rights. If the provisions for maintaining the appropriate capacity, despite the accepted measures, have not been reached by the nearest complex accreditation, but the higher education institution continues meeting the criteria, the Ministry shall prolong the granted rights with a time limit. If the higher education institution has ceased meeting the criteria, or if it has not submitted the required report within the time limit, it proceeds in accordance with Clause 9 below.

(9) If a higher education institution, at the time of accreditation, does not meet the criteria (Section 82, Clause 7) applied at assessment of the capacity according to Clauses 2 and 5, and it has been granted the corresponding rights by that time, the Ministry shall suspend their validity and shall invite the higher education institution to immediately take measures to remove the shortcomings and to submit a report of their results within one year. At the same time, it shall ask the Accreditation Commission to provide the check-up of the result of measures by visiting the higher education institution. If the higher education institution has removed the shortcomings and meets the required criteria, the Ministry shall, after the statement of the Accreditation Commission, renew the validity of the granted rights in accordance with Clauses 7 and 8; otherwise, it shall deprive it of the rights. The Ministry shall also deprive of the rights in case that the higher education institution has not submitted the required report within the time limit. If the higher education institution, at the time of accreditation, does not meet the criteria (Section 82, Clause 7) applied at assessment of capacity according to Clauses 2 and 5, and it has not been granted rights by that time, the Ministry shall reject the request for granting the rights.

(10) If a higher education institution was deprived of the right or rejected the request for granting the right according to Clause 9, the higher education institution may apply for accreditation of the study programme in the same field of study not earlier than one year after the Ministry's decision.

(11) The Accreditation Commission is authorised to demand from higher education institutions and external educational institutions the information concerning realisation of accreditation activities any time during validity of accreditation. If it finds out that a higher education institution or external educational institution ceased fulfilling the criteria for granting the relevant right, it may initiate the accreditation of relevant activity.

Section 84  
Complex Accreditation of Activities of a Higher Education Institution

(1) Complex accreditation of activities of a higher education institution is a process within the framework of which the Accreditation Commission generally assesses and evaluates teaching, research, development, artistic or other creative activities of the higher education institution, as well as personnel, technical, information and other conditions in which such activities are carried out and gives a statement on higher education institution's requests for accreditation of all study programme and accreditation of all habilitation procedures and procedures for nomination of "profesors" in which the higher education institution wishes to be granted the appropriate rights.

(2) Complex accreditation of activities of a higher education institution is carried out at six-years' intervals, by a previously published plan of complex accreditation developed by the Accreditation Commission. Complex accreditation of activities of a higher education institution starts by the day set out for submission of basic documents for individual higher education institutions, according to Clause 3 below. The time periods for submission of basic documents are a part of the plan of complex accreditation and should be known at least one year in advance. In the period between two complex accreditations of activities of a higher education institution the accreditation of individual activities of a higher education institution according to Section 83 may be performed if a need arises.

(3) The higher education institution shall submit the following documentation within time limit according to schedule of complex accreditation (Clause 2 above) for the purpose of accreditation, in particular:

- a) evaluation of its own activity; its part are also the results of regular student inquiries according to Section 70, Clause 1, Letter h),
- b) applications for accreditation of all study programmes for which it wishes to be granted the right to award the academic degree, including the appropriate documentation concerning the study programmes,
- c) applications for accreditation of habilitation procedure and the procedure for nomination of "profesors" in all fields of study in which it wishes to conduct such procedures, including the respective documentation,
- d) the background materials for evaluation of research, development, artistic and other creative activities.

(4) The result of complex accreditation of activities of a higher education institutions is the following:

- a) evaluation of fulfilment of higher education institution's mission and tasks based on analysis of its activity developed by the Accreditation Commission; the evaluation also contains recommendations for improvement of work of the higher education institution,
- b) opinion of the Accreditation Commission on the capacity of a higher education institution to implement study programmes for accreditation of which the higher education institution has applied and a decision of the Ministry on granting, suspension, deprivation or not granting the relevant rights,
- c) opinion of Accreditation Commission on capacity to conduct habilitation procedure and procedure for nomination of "profesors" in the fields of study for accreditation of which the

higher education institution has applied and a decision of the Ministry on granting, suspension, deprivation or not granting the relevant rights,

- d) evaluation of research, development, artistic and other activities of the higher education institution,
- e) statement of the Accreditation Commission on classification of the higher education institution according to Section 2, Clause 13.

(5) The Accreditation Commission shall elaborate an evaluation report according to Clause 4, Letter a) above, statements according to Clause 4, Letters b) and c) above and evaluation report according to Clause 4, Letter d) above within ten months from the beginning of the complex accreditation of activities according to Clause 2. The Ministry shall decide about granting, suspension, deprivation or not granting the rights according to Clause 4, Letters b) and c) above within sixty days from receipt of the statement from the Accreditation Commission. The Ministry shall provide to the higher education institution the evaluation report of the Accreditation Commission and results of its decision concerning granting the rights whereby it shall finish the complex accreditation of the higher education institution.

(6) If a higher education institution has not submitted within the basic documentation for purposes of complex accreditation of activities according to Clause 3, Letter b) or c) above the application for accreditation of some of the activities in which it has had until now the relevant right, the Ministry shall deprive it of this with efficacy as of the date of termination of complex accreditation of the activities of a higher education institution.

(7) During the complex accreditation of activities the higher education institution cannot submit the applications for accreditation of individual activities according to Section 82, Clause 2, Letter a) and c) except for the applications for accreditation of new study programme and applications for accreditation of habilitation procedure and procedure for nomination of "profesors" in the fields of study in which the higher education institution has not applied yet for accreditation. If a higher education institution has been granted the right with a time limitation the validity of which terminates in the period during complex accreditation of the higher education institution activities, the acknowledged right shall be automatically prolonged until its expiry.

## Section 85

### Relocation of a Higher Education Institution

(1) If a non-university type of public higher education institution fulfils, according to the Accreditation Commission referred to under Section 84, Clause 4, Letter d) on the basis of complex accreditation of activities of a higher education institution, the conditions referred to under Section 2, Clause 14, it may apply the Ministry for including among university type of higher education institutions. Based on this application the Ministry may submit to the Government the corresponding draft law after the statement of representative bodies of the higher education institutions (Section 107, Clause 1).

(2) If a university type of public higher education institution does not fulfil, according to statement by the Accreditation Community referred to under Section 84, Clause 4, Letter e) based on complex accreditation of activities of a higher education institution, the conditions referred to under Section 2, Clause 14, the Ministry shall invite the higher education institution to immediately adopt measures for removal of shortcomings and to submit within one year a report on their result. At the same time,

it shall apply the Accreditation Commission to provide for verification of the result on the measures by visiting the higher education institution. If the higher education institution has not removed the shortcomings the Ministry may submit to Government, after a statement of representative bodies of higher education institutions (Section 107, Clause 1) a draft law for including the public higher education institution among non-university type of higher education institutions.

(3) If a university type of public higher education institution fulfils, according to statement by the Accreditation Community referred to under Section 84, Clause 4, Letter e) on the basis of complex accreditation of activities of higher education institution the conditions referred to under Section 2, Clause 16, it may apply the Ministry for enlisting among research universities. Based on this application the Ministry may enlist the higher education institution among research universities after the statement of representative bodies of the higher education institutions (Section 107, Clause 1).

(4) If a university type of public higher education institution which is a research university, does not fulfil, according to statement by the Accreditation Community referred to under Section 84, Clause 4, Letter e) based on complex accreditation of activities of the higher education institution, the conditions referred to under Section 2, Clause 16, the Ministry shall exclude it from research universities after the statement of representative bodies of the higher education institutions (Section 107).

(5) The provisions of Clauses 1 and 4 above are also applied to State higher education institutions and private higher education institutions accordingly.

#### Section 86

##### Application of Non-Higher Education Institution for Accreditation and Granting the Right for the Appropriate Field of Study to Participate in Implementation of the PhD Study Programme

(1) A non-higher education institution that is a legal entity carrying out research and development at the territory of the Slovak Republic<sup>3</sup>), may apply for accreditation for the appropriate field of study within the framework of which its competence to participate in implementation of the PhD study programme in this field of study according to Section 54, shall be evaluated.

(2) The Ministry may on the basis of the request referred to under Clause 1 above, after the statement of the Accreditation Commission referred to under 82, Clause 2, Letter b), grant to the non-higher education institution the right to participate in implementation of the PhD study programme in the appropriate field of study according to Section 54.

(3) At evaluation of capacity of the non-higher education institution to participate in implementation of the PhD study programme in the appropriate field of study referred to under Section 54, the Section 83, Clause 2 is applied.

#### Section 87

##### Activity of a Higher Education Institution during Suspension or after Deprivation of Granted Rights

(1) If a higher education institution is suspended the right to award to graduates of a study programme the academic degree, it may not admit new students to this study programme.

(2) If a higher education institution is deprived of the right to award the academic degree to graduates of a study programme, it may not admit new students to the respective study programme

and is obliged to offer for the existing students studying according to this study programme the possibility to continue in studies according to other accredited study programme of the same level in the field of study that is identical with the original one or as much related to the original one as possible. Should it not be possible the higher education institution is obliged to look, in cooperation with the Ministry, for such possibilities in other higher education institutions.

(3) A higher education institution may terminate an accredited study programme, provided it shall secure for its students the possibility to continue in study according to the same or similar accredited study programme at the same or another higher education institution.

(4) Provisions of Clauses 1 and 2 hereof above similarly apply to the suspension or deprivation of the right of an external teaching institution to participate in implementation of PhD study pursuant to Section 54.

(5) If a higher education institution is suspended the right to conduct habilitation procedure or the procedure for nomination of "profesors" in the field of study it may not admit new applications for starting habilitation procedure and procedure for nomination of "profesors" in that field of study.

(6) If a higher education institution is deprived of the right to conduct habilitation procedure and the procedure for nomination of "profesors" in the field of study, all the unfinished procedures are discontinued.

## **Part Ten Higher Education Financing and Students' Welfare System**

### **Chapter One Higher Education Financing**

#### Section 88

##### Activities of the Central Bodies of State Administration at Higher Education Financing

(1) Public higher education institutions and State higher education institutions shall be financed primarily by the State; finances from the State budget shall be transferred to

- a) public higher education institutions through the chapter of the Ministry of Education or other ministries,
- b) military higher education institutions through the chapter of the Ministry of Defence,
- c) police higher education institutions through the chapter of the Ministry of the Interior,
- d) medical higher education institutions through the chapter of the Ministry of Health.

(2) The State may also grant a subsidy from its budget to a private higher education institution. State subsidies shall be granted to private higher education institutions through the chapter of the Ministry of Education (Section 91).

Section 89  
Financing the Public Higher Education Institutions

(1) A public higher education institution shall be financed primarily through subsidies from State budget according to a special regulation.<sup>20)</sup> To cover expenses necessary for its activities, a public higher education institution shall also use other resources (Section 16).

(2) The Ministry shall grant subsidies to a public higher education institution for implementation of accredited study programmes, for research, development or artistic activities, for development of the higher education institution and for students' welfare.

(3) The Ministry shall grant subsidies to a public higher education institution under a contract. The contract has a form defined by the Ministry and includes, in addition to identification data of the contracting parties, in particular:

- a) purpose for which the subsidies are granted, and other conditions of their use,
- b) amount of subsidies including the amount for individual items,
- c) time and way of granting the subsidies,
- d) date at which the recipient shall submit to the provider the subsidy accounting.

(4) The subsidy for implementation of the accredited study programmes shall depend primarily upon the number of students, number of graduates, funds needed for implementing the study programmes, higher education institution classification under Section 2, Clause 13 and other criteria related to provision of teaching. The subsidy is provided in the amount set out by law on the State budget for the respective budget year.

(5) The subsidy for research, development or artistic activity shall consist of direct support for development of science and technology<sup>44)</sup> and the special-purpose funds allocated for financing research and development tasks.<sup>45)</sup> The procedures to determine the total amount of direct support for development of science and technology for all higher education institutions and the way of allocation of special-purpose funds for research and development tasks are defined in a special regulation<sup>46)</sup>. The subsidy for research, development or artistic activity shall depend on research, development or artistic capacity of the higher education institution, the achieved results in the field of science, technology or art, evaluation of research, development, artistic and other creative activity of the higher education institution under Section 84, Clause 4, Letter d) and enlisting the higher education institution according to Section 2, Clauses 13 and 16.

(6) The subsidy for development of a higher education institution shall be determined on the basis of competition within the framework of which individual higher education institutions shall submit the projects for implementation of their development programmes to the Ministry. The competition criteria shall comprise the quality of submitted projects, long-term strategy of the Ministry, and long-term strategy of the public higher education institution.

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<sup>44)</sup> Law No. 132/2002 of Law Code, Section 8, Clause 2, Letter b).

<sup>45)</sup> Law No. 132/2002 of Law Code, Section 8, Clause 2, Letter c). and d) and Clause 3.

<sup>46)</sup> Law No. 132/2002 of Law Code, Section 8 and 9.

(7) The subsidy for students' welfare shall be based on students' claims referred to under Section 96; in case of optional welfare benefits, upon the resources of the State budget. A higher education institution is entitled by law to a part of subsidy corresponding to its students' claims referred to under Section 96.

(8) Procedures to determine the specific subsidies according to Clauses 4 to 7 shall be set out in a generally binding regulation issued by the Ministry of Education upon agreement with the Ministry of Finance of the SR.

(9) The Ministry shall publicise means the subsidies granted to individual public higher education institutions for the respective calendar year within sixty days after approval of the State budget.

(10) The amount of subsidies for implementation of the accredited study programmes, research, development or artistic activities, and for development of higher education institution unspent by the end of a calendar year may be used by the higher education institution in the following calendar year, provided that it has met the terms of the subsidy contract. The unspent funds shall have no effect on subsidies allotted in the next year.

(11) The balance of students' welfare subsidy allocated for students' legitimate claims unspent by the end of a calendar year shall be transferred to the next year. The balance shall be included in the students' welfare subsidy for the next calendar year.

#### Section 90

##### Financing the State Higher Education Institutions

(1) The State higher education institutions (Section 42) are funded according to special regulations.<sup>20)</sup>

(2) In the State higher education institutions there are no tuition fees paid, unless further set down otherwise (Section 92, Clause 4).

#### Section 91

##### Financing the Private Higher Education Institutions

(1) A private higher education institution shall secure financing of its educational, research, development or artistic and other creative activities.

(2) The Ministry, having received a standpoint of the representative bodies of higher education institutions (Section 107, Clause 1) and with the Government consent may, upon request, grant subsidies to a private higher education institution for implementing its accredited study programmes, for research, development or artistic activities as a non-purpose direct support<sup>44)</sup>, and for development of the higher education institution. A private higher education institution may be provided special-purpose funds for solution of research and development projects; the way of their allotment is set out by a special regulation.<sup>46)</sup>

(3) The Ministry shall grant to a private higher education institution a students' welfare subsidy. Any private higher education institution is entitled by law to a part of the subsidy ensuing from the student rights referred to under Section 96, Clause 1.

(4) Section 89, Clauses 3 to 11 shall equally apply to subsidies granted under Clauses 2 and 3.

## **Chapter Two**

### **Tuition Fees and Study-Related Fees**

#### Section 92

#### Tuition Fees and Study-Related Fees at a Public Higher Education Institution

- (1) The base for determination of tuition fees and study-related fees at a public higher education institution shall be ten per cent of the average sum of total operating expenses per full-time student allotted by the Ministry to public higher education institutions from the State budget in the calendar year within the framework of the breakdown of the approved budget in the previous calendar year.
- (2) The base shall apply to the academic year beginning in the given calendar year.
- (3) The students attending the study programme of the first level, the study programme of the second level or the study programme under Section 53, Clause 3 (Section 2, Clause 5) who have not exceeded the standard length of study (Section 51 Clause 4 Letter h)) for the given study programme, shall not pay a tuition fee.
- (4) If a student attends the study programme of the first level, the study programme of the second level or the study programme under Section 53 Clause 3 longer than the standard length of study (Section 51, Clause 4, Letter h)) without a serious reason (such as on grounds of health), he shall pay to the higher education institution a yearly tuition fee for each additional year of study as set out by the higher education institution. The yearly tuition fee should not exceed five-fold amount of the base. The yearly tuition fees for the study programmes realised at the faculty are determined by the higher education institution at the faculty's proposal. The period of study hereof is the entire period during which the student was enrolled on the course of the respective level of the study programme in a public higher education institution in the Slovak Republic. With the students attending the study programme of the first level the period of study also includes the time during which the student was enrolled on the course of the study programme under Section 53, Clause 3. With the students attending the study programme of the second level the period of study also includes the time during which the student enrolled on the course of the study programme under Section 53, Clause 3, exceeding three years. With the students attending the study programme according to Section 53, Clause 3 the period of study also includes the time during which the student was enrolled on the study programme of the first level or the second level. The period of study hereof is rounded to whole academic years down. This regulation is also applied to students of the State institutions.
- (5) The student of full-time form of PhD study programmes shall not pay tuition fees.
- (6) For foreigners, the study-related fees for study programmes of any level shall be determined by the higher education institution; Clauses 1 to 5, and Clauses 7 to 10 above are not applicable in this case. Tuition fees and study-related fees for students studying under international agreements shall comply with the provisions of these agreements. The provisions of this Clause are not applicable to foreign students with permanent residence at the territory of the Slovak Republic.
- (7) A public higher education institution may require from applicants a fee for material provision of admission procedure. The fee is derived from real costs of a higher education institution

connected with the above operations. It should not exceed twenty five per cent of the base under Clause 1 above.

(8) A public higher education institution may require a fee for activities associated with examina rigorosa and the defence of a thesis. The fee shall not be higher than one hundred fifty per cent of the base under Clause 1 above.

(9) A public higher education institution may require a fee for activities associated with issuing diplomas on recognition of academic degree for graduates of the Master study who have passed the examina rigorosa. The fee shall not exceed thirty per cent of the base under Clause 1 above.

(10) A public higher education institution may require fees for issuing credentials on completed studies and their copies (Section 63), for issuing documents on completion of study, if required in foreign language and for issue of copies of the documents on completion of the study. The fee rates shall be set out in an internal regulation of the higher education institution and shall be derived from the actual expenses incurred by the higher education institution in association with these operations.

(11) A public higher education institution shall publicise the set tuition fees and study-related fees under Clauses 1 to 13 above for the following academic year, two months at the latest before deadline for submission of application forms for the study (Section 57, Clause 5).

(12) The payment method and the maturity dates of the fees shall be set out in the Statute of the higher education institution.

(13) The Rector may reduce or abolish tuition and study-related fees or may extend maturity dates thereof with regard to the study results, social and health state of the student or other noteworthy facts in compliance with principles set out in the Statute of the higher education institution.

(14) Tuition and other study-related fees are revenues of the higher education institution.

(15) (15). At least forty per cent of tuition-fee revenues, except for revenues under Clause 6, shall be allocated for the scholarship fund of the higher education institution. The part of revenues from tuition fees which is not the scholarship fund revenue of the higher education institution may be used only for fulfilment of principal tasks of the higher education institution in the field of higher education.

(16) General administrative fees regulations<sup>47)</sup> are not applicable to the study-related fees under the present Law.

### Section 93

#### Tuition Fees and Study-Related Fees at a Private Higher Education Institution

(1) Tuition fees and study-related fees at a private higher education institution shall be determined by the private higher education institution in its internal regulations.

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<sup>47)</sup> Law of the National Council of the Slovak Republic No. 145/1995 of Law Code on Administrative Fees, as amended.

(2) A private higher education institution shall publicise two months at the latest before deadline for submission of applications for study (Section 57, Clause 5) the tuition fees and study-related fees according to Clause 1 above for the following academic year.

### **Chapter Three Students' Social Welfare System**

#### Section 94 Students' Social Welfare System

- (1) Students' welfare benefits shall be provided both directly and indirectly.
- (2) The direct form of welfare benefits is scholarship.
- (3) The indirect forms of welfare benefits comprise primarily these services:
  - a) catering and housing according to possibilities the cost of which is partly funded by the State,
  - b) financial aid and organisational support of sports activity and cultural activity.
- (4) The welfare system shall also include soft loans granted to students.<sup>48)</sup>
- (5) Each student may apply for services of the welfare system, provided that he/she meets prescribed conditions. If the number of applicants for any optional service outstrips its total capacity, the service shall be provided only to applicants selected according to criteria pre-determined by the higher education institution, that shall consider particularly the social situation and study performance of the applicant.
- (6) If a student used the services of the welfare system for a purpose other than intended or he/she used services to which he/she is not entitled, or abused this aid in any other way, he/she has committed a disciplinary misdemeanour (Section 72).

#### Section 95 Scholarships

A higher education institution shall cover student scholarship:

- a) from funds provided for this purpose by the State budget,
- b) from its own resources through a scholarship fund (Section 16, Clause 7, Letter c)).

#### Section 96 State Scholarships

(1) Students attending the study programmes of the first two levels and the study programmes under Section 53, Clause 3 who have permanent domicile in the Slovak Republic are entitled to

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<sup>48)</sup> E.g. Law No. 200/1997 of Law Code on Student Loan Fund, as amended by Law No. 231/2000 of Law Code.

social scholarship, provided that they meet the set conditions. Social scholarship contributes for covering costs connected with the study. A student is entitled by law to a social scholarship.

(2) The granting of social scholarships shall be offered only to students of the initial study in each of the levels under Clause 1 above, for a period not exceeding the standard length of study at most.

(3) For granting social scholarship the income of the student and the group of persons judged together with him/her, is decisive. The limit of income entitled to receive social scholarship and the amount of the social scholarship is derived from the amounts of subsistence minimum set by special regulations. <sup>49)</sup>

(4) The income decisive for judging the right to social scholarship, the group of persons judged together, the limit of income entitling to receive a social scholarship, its amount for individual forms of study and other details on granting social scholarship, shall be defined by generally binding regulation issued by the Ministry.

#### Section 97

##### Scholarships Granted from the Higher Education Institution's Own Resources

(1) With regard to the amount of its resources, a higher education institution shall grant scholarships to students primarily for the outstanding fulfilling of study duties, for having excellent results in the area of studies, research, development, artistic or sports activities, eventually, as a one-time or regular welfare benefit.

(2) The conditions of granting scholarship under Clause 1 above shall be set out in the scholarship rules of the higher education institution or a faculty.

#### Section 98

##### Provision of Catering and Housing

(1) A higher education institution shall provide students' catering and shall partly finance its costs.

(2) A higher education institution shall provide for students the housing and shall partly finance its cost within the framework of its own capacities; the student social status and study achievements, health state and time to and from school by means of public transport are also considered in providing the housing. The seminary of the clergy is an establishment which provides for meals and lodging to students of theological study programmes at the faculty of divinity of a public higher education institution.

(3) Student catering and housing shall be provided by a higher education institution in its own facilities assigned for this purpose or by a contractor.

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<sup>49)</sup> Law No. 125/1998 of Law Code on Subsistence Minimum and on Determination of Sums for State Social Allowances, as amended.

(4) A higher education institution shall get resources to partly finance student catering and housing from the State budget as a part of the student welfare subsidy (Section 89 Clauses 2 and 7).

(5) Rules to provide higher education student housing and catering, and the terms and form of providing the State contribution for the housing and meals shall be set out in a generally binding regulation issued by the Ministry.

#### Section 99 Supporting Sports Activities and Cultural Activities

With regard to its resources, a higher education institution shall create conditions and support for sports and cultural activities of students. Special forms of supporting student's sports and cultural activities comprise university physical-training unions, clubs and academic artistic ensembles. The contributions granted to them are funded from the State budget as part of the students' welfare subsidy (Section 89 Clauses 2 and 7).

#### Section 100 Supporting Disabled Students

With regard to its resources, a higher education institution provides special backing in higher education institution studies to disabled students (Section 15, Clause 2, Letter i)).

#### Section 101 Student Loans

(1) Students shall obtain loans from Student Loan Fund under special regulations.<sup>48)</sup>

(2) The State shall create conditions for granting student loans with a subsidised interest and a grace period.

(3) A higher education institution may provide student loans from the scholarship fund. The details are specified by the scholarship order of the higher education institution (Section 15, Clause 1, Letter i) and Section 48, Clause 1, Letter f)).

(4) The purpose of the student loans is to contribute for covering the costs connected with the study and for satisfying his/her social needs.

### **Part Eleven State Administration**

#### Section 102 Activities of the Government and the Ministry

(1) The Government shall

- a) appoint and dismiss at the Minister's proposal the Chairman, Vice-Chairman and other members of the Accreditation Commission (Section 81, Clauses 2 and 8),
- b) approve at the Ministry's proposal the Statute of the Accreditation Commission (Section 81, Clause 12),

- c) grant and deprive of, at the Ministry's proposal, the State consent to act as a private higher education institution (Section 47, Section 105),
- d) discuss in particular the materials of the Ministry as referred to under Clause 2, Letter b), c) below and information of the Ministry on conditions of development of higher education institutions and higher education (Clause 2, Letter a) below).

(2) The Ministry shall

- a) create conditions for development of higher education institutions and higher education; shall be responsible for updating and development of legislation in the field of higher education,
- b) prepare annually the updates and shall publicise long-term strategies in educational, research, development, artistic and other creative activities for the area of higher education institutions (hereinafter referred to as "the long-term strategy of the Ministry"); the long-term strategy of the Ministry is prepared for a period of five up to ten years,
- c) prepare and publicise the annual report on the current state of higher education; it shall determine the date and form of submission of the annual report on activities and annual statement on economic management of the higher education institution,
- d) discuss and review the long-term strategies of the public higher education institutions and the long-term strategies of the private higher education institutions and updates thereof, shall determine the date and form of submitting the above long-term strategies,
- e) define the subsidies to higher education institutions from the State budget<sup>20</sup>) from the chapter of the Ministry after prior opinions by the representative bodies of the higher education institutions (Section 107 Clause 1),
- f) take decisions after the prior opinion of the representative bodies of higher education institutions (Section 107 Clause 1), when appropriate, on limiting a year-on-year increase in the number of full-time students for whom the Ministry shall provide funds to higher education institutions; the limitation on percentage of all full-time students of the respective higher education institution should not be lower than five per cent,
- g) register selected internal regulations of higher education institutions (Section 15 Clause 3, Section 48 Clause 4),
- h) decide, after an opinion of the Accreditation Commission on granting the rights to a higher education institution, to award after successful completion of study programme the corresponding academic degree (Section 83, Clause 1), on granting the right to a higher education institution to carry out in the field of study the habilitation procedure and procedures for nomination of "profesors" (Section 83, Clause 3) and on granting the right to a non-higher education institution to participate in implementation of the PhD study (Section 86, Clause 2); if the Ministry decides otherwise than the proposal of Accreditation Commission, it shall give reasons for its decision and shall publicise its reasons,
- i) submit to Government the proposals for changes in enlisting higher education institutions according to Section 85, Clause 1 to 3,
- j) check compliance with generally binding legal regulations in the field of higher education,

- k) check the use of finances of public higher education institutions according to Section 19, Clause 4; it shall check the use of finances obtained by private higher education institutions from the State budget (Letter e)),
  - l) propose to the Government to grant a State consent under Section 47, Clause 1 and the change of name, seat, classification according to Section 2, Clause 13 and the legal form of a private higher education institution according to Section 47, Clause 14,
  - m) administer the list of the fields of study under Section 50,
  - n) unite and use the information from students' registers of individual higher education institutions pursuant to special regulations,<sup>40)</sup>
  - o) fulfil the tasks of a superior authority in administrative proceedings (Section 108),
  - p) take measures referred to under Sections 83, 87, 104, 105,
  - q) give recognition to diplomas issued by foreign higher education institutions or other bodies entitled for it pursuant to Section 106,
  - r) provide necessities and funds for the activities of the Accreditation Commission and the representative bodies of higher education institutions,
  - s) regulate by a special regulation the conditions of financial and material provision of foreigners studying in the Slovak Republic and of Slovak citizens during their study abroad,
  - t) regulate by a special regulation the details on supplementary pedagogical study for acquiring teaching competence for educational activities at schools and school facilities.
- (3) The Minister shall
- a) submit, upon the request of higher education institution, to the President of the Republic proposals for nomination of "profesors" (Section 10, Clause 7) appointment of Rectors and dismissal of Rectors (Section 10 Clause 2),
  - b) charge, until appointment of a new Rector, a person proposed by the Academic Senate of a public higher education institution to take up the position of the Rector (Section 9 Clause 9 Letter c)),
  - c) authorise, after a new public higher education institution has been established, the employees of the public higher education institution to take up the positions of its bodies until these positions are filled (Section 5, Clause 5),
  - d) submit, having received standpoints of the representative bodies of higher education institutions (Section 107 Clause 1), to the Government proposals to appoint members of the Accreditation Commission (Section 81 Clause 2),
  - e) determine salaries of Rectors of public higher education institutions,
  - f) submit to the representative bodies of the higher education institutions (Section 107) proposals and measures under Section 107, Clause 2.

### Section 103 Registering Internal Regulations

- (1) An application to register an internal regulation, together with two copies of the regulation, shall be submitted to the Ministry by the Rector or a statutory body of the higher education institution, in case that the higher education institution has no Rector.
- (2) The Ministry shall decide on the application under Clause 1 not later than sixty days after submission thereof.
- (3) The Ministry shall dismiss the registration of application, provided that the internal regulation of a higher education institution in the opinion of the Ministry contradicts law or other legal regulation. The dismissal shall be notified to the higher education institution with reasons thereof and defining an adequate time for removal of shortcomings for which the application to register has been dismissed.
- (4) If the Ministry dismisses the registration of internal regulation of the higher education institution or faculty, the higher education institution or the faculty may submit a remedy to the Supreme Court of the Slovak Republic.
- (5) A higher education institution's internal regulation, subject to registration, takes effect on the day of registration thereof.
- (6) The provisions of Clauses 1 to 5 above are also applied to amendments to the internal regulations of a higher education institution that are subject to registration.

### Section 104 Limitations to the Authority of Public Higher Education Bodies

- (1) If some measure of the public higher education institution or its part contradicts to law or other legal regulation and the law does not lay down a different manner of review, the Ministry shall call on the public higher education institution for a timely correction of those measures taken by the public higher education institution and shall set a reasonable period for it.
- (2) The Minister, with the consent of the representative bodies of higher education institutions (Section 107, Clause 1), may limit the authority of academic self-government bodies of a public higher education institution or its faculty, eventually, it may completely divest a public higher education institution or its faculty of this authority, provided that the public higher education institution or its faculty
  - a) fails to establish any of its academic self-government bodies,
  - b) is suspended or deprived of the right to award the academic degree for all study programmes,
  - c) shows in using its finances shortcomings that threaten fulfilment of its tasks,
  - d) its academic self-government bodies act in contradiction with the present Law.
- (3) Representative bodies of higher education institutions (Section 107, Clause 1) shall be obliged to submit their opinion on findings under Clause 2 not later than 60 days after reception of the Ministry's application for this standpoint. The Ministry's application shall include reasons.

(4) If the measure under Clause 2 above applies to the bodies of a part of a public higher education institution, the authority of these bodies shall be taken over by the respective bodies of higher education institution. If the measure under Clause 2 above applies to the bodies of a public higher education institution, the authority of these bodies shall be taken over by the bodies of another public higher education institution that, by mutual agreement, has been empowered to take over this authority by the Ministry.

(5) If the circumstances under Clause 2 took place, the Minister shall first notify the public higher education institution and invite it to make a timely correction.

(6) If the reasons to take the measures under Clause 2 above cease, the Ministry shall immediately call off the measures taken.

#### Section 105

#### Authority of the Government and the Ministry in Relation to Private Higher Education Institutions

(1) The Government, at the Ministry's proposal, gives a State consent to a private higher education institution to carry out its activities (Section 47, Clause 1) and approves the change of name, seat, classification according to Section 2, Clause 13 and the legal form of a private higher education institution (Section 47, Clause 14).

(2) If any measure taken by a private higher education institution or a part thereof contradicts a law or any other generally binding regulation and unless the law lays down other way of reviewing the measure, the Ministry shall invite the private higher education institution to make a timely correction.

(3) The government, at the Ministry's proposal and with the consent of the representative bodies of the higher education institutions (Section 107, Clause 1) can divest the private higher education institution of the State consent it has received, provided that the higher education institution breaches the obligations laid down by this law or an internal regulation thereof.

(4) The representative bodies of the higher education institutions are obliged to submit their opinion under Clause 3 above not later than 60 days after the receipt of the Ministry's application for their statement.

(5) The government, at the Ministry's proposal, shall withdraw a State consent, if the application contained incorrect data vital for granting the State consent or if changes have taken place that would have precluded granting the consent.

(6) The legal entity whose State consent has been withdrawn, is no longer authorised to carry out the activities of a higher education institution. At the same time, the Ministry shall decide on withdrawing the accreditation of study programmes.

(7) The Ministry shall first notify the private higher education institution on facts defined in Clause 3 above and invite it to make timely corrections.

#### Section 106

#### Recognition of Diplomas

(1) For purposes of the present Law, the term of recognition of diplomas means recognition of a diploma, issued by a foreign higher education institution or other authorised body according to

regulations of the respective State (hereinafter referred to as "diploma issued by a foreign higher education institution") as equivalent to a diploma issued by a higher education institution in the Slovak Republic.

(2) Decisions on recognition of diplomas shall be made by

- a) a higher education institution in the Slovak Republic carrying out the study programmes in the fields of study identical or related to those indicated in the submitted documents of education. If the contents of the studies are only partly identical, the higher education institution may invite the applicant to take additional examinations or to complete and defend his Bachelor thesis, diploma thesis, examina rigorosa or dissertation thesis,
- b) the Ministry, in case that there is no higher education institution in the Slovak Republic to carry out the study programmes identical or related to those stated in the submitted certificate.

(3) The diplomas issued by a foreign higher education institution or other authorised bodies of the State that has concluded an agreement with the Slovak Republic on mutual recognition of diplomas are equivalent with those issued by a higher education institution in the Slovak Republic, provided that these credentials are covered by the above agreement. Decisions on equivalence of diplomas shall be issued by the Ministry.

(4) A credential on award of academic degree based on the defence of a dissertation thesis pursuant to Section 54 Clause 21 issued by a foreign higher education institution is equivalent to the credential on award of academic degree of PhD issued by a higher education institution in the Slovak Republic.

(5) Details on the procedure in recognition of diplomas are specified in general regulation issued by the Ministry.

## **Part Twelve**

### **Representation of Higher Education Institutions**

#### Section 107 Representation of Higher Education Institutions

(1) Representation of higher education institutions consists of the following bodies:

- a) Higher Education Council,
- b) Student Higher Education Council,
- c) Slovak Rectors' Conference.

(2) The Minister shall submit to the bodies stated in Clause 1 for approval or giving comments on the proposals set out in the present Law (Section 81, Clause 2 and Clause 8, Section 91, Clause 2, Section 102, Clause 2, Letter e), Section 104, Clause 2 and Section 105, Clause 3)). On his own initiative or at their request he shall also discuss with them other proposals and measures that are significantly related to the higher education institutions.

(3) The Higher Education Council is a supreme body of higher education institution self-government. The Higher Education Council consists of representatives of higher education

institutions and faculties elected by the Academic Senates of higher education institutions and Academic Senates of faculties.

(4) The Student Higher Education Council is a supreme representative body of higher education students. The Student Higher Education Council represents students' interests outwardly. Members of the Student Higher Education Council shall enlist only students of higher education institutions. Representatives of each higher education institution in the Student Higher Education Council are as follows:

- a) one representative elected by the student part of the Academic Senate of a higher education institution,
- b) further representatives of the student part of the academic community of the higher education institution elected by the student part of the academic community of the higher education institution, namely, one elected representative for each 2000 or a fraction of 2000 of enrolled students.

(5) The Slovak Rectors' Conference is a body composed of the Rectors of higher education institutions. It coordinates and supports the activity of the Rectors with the aim of shaping the higher education policy. If a private higher education institution has not the function of Rector, it is represented in the Slovak Rectors' Conference by its statutory deputy.

(6) Procedures to establish bodies pursuant to Clause 1 above and their negotiation rules shall be specified in detail in their Statutes.

(7) Membership in the bodies pursuant to Clause 1 above is honorary. The members shall be reimbursed under a special regulation<sup>28)</sup> for expenses related to the performance of this function. The Ministry shall financially provide for the activity of the bodies shown under Clause 1 above.

## **Part Thirteen Common, Transitional and Final Provisions**

### **Chapter One Common Provisions**

#### Section 108

The decisions pursuant to the present Law in issues on the provision of social scholarships (Section 96, Clause 1) and imposing disciplinary measures (Section 72, Clause 2 and Clause 4) are referred to under general regulations on administrative procedures.<sup>50)</sup>

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<sup>50)</sup> Law No. 71/1967 of Law Code on Administrative Procedure (Administration Order).

## **Chapter Two**

### **Transitional Provisions**

#### Section 109 Transformation of Fields of Study

(1) From the academic year 2004/2005 onwards, higher education institutions may enrol students in those study programmes which comply with the present Law and are based upon a credit system complying with framework guidelines pursuant to Section 62, Clause 4. In the academic year 2002/2003 and academic year 2003/2004, higher education institutions may also enrol students in study fields established under current regulations, if they are authorised to hold State examinations in these study fields. In the academic year 2002/2003 and academic year 2003/2004 higher education institutions may also enrol students on PhD study in scientific fields of study or artistic fields of study established under the current regulations, if they are authorised to hold dissertation examinations and dissertation defences and award scientific-academic degrees or artistic-academic degrees in these study fields. The students pursuing the fields of study established according to current regulations and the PhD students of scientific fields of study or artistic fields of study established according to current regulations, shall complete their study according to current regulations.

(2) If, on the date of entry of the present Law into force, a higher education institution has students enrolled on the field of study in which it is not been authorised to carry out State examinations, it shall apply, not later than one month after the present Law takes effect, for permission to hold the examinations over a necessary period of time. The Ministry, at the proposal of the Accreditation Commission, shall decide on this application. If it rejects the application, the higher education institution is obliged, not later than until the beginning of the academic year 2003/2004, to offer to students of the appropriate field of study the possibility to continue studying in the field of study which is closest to the original one and in which it has been recognized the respective right. If it is not possible, the Ministry shall offer such a possibility after agreement with the higher education institutions within the framework of their capacities. Provisions of this Clause are equally applied to students of PhD study.

(3) The rights to carry out State examinations in Bachelor study disciplines granted pursuant to the current regulations before the present Law takes effect, shall expire on 31 December 2008, unless they expire before for other reasons.

(4) The rights to carry out State examinations in the Master and Engineer study programmes, *examina rigorosa* and defences of the theses, granted pursuant to the current regulations before the present Law takes effect, shall expire on 31 December 2010, unless they expire before for other reasons.

(5) The rights to carry out State examinations in PhD study disciplines, granted pursuant to the current regulations before the present Law takes effect, shall expire on 31 December 2011, unless they expire before for other reasons.

(6) The right to carry out PhD study, dissertation examinations and dissertation defences and to award scientific-academic degrees or artistic-academic degrees in the relevant scientific fields of study or artistic fields of study, granted pursuant to the current regulations before the present Law takes effect, shall expire on 31 December 2009, unless they expire before for other reasons.

(7) The right of higher education institutions and faculties to carry out habilitation procedures and procedures for nomination of "profesors" pursuant to the current regulations shall expire on 1 January 2004. Habilitation procedures and procedures for nomination of "profesors" which have started prior to this date shall be terminated pursuant to the current regulations not later than 31 December 2004. The procedures unfinished as of that date, shall be discontinued.

#### Section 110 Degrees and Levels of Higher Education

(1) Graduates of the Bachelor study awarded pursuant to the current regulations<sup>51)</sup> the degree of "bakalár" shall be entitled to use the academic degree of "bakalár" pursuant to Section 52, Clause 5. Education of graduates referred to under this Clause is considered as higher education of the first level pursuant to Section 52, Clause 1.

(2) Education of graduates of Master study, Engineer study and Doctoral study pursuant to the current regulations is considered as higher education of the second level pursuant to Section 53, Clause 1.

(3) Graduates of supervised research who were awarded pursuant to the current regulations<sup>51)</sup> the scientific degree of "kandidát vied" or, pursuant to the current regulations<sup>51)</sup>, the academic-scientific degree of "doktor" and scientific-academic degree of "philosophiae doctor", shall be entitled to use the academic degree of "doktor" pursuant to Section 50, Clause 15. Graduates of supervised art research of postgraduate study who were awarded the diploma of supervised art research pursuant to subsequent regulations<sup>52)</sup> or who were awarded pursuant to the current regulations the academic-artistic degree of "doktor" and artistic-academic degree of "artis doctor", shall be entitled to use the academic degree of "doktor umenia" pursuant to Section 54 Clause 15. Education of graduates referred to under this Clause shall be considered as higher education of the third level pursuant to Section 54, Clause 1.

(4) Academic degrees, scientific-pedagogical degrees and other degrees of graduates of higher education institutions awarded pursuant to current regulations shall remain unchanged. The scientific degrees of "kandidát vied" (abbr. "CSc.") and "doktor vied" (abbr. "DrSc.") shall remain unchanged.

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<sup>51)</sup> Law No. 53/1964 of Law Code, Section 2, Clause 1, Letter a).

Decree of the Slovak Commission for Scientific Degrees No. 65/1977 of Law Code, as amended by Decree No. 302/1990 of Law Code.

<sup>52)</sup> Decree of the Ministry of Education of the Slovak Socialist Republic No. 55/1981 on Artistic Supervised Research.

Section 111  
Transformation of Existing Higher Education Institutions

- (1) From 1 April 2002 onwards, public higher education institutions shall include higher education institutions listed in Annex 1, State higher education institutions shall include military higher education institutions and police higher education institutions listed in Annex 2, and a private higher education institution shall include the higher education institution listed in Annex 3. All higher education institutions listed in Annexes 1 to 3 except for the College of Management in Trenčín shall be a university type of higher education institution. The College of Management in Trenčín shall be a non-university type of higher education institution. The Catholic University in Ružomberok shall be a confessional public higher education institution.
- (2) Higher education institutions specified in Clause 1 above shall submit for registration their internal regulations amended pursuant to the present Law not later than 1 October 2002.
- (3) The present Law shall not be applicable to efficacy of appointments or elections of academic management and academic bodies and terms of office thereof.
- (4) Terms of office of Rectors and Deans appointed pursuant to current regulations<sup>47)</sup> as at date of entry of the present Law into effect for purposes of the present Law are regarded as terms of office in a relevant academic position.
- (5) The rights and duties of faculties that, as of 1 April 2002, shall be a part of higher education institutions listed in Annex 1, shall pass to the relevant higher education institution.
- (6) Students of higher education institutions listed in Annexes 1 to 3 shall become students pursuant to the present Law as of 1 April 2002. Higher education institutions are obliged to record them in a students' registry not later than 31 October 2002.
- (7) Higher education institutions that shall originate from the present higher education institutions as of 1 April 2002 shall take on all labour-legal obligations towards the employees of these higher education institutions, their faculties and units.
- (8) In connection with the transformation of current fields of study to study programmes, the higher education institutions shall establish the structure of "profesor's", "docent's" and other academic teacher's positions pursuant to the present Law, not later than 1 January 2003. The academic teachers who are employed in a public higher education institution may be transferred to the new structure without competition except for "profesor's" and "docent's" positions. The competition shall be made for "profesor's" and "docent's" positions.
- (9) For the period of delivery of new Statute of the public higher education institution the bodies of the faculty academic self-government have the right to decide or act on behalf of the public higher education institution in matters under Section 23, Clause 1, Letters d) to f) and Section 23, Clause 2, Letters b) and e) as follows:
- a) establishment, change and termination of employment with employees of a public higher education institution assigned to the faculty within the range of the faculty posts as at 31 March 2002; enlargement of the range is possible only with the Rector's approval,
  - b) exercise of entrepreneurial activities (Section 18); in this period the faculty may conclude within the framework of entrepreneurial activities a new contract up to the total amount of one million Slovak crowns; the contract exceeding the amount of one million Slovak

crowns may be concluded by the faculty within the framework of the entrepreneurial activities only with the Rector's approval,

- c) cooperation with other higher education institutions, legal entities and natural persons, including foreign ones, in the areas wherein the faculty carries out its activities; the contracts on cooperation with foreign entities concluded in this period is notified by the faculty to the Rector,
- d) determination of number of applicants admitted to study,
- e) determination of number and structure of workplaces of employees enlisted in the faculty within the range of faculty places of work as on 31 March 2002.

#### Section 112 Assets Transfer

- (1) Until 1 January 2003 a public higher education institution may administer the State assets. The management of these assets is referred to under a special regulation.<sup>53)</sup>
- (2) The State assets under administration of a public higher education institution as at 1 January 2003, except for the assets pursuant to Section 38, Clauses 5 and 6, shall be transferred on this day to a public higher education institution.

#### Section 113 Other Transitional Provisions

- (1) Members, Chairman and Vice-Chairman of the Accreditation Commission shall be appointed pursuant to Section 81 by 31 May 2002. Until then these positions shall be held by members of the Accreditation Commission established pursuant to current regulations. One third of members of the Accreditation Commission shall be proposed by the Minister from among members of the Accreditation Commission established pursuant to current regulations.
- (2) The Accreditation Commission shall prepare and publish a plan of complex accreditation of higher education institutions pursuant to Section 84, Clause 2 until 31 December 2002. The complex accreditation of the higher education institution activities pursuant to Section 84 in connection with the terms for submitting documents pursuant to Section 84, Clause 2 shall start after 1 January 2004.
- (3) The provisions of Section 92 are applicable to students enrolled after 1 April 2002.
- (4) The efficacy of the provision of special regulation<sup>54)</sup> on keeping accounts of a special higher education funding shall be prolonged until the date of entry of the present Law into force. The

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<sup>53)</sup> Law of National Council of the Slovak Republic No. 278/1993 of Law Code on Administration of State Property, as amended.

<sup>54)</sup> Law No. 472/2000 of Law Code on State Budget for 2001, Section 15.

balance of special financing as at the day the present Law takes effect is a source of reserve fund of a public higher education institution in the year 2002.

(5) As at the date of entry into effect of the agreement on the accession of the Slovak Republic to the European Union the provisions of the present Law shall apply to the citizens of the European Union Member States in the same way as they do to the citizens of the Slovak Republic.

(6) The efficacy of the provision of Section 74 Clause 3 shall expire on the date since the agreement on accession of the Slovak Republic to the European Union takes effect.

### **Chapter 3 Final Provisions**

#### **Section 114 Quashing Provisions**

The following items are quashed:

1. Higher Education Act No. 172/1990 of the Law Code, as amended by Act No. 41/1994 of the Law Code of the National Council of the Slovak Republic, Act No. 324/1996 of the Law Code of the National Council, Act No. 284/1997 of Law Code and Act No. 317/1999 of the Law Code.
2. Decree of the Czecho-Slovak Federal Government No. 282/1990 of the Law Code on Changes in Organisation of Higher Education Institutions of Artistic Concentration.
3. Decree of the Czecho-Slovak Federal Government No. 349/1990 of the Law Code on Changes in Organisation of Academy of Performing Arts in Bratislava.
4. Decree of the Slovak Government No. 422/1990 the Law Code on Accreditation Commission, as amended by Government Regulation No. 131/1994 of the Law Code and No. 7/1995 of the Law Code.
5. Decree of the Ministry of Education, Youth and Sports of the SR No. 141/1991 of the Law Code on Nostrification of Diplomas and Other Credentials Issued by Foreign Higher Education Institutions.
6. Decree of the Ministry of Education of the SR No. 7/1998 of the Law Code on Examina Rigorosa and the Defence of Theses.
7. Decree of the Ministry of Education of the SR No. 131/1997 the Law Code on PhD Study.
8. Decree of the Ministry of Education of the SR No. 227/1998 the Law Code on Reimbursing of Costs Connected with the Provision of Admission of Applicants to Higher Education Study.
9. Directive of the Ministry of Education of the Slovak Republic No. 5836/1982 - 31 on University Student Hostels dated 11 August 1982 (registered in Part No. 25/1982 of the Law Code).
10. Directive of the Ministry of Education of the Slovak Republic No. 5463/1982 - 31 on Establishment, Dissolution and Operation of Student Canteens and Snack Bars dated 11 August 1982 (registered in Part No. 25/1982 of the Law Code).

## **Article II**

Law No. 312/2001 of the Law Code on State Service and on changes and supplements of some laws is amended as follows

1. In Section 14, Clause 4, the Letters c), and d) read as follows:

”c) higher education achieved by completing the Bachelor study (hereinafter referred to as ”higher education of the first level”), or

d) higher education achieved by completing Master study or Engineer study or Doctoral study (hereinafter ”higher education of the second level”).”

2. In Annex 1 in the salary ranks 5 and 6 for ”Bachelor education or higher education” there is substituted ”higher education of the first level or higher education of the second level”.

3. In Annex 1 in the salary ranks 7 and 9 for ”higher education” there is substituted ”higher education of the second level”.

## **Article III**

Law No. 313/2001 of the Law Code on Public Service, as amended by Law No. 118/2002 of Law Code, is amended and supplemented as follows:

1. In Section 1, Clause 1, Letter i) for ”or” there is substituted comma and there is Letter j) inserted which reads:

”j) public higher education institutions and State higher education institutions or ”.

The current Letter j) is substituted for by Letter k).

2. In Section 2, Clause 4, Letters e) and f) read as follows:

”e) higher education received by completing Bachelor study (hereinafter ”higher education of the first level”),

f) higher education received by completing Master study or Engineer study or Doctoral study (hereinafter ”higher education of the second level”).”.

3. In Section 10, Clause 1 the first sentence is followed by the second sentence which reads:

”Prohibition of membership in management, control or supervision bodies of legal entities is not applied to manager who performs a function of statutory representative of a public higher education institution.”.

4. In Section 17 Clause 1, Letter d) and e) read as follows:

”d) the salary rank 8 provided he/she received higher education of the first level,

e) the salary rank 9 provided he/she received higher education of the second level.”.

5. In Section 19, Clause 9 there is added Letter h) which reads:

”h) to the employee who works at the higher education institution as a teacher (Clause 12, Letter c)).”.

6. In Section 19, Clause 10 for "faculty of medicine, faculty of pharmacy, faculty of health care and social work" there is substituted "public higher education institution enlisted in the faculty of medicine, faculty of pharmacy, faculty of health care and social work".
7. In Section 19, Clause 12 after "pedagogical employee" there is added "pursuant to Letter a) or b)".
8. In Section 19, Clause 20, for "a" in second line after g) there is inserted a comma; after h) there is inserted "and j)"; in the third line for "a" after g) there is inserted a comma and after h) there is inserted "and j)".
9. In Section 20 Clause 3 for "higher education" there is substituted "with higher education of the second level".
10. In Section 21, Clause 2 in the last sentence for "a" there is substituted comma and after "h)" there is inserted "and j)".
11. In Section 23 Clause 1 in the first sentence for "a" there is substituted comma and after "h)" there is inserted "and j)".
12. In Section 44 there is omitted Clause 3.
13. In Annex 1, in the salary rank 8 for "Bachelor education" there is substituted "higher education of the first level".
14. In Annex 1, in the salary rank 9 for "Bachelor education" there is substituted "the first level of higher education" and for "higher education" there is substituted "higher education of the second level".
15. In Annex 1, in the salary rank 10 for "Bachelor education" there is substituted "higher education of the first level" and for "higher education" there is substituted "higher education of the second level".
16. In Annex 1, in the salary ranks 11 to 14 for "higher education" there is substituted "higher education of the second level".

#### **Article IV**

Law of National Council of the Slovak Republic No. 277/1994 on health care, as amended by Law of National Council of the Slovak Republic No. 98/1995, Law of National Council of the Slovak Republic No. 110/1996, Law of National Council of the Slovak Republic No. 222/1996, Law of National Council of the Slovak Republic No.140/1998, Law of National Council of the Slovak Republic No. 241/1998, Law No. 80/2000 of Law Code, Law No. 416/2001 of Law Code, Law No. 553/2001 of Law Code and Law No. 118/2002 of Law Code, is amended as follows:

1. In Section 56, Clause 7 throughout the section after "social work" there is inserted "of public higher education institution".
2. In Section 56 Clause 7 throughout the section "faculty of medicine, faculty of pharmacy, faculty of health care and social work of public higher education institution" is omitted.

## **Article V**

This Law shall come into force on 1 April 2002 except for Article III point 5 and 7, Article IV point 2 that shall come into force on 1 January 2003. In Article III point 6 shall loose its force as at 31 December 2002.

Rudolf Schuster, signed in his own hand

Jozef Migaš, signed in his own hand

Mikuláš Dzurinda, signed in his own hand

## **Annex 1 to Law No. 131/2002 of Law Code**

### LIST OF PUBLIC HIGHER EDUCATION INSTITUTIONS

Comenius University in Bratislava  
Univerzita Komenského v Bratislave  
Pavel Jozef Šafárik University in Košice  
Univerzita Pavla Jozefa Šafárika v Košiciach  
University of Prešov in Prešov  
Prešovská univerzita v Prešove  
University of St. Cyril and Methodius in Trnava  
Univerzita sv. Cyrila a Metoda v Trnave  
University of Veterinary Medicine in Košice  
Univerzita veterinárskeho lekárstva v Košiciach  
University of Constantinus Philosopher in Nitra  
Univerzita Konštantína Filozofa v Nitra  
Matej Bel University in Banská Bystrica  
Univerzita Mateja Bela v Banskej Bystrici  
University of Trnava in Trnava  
Trnavská univerzita v Trnave  
Slovak University of Technology in Bratislava  
Slovenská technická univerzita v Bratislave  
University of Technology in Košice  
Technická univerzita v Košiciach  
University of Žilina in Žilina  
Žilinská univerzita v Žiline  
University of Trenčín in Trenčín  
Trenčianska univerzita v Trenčíne  
University of Economics in Bratislava  
Ekonomická univerzita v Bratislave  
Slovak University of Agriculture in Nitra  
Slovenská poľnohospodárska univerzita v Nitre  
University of Technology in Zvolen  
Technická univerzita vo Zvolene

Academy of Performing Arts in Bratislava  
Vysoká škola múzických umení v Bratislave  
Academy of Fine Arts and Design in Bratislava  
Vysoká škola výtvarných umení v Bratislave  
Academy of Arts in Banská Bystrica  
Akadémia umení v Banskej Bystrici  
Catholic University in Ružomberok  
Katolícka univerzita v Ružomberku

**Annex 2 to Law No. 131/2002 of Law Code**

LIST OF STATE HIGHER EDUCATION INSTITUTIONS

Military Academy in Liptovský Mikuláš

Vojenská akadémia v Liptovskom Mikuláši

General Milan Rastislav Štefánik Airforce Academy in Košice

Vojenská letecká akadémia generála Milana Rastislava Štefánika v Košiciach

Police Academy in Bratislava

Akadémia Policajného zboru v Bratislave

**Annex 3 to Law No. 131/2002 of Law Code**

LIST OF PRIVATE HIGHER EDUCATION INSTITUTIONS

College of Management in Trenčín

Vysoká škola manažmentu v Trenčíne

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