

HIGHER EDUCATION ACT

official consolidated text
(ZViS-UPB3)

I. GENERAL PROVISIONS

Article 1

(content of the Act)

This Act shall regulate the status issues of higher education institutions, conditions for the pursuit of higher education activities, determine the public service in higher education and regulate the method of its financing.

This Act shall also regulate the status issues of libraries and institutes and other institutions, the activities of which are necessary for the implementation of higher education activities, if they are established within the context of universities (hereinafter referred to as: other institutions – university members) and student dormitories.

Article 2

(types of higher education institutions)

Higher education institutions shall be universities, faculties, art academies and technical colleges.

Article 3

(universities)

A university shall ensure the development of science, professional competence and art, and by faculties, art academies and technical colleges in the educational process mediate the knowledge from various scientific and artistic areas or disciplines. A university may directly organise the implementation of scientific-research and education interdisciplinary programmes.

Article 4

(faculties and art academies)

A faculty shall mainly pursue scientific-research and educational activity from the areas of one or various relevant or associated scientific disciplines, and ensure their development.

An art academy shall mainly pursue artistic and educational activity from the areas of one or various relevant or associated artistic disciplines, and ensure their development.

Article 5

(technical colleges)

A technical college shall mainly pursue educational activity from the area of one or various relevant or associated professions, and ensure their development.

A technical college may also pursue research or artistic work, if this is stipulated by the constituting act.

Article 6

(autonomy of higher education institutions)

A university shall be an autonomous, scientific-research, artistic and educational higher education institution with a special status. Universities and independent higher education institutions, which are established by the Republic of Slovenia, shall operate according to the principles of autonomy, which shall mostly ensure the following:

- freedom of research, artistic production and knowledge mediation,
- independent regulation of internal organisation and operations by statute in accordance with the law,
- adoption of measures for the election in the title of university teachers, scientific workers and university co-workers,
- elections for the titles of university teachers, scientific workers and university co-workers,
- selection of university teachers, scientific workers and university co-workers for the occupation of working places,
- establishment and adoption of education and scientific-research programmes, determination of the education regime and determination of forms and periods of the students' assessment of knowledge,
- grant of professional and scientific titles in accordance with the law and the grant of an honorary PhD and title deserving professor,
- election, nomination and recall of authorities in accordance with the statutes and other acts,
- determination of forms of cooperation with other organisations,
- management of assets in accordance with the purpose, for which they were obtained.

Article 7

(education under the same conditions)

The citizens of the Republic of Slovenia shall have the right to educate in higher education institutions in the Republic of Slovenia under the same conditions. Slovenes without Slovene citizenship may educate in higher education institutions in the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia. Slovenes without Slovene citizenship shall be pursuant to this Act the descendants of individuals with the Slovene nationality to the third generation in a straight line. The citizens of the European Union Member States shall have the right to educate in higher education institutions in the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia. Foreign citizens may educate in higher education institutions in the Republic of Slovenia under the same conditions as the citizens of the Republic of Slovenia provided that the principle of reciprocity shall be used.

Detailed conditions in connection with the number of available entry spaces, payment of the schooling fee, residing in student dormitories, and other rights and obligations of students pursuant to this Act for the education of individuals referred to in the second and fourth paragraph of this Article and foreigners, shall be stipulated by the Minister, responsible for higher education. Preferential conditions for entry may be determined by the statute of a public higher education institution for Slovenes without Slovene citizenship.

Article 7a

(scholarships for foreigners and Slovenes without Slovene citizenship)

The Republic of Slovenia may ensure to Slovenes without Slovene citizenship, subject to international agreements, or on the basis of reciprocity also to foreigners, scholarships or grants for education in education programmes to obtain an education or training.

In selecting the applicants for scholarships or grants, the conditions shall be taken into account, stipulated in an international agreements; if an international agreement does not include these conditions, the applicant's success in education shall be considered.

Detailed conditions and method of granting scholarships and grants to Slovenes without Slovene citizenship and foreigners shall be stipulated by the Minister, responsible for higher education.

Article 8

(educational language)

The educational language shall be Slovene. A higher education institution may implement education programs or their parts in a foreign language, under the conditions stipulated by the statute. If a higher education institution performs a public service, the following can be implemented in a foreign language:

- education programmes of foreign languages,
- parts of education programmes, if visiting university teachers from abroad are participating in their implementation, or if a larger number of foreign students have applied to these programmes,
- education programmes, if these programmes in a higher education institution are performed also in Slovene language.

Higher education institutions shall take care of the development of the Slovene language as a professional and scientific language.

Foreigners and Slovenes without Slovene citizenship shall be enabled to learn the Slovene language. A detailed method for the care of the development and learning of the Slovene language shall be stipulated by the Minister, responsible for higher education.

II. STATUS DEFINITION OF HIGHER EDUCATION INSTITUTIONS, OTHER INSTITUTIONS – UNIVERSITY MEMBERS AND STUDENT DORMITORIES

Article 9

(establishment of an institution)

A higher education institution or other institution – university member and student dormitory, may be established by domestic and foreign natural and legal persons.

For the provision of a public service in higher education, the Republic of Slovenia shall establish higher education institutions or other public institutions – university members and student dormitories.

Article 10

(legal subjectivity of a university and members)

A university shall be a legal person. Within the context of a university, faculties and art academies shall be established, as well as technical colleges and other institutions – university members (hereinafter referred to as: university members).

University members shall have rights and obligations pursuant to this Act, the university act of constitution and university statute.

For the implementation of the national programme for higher education, for which the Republic of Slovenia shall provide funds, university members shall act in legal transactions with powers stipulated by the university act of constitution and statute, on behalf and for the account of the university. In other cases, university members shall act in legal transactions on their own behalf and for their own account in accordance with the university act of constitution and university statute. A university member may have a transfer account.

Article 11

(independent higher education institutions)

Faculties and art academies, which are not public higher education institutions, and technical colleges may be established as independent higher education institutions and shall be legal persons.

Article 12

(associated university members)

Independent higher education and other institutions may join a university as associated members. Conditions for entry and rights and obligations of associated members shall be regulated by the university statute.

Article 13

(assets)

A university or an independent higher education institution, which was established by the Republic of Slovenia, shall be the owner of assets, acquired from public and other sources. A higher education institution shall manage and have power of disposal over the assets, used for the implementation of its activities in accordance with the university act of constitution and statute, unless otherwise stipulated by this Act. A university or an independent higher education institution referred to in the first paragraph of this Article can misappropriate or charge a property or equipment of higher value, acquired from public resources, only in agreement with the founder. Assets, acquired from the sale of assets referred to in the previous paragraph, may be used for investments, investment maintenance and equipment.

Article 14

(conditions for the establishment of an institution)

A higher education institution can be established if:

- education areas and scientific-research or artistic disciplines are defined, for which a higher education institution is established; for the definition of study areas, the international Isced classification shall be used, and for the definition of scientific-research areas, the international Frascati classification,

- suitable premises and equipment for the implementation of a programme are guaranteed,

- university teachers, scientific workers and higher education co-workers, necessary for the implementation of a programme, are guaranteed.

For the establishment of a university, conditions for the implementation of education programmes of all three levels must be met; for an independent higher education institution – faculty and art academy, at least two levels; for an independent higher education institution – technical college, at least the first level.

Prior to the adoption of a university act of constitution, a founder must obtain from the Council of the Republic of Slovenia for Higher Education a professional opinion on the compliance with the conditions for the establishment or reorganisation of a higher education institution (accreditation of a higher education institution). The Council of the Republic of Slovenia for Higher Education shall again verify ex officio at least every seven years the compliance with the conditions for the implementation of activities, for which a higher education institution had been established (re-accreditation of a higher education institution). The provisions referred to in previous paragraphs shall apply mutatis mutandis also for the establishment of other institutions – university members.

Article 15

(adoption of the Act of constitution of a public higher education institution)

Act of constitution of a public higher education institution and other institution – university member shall be adopted by the National Assembly of the Republic of Slovenia.

Article 16

(compliance with the conditions for the commencement and implementation of activities)

A higher education institution may commence with activities, after being entered in the register of higher education institutions.

The register shall be managed by the Ministry, responsible for higher education. A higher education institution shall be entered in the register, if:

- it is established in accordance with this Act and is entered in the court register,

- it has an accredited study programme,

- it has guaranteed university teachers, scientific workers and university co-workers, needed for the implementation of an education programme,

- it has guaranteed suitable premises and equipment and other fulfilled conditions in connection with the technical equipment, occupational safety and other stipulated conditions.

A higher education institution, which was established by the Republic of Slovenia, shall be ex officio entered in the register; a private higher education institution on the proposal of a founder. Conclusions of the Council of the Republic of Slovenia for Higher Education shall also be entered in the register in re-accreditation of a higher education institution and

education programme. If deficiencies were found in case of re-accreditation of a higher education institution and education programme, and had not been rectified in a certain time period, the procedure for the removal from the register of higher education institutions shall commence.

The content and form of the register shall be stipulated by the Minister, responsible for higher education.

Article 17

(conditions for the implementation of programmes without public validity)

A higher education institution, which doesn't implement programmes with public validity, may commence with its activities, when it shall in accordance with its statute adopt an education programme and fulfil the conditions in connection with the technical equipment, occupational safety and other required conditions.

Article 18

(protection of names of higher education institutions)

Only higher education institutions, which are established in accordance with this Act and fulfil the conditions for the provision of higher education activities referred to in Article 16 or 17 of this Act, may act in legal transactions under the name university, faculty, art academy and technical college.

Article 19

(statute)

Higher education institutions, which are legal persons, shall have a statute, which shall regulate their organisation and operations.

Article 20

(authorities)

Authorities of a university shall be: rector, senate, management board and student council. Authorities of a university member shall be: dean, senate, academic council and student council. The authority of other institutions – university members shall be the director, or the expert council. Authorities of a higher education institution, which is not a university member, shall be: senate, academic council, management board, student council and the dean. A higher education institution or other institution – university member can also have other authorities in accordance with the university act of constitution or the statute.

Article 21

(senate)

The senate shall be the expert authority of a higher education institution. The senate of a university shall be elected by the senates of university members, so that all scientific and artistic disciplines and professional areas are equally represented. The senate of a faculty, art academy or technical college shall be composed of university teachers, if this is stipulated by the statute, as well as scientific workers. It must be composed in such a manner that all scientific and artistic disciplines and professional areas of a higher education institution are equally represented. The number of the senate members shall be stipulated by the statute.

By virtue of his function, the rector of a university shall also be a senate member; the dean shall be a senate member of a university member or an independent higher education institution.

By virtue of their function, the representatives of a university student council shall also be senate members; the representatives of a student council of higher education institutions shall also be senate members of a faculty, art academy or technical college. Students shall have in the senate at least the fifth of its members. The expert council shall be the expert authority of other institutions – university members. The structure shall be stipulated by the university statute in accordance with the university act of constitution.

Article 21

(academic council)

The academic council of a university member or independent higher education institution shall be composed of all university teachers, scientific workers and university co-workers. Students' representatives shall participate in its work, so that their number represents at least the fifth of the academic council members. The method of their cooperation shall be stipulated by the statute. The academic council shall:

- elect the senate,
- propose to the senate the candidates for the dean,
- perform other tasks, stipulated by the statute.

The academic council shall elect the president from among its members. The president shall convene and conduct the meetings. If the academic council, which is formed in accordance with the first paragraph of this Article, will have more than 200 members, it shall be formed in such a manner that individual groups will have a proportional number of representatives, whereby the academic council cannot have less than 100 members. The method of forming of the academic council referred to in the previous paragraph shall be stipulated by the statute.

Article 22

(management board)

The management board shall be the management authority of a higher education institution. Beside the tasks, stipulated by law, the management board shall decide on matters of material nature, and shall take care of the smooth material functioning of a higher education institution. The management board of a higher education institution, which was established by the Republic of Slovenia, shall be composed of the representatives of the founder, representatives of workers, who are performing the higher education activity, student representatives, a representative of other workers and representatives of the employers. The structure of a management board of a private higher education institution shall be determined by the university act of constitution and the statute.

Article 23

(rector)

The rector shall lead, present and represent a university and perform the following tasks:

- convene and as a general rule conduct the meetings of a university senate,
- harmonise the educational, scientific-research or artistic and other work at the university,

- be responsible for the work regularity of the university, and the implementation of its obligations, stipulated by law, other regulations and general acts of the university,
- by agreement of the senate adopt measures on the quality of the university, education programmes, scientific-research, artistic and technical work, shall be responsible for the monitoring, determining and ensuring of quality (self-evaluation of a university);
- at least once a year report to the senate, management board and founder about the operations of the university,
- promote doctors of science,
- grant university awards,
- perform other tasks in accordance with the law, other regulations and general acts of the university.

The rector shall be elected by all university teachers, scientific workers and university co-workers, who are employed at the university. Students shall also have a voting right; namely, the fifth of the votes of university teachers, scientific workers and university co-workers, who are employed at the university.

Article 24

(dean or director)

The dean or the director of a university member shall have powers and obligations in accordance with the university act of constitution; he shall be a technical leader of a university member and shall perform the following tasks:

- harmonise the educational, scientific-research, artistic and other work,
- be responsible for the work regularity,
- be responsible for the monitoring, determining and ensuring of the quality of the university, education programmes, scientific-research, artistic and technical work and the preparation of the annual quality report (self-evaluation of member);
- at least once a year report to the senate and rector of a member about the work,
- perform other tasks in accordance with the law, other regulations and general acts of the university.

An individual, who is employed as a university teacher, can be appointed as a dean of a university member or an independent higher education institution. A person, who has at least a higher education level, can be appointed as a director. A dean or a director of a university member shall be appointed by the rector on the proposal of the senate or the expert council of a university member. The dean of a higher education institution, who is not a university member, shall be a management authority and technical leader of the institution.

Article 25

(separation of functions)

In view of the nature of activities and scope of work of a higher education or other institution, it can be stipulated by the statute that the function of conducting professional work and the

management function are separated. In this case, the statute shall stipulate the responsibilities of a technical leader and responsibilities of a management authority.

Article 26

(student council)

The student council shall be composed of student representatives. The student council shall consider and give to competent authorities an opinion on the statute of a higher education institution, all affairs in connection with the rights and obligations of students, as well as an opinion on the rector and dean candidates; the student council shall also adopt and implement the programme of leisure activities of students in higher education institutions in cooperation with the student community. If the opinion referred to in the previous paragraph is not considered, the student council can request that a competent authority once again considers and decides on an individual matter in the manner and procedure, stipulated by the statute.

Article 27

(secretariate of a higher education institution)

For the provision of management-administrative and professional-technical tasks, a higher education institution shall have a secretariate, which is conducted by a secretary.

Article 28

(regulation of authorities)

Tasks, responsibilities, number of members, method of election, mandate term and method of decision-making of authorities of higher education institutions and other institutions – university members, shall be regulated in details by a statute in accordance with the law and the university act of constitution.

Article 29

(rector's conference)

For the consideration and harmonisation of matters of common concern, universities shall form the rector's conference.

Article 30

(seal)

Public higher education institutions and other institutions under their responsibility shall have a round-shaped seal, which contains the name and seat of a higher education institution, as well as the arms of the Republic of Slovenia. Such seal shall be used also by higher education institutions in performing a public service on the basis of a concession.

Article 31

(student dormitories)

The activity of student dormitories shall be a public service. It can be provided by universities, public institutions, corporate entities, sole proprietors and other legal persons. For the provision of services, they must ensure the representation of student interests in management. A student dormitory can be established in the context of a university as its member. Authorities of a student dormitory, university member, shall be the director and the

student council of counsellors. Students, members of the student council of counsellors, shall represent the student interests in management in accordance with the law, the university act of constitution and the statute.

III. EDUCATION, SCIENTIFIC-RESEARCH AND ARTISTIC WORK

Article 32

(accreditation of education programmes)

Education programs for the obtainment of education and education programs for training shall be adopted by the university senate; namely, on the proposal of the senate of a university member, or the senate of an independent higher education institution.

The university senate or the senate of an independent higher education institution must obtain an approval of the Council of the Republic of Slovenia for Higher Education for an education programme. The Council of the Republic of Slovenia for Higher Education shall decide ex officio at least every seven years on the extension or withdrawal of the consent to the education programme. Education programmes shall become publicly valid with the agreement of the Council of the Republic of Slovenia for Higher Education. Higher education institutions shall publish them by the date of the application tender at the latest. Mandatory constituents of education programmes shall be amended by the same procedure, as used for adoption.

Article 32a

(publicly valid education and documents)

A person, who accomplishes all liabilities of the education programme for the obtainment of education, shall obtain a publicly valid education and receive a diploma, which is a public document. The content and form of a diploma shall be stipulated by a competent authority of a higher education institution, and shall be published in the Official Gazette of the Republic of Slovenia. A constituent part of a diploma shall be the »Annex to the diploma«. Higher education institutions shall publish it in Slovene language and one of the official languages of the European Union. The constituents of the form shall be stipulated by the Minister, responsible for higher education, on the proposal of the Council of the Republic of Slovenia for Higher Education. The diploma and the »Annex to the diploma« shall be free-of-charge. A person, who accomplishes all liabilities of the education programme for training or part of an education programme for the obtainment of education, shall receive a certificate, which is a public document.

Article 33

(education programmes for the obtainment of education)

Education programmes for the obtainment of education shall be classified in three levels:

a) first level

- higher education technical programmes,

- university education programmes,

b) second level

- master's education programmes,

- uniform master's education programmes,

c) third level

- doctoral education programmes.

Education programmes of the first level shall be undergraduate education programmes; education programmes of the second and third level shall be postgraduate programmes. Higher education technical education programmes shall enable students the acquisition of technical knowledge and training for the implementation of scientific methods in solving demanding technical and working problems, development of capabilities for communication in a discipline and among disciplines, professional criticism and responsibility, initiative and independence in decision-making and management processes. A mandatory part of these education programmes shall be practical education in a working environment.

University education programmes shall enable students the acquisition of technical knowledge by studying theoretical and methodological concepts, training for the transfer and implementation of theoretical knowledge in praxis, solving of technical and working problems, especially by searching new knowledge sources and implementation of scientific methods, development of capabilities for communication in a discipline and among disciplines, professional criticism and responsibility, initiative and independence in decision-making and management processes. A mandatory part of these education programmes can also be practical education in a working environment or participation in research work.

Master's education programmes shall enable students the enhancement of knowledge in wider technical areas; the students shall be educated to search for new knowledge sources in a technical and scientific area, implementation of scientific-research methods in a wider spectrum of problems and in new or changed circumstances, taking responsibility for the management of the most demanding working systems, and the development of the critical thought, social and communicational capabilities for team work management. A mandatory constituent part of these programmes shall be project assignments in a working environment or basic, applicative or developmental research assignments.

Uniform master's education programmes shall enable students the acquisition and enhancement of technical knowledge and training referred to in the fourth and fifth paragraph of this Article. In connection with the application tender, conditions for application and measures for the selection in case of enrolling limit, the provisions of the law for university education programmes of the first level shall apply for them.

Uniform master's education programmes can be formed, if they are educating for professions, regulated by EU directives, exceptionally, if stipulated by a special regulation, also for other professions in the Republic of Slovenia.

Doctoral education programmes shall enable students the enhanced understanding of theoretical and methodological concepts and training for independent development of new knowledge and solving of the most demanding problems by testing and improving known and discovering new solutions, the management of the most demanding working systems and scientific-research projects in a wider technical or scientific area, as well as the development of the critical thought. A mandatory part of these programmes shall also be basic or applicative research assignments.

Objectives and platforms for the creation of education programmes shall be stipulated in details in the national framework of higher education qualifications, which shall be adopted by the Council of the Republic of Slovenia for Higher Education.

Article 33a

(education programmes for training)

Education programmes for training shall be a form of lifelong learning, and shall be intended mostly for training, supplementation, enhancement and upgrading of knowledge. Beside the programmes referred to in the previous paragraph, higher education institutions may also organise various forms of informal learning; for instance, classes, summer schools, training programmes and similar, if this doesn't affect the implementation of education programmes for the obtainment of education.

Article 33.b

(Joint Study Programmes)

Joint study programmes are study programmes to acquire education which a higher education institute adopts and implements together with one or several higher education institutes from the Republic of Slovenia or abroad.

For joint study programmes, in addition to this Act, higher education institutes shall observe also the measures to form and adopt joint study programmes adopted by the Council of the Republic of Slovenia for Higher Education.

Anyone who passes all obligations according to the joint study programme to acquire education shall be awarded a joint diploma in which all higher education institutes are listed that participate in the implementation of the study programme. The joint diploma is a public document. The content and form of the joint diploma and annexes to the diploma shall be determined by the participating higher education institutes.

Article 34

(Joint Study Programme Providers)

The study programmes referred to in Articles 33, 33.a and 33.b of this Act shall be organised and implemented by universities, faculties, and art academies.

A vocational college shall organise and implement higher education study programmes and study programmes for further training. If the memorandum of association so determines and if it is determined in the accreditation procedure that appropriate higher education teachers, scientific workers and higher education assistants have been provided and that it fulfils conditions to perform scientific and research or art work, it may also implement Master's study programmes, but otherwise only in cooperation with a higher education institute under the previous paragraph.

Article 35

(Components of Higher Education Programmes to Acquire Education)

The study programmes to acquire education shall be formed according to the principles on establishing the European higher education space, so that they shall be comparable to the programmes of other higher education institutes in this space.

The study programmes to acquire education of the first and second level shall have the following compulsory components:

– general information on the programme (name, level, type, duration),

- definition of key programme objectives or general and subject-specific competences acquired with the programme,
- data on programme's international comparability,
- data on international cooperation of a higher education institute,
- curriculum with credit evaluation of study obligations according to the European Credit Transfer and Accumulation System (hereinafter, ECTS) and determining the share of optional subjects in a programme,
- enrolment conditions and selection criteria during enrolment restriction,
- criteria to recognise knowledge and skills acquired prior to entry into a programme,
- evaluation methods,
- advancement conditions according to the programme,
- conditions for transfer between programmes,
- study implementation method,
- study conclusion conditions,
- conditions to complete individual parts of a programme if the programme includes them,
- professional title formed in accordance with the Act.

Doctoral study programmes shall be the basis to prepare a study and research programme for an individual student. Compulsory components referred to in the previous paragraph, except the components under indents eight, eleven, thirteen and fourteen, shall be determined *mutatis mutandis* in a Doctoral study programme. They shall be determined in the programme if it is so determined by the higher education institute's memorandum of association. Curriculum shall be used to determine the content and obligations evaluated in credits, which may be distributed into a study or research programme of an individual programme (group forms of study work, group or individual research work). Organised study forms according to a Doctoral study programme shall consist of at least 60 credit points. The Doctoral study programme shall also determine the scientific title formed in accordance with the Act. Study programmes to acquire education may also include other components determined by the higher education institute's memorandum of association.

Article 35.a

(Components of Higher Education Programmes for Further Training)

Compulsory components of higher education programmes for further training shall be:

- general information on the programme (name, type, duration),
- definition of key programme objectives or general and subject-specific competences acquired with the programme,
- curriculum with credit evaluation of study obligations according to ECTS and determining the share of optional subjects in a programme,
- enrolment conditions and selection criteria during enrolment restriction,
- criteria to recognise knowledge and skills acquired prior to entry into a programme,
- evaluation methods,
- advancement conditions according to the programme,
- study implementation method,
- study conclusion conditions.

Study programmes for further training may also include other components determined by the higher education institute's memorandum of association.

Article 36

(Study Obligations and Duration)

Study obligations in study programmes shall be evaluated with credit points according to ECTS. An individual year of a study programme shall have 60 credit points. Higher education study programmes and university study programmes shall have between 180 and 240 credit points and last between three and four years. Master's study programmes shall have between 60 and 120 credit points and last between one and two years, but in a way that they shall last five years together with the first level study programme in the same field. Master's study programmes that shall have 60 credit points shall provide the students, who completed the first level study evaluated with 180 credit points, with an additional year, so that they shall acquire the 120 credit points required to finish the Master's study programme. The study duration by study programmes that educate for professions regulated by the European Union directives shall have to be harmonised with these directives. The uniform Master's study programmes for other profession in the Republic of Slovenia referred to in paragraph 7 of Article 33 of this Act shall have 300 credit points and last five years. Doctoral study programmes shall have 180 credit points and last three years. The study by first and second level study programmes may also be implemented in individual parts determined by the programme. Study programmes for further training and education shall have minimum 10 and maximum 60 credit points.

Article 37

(Academic Year and Scope of Lectures)

The academic year shall last from 1 October to 30 September. Undergraduate study programmes shall have minimum 20 and maximum 30 hours of lectures, seminars and exercises per week and 30 weeks per year. If the study programme includes practical training, the total burden of a student may not exceed 40 hours per week and 42 weeks per year. If the nature of a study programme so enables, the organisation and time distribution of lectures, seminars and exercises may be adapted to the students' circumstances (part-time study) irrespective of the provisions under paragraphs 1 and 2 of this Article. The adjustment shall be performed in the manner and procedure specified by memorandum of association. In the manner and procedure specified by memorandum of association, organisation and time distribution of lectures, seminars and exercises at art academies may be adapted with the study programme.

Article 38

(Enrolment Conditions)

Anyone with a matura certificate may enrol in a first level higher education study. Anyone who passed a vocational matura exam according to an appropriate programme to acquire secondary education in the same area of expertise and an exam in one of the matura subjects may also enrol in a university study programme in a particular area of expertise. A suitable programme to acquire secondary professional education and the matura subject referred to in the previous paragraph shall be determined by the study programme. Anyone who passed the vocational matura exam or the final examination according to an

appropriate programme to acquire secondary education determined by the study programme may also enrol in a higher education study programme.

The study programme may also determine special talents or psychophysical abilities as an enrolment condition.

An art academy may determine with its study programme that those who do not fulfil the conditions referred to in paragraphs 1, 2 or 4 of this Article but they show extraordinary artistic talent may also enrol in a study programme.

Article 38.a

(Enrolment Conditions for Master's and Doctoral Programme)

Anyone who completed the following study programmes may enrol in a Master's study programme:

- first level study programme in appropriate areas of expertise,
- first level study programme in other areas of expertise if they passed all study obligations, essential to continue the study, prior to the enrolment; these obligations shall be determined with regard to the particular area of expertise and consist of from 10 to 60 credit points, and the candidates may complete them during the first level study, further training courses or by passing exams prior to the enrolment in the Master's study programme.

The areas of expertise under the first indent and study obligations under the second indent of the previous paragraph shall be determined by the Master's study programme.

The Master's study programme may also determine special talents or psychophysical abilities and appropriate work experience as an enrolment condition.

Anyone who completed the following study programmes may enrol in a Doctoral study programme:

- second level study programme,
- the study programme under paragraph 4 of Article 36 if it is evaluated with 300 credit points.

Article 38.b

(Equivalence of Foreign Education)

Anyone who finished an equivalent education abroad shall also fulfil the enrolment conditions referred to in Articles 38 and 38.a of this Act.

Article 39

(Transfers)

In accordance with the criteria determined by the Council of the Republic of Slovenia for Higher Education, the study programmes shall specify conditions for transfer between study programmes of the same level and the conditions for transfer from higher education study programmes to the first level study programmes.

Article 40

(Tender)

Enrolment in the study programmes with public validity, implemented by public higher education institutes and those with a concession, shall be performed on the basis of a public tender.

The tender for the enrolment in undergraduate study programmes shall be joint and published at least six months before the beginning of the new academic year.

The tenders for the enrolment in postgraduate study programmes shall be published at least four months before the beginning of the new academic year.

The enrolment tender shall include:

- higher education institute name and address,
- study programme name,
- study programme implementation location,
- study duration,
- enrolment conditions,
- planned number of available enrolment places,
- procedures and time limits for tender application and enrolment implementation.

A higher education institute shall have to obtain consent from the Government of the Republic of Slovenia concerning the content of the tender.

Procedures and time limits under the last indent of paragraph 4 of this Article and the tender publication manner shall be determined by the minister responsible for higher education.

Article 41

(Enrolment Restriction)

A higher education institute shall be able to restrict the enrolment in the study programmes implemented in the frame of the public service if the number of enrolment applications significantly exceeds the number of available places or its capacities (with regard to the personnel, equipment and other).

The selection of candidates for enrolment in higher education professional and university study programmes shall observe the overall achievement attained in matura, vocational matura or final examination and the overall achievement attained in the third and fourth secondary school years, and it may also observe the achievement in individual matura, vocational matura and final examination subjects, determined by the study programme, and in individual subjects in the third and fourth secondary school years.

The selection of candidates for enrolment in Master's study programmes shall observe the achievement in the first level study (average grade, diploma thesis grade), and it may also observe the achievement in individual first level subject areas determined by study programmes or an optional exam determined by the study programme.

The selection of candidates for enrolment in Doctoral study programmes shall observe the achievement in the second level study (average grade, Master's thesis grade), and it may also observe the achievement in an optional exam determined by the study programme, or the test of artistic talent or psychophysical abilities.

A higher education institute shall have to obtain consent from the Government of the Republic of Slovenia concerning the enrolment restriction that shall be published.

Article 42

(Scientific and Research and Artistic Work)

Higher education institutes shall organise and implement scientific and research or artistic work and provide for the development of disciplines.

The higher education institutes, which perform public service, shall implement the scientific and research work and artistic work in accordance with the programme adopted and published by the Senate of a higher education institute according to the procedure specified to adopt and publish study programmes.

The higher education institutes shall implement fundamental research, applied research, and development and other projects in accordance with the Act that regulates the research activity, and perform consultancy and other services.

IV. THE NATIONAL HIGHER EDUCATION PROGRAMME

Article 43

(The National Programme)

The public service in the higher education shall be determined by the National Higher Education Programme.

Article 44

(The Content of the National Programme)

The National Higher Education Programme shall:

- determine the objectives of higher education,
- determine study, scientific and research, and artistic areas of national significance,
- determine the activities required for the development and efficient work in higher education,
- determine the standards to perform higher education activities,
- determine the indicative scope of funds to implement the National Programme.

The National Higher Education Programme and the National Research and Development Programme shall have to be harmonised in defining the research areas.

Article 45

(Preparation of the National Programme)

The National Higher Education Programme shall be adopted by the National Assembly. The proposal of the National Programme shall be formed by the Government of the Republic of Slovenia based on professional starting points prepared by the Council of the Republic of Slovenia for Higher Education in cooperation with the Science and Technology Council of the Republic of Slovenia.

The funds required to implement the National Higher Education Programme shall be determined by the budget of the Republic of Slovenia.

Article 46

(Implementation of the National Programme)

The National Higher Education Programme shall be implemented by public higher education institutes, other institutes - members of universities, the student community, and student dormitories.

The National Higher Education Programme shall be implemented also by higher education institutes, other institutes - members of universities and student dormitories on the basis of concession.

Research organisations may also participate in implementation of the National Programme with the higher education institutes.

Allocation of study programmes with which the National Higher Education Programme is implemented shall be determined by the Government of the Republic of Slovenia.

Article 47

(conferral of concession)

Concession for carrying out the public service in higher education is conferred with a decision by the Government of the Republic of Slovenia via a public tender. Concession for carrying out the public service for student accommodation is conferred with a decision by the ministry, relevant for higher education, via a public tender. In the tendering documentation the following is indicated, particularly: the subject of concession, conditions for carrying out the public service, period of conferral of concession, deadline for application and the deadline for informing the applicants on the selection. The relations between the concessionaire and the concessioners are defined with a contract on concession which is entered into in the written form. The contract defines, particularly:

- the extent of carrying out the public service,
- start of carrying out the public service,
- deadline for termination of concession, which must not be shorter than the deadline required for completion of studies, extended by two years,
- funds, provided by the concessionaire for carrying out the public service
- management and possession of property, acquired by public funds.

V. Higher Education Council of the Republic of Slovenia

Article 48

(foundation of council)

The Government of the Republic of Slovenia founds the Higher Education Council of the Republic of Slovenia as consultative, accreditation, evaluating and habilitation body of the Republic of Slovenia. The Higher Education Council of the Republic of Slovenia is independent in regard to its duties and decision making. All its decisions are made independently, professionally and unbiased.

Article 49

(tasks of the council)

As the consultative body the Higher Education Council of the Republic of Slovenia:

- advises the Government of the Republic of Slovenia in regard to planning higher education,

- in cooperation with institutions of higher education and the ministry, relevant for the higher education, prepares expert starting-points for modelling the national programme of higher education.

As the accreditation body the Higher Education Council of the Republic of Slovenia carries out the following tasks:

- defines criteria for accreditation and re-accreditation of institutions of higher education and study programmes,
- defines criteria for modelling and accreditation of joint study programmes, while accounting for the principle of formation of the single European area of higher education and other international principles and recommendations for formation of these programmes,
- defines criteria for credit evaluation of study programmes according to ECTS,
- defines criteria for transitions between study programmes,
- defines criteria for recognition of knowledge and skills, acquired prior to enrolment into the study programme i.e. outside the study programme in question,
- cooperates with accreditation institutions from abroad and their experts,
- gives expert opinion on fulfilment of conditions for foundation i.e. reorganisation of institutions of higher education,
- gives consent on study programmes and amendments to their mandatory contents,
- at least every seven years gives re-consents to study programmes, while accounts for findings from self-evaluation and external evaluation reports.

As evaluation body the Higher Education Council of the Republic of Slovenia:

- is responsible for the quality of Slovene higher education and higher vocational education in the way that it monitors, determines and ensures the quality of institutions of higher education and higher vocational schools, their study programmes and scientific-research, artistic and professional work,
- defines criteria for monitoring, determining and ensuring the quality of higher vocational school, study programmes and professional work,
- cooperates with institutions of higher education and higher vocational schools and promotes self-evaluation,
- cooperates with institutions or bodies for evaluation from abroad,
- organises training of external evaluation groups,
- publishes reports on individual external evaluations, analyses the latter and prepares and publishes the yearly national reports,
- collects and analyses reports on self-evaluation and external evaluation,
- carries out the external evaluation procedures and prepares expert starting-points for the latter,
- appoints groups for external evaluation of institutions of higher education and higher vocational schools, study programmes and scientific-research, artistic and professional work,
- directs the external evaluation procedures, reports on the latter and promotes self-evaluation of institutions of higher education and higher vocational schools.

As the habilitation body the Higher Education Council of the Republic of Slovenia:

- defines criteria for habilitation procedures of the habilitation senate of the Higher Education Council of the Republic of Slovenia,
- gives opinion in regard to criteria by the institutions of higher education for election of higher education teachers and scientific workers,

- appoints the habilitation commission for those individuals who request this,
- issues decrees on election into the higher education teacher, scientific worker and higher education employee title,
- gives consent to independent institutions of higher education on elections into the higher education teacher, scientific worker and higher education employee title.

The Higher Education Council of the Republic of Slovenia carries out other duties pursuant to law and the act on foundation. If this act and regulations, pursuant to this, do not regulate otherwise, considering individual rights and requests of clients, the act regulating the general administrative procedure is relevant. The Higher Education Council of the Republic of Slovenia, through its work, cooperates with other councils relevant to individual domains in education and science and technology.

Article 50 (composition of council)

The Higher Education Council of the Republic of Slovenia is composed from experts for higher education, science and technology and higher vocational education, representatives of students from institutions of higher education and higher vocational schools and representatives of employees and employers. According to their position the three deans of universities, selected by the dean conference, and the president of the Slovene academy of science and arts are also members of the council. The Higher Education Council of the Republic of Slovenia must be composed in a way that all study areas are represented.

The president and the 20 members are appointed by the Government of the Republic of Slovenia, out of these:

- twelve experts for individual study domains according to Isced classification (at least one from each domain),
- one expert for higher vocational schools,
- three students from institutions of higher education: one from the first, one from the second and one from the third level,
- one student from higher vocational education and
- three representatives of employees and employers.

The president and the members are appointed from the candidates who, upon the written notice from the ministry, relevant for higher education, are proposed by:

- universities and independent institutions of higher education, public research institutes, higher education teachers and researchers, Science and Technology Council of the Republic of Slovenia and the Slovene academy of science and arts for the experts in individual study domains,
- association of higher vocational schools of the Republic of Slovenia for the expert in the higher vocational schools domain,
- student organisation of Slovenia in cooperation with student councils of universities and independent higher education institutions and the student from a higher vocational schools,
- economic interest associations, chambers and the Government of the Republic of Slovenia for the representatives of employers and relevant unions for the representatives of employees.

The president and the members of the Higher Education Council of the Republic of Slovenia are appointed for a six year mandate, the representatives of students for two years.

A member of the Higher Education Council of the Republic of Slovenia or its senate, who has participated in a procedure at the institution of higher education in regard to an accreditation, evaluation or habilitation procedure, cannot participate in the procedure in question.

The Higher Education Council of the Republic of Slovenia regulates the method of its operation and decision making with a rulebook.

Professional, organisational and administrative tasks for the Higher Education Council of the Republic of Slovenia are carried out by an affiliated body to the ministry relevant for higher education. Individual tasks can be outsourced.

Article 51 (senates of council)

For carrying out and decision-making in accreditation, evaluation and habilitation procedures the Higher Education Council of the Republic of Slovenia appoints the accreditation, evaluation and habilitation senates.

The accreditation senate:

- gives professional opinion on fulfilment of conditions for foundation i.e. reorganisation of institutions of higher education,
- gives consent to study programmes and amendments to their mandatory contents,
- at least every seven years gives re-consents to study programmes, while accounts for findings from self-evaluation and external evaluation reports.

The evaluation senate:

- collects and analyses reports on self-evaluation and external evaluation,
- carries out the external evaluation procedures and prepares expert starting-points for the latter,
- appoints groups for external evaluation of institutions of higher education and higher vocational schools, study programmes and scientific-research, artistic and professional work,
- directs the external evaluation procedures, reports on the latter and promotes self-evaluation of institutions of higher education and higher vocational schools.

The habilitation senate:

- gives opinion in regard to criteria by the institutions of higher education for election of higher education teachers and scientific workers,
- appoints the habilitation commission for those individuals who request this,
- issues decrees on election into the higher education teacher, scientific worker and higher education employee title,
- gives consent to independent institutions of higher education on election into the higher education teacher, scientific worker and higher education employee title.

The senate must be constituted in a way that all study domains are represented. The senates have nine members, among these one representative of the employees or one of employers and one representative of students. The president of the senate and at least four members are appointed by the Higher Education Council of the Republic of Slovenia from its members, while other from external experts. Individual expert can only be a member of one senate simultaneously. The members of the senate are appointed for six years, the representatives of students for two years. The deans and deputy-deans of universities, faculty and deputy-faculty

deans or directors of members of universities i.e. independent institutions of higher education or other organisations operating in the higher education branch cannot be appointed into the accreditation senate.

The deans and deputy-deans of universities, faculty and deputy-faculty deans or directors of members of universities i.e. independent institutions of higher education or other organisations operating in the higher education branch and the headmasters i.e. directors of higher vocational schools cannot be appointed into the evaluation senate.

The deans and deputy-deans of universities i.e. faculty deans of independent institutions of higher education or directors or other organisations operating in the higher education branch cannot be appointed in the habilitation senate.

The senates pass decisions with the majority of votes of all members. Against these decisions objections are possible addressed to the Higher Education Council of the Republic of Slovenia in a 15 day period. If there are no objections the decisions become effective the day following the deadline for objection. The accreditation, evaluation and habilitation senates regulate their operation in detail with rules on operation of a senate. These rules must be harmonised with the rulebook of the Higher Education Council of the Republic of Slovenia. For independent tasks the senates can form working groups.

V.a PUBLIC AGENCY

Article 51a

(deleted)

Article 51b

(deleted)

Article 51c

(deleted)

Article 51č

(deleted)

Article 51d

(deleted)

VI. HIGHER EDUCATION TEACHERS, SCIENTIFIC WORKERS AND HIGHER EDUCATION EMPLOYEES

Article 52

(teachers)

The higher education teachers are assistant professor, associate professor, full professor and lector. Higher education teachers in vocational higher education programmes are also lecturers and senior lecturers.

Higher education teachers are the carriers of educational, artistic and scientific programme. In their work they follow and contribute to the development of science, arts and profession in the field of appointment, independently develop the defined field of science, arts i.e. the profession and care for the transfer of this knowledge.

Article 53

(scientific workers)

Scientific workers are scientific employee, higher scientific employee and scientific consultant.

Scientific workers carry out the scientific-research programme.

Article 54
(higher education employees)

Higher education employees are: assistant, librarian, professional consultant, senior professional consultant, professional consultant and teacher of skills.

Higher education employees contribute to the implementation of educational, scientific-research and artistic work.

Article 55
(conditions for election)

Those with a PhD (ScD) and verified educational capabilities can be elected into the titles assistant professor, associate professor and full professor.

Those having a PhD (ScD) can be elected as a scientific worker. The scientific worker can be elected into the title of higher education teacher if possessing verified educational capabilities.

Those having completed studies of at least second level, having verified artistic works and verified educational capabilities can be elected into the title higher education teacher of artistic disciplines.

Those having completed studies of at least second level and having verified educational capabilities can be elected into the title senior lecturer.

Those having completed studies of at least second level and having verified educational capabilities can be elected into the title lecturer or lector.

Those having completed studies of at least second level can be elected into the title higher education employee.

Higher education teachers, scientific workers and higher education employees, along with the conditions from paragraphs one to six of this article, must also fulfil the conditions defined by the criteria for appointment into the title.

The criteria for appointment into the title of higher education teachers, scientific workers and higher education employees are defined by the senate of the higher education institution in question according to regulations. For the higher education institutions, being members of universities, the criteria are defined by the senate of university.

The criteria stipulated in the previous paragraph must be internationally comparable and are to be publicly published.

Article 56
(election procedures)

Assistant professors, associate professors, senior lecturers, lecturers, scientific workers and senior scientific workers are elected for five years by the senate of the faculty, art academy i.e. higher vocational school in question.

Full professors and scientific consultants are elected by the senate of the university in question for an unlimited time period. Full professors and scientific consultants of a higher education institution not being a member of university are elected by the senate of the institution in question. Prior to election he/she must acquire consent of the Higher Education Council of the Republic of Slovenia.

Higher education employees are elected by the senate of the faculty, art academy or higher education institution in question for the time period defined by the statute.

Prior to election or election into a higher title the senate of a member of university must acquire a consent of the senate of the university. Senate of the higher education institution not being a member of university must acquire a consent by the Higher Education Council of the Republic of Slovenia. Retired higher education teachers, scientific workers and higher education employees retain the title holding at the moment of retirement.

Article 57
(detailed procedure for election)

The procedure for election into the title of higher education teachers, scientific workers and higher education employees is, according to regulations and criteria for election, defined in detail in the statute of the higher education institution in question.

Article 58
(withdrawal of title)

If a higher education teacher, scientific worker or higher education employee does not fulfil scientific or educational duties or the conditions defined for election, the senate relevant for election commences the procedure for withdrawal of the title. In the withdrawal procedure provisions of the election procedure are applicable. The higher education teacher, scientific worker or higher education employee in question should be allowed to clarify his/her opinion.

Article 59
(judicial protection of rights)

Against a decision issued in a procedure for election i.e. for withdrawal of title an administrative dispute can be initiated.

Article 60
(work positions)

The working positions of higher education teachers, scientific workers and higher education employees are publicly advertised and occupied according to deadlines and circumstances defined by the statute of the higher education institution.

Article 61
(private higher education teachers)

A higher education institution can outsource implementation of parts of an individual subject i.e. subject area to a private higher education teacher.

A private higher education teacher is one who is elected into the title of higher education teacher and is inscribed into the registry of private higher education teachers, kept by the ministry relevant for higher education. The minister, relevant for higher education, defines the procedure of inscription and deletion into and from the registry.

Article 62
(guest higher education teachers)

An institution of higher education can invite recognised teachers, scientists, experts and artists for cooperation for a limited time period regardless of the conditions defined for election into a title.

Article 63
(work and educational duty)

Direct educational duty during the time of the organised study process in higher education, being carried out as the public service, amounts:

- for assistant, associate and full professors six hours per week,
- for senior lecturers, lecturers and lectors nine hours per week,
- for assistants ten hours per week.

Forms of direct education duties are defined by the dean of the university i.e. the dean of the independent institution of higher education in question with a separate regulation, which must acquire a consent by the minister relevant for higher education.

If the direct weekly educational duty, defined in previous paragraphs, does not enable implementation of study programmes the relevant body of the institution of higher education in question can burden a higher education teacher i.e. employee with an additional weekly educational duty, namely:

- two hours for assistant, associate and full professors,
- three hours for senior lecturers, lecturers and lectors,
- four hours for assistants.

Direct weekly educational duty and maximum of four additional weekly educational hours for other higher education employees are defined by the dean of the university i.e. the dean of the independent institution of higher education in question by a separate regulation. The additional educational duty is settled equally as the direct educational duty.

In regard to the number of students in the group at a subject the direct weekly educational duty can be decreased for the maximum of two hours to assistant, associate and full professors, senior lecturers, lecturers and lectors.

The direct weekly educational duty, stipulated in previous paragraphs, can be decreased proportionally to assistant, associate and full professors, senior lecturers, lecturers and lectors according to their research and developmental work. Criteria for the decrease of the direct educational duties are defined by the deans of universities and the deans of independent institutions of higher education, are subsequently harmonised and send to relevant unions which can give opinion in regard to the letter in a 15 day period upon its reception. The deans must acquire a consent to the criteria by the minister relevant for higher education.

The assistant, associate and full professors, senior lecturers, lecturers, lectors, assistants and other higher education employees, if there are available funds, as an exception, can perform educational, scientific-research, artistic or professional work up to the maximum of 20% of the full work duty weekly, also with the same employer.

If all possibilities of the employment contract have been completed, while the uninterrupted implementation of the educational activities must be carried out, the institution of higher education can enter into a labour contract pursuant to this act and the act defining obligation codes, whereas for not more than the extent of one third of the educational duty defined by this act and for the maximum of ten months in an academic year. Those having an employment contract in the higher education branch pursuant to this act must, prior to entering into labour contracts with other employers, submit a consent from the primary employer.

Article 64
(improvement year)

In a six year working period a higher education teacher has the right to profoundly improve in the research domain lasting up-to twelve months at most.

In the case from the previous paragraph the educational duty of the higher education teacher in question is reorganised, but must not increase by more than one third.

VII. STUDENTS

Article 65
(students)

Student is a person who is enrolled in an institution of higher education upon a call for enrolment and is being educated according to an undergraduate or postgraduate study programme. The student status is disclosed with the student identification card.

Article 66
(rights and duties)

Students have the right of enrolment and education under equal conditions, defined by regulations, statute and the study programme in question. Besides:

- along regular progress are educated and complete studies under the conditions that were effective at the moment of enrolment,
- can once during the period of studies repeat or change the study programme or the major field due to not meeting the duties stipulated in the previous paragraph or in the study programme in question,
- can be educated according to a number of study programmes (parallel education), according to inter-disciplinary or individual study programmes, implemented by one or more institutions of higher education,
- can progress and complete studies in a shorter time period than defined by the study programme in question.

The statute of the institution of higher education in question regulates rules and procedures in detail, particularly in regard to:

- academic calendar,
- enrolment procedures,
- examination regime,
- progress, including with the conditions for rapid progress,
- completion of education,
- transitions between study programmes,
- repetition of a year i.e. conditional progress,
- continuation of studies after suspension,
- parallel, interdisciplinary and individual studies,
- recognition of examinations and other study duties, carried out at different institutions of higher education.

The statute also defines:

- types of documents issued to students according to registries pursuant to Article 81 of this act,
- procedure for protection of students' rights

- bodies relevant for carrying out the procedures and decision making,
- disciplinary responsibility and rights and duties of students in disciplinary procedures, and
- other rules in relation to rights and duties of students.

Article 67
(co-management of students)

Students have the right, through their representatives, to cooperate in the working process and management of the institutions of higher education according to this act and the statute. The representatives of the student council are invited to the meetings of the bodies of the institution of higher education in question.

Article 68
(organisation of students)

Students have the autonomous right to form student associations. The method of implementation of this right is regulated by law.

Article 69
(other rights and benefits of students)

Students, regardless of the mode of implementation of studies, namely full time or occasional, have the right of medical insurance and other benefits and rights (e.g. nutrition, transport, studentships) according to separate rules, if not being employed or registered as employment seekers.

Students, citizens of the Republic of Slovenia, have the possibility of residing in student accommodation facilities, other institutions and legal entities, registered for the industry of student accommodation facilities, while through the latter, also with private operators owners of rooms being rented, the citizens of other countries, according to conditions defined by separate regulations.

Students, citizens of the Republic of Slovenia, having the seat of education outside their permanent place of residence, have the right of subsidised transport in public transport.

Article 70
(termination of student status)

Student status is terminated, if a student:

- graduates,
- does not graduate within twelve months following the completion of the last semester,
- enrolls out,
- during the studies does not enrol for the subsequent year i.e. semester,
- has been expelled,
- completes postgraduate studies,
- does not complete postgraduate studies by the deadline, defined by statute.

In the cases stipulated in the previous paragraph, indents two, four and seven, student status can be prolonged for the maximum of one year based on justified reasons. Student mothers, giving birth during the studies, have the right of prolonged student status by one year for each living child.

Article 71
(judicial protection of rights)

Against the final decision by the relevant body of the institution of higher education in question on acquiring i.e. termination of student status and other issues relating to studies an administrative dispute can be initiated.

VIII. FINANCING

Article 72
(sources of financing)

Institutions of higher education acquire funding from the budget of the Republic of Slovenia, tuition fees and other contributions for studies, payments for services, donations, inheritances and gifts from other sources.

Funding stipulated in the previous paragraph is used according to the purpose that it has been acquired for.

Article 73
(financing public institutions of higher education)

Universities and independent institutions of higher education, incorporated by the Republic of Slovenia, are provided for by funds for:

- educational and related scientific-research, artistic and professional activities and library, information, organisational, administrative and other infrastructural activities (in the continuation: basic study activities),
- activities related to studies by student interest associations, defined in the yearly plan of the student council of the university or the institution of higher education in question and university sports (in the continuation: parallel study activities),
- investments and investment maintenance, and
- developmental and other significant roles, defined in the rulebook, passed by the minister relevant for the higher education.

Funds for the basic study activities for the first and second level are provided for in the state budget as integral funds for the university or institution of higher education in question (integral financing), accounting for the field of studies and the number of enrolled students and graduates of full-time studies of the first and the second level.

The state budget can also finance the programmes according to the third study level. Detailed provisions on financing higher education, according to the standards from the national programme, are defined in the regulation pursuant to Article 75 of this act.

Funds for parallel study activities are determined while accounting for the number of enrolled students and the value of the point for the individual student, which is defined with the decision by the minister, relevant for higher education, for each budgetary year. During the procedure of budgetary preparations universities and independent institutions of higher education submit the financially evaluated yearly plan to the minister, relevant for higher education.

Article 73a
(financing activities of private institution of higher education)

The Republic of Slovenia confers funding to the independent institutions of higher education having concession for the basic and the parallel study activities.

The Republic of Slovenia can fund developmental tasks to the institutions of higher education from the previous paragraph and to the private institution of higher education carrying out publicly valid study programmes.

Article 73b
(subsidising student accommodation)

The Republic of Slovenia subsidises accommodation of students in public and private institutions, with other private operators registered for the industry of student accommodation and through the latter with the private operators owners of rooms.

In regard to subsidising student accommodation to the citizens of the Republic of Slovenia, learning i.e. study success is accounted for, material status, remoteness of the permanent place of residence from the place of study and social and health circumstances of the student in question are also accounted for.

Detailed provisions on subsidising pursuant to two previous paragraphs are prescribed by the minister, relevant for higher education.

Article 73c
(subsidising student transport)

The Republic of Slovenia subsidises student transport to those students having the place of study five or more kilometres away from the permanent place of residence, namely to the maximum of 70% of the full price of the monthly ticket, accounting for the social status and remoteness of the place of education.

The minister, relevant for higher education, issues the rulebook defining the procedure and criteria for subsidising transport stipulated in the previous paragraph.

Article 74
(other financing)

State budgetary funds also ensure the funding for:

- investments and investment maintenance of public student accommodation facilities,
- operation of the Central technical library of the University of Ljubljana,
- operation of the Higher Education Council of the Republic of Slovenia,
- tuition fees and student aid to foreign citizens and Slovenes without the Slovene citizenship,
- care for development and learning of the Slovene language, also for other purposes stipulated by law or other regulation.

Article 75
(separate regulations)

Financing pursuant to Articles 73 and 73a of this act are to be regulated in detail by separate regulations, passed by the Government of the Republic of Slovenia.

Article 76
(higher education accounts)

Institutions of higher education, having the legal entity status, can form accounts for management of funds. Operations of accounts are led by boards of managers.

The number of members, composition of boards of managers, duration of the mandates of the members and operation of accounts is regulated by statutes.

Article 77
(tuition fee and other contributions)

Tuition fees and other contribution for studies according to the programmes having public validity are the income of the institution of higher education in question and are defined with the regulation passed by the minister, relevant for higher education.

The regulation from the previous paragraph can also define contributions for other individual services of the institution of higher education in question.

The citizens of the Republic of Slovenia and the citizens of the European Union members cannot be charged for tuition fees within undergraduate studies of the first level having public validity, being implemented as the public service, except when their implementation exceeds the standards defined in the national programme of higher education.

Article 78
(management of surpluses)

Surpluses of incomes over outcomes are utilised for implementation and development of activities.

IX. MONITORING

Article 79
(monitoring)

Monitoring over legality of work and fulfilment of conditions for carrying out the activities of higher education is performed by the ministry, relevant for higher education, according to separate regulations. Control over the purposefulness of the use of funds for carrying out the public service is performed according to separate regulations.

Article 80
(evaluation of quality)

Quality of institutions of higher education, study programmes and scientific-research and artistic and professional work is evaluated by the institutions of higher education (self-evaluation) and the evaluation senate of the Higher Education Council of the Republic of Slovenia (external evaluation). Findings in self-evaluation and external evaluation reports are accounted for at re-accreditation of institutions of higher education and their study programmes. Based on the findings of the evaluation senate of the Higher Education Council of the Republic of Slovenia the ministry, relevant for higher education, determines a deadline for elimination of potential deficiencies. If the latter are not eliminated by the deadline, regardless of deadlines stipulated in Articles 14 and 32 of this act, the procedure for re-accreditation commences.

X. COLLECTION AND PROTECTION OF PERSONAL DATA

Article 81

(list of registries with student personal data)

Institutions of higher education keep the following registries containing student personal data:

1. registry of students applied for enrolment and enrolled student,
2. personal dossier kept for each student from the inclusion until the completion of studies i.e. until the student enrolls out,
3. minutes on examination which registers the application to the examination, process of the examination and the grade achieved,
4. registry of issued documents on completed undergraduate and postgraduate studies.

Registries stipulated in the points 1,2 and 4 from the previous paragraph contain: name and surname of the student (for females also maiden surname), sex, date, place and municipality of birth, country of birth, permanent and temporary residence, unique matriculate citizen number, citizenship, previously acquired education, way of studies and other data according to separate regulations. Registry from the point 2 also includes data on passed examinations, on progress and completion of studies. Registry in the previous paragraph point 3 of this article includes: name and surname of the student (for females also maiden surname), sex, unique matriculate citizen number, way of studies, year of studies and the academic year of the first enrolment, date of examination, data on the fact, whether the examination is taken for the first time or repeating, and the grade achieved at the examination.

Article 81a

(list of registries with personal data of employees)

Institutions of higher education keep the following registries with personal data of employees:

1. registry of employees,
2. registry of salaries.

The registry on employees contains the data for each individual employee being employed. It commences with the date when the person is employed and ceases with the date of termination of employment. The employee must inform the employer of any changes to the data being inscribed according to the employee's statement or personal documents within a 15 day period following the change taking effect, if the employer has not been directly informed by other means. The registry on salaries for the individual employee commences with the date of employment and ceases with the date of termination of employment. Registries from the paragraph one, points 1 and 2, of this paragraph contain: name and surname of the employee (also the maiden surname for females), sex, date, place and municipality of birth, permanent and temporary residence and other place where the employee is travelling from at work, unique matriculate citizen number, tax number of the employee, place of work, vocation, education, professional skills for performance of particular working tasks i.e. duties, application for election into the higher education teacher title or higher education employee, decision of the senate on appointment of the commission for election into the title, report of the commission, senate's consent, decision on election, duration of election, habilitation field, working position, description of tasks and duties and responsibilities, working hours of the employee per week, whether the employee is employed for undermined or determined time period, whether the employee is employed for part-time, whether the employee is a disabled person or retired, name of the other employer where the employee is employed, date of

employment, date of termination of the employment, reason for termination of the employment.

Registry form paragraph one point two of this article also contains data on the employees working hours and its utilisation, weekly educational duty, working hours per month, yearly holiday allowance and its utilisation, absences due to personal training and education, absences due to temporary inability or restraint from work which are eligible for receiving salary reimbursement, hours at work longer than the full working quote, data on work and insurance term, previous consents for additional work, consent for entering into additional contract on labour, data on determination of salary i.e. fees, gross salary i.e. fee, on paid salary (basic salary, stimulus, other) i.e. fee, on paid personal receivables according to purposes (social aid, severance payment, long-service awards, holiday allowance), on paid salary reimbursements according to purposes settled in the name of other organisations or bodies, date of the last promotion, number of promotions.

Article 82

(use of registries containing student personal data)

Personal data on students pursuant to Article 81 of this act are collected, processed, kept and forwarded for the purposes of higher education activities by institutions of higher education, for the purposes of state administration, local administration, carriers of public authorisations and student organisations, related to impletion of student rights according to separate regulations. At processing statistical analyses the personal data can be used and publicised in the way that the identity of the student in question is not evident.

Article 82a

(use of registries containing employees' data)

Personal data on employees pursuant to Article 81a of this act are collected, processed, kept and forwarded for the purposes of higher education activities by institutions of higher education, for the purposes of state administration, local administration, carriers of public authorisations, related to implementation of the salary system in the public sector and determining personnel conditions.

Article 83

(maintenance of registries)

The registries pursuant to Articles 81 and 81a of this act are maintained indefinitely according to separate rules, except for the registries of enrolment applicants which are maintained until the enrolment i.e. expiry date for appeal procedures.

Article 84

(documentation)

Provisions regarding keeping, use and maintenance of personal data according to registries pursuant to this act are also applicable for documentation used as base for collection of personal data. Documents on previous education are returned to the student following the completion of enrolment procedures.

Higher Education Act – HEA (Official Gazette of the RS, no. 67/93) contains the following transitional and final provisions:

XI. TRANSITIONAL AND FINAL PROVISIONS

Article 85 (founder takeover)

With the date of effectiveness of this act the founder of the University in Ljubljana and the University of Maribor, which continue to operate as public institutions of higher education, becomes the Republic of Slovenia. Faculties, academies of art, higher vocational schools and higher schools, associated in the University of Ljubljana i.e. the University of Maribor become members of the University of Ljubljana i.e. the University of Maribor with the date of effectiveness of this act.

Article 86 (decree on reorganisation of universities)

The state parliament passed the decree on reorganisation of universities at the latest in two years following the effectiveness of this act. With the date of effectiveness of this act incorporation acts of the members of universities cease to give effect, unless it is defined otherwise with the act on reorganisation.

Article 87 (bodies)

Until the election of new bodies of institutions of higher education pursuant to statutes, passed according to this act, bodies defined by valid statutes continue to operate.

Article 88 (harmonisation of statutes and study programmes)

Until the passing of statutes of universities pursuant to this act the effective statutes of universities and their members are effective, if not being contrary to law.

Institutions of higher education, reorganised according to this act, harmonise their statutes according to this act and the decree on reorganisation within six months following the passing the decree on reorganisation.

The statutes stipulated in the previous paragraph are passed by the council of the institution of higher education in question by the majority of votes of the members of the council.

Institutions of higher education harmonise their study programmes with this act at the latest in two years following its effectiveness.

Students, enrolled into programmes stipulated in the previous paragraph, can complete studies under conditions effective at the enrolment, but at the latest by the deadline defined by the study programme in question prolonged by two years, while for the higher vocational education until the expiry of the academic year 2001/2002.

Article 89 (property)

With the date of effectiveness of this act management of immovables, acquired for implementation of higher education activities, is taken over by the university in question.

Inventory of property, being used by the institution of higher education in question for implementation of higher education activities, is performed on the base of the balance sheets dated 31.3.1991.

Article 90
(change of names)

Institutions i.e. organisations, using names stipulated in the Article 18 of this act and not fulfilling the conditions for carrying out higher education activities according to this act, must change or adjust their names within the one year period following the effectiveness of this act.

Article 91
(implementation of matura examinations)

Provision 38 of this act becomes effective for the generation completing education according to secondary education curricula in the school year 1994/95.

Regardless of the provision in Article 38, in relation to the enrolment conditions for the pupils taking Matura examinations in the 1995-1997 period, the study programme can account for the facultative subjects of the examination.

Persons, having completed secondary education prior to the 1st of June, 1995, can enrol into the first year of higher education under the conditions being in effect prior to the effectiveness of this act.

Article 92
(call for enrolment)

Prior to passing the regulation stipulated in Article 40 of this act, provisions from the Rulebook on Call for Enrolment and Implementation of Enrolment in Occupationally Directed Education (Official Gazette of the RS, no. 9/91, 7/92 and 11/93) are applicable.

Article 93
(deleted)

Article 94
(deadline for foundation of the Higher Education Council of
the Republic of Slovenia and the Quality Commission)

The Higher Education Council of the Republic of Slovenia is founded at the latest in six months following the effectiveness of this act.

Criteria stipulated in Article 49, points 2, 4 and 5, of this act are to be defined by the Higher Education Council of the Republic of Slovenia at the latest in six months following its foundation. The Higher Education Quality Commission is to be founded at the latest in one year following the effectiveness of this act.

Article 95
(validity of titles)

Higher education teachers, scientific workers and employees, who had acquired their titles prior to this act coming into effect, retain their titles until the expiration of the duration of

election. The right of use of the title is retained also by retired higher education teachers, scientific workers and employees who had acquired the title prior to this act coming to effect.

Article 96
(deleted)

Article 97
(deadline for passing implementation regulations)

Regulations stipulated in the Articles 7, 16, 40, 61, 69 and 77 of this act are issued by the minister, relevant for higher education, in six months following the effectiveness of this act.

Article 98
(harmonisation of registries)

Keeping and protection of registries containing personal data on students must be harmonised with the provisions of this act by institutions of higher education at the latest within six months following its effectiveness.

Article 99
(expiration of effectiveness of ODEA)

With the date of effectiveness of this act the provisions of the Occupationally Directed Education Act (Official Gazette of the SRS, no. 11/80, 6/83, 25/89 and 35/89), relating to higher education, expire.

Article 100

(Enforcement of the Act)

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Act Amending the Higher Education Act – ZViS-A (Official Gazette of the Republic of Slovenia No. 99/99) shall include the following transitional and final provisions:

TRANSITIONAL AND FINAL PROVISIONS

Article 31

Universities and single higher education institutions shall harmonize their statutes with provisions of this Act within six months after its enforcement.

Article 32

The National Assembly shall adopt the instrument on transformation of universities within three months after the enforcement of this Act.

Article 33

The minister competent for higher education shall adopt forms from Articles 12 and 26 and the regulation from the last paragraph of Article 25 of this Act within six months after its enforcement.

Article 34

The provisions of vocational matura from Articles 13 and 15 of this Act shall enter into force for the generation that shall end its education according to the curriculum for obtaining vocational secondary school education in the school year 2001/2002.

Article 35

The Government of the Republic of Slovenia shall adopt the special regulation from Article 37 of this Act within six months after its enforcement.

Article 36

Until the regulations from the last paragraph of Article 35 and from Article 27 have been enforced, the public service of higher education shall be financed in compliance with Article 64 of the Organization and Financing of Education Act (Official Gazette of the Republic of Slovenia No 12/91-I) and with Decree on budgetary financing of higher education and other university member institutions from 2004 till 2008 (Official Gazette of the Republic of Slovenia, No 39/92).

Article 37

Until the regulation referred to in Article 27 of this Act takes effect, a higher education institution has to seek approval for job classification from the minister competent for higher education.

Article 38

Transfer of title of assets from Article 4 of this Act and other related property-legal relations and registration ex officio of ownership right in land register shall be regulated within three years after the enforcement of this Act with a contract between the Republic of Slovenia and universities and single higher education institutions, as of 1 March 2000.

Article 39

On the day this Act enters into force, the Republic of Slovenia becomes the founder of student dormitories that performed public service on that day. The Instrument on the establishment of student dormitory founded as a university member shall be adopted by the National Assembly of the Republic of Slovenia, and where it is founded as an independent public institution, by the Government of the Republic of Slovenia within a year after the enforcement of this Act.

Article 40

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia, while provisions from Article 2 and 28 on the situation of EU Member States' citizens with the day the Republic of Slovenia becomes a full member of the European Union.

Act Amending the Higher Education Act – ZViS-B (Official Gazette of the Republic of Slovenia No. 64/01) contains the following final provision:

Article 2

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Act Amending the Higher Education Act – ZViS-C (Official Gazette of the Republic of Slovenia No. 100/03) shall include the following transitional and final provision:

TRANSITIONAL AND FINAL PROVISION

Article 9

Rectors of universities or deans of single higher education institutions shall seek consent of the minister competent for higher education in relation to the special regulation from Article 63(2) of the Act no later than until 31 December 2003, and to harmonized criteria from Article 63(8) of the Act no later than within 60 days from the enforcement of the Act. The minister competent for higher education shall issue Rules referred to in Article 73c of the Act within 30 days after the enforcement of the Act.

Article 10

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Act Amending the Higher Education Act – ZViS-D (Official Gazette of the Republic of Slovenia No. 63/04) shall include the following transitional and final provisions:

TRANSITIONAL AND FINAL PROVISIONS

Article 4

Regulations from Articles 7a, 8, 16., 32a and 73 of the Act shall be issued by the minister competent for higher education within six months after the enforcement of the Act.

Article 44

The National Assembly shall adopt the instrument on transformation of universities within three months after the enforcement of this Act.

Article 45

Institutions of higher education harmonize their statutes with this Act within six months after the enforcement of the Act. Until the election of the university and single higher education institutions senates subject to statutes harmonized with this Act, their functions are performed by senates elected in line with the statutes in force.

Article 46

The Government of the Republic of Slovenia appoints the Council for Higher Education of the Republic of Slovenia no later than until 31 December 2004. When the first appointments are made, a half of members is appointed for the duration of three years. Until the appointment of the Council for Higher Education of the Republic of Slovenia, its functions are performed by the Council for Higher Education of the Republic of Slovenia. The first criteria from the amended Article 49 of the Act are adopted by the Council of Higher Education of the Republic of Slovenia within three months after the enforcement of the Act. The accreditation procedures started before the enforcement of the new criteria are continued and ended according to the new criteria.

Article 47

The Instrument on the establishment of a public agency from Article 51a of the Act is adopted by the Government of the Republic of Slovenia no later than until 31 December 2005. Until the public agency from the previous paragraph becomes operational, the professionally-technical functions are performed by the ministry competent for higher education on behalf of the Council for Higher Education of the Republic of Slovenia. The Council for the Evaluation of Higher Education shall be formed within three months after the enforcement of the instrument on the establishment of a public agency. Until the Council for the Evaluation of Higher Education is formed, their functions are performed by the National Commission for Quality in Higher Education. The Commission adopts the first rules for monitoring, establishment and the provision of quality in higher education institutions, study programmes and research, art and professional activities within three months after the enforcement of the Act.

Article 48

Higher education institutions shall gradually introduce study programmes for obtaining qualifications and study programmes for further training in compliance with the Act, and at the latest in the study year 2009/10. Upon the introduction of study programmes in compliance with this Act, call for enrolment in previous study programmes is no longer possible.

Students who enrol in higher education prior to the introduction of new study programmes for obtaining qualifications shall be in training and shall end their studies under conditions that were in force before the enforcement of this Act, and at the latest until the end of the study year 2015/16.

Students from the previous paragraph who have the right to repeat the year and due to gradual introduction of new study programmes cannot repeat the year according to the study programmes they have enrolled shall continue and end their studies according to the new study programmes.

The amended provision of Article 40(3) of the Act is effective for calls for enrolment in the study year 2005/06.

Article 49

Graduates from any previous study programmes for obtaining a university degree applying in the new two-year master's study programmes from the same or similar professional field shall as a rule be granted 60 credit points for their study obligations. The number of granted credit points shall not exceed the number 60. Graduates from previous study programmes for obtaining a university degree studying for occupations regulated by the European Union directives that are weighted by 300 credit points or more who apply for doctoral study programmes are subject to Article 38a(4) indent 2 of the Act. Graduates from any previous study programmes for obtaining specialization whose total number of study years lasted at least five years, shall in the event of applying for third level study programmes be subject to Article 38a(4) indent 3 or additional study obligations shall be stipulated for them in the amount of 60 credit points. Graduates from previous study programmes for obtaining master's degree shall in the doctoral study programme be entitled to the recognition of study obligations in the amount of 60 credit points.

Article 50

This Act shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia.

Act Amending the Higher Education Act – ZViS-E (Official Gazette of the Republic of Slovenia No. 94/06) shall include the following transitional and final provisions:

TRANSITIONAL AND FINAL PROVISIONS

Article 13

The president and members of the Council for Higher Education of the Republic of Slovenia that are performing their functions on the day this Act is enforced shall continue to perform them until the end of their term of office. The Government of the Republic of Slovenia appoints additional members pursuant to Article 6 of the Act within two months from the enforcement of the Act. The Government of the Republic of Slovenia harmonizes the Decree on Administrative Authorities within Ministries (Official Gazette of the Republic of Slovenia Nos. 58/03, 45/04, 138/04, 52/05, 82/05 and 17/06) with Article 50(7) of the Act within two months from the enforcement of the Act. The Council of Higher Education of the Republic of Slovenia appoints senates from Article 7 of the Act within three months after its enforcement. The Council of Higher Education of the Republic of Slovenia harmonizes its Rules with the provisions of this Act, while its senates adopt their Rules of Procedure within four months after the enforcement of this Act. Until the criteria from Article 49(3) indent two and three of the Act take effect, Criteria for monitoring, assessing and assuring the quality of higher education institutions, study programmes and research, art and professional activities shall apply (Official Gazette of the Republic of Slovenia No. 124/04). Until the adoption of the Rules of Procedure and rules from the previous paragraphs the evaluation procedures are led by the National Commission for Quality in Higher Education. Financial resources for activities of the National Commission for Quality in Higher Education are provided from the national budget. Organizational and administrative services required for the National Commission for Quality in Higher Education activities are performed by the ministry responsible for higher education.

Article 14

Criteria from Article 55(8) of the Act may be harmonized by higher education institutions with Article 9 of the Act within three months after its enforcement.

Article 15

In the Republic of Slovenia:

- the level of education obtained from study programmes for obtaining higher education qualifications adopted before 1 January 1994 and the level of education obtained from study programmes for obtaining higher education qualifications adopted before 11 June 2004 (hereafter: previous study programmes) complies with the level of education acquired in accordance with the first level higher education study programmes from Article 33 of the Act;
- the level of education obtained from study programmes for obtaining higher education qualifications corresponds to the level of education obtained from second level study programmes from Article 33 of the Act;
- the level of education obtained from any previous study programmes for obtaining higher education qualifications together with completed study programme for obtaining

specialization corresponds to the level of education obtained from second level study programmes from Article 33 of the Act;

- the level of education obtained from any previous study programmes for obtaining a master of science degree and the level of education obtained from any previous study programmes for obtaining university education together with completed study programme for obtaining specialization corresponds to the level of education obtained from third level study programmes from Article 33 of the Act;

– the level of education obtained from study programmes for obtaining a doctor of science degree corresponds to the level of education obtained from third level doctoral study programmes from Article 33 of the Act;

Detailed provisions on the classification of the level of education are adopted by the Government of the Republic of Slovenia in the regulation on the introduction and use of education and training classification in the Republic of Slovenia.

Article 16

Notwithstanding the provisions of Article 15 of the Act, graduates from previous study programmes continue their studies based on study programmes from Article 33 of the Act under conditions which are, with application *mutatis mutandis* of Article 38a of the Act and in compliance with the criteria for transitions, determined by the study programme. Higher education institutions are independent in determining the conditions for transitions from any previous study programmes to new study programmes. The following is true in these cases:

- provisions of the first, second and third paragraph of Article 38a of the Act are also applied for those who ended a study programme for obtaining higher education qualifications adopted from 1 January 1994 to 11 June 2004;

– graduates of previous study programmes for obtaining specialization who have ended a higher professional programme and who enrol in third level study programmes are granted study obligations in the amount of 30 to 60 credit points;

– graduates of previous study programmes for obtaining a Master of Science degree or specialization who have ended a study programme for obtaining university education and who enrol in a third level doctoral study programme are granted study obligations in the amount of minimum 60 credit points.

Notwithstanding Article 38a(4), anyone who ended any previous study programme for obtaining university education may enrol in a doctoral study programme.

Article 17

The Government of the Republic of Slovenia harmonizes the special regulation from Article 75 of the Act with Article 10 of the Act within six months after the enforcement of the Act. Until the financial resources in line with regulation from the previous paragraph become available, the Decree on budgetary financing of higher education and other university member

institutions from 2004 till 2008 (Official Gazette of RS No. 134/03, 72/04 in 4/06) and the Decision on co-financing post-graduate studies (Official Gazette of RS No. 77/04) remain applicable.

Article 18

Higher education institutions shall harmonize study programmes adopted from 11 June 2004 until the enforcement of this Act with the Act within six months after its enforcement.

Article 19

On the day this Act enters into force, Articles 47 and 49 of the Act Amending the Higher Education Act (Official Gazette No. 63/04) shall be deleted.

Article 20

This Act shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia.

A C T
AMENDING THE HIGHER EDUCATION ACT (ZViS-F)

Article 1

In the Higher Education Act (Official Journal of the Republic of Slovenia, No. 119/06 – official consolidated version, 59/07 – Zštip and 15/08 – CC decision), a new article 10.a shall be added after article 10 with the following wording:

“Article 10.a

(international alliance of universities)

An international alliance of universities with its seat in the Republic of Slovenia shall be established, on the basis of a written agreement or contract, by at least one university established in accordance with this Act, that has accredited study programs in at least three areas according to the ISCED classification and research activity in at least three areas according to the FRASCATI classification, and at least one university with its seat outside the Republic of Slovenia, accredited in the country of establishment. Together with the previously defined universities, other universities, other alliances of universities or university networks, and higher education and research organizations with their seat in the Republic of Slovenia or outside it may also be the founding universities of the international alliance of universities. Universities established by the Republic of Slovenia must obtain a consent issued by the Government of the Republic of Slovenia to establish an international alliance of universities. Upon establishing an international alliance of universities with its seat in the Republic of Slovenia according to the law of the Republic of Slovenia, the articles of association or any other basic act of this international alliance of universities shall contain everything that an articles of association of establishing an institution should govern according to the law. The international alliance of universities from this paragraph shall be entered into a register managed by the Court in accordance with the court register provisions, on the basis of the agreement on or the contract on the establishment and the articles of association or another basic act of the international alliance of universities. The international alliance of universities from the previous article is a university according to this act regardless of whether it fulfills the conditions to establish a university and to be entered into the directory of higher education institutions. Notwithstanding the previous paragraph, the international alliance of universities from the second paragraph of this article shall have bodies as determined by the agreement on or the contract on its establishment and the articles of association or another basic act of this alliance. In managing the international alliance of universities from the second paragraph of this article, students shall have the rights as determined by the agreement on or the contract on its establishment and the articles of association or another basic act of this alliance. For its operations, the international alliance of universities with its seat in the Republic of Slovenia cannot receive funds from the Budget of the Republic of Slovenia intended for study activities or public and concession higher education institutions and investments in the higher education. The international alliance of universities with its seat in the Republic of Slovenia shall receive, for its operations, funds from a special budget line on the Budget of the Republic of Slovenia. In case the international alliance of universities according to this article ceases to exist, the founders are obliged to enable students to finish their studies at the founding universities. Any

real-estate acquired through the funds of the Republic of Slovenia or the European Union shall be the property of the Republic of Slovenia.”_

Article 2

In Article 32 new paragraphs five and six shall be added as follows: “Study programs accredited in Member States of the European Union conducted by an international alliance of universities from paragraph two of Article 10.a of this act shall also be verified, if the diplomas issued in the accreditation country have the nature of a public document, provide a verified level of education in this country and a verified title, and are performed in the accreditation country by verified organizations. The programs must be notified to the Council of Higher Education of the Republic of Slovenia and entered into the directory of higher education institutions at the ministry responsible for higher education. The application for notification and for entry into the directory must be supplemented by a positive opinion of at least one higher education institution that fulfills the classification criteria from paragraph one of Article 10.a and has its seat in the Republic of Slovenia and conducts a comparable study program. Such an opinion is required for individual recognition of diplomas to establish the equivalence of technical expertise acquired abroad or scientific title to the Slovenian technical or scientific title. The Council of Higher Education of the Republic of Slovenia shall also recognize as verified study programs accredited in other countries, if the conditions from the previous paragraph are fulfilled.”

Article 3

In Article 32.a a new fifth paragraph shall be added as follows: “In case the study program is conducted by an international alliance of universities, the diploma or the certificate must state that this is a study program in the framework of an international alliance of universities.”.

Article 4

After Article 50, new articles 50.a, 50.b and 50.c are to be added as follows:

“Article 50.a

(the Secretariat of the Council of Higher Education of the Republic of Slovenia)

Professional, administrative and technical tasks are performed for the Council of Higher Education of the Republic of Slovenia by the Secretariat of the Council of Higher Education of the Republic of Slovenia (hereinafter referred to as: Council Secretariat). The organization and the work of the Council Secretariat, the systemization of jobs and the conditions for employment shall be determined by the Council of Higher Education of the Republic of Slovenia by an internal organization and systematization of jobs act in accordance with regulations for civil servants. The Council Secretariat shall be headed by a director. The director of the Council Secretariat shall be appointed, for a five-year period, by the Council of Higher Education of the Republic of Slovenia on recommendation by the president of the Council of Higher Education of the Republic of Slovenia after having completed an open competition. The director of the Council Secretariat shall be responsible for the work of the Council Secretariat to the Council of Higher Education of the Republic of Slovenia.

Article 50.b

(labor law position of employees)

For the Council Secretariat director selection, appointment and dismissal procedure, provisions of regulations on civil servants relating to general directors of directorates, except provisions that enable dismissal without the existence of reasons of fault, shall be reasonably applied.

In the Council Secretariat director selection and appointment procedure, a special competition commission shall be appointed by the Council of Higher Education of the Republic of Slovenia. Among the candidates proposed by this commission, the Council president shall select the most appropriate candidate and recommend them to the Council of Higher Education of the Republic of Slovenia to be appointed. Provisions governing the status of civil servants shall be applied for employees of the Council Secretariat.

The Council of Higher Education of the Republic of Slovenia can also outsource technical tasks related to accreditations, evaluations and habilitations.

Article 50.c

(financing of the Council of Higher Education of the Republic of Slovenia, its senates and working bodies and the secretariat)

The funds for the work of the Council of Higher Education of the Republic of Slovenia, its senates and working bodies and external contractors and for the work of the Council Secretariat shall be provided under the budget of the Republic of Slovenia as the direct spending agency to the Council of Higher Education of the Republic of Slovenia.

Article 5

In Article 74, the third indent in the first paragraph shall be deleted.

TRANSITIONAL AND FINAL PROVISIONS

Article 6

The Council of Higher Education of the Republic of Slovenia shall adopt an internal organization and systematization of jobs of the Council Secretariat act in two months after this act enters into force. As of 12th August 2008, the Office of Higher Education of the Republic of Slovenia shall cease operation (hereinafter referred to as: the office) in configuration by the Ministry of Higher Education, Science and Technology and the Council Secretariat shall begin operation. Employees who are employed on that date in the office shall continue working in the Council Secretariat under the same labor terms. The budget funds, allocated in 2008 for office operations, are earmarked as of 12th August 2008 for Council Secretariat operations. The Council Secretariat director must be appointed on the basis of a public competition in six months after the start of application of provisions in Article 4 of this act. Until an appointment is made, the director tasks shall be performed by the employee who is the head of the office as of 11th August 2008. The government of the Republic of Slovenia shall provide to the Council Secretariat material and financial means for the beginning of operations and work.

Article 7

Graduates of university study programs adopted before 11th June 2004 who have enrolled in 2005/06 into a second level Master's study program from Article 33 of the Act have the right to enroll in 2008/09 into a study program to obtain a Master of Science degree and a Doctor of Science degree, adopted before 11th June 2004, regardless of the number of study places

available.

On the basis of reasonable application of criteria for the recognition of knowledge and skills obtained before enrollment into the program and the rules for transfers between study programs, the competent authority of the higher education institution shall recognize the fulfilled study obligations of the candidates mentioned in the previous paragraph with regard to suitability, extent and complexity of knowledge acquired in the previous study program and, upon having fulfilled the conditions, enables them to enroll into a higher year of the study program. Upon enrolling into the study programs, the study obligations fulfilled by the candidates mentioned in the previous article shall also be recognized when enrollment into study programs to obtain a Master of Science degree and a Doctor of Science degree, adopted before 11th June 2004, will no longer be possible. For candidates mentioned in the first paragraph of this article, the study program shall be co-financed in accordance with regulations on post-graduate study co-financing, whereby, in enrollment into study programs mentioned in the first paragraph of this article, higher education institutions are required to take into account the school fees already paid for the second level study programs from article 33 of the Act.

Article 8

Upon establishing an international alliance of universities related to the Euro-Mediterranean partnership (EUROMED), the public institution Univerzitetni center za evro-sredozemske študije (*University center for Euro-Mediterranean studies*) shall perform technical and administrative tasks for the beginning of its operation.

Article 9

On the date on which Article 4 of this Act becomes applicable, the word “sta” in the first paragraph of Article 15.a of the Regulation on bodies within ministries (Official Journal RS, No. 58/03, 45/04, 138/04, 52/05, 82/05, 17/06, 132/06 and 41/07) shall be replaced by “je” and the second indent and the third paragraph shall be deleted.

Article 10

This Act shall enter into force on the day following the day of its publication in the Official Journal of the Republic of Slovenia and provisions of Articles 4 and 5 shall begin to apply on 12th August 2008.

No. 602-04/92-14/43

Ljubljana, as of 17th June 2008

EPA 2041-IV