

LAW ON HIGHER EDUCATION

Chapter one

BASIC PROVISIONS

Subject Matter of This Law

Article 1

This Law shall regulate the autonomy of University and its academic freedom, the requirements and procedure of establishment and termination of operation of higher education facilities, the provision and assessment of higher education quality system, the grounds of organization, governance, development and funding of the higher education work.

Terms and definitions

Article 2

Specific terminology used in this Law shall have the following meaning:

1. “**Autonomy of University**” shall refer to academic freedom, independent reasoning and governance and inviolableness of university space;
2. “**Evaluation Agency**” shall be the body performing external evaluation of the quality of the higher education facility and its performance;
3. “**Accreditation of Higher Education Foundation Project**” shall be the adoption of a Decision by the Accreditation Board according to which the project shall be endorsed or commented as regards to the specific requirements of the forming of higher education facility explicated and contained herein;
4. “**Higher Education**” shall refer to the study program education provided at universities and independent higher education facilities;
5. “**Higher Education Qualification**” shall refer to the professional or scientific degree for completed program of first, second or third cycle of higher education, acquired at the higher education facility in Republic of Macedonia or elsewhere, which is accredited and has the authorization to provide higher education;
6. “**Document for a Partially Completed Study Program**” shall refer to a certificate or other record for acquired study credits, completed academic years, semesters, exams, modules, segments of study programs, or finalized obligations of study programs for acquiring higher education, issued by the higher education facility according to the regulations of the respective country;
7. “**Diploma**” shall act as the public document issued by the higher education facility according to which the acquired higher education of first, second and third cycle necessary for the continuation of the education process or engagement in an adequate profession or job, shall be acclaimed;
8. “**Diploma Supplement**” shall be the integral part of the Diploma introducing data on the holder of the Diploma, information closely identifying the qualification, the level of qualification (the technical or scientific degree), the system and content of studies and achieved outcomes as well as data referring to the academic and professional opportunities presented by the

- qualification for further studies and professional status, additional information as to the nature of the study program and its source, date and signature as well as information about the national higher education system;
9. “**Lifelong Learning**” shall refer to a form of continuous learning during one’s entire life for the purposes of professional improvement, further upgrade, profound expertise and advancement of knowledge;
 10. “**Quality Assurance**” shall refer to the evaluation of higher education encompassing numerous explicit procedures for the assurance of quality in higher education facilities, of academic staff and the study programs according to acclaimed procedures and standards and guides for quality assurance adopted by the European institutions for quality assurance of higher education and other organizations and associations having the role of establishing and applying European standards and Quality Assurance Guides for higher education;
 11. “**University Unit**” shall refer to a faculty, art academy or higher vocational school as higher education facility enclosed within a University, with rights and responsibilities determined by this Law and the Statute of the University. University units shall also refer to scientific institutes exercising the rights and responsibilities stipulated in the Law on Scientific and Research Activities, this Law and the Statute of the University;
 12. “**Joint Degrees**” shall refer to a diploma acquired by completion of the study program jointly accepted or provided by two or more universities in the country or a university in the country and an accredited higher education facility from abroad, or its unit accredited and registered in the Republic of Macedonia according to the requirements stipulated in this Law;
 13. “**Co-financing of Studies**” shall refer to the funds reimbursed to the national higher education facility for studying expenses of students whose education is not funded by the Budget of Republic of Macedonia;
 14. “**Credit Transfer System**” shall refer to a joint procedure established according to the European Credit Transfer System (ECTS), enabling the following: description of work load/ scope of activities for the student or the volume of work required to complete the studies; valorization of the completed work load and evaluation and comparison of study achievements and their transfer from one to another higher education facility, where, the credit shall exhibit the work volume required by the study program in relation to the total work quantity required to complete the academic study year;
 15. “**Credit**” shall refer to a measurement unit for evaluating the average work performed by the student, or the work load of the student including the lectures, the seminars, the tutorials and other forms of organized study work. The credits shall be appointed to the students and shall be recorded in the student’s file upon completion of assigned task;
 16. “**Non-formal Learning**” shall refer to courses, spring and winter universities, training courses and other forms of learning, which are not a part of the study programs for higher education and for which a Diploma shall not be granted;
 17. “**Organizational Unit Under the University**” shall refer to a university’s internal form of an organization formed according to the Statute of the University or according to a Declaration or a general act adopted according to the Statute of the University for whose operation the respective university establishing the unit shall have indefinite accountability.

18. **“Co-payment”** shall refer to a fee defined by the Government of Republic of Macedonia charged to the students enrolled in the national higher education facility, whose education is financed by the Budget of Republic of Macedonia;
19. **“Accompanying Member of the University”** shall refer to an institution whose basic scope of activities is functionally related to the higher education activities;
20. **“Applied Scope of Activities”** shall refer to the enforcement of scientific outcome, the expert knowledge and execution of other high-skilled professional assignments of teachers, scientific workers and supporting staff in the scientific and professional area for which the higher education facility has gained accreditation;
21. **“Framework of Qualifications”** shall refer to the aims and the starting points for designing the study programs and the learning outcomes, student’s understanding, or the potential for learning outcomes in the learning process of each cycle of higher education, the accepted national structure of higher education framework of qualifications, including the recognition of the non-formal and formal learning acquired in the process of lifelong learning;
22. **“Independent Higher Education Facility”** shall refer to a higher education facility not enclosed within the University, founded as an art academy or as higher vocational school, higher education facility of religious communities, or other higher education facility founded according to the Law on Specific Higher Education (Military Academy or other);
23. **“Study Program”** shall refer to a set of relatively related teaching subjects or other teaching units (modules or other teaching substance) of one study field which result in student’s acquired qualification and thus enable the student to perform professional activities or to continue studies;
24. **“Fields of Education”** shall refer to one of the 22 fields, defined in the ISCED’s qualification of fields of education under the UNESCO;
25. **“Higher Education Cycles”** shall refer to the three consecutive cycle structure of higher education identified by the Bologna process (the first, the second and third cycle) in which all higher education qualifications acquired under a universal European space of higher education are redistributed, and
26. **“Private- Public Non-profit Higher Education Facility”** shall refer to a higher education facility founded by a non-profitable organization utilizing public resources of foreign and domestic donors creating and generating meritocratic public goods and promoting public interest. The income of such a facility shall be only used and exclusively intended for provision of higher education as such a facility shall not generate or top-up profit.

Higher Education Facilities Roles and Responsibilities

Article 3

The roles and responsibilities of higher education facilities shall be those of generating, maintaining and dissemination of knowledge in order to secure social and economic wellbeing and progress in the society; education of students and their preparation for occupations requiring application of scientific discoveries and expert knowledge, cultural and language diversity, promotion of technological development, advancement of arts, technical culture and sports.

The roles and responsibilities of paragraph 1 of this Article shall be addressed by the higher education facilities in the following manner:

- Organization of studies according to the study programs of first, second and third cycle of studies;
- Delivery of fundamental, developmental and applied research as well as implementation of applied scope of activities;
- Dissemination of scientific, professional and artistic knowledge and skills,
- Securing scientific, professional and artistic youth;
- Provision of equal opportunities for every person to acquire higher education and obtain lifelong learning;
- Secure a lifelong system;
- Co-operation with international and local higher education and scientific facilities and establish other forms of international cooperation;
- Organization of other forms and types of upgrading general education level and inciting constructive competition among versatile ideas and approaches and
- Securing participation of students in governance, especially in relation to issues addressing the quality of education and the student standard.

Character of Higher Education Work

Article 4

Higher education work shall be of public interest.

Protection of Higher Education Title

Article 5

The title of university, faculty, art academy or higher vocational school shall apply only to those higher education facilities founded in accordance with this Law.

Academic community

Article 6

The academic community shall consist of those persons elected in educational - scientific, scientific, educational, supporting staff and vocational positions and students. The full professors shall remain members of the academic community upon their retirement.

Higher Education Accessibility

Article 7

The citizens of Republic of Macedonia shall have equal rights to education in higher education facilities in Republic of Macedonia.

Foreign residents can, under the equivalency principle, obtain education in higher education facilities in Republic of Macedonia under equal terms similarly as the citizens of Republic of Macedonia.

Foreign residents, without applying the equivalency principle, can obtain education in higher education facilities in Republic of Macedonia under conditions further specified by the higher education facility.

Right to a higher education shall be granted to those persons without any citizenship and under conditions stipulated by Law and in ratified international agreements.

Status of Legal Entity

Article 8

The university and the independent higher education shall have the status of legal entity.

The university units shall have rights and responsibilities prescribed with this Law, the University Foundation Act and the University Statute.

The university units shall act as legal entities according to competencies defined in the Statute of the University.

The organizational units within the university can have certain rights as legal entities in management and governance, within scope and in fashion stipulated by the founder. As regards to the responsibilities of the organizational units, the founding university shall have indefinite accountability.

Statute and Other Acts

Article 9

The founding act of the university or the independent higher education facility shall be the Statute.

The Statute shall closely regulate the internal organization, the operation of higher education work, the competencies and work method as well as decision-making and all other issues of importance for conducting higher education work.

The organizational unit shall have a Rulebook, which in accordance with the Statute shall regulate the internal relations and the operation of the unit (hereinafter: Unit Rulebook).

The Statute of the public university and the public independent higher education facility shall be approved by the Parliament of Republic of Macedonia, and by the founder for the private higher education facility, upon previous proposal by the ministry in charge of the functioning of higher education.

Seal, Symbols and Other Insignia

Article 10

The university or the independent higher education facility shall have a seal.

The seal shall read the name and location of the university or the independent higher education facility.

The seal of the university unit, in addition to its name, shall unavoidably enclose the name of the related university under which structure it is founded.

The seal of every higher education facility shall display the name of Republic of Macedonia and the name of the higher education facility.

The central area of the seal of the higher education facility shall present the Coat of Arms of Republic of Macedonia.

The shape and the content of the seal and the appearance of the symbols and other insignia as well as their exploitation shall be defined in the Statute of the University and the Rulebook of the university units, or the Statute of the independent higher education facility.

Chapter two

AUTONOMY OF THE UNIVERSITY

Content and Safeguarding Autonomy

Article 11

The universities and the units thereof as well as the independent higher education facility shall operate by the principle of academic autonomy.

The academic autonomy shall guarantee intellectual freedom to the members of the academic community and creative nature to the research and educational process as top principals and faculties.

The autonomy of the university shall include academic freedom, autonomy of governance and wholeness of autonomy.

Higher education facilities shall have the right to instigate a procedure to the respective court instance for preserving the autonomy of the university.

Academic Freedom

Article 12

The academic freedom shall encompass the following:

- Freedom in scientific and research activities, artistic creation, knowledge application and dissemination
- Independent internal organization and Statute according to law
- Freedom in teaching, performing scientific research, artistic creation, or creativity and applied work, involving the freedom of publication and public disclosure of scientific outcomes and artistic achievements;
- Freedom of studying, identification of study rules, shapes and types of educational work as well as appraisal of student’s knowledge;
- Freedom of selection of study programs and content of particular subjects as well as drafting textbooks and other study materials;
- Freedom of selection of method for interpretation of educational and artistic content;
- Definition of requirements and criteria for studies of first, second and third cycle as well as other types of education;
- Preparation, adoption and enforcement of scientific and research programs as well as applied work;
- Granting professional, academic and scientific degrees in accordance with law, as well as allocating honorable academic ranks;
- Identification of requirements, criteria and procedure for election in educational - scientific, scientific, educational and supporting staff positions and
- Election in the educational - scientific, scientific, educational and supporting staff vocations.

Autonomy in Governance

Article 13

The autonomy in governance of university and the independent higher education facilities shall be exercised in the following:

- Planning, enforcement and development of higher education work,

- Establishment and internal organization
- Adoption of Statute or Unit Rulebook;
- Selection, appointing and dismissal of bodies in accordance with the Statute
- Allocation of approved funds as well as generated revenues;
- Forming funds and founding other organizations out of generated revenues, donations and other sources for the purposes of provision of higher education, science and research, publishing and applied work;
- Management and utilization of property in accordance with the purpose of acquisition;
- Decision –making as to the type of cooperation with other organizations,
- Associating in relevant organizations and forums within the country and abroad;
- Establishing international cooperation, signing contracts and participation in international organizations and associations and
- Decision making on other rights stipulated in the Statute, or in the Unit Rulebook

Inviolableness of University Space

Article 14

The space of the universities and the independent higher education facilities shall be inviolable. The police and other state security agencies shall not enter this space without the consent of the Rector, or the Director or an authorized substitute, except for the purposes of preventing a criminal act, a potential or an ongoing criminal act, for withholding a perpetrator as well as in cases of natural or other catastrophes (fire, flood and like).

To the universities and the independent higher education facilities all political and religious organization and action as well as public display of partisan and religious insignia shall be banned.

Peaceful Dispute Resolution

Article 15

The disputes arising among the members of the academic community as well as disputes among higher education facilities and the units thereof shall be settled in joint bodies, arbitrarily and in other consensual manner.

In the course of dispute resolve of paragraph 1 of this Article, the implementation of regular activities according to Statute shall not be obstructed.

Chapter three

HIGHER EDUCATION FACILITIES AND THEIR OPERATION

Types of Higher Education Facilities

Article 16

Higher education facilities shall be the university and the higher vocational school.

Higher education facilities functioning within the university shall be the faculties, the art academy and higher vocational school (hereinafter: university units).

Scientific institutes, as well as university units shall be a part of the university.

Higher vocational schools can also be founded as an independent higher vocational school or as a part of the university.

Higher education facilities can be public, private-public non-profit facilities and private (profit and non-profit) facilities.

University

Article 17

The university shall be the highest autonomous higher education, scientific, or artistic facility securing the unification of operation and development of higher education, science, art and expertise, directly and through the units of various study fields shall disseminate knowledge of multiple scientific, or artistic fields and disciplines.

The university might enclose accompanying members. The requirements for accession and the rights and responsibilities of accompanying members shall be regulated in the university Statute.

Scope of Activities of the University

Article 18

Within its scope of activities, the university shall participate in the design of the Program for Development of Higher Education Activity in Republic of Macedonia (hereinafter: Higher Education Program).

The university shall integrate functions of its units (functional integration) and by the means of its bodies shall secure their synchronized action via a unique: strategic development, adoption of standards, norms and rules of organization and implementation of higher education and scientific and research work; ECTS; applied and expert work; adjusted financial operation; investments and development plans; promotion of scientific research; criteria for the election and advancement in educational, scientific - educational, scientific or supporting staff vocation; cooperation with the universities in the country and abroad; policy of student, teachers, supporting staff and administrative staff mobility; rules for rational utilization of human and material resources; development and organization of studies; system of provision and control of quality; educational standards; information system; library system; publishing work; issuing diplomas; organization of symposiums and seminars; allocation of funds to the university units and university organizations for cultural and sports activities; provision of forms and other documentation necessary for students; professional or administrative and technical services; university documentation; care and promotion of student's and employee's standard; program for exchange of scientific and vocational services and products with domestic and international natural persons and legal entities; insurance of university property and university units property by performing other work set in this Law and the Statute of the University.

Faculty, Art Academy and Higher Vocational School

Article 19

Faculty shall refer to a higher education facility which performs higher education, scientific and applied higher education work in the study and scientific and research field, according to the study program of one or multiple related and inter-related educational - scientific, or artistic and vocational areas of first, second and third cycle of studies.

Art academy as a faculty shall be higher education facility which carries out higher education and artistic work and scientific and research work in one or more related or interrelated educational and artistic areas and maintains for the development thereof. If an art academy bears the name “faculty”, the provisions of this Law addressing a faculty shall be applied.

Art academy as higher vocational school shall perform vocational studies in the field of one or more related or interrelated vocational artistic areas and shall uphold their development.

Higher vocational schools shall refer to higher education facility which performs higher education or artistic work as graduate vocational studies, specialized studies or applied work in the field of one or more related or interrelated professions (vocational areas).

Higher vocational school can under law perform a scientific and research or artistic work, if stipulated in the Statute of the University as a university unit, or in its Foundation Act if founded as an independent higher education facility.

University Units Work

Article 20

The University unit according to its competencies shall perform the following:

- Planning implementation and development of activities for which it is founded within the available budget resources, self-financing activities, donations and like,
- Perform higher education, scientific and research, applicative or artistic work in one or more related, or interrelated scientific and vocational disciplines in one or more related artistic areas and shall uphold their development,
- Maintain international cooperation with related higher education and scientific facilities in accordance with the university Statute,
- Organization of scientific and artistic gatherings, symposiums, seminars, counseling and other types of assemblies
- Organize operation of the library and library-information and archive work within the universal library and information system set up by the university
- Issue certificates and other documentation for completed studies and other types of education, in accordance with the requirements stipulated in the university Statute,
- Suggest and undertake measures for advancement and safeguarding of students and employees
- Provide various studies for professional improvement, further upgrade, expansion of knowledge and continuous education
- Exchange scientific and vocational services and products of domestic and foreign natural persons and legal entities and

- Perform other works stipulated in this Law and the university Statute
- The faculty can perform higher education work for vocational studies, which, according to this Law shall be provided by a higher vocational school, in accordance with the Statute of the University.

Independent Higher Education Facility Work

Article 21

Independent higher education facility can perform higher education work of first cycle of education in the duration of at least three years of studies as higher vocational school or an art academy, education of second cycle of specialized education of duration of at least one, or two years, in the field for which the study program has received accreditation.

The provisions of this Law addressing the university or its units shall be adequately applied to the independent higher education facility of paragraph 1 of this Article.

Scientific Institute as Provider of Higher Education Work

Article 22

Scientific Institute as a unit and a part of the university can provide higher education for studies of second and third cycle within the scientific domain for which it has been founded, if accredited for delivery of these types of studies and holds a Decision for Initiation of Operation in a manner and according to requirements stipulated in the university Statute.

Scientific institute, which is not a part of the university can provide higher education for studies of second and third cycle in the scientific domain for which it has been founded if the scientific institute fulfills the requirements for higher education work provision and if accredited for these types of studies and if holds a Decision for Initiation of Operation.

Higher Education Facility of Religious Community

Article 23

If faculties or academies founded by the religious communities fulfill requirements of this Law on founding a higher education facility and on provision of higher education activities can have the rights and responsibilities of higher education facility regulated by this Law (hereinafter: higher education facility of religious community).

Higher education facility of a religious community can be a part of the university acting as an accompanying member. The position of the higher education facility of the religious community as a part of the university shall be defined and regulated in a written contract signed by the university and the founder of the higher education facility of the religious community.

The requirements for accession of the higher education facility of the religious community to the university as well as the rights and responsibilities thereof shall be defined in the Statute of the University.

Foreign Higher Education Facility

Article 24

Foreign higher education facility of acknowledged right to deliver higher education activities, or is accredited to provide higher education in the headquarters' country on the basis of approval by the Government of Republic of Macedonia, upon prior proposal submitted by the Accreditation Board, can provide higher education in the territory of Republic of Macedonia in one of the world's renown languages.

Foreign higher education facility can provide higher education according to the requirements defined by this Law and by the means of international agreement, signed between Republic of Macedonia and the country of acknowledged right to deliver higher education work. For provision of higher education activity in the territory of Republic of Macedonia by the foreign higher education facility, the founder should enclose a sustainable financial guarantee.

The foreign higher education facility granted the approval to provide higher education in accordance with paragraph 1 and 2 of this Article for delivery of higher education work in Republic of Macedonia and accreditation for provision of higher education work in the headquarters' country, shall be registered in the Central Registry as facility and in the Registry of higher education facilities in accordance with article 36 of this Law.

Chapter four

ESTABLISHMENT AND DISMISSAL OF HIGHER EDUCATION FACILITIES

Entities Eligible for Establishment of Public Higher Education Facilities

Article 25

Public higher education facility as university and as unit of the university or as independent higher education facility shall be founded by the Parliament of Republic of Macedonia by the means of a law.

Entities Eligible to Found a Private- Public Non-profit and Private (Profit or Non-profit) Higher Education Facility

Article 26

Private- public non-profit higher education facility can be founded by a non-profit foundation established by a foreign legal entity or natural person by public means procured by foreign and domestic sources stipulated in this Law, on the basis of previous approval by the Government of Republic of Macedonia.

Private (profit and non-profit) higher education facility can be founded by a domestic and foreign legal and natural person, according to the requirements stipulated in this Law. Foreign legal entity and natural person can found a private (profit and non-profit) higher education facility, according to the requirements determined in this Law, and on the basis of previously obtained approval by the Government of Republic of Macedonia.

Requirements for Establishment of Higher Education Facility

Article 27

Higher education facility can be founded in the following cases:

- If a study and scientific and research field, or artistic discipline for the purposes of which a higher education facility shall be established have been identified, and for the identification of study field or artistic discipline an international ISCED classification as well as national qualification framework have been used, and in identification of scientific and research field, the international Frascati classification has been applied.
- Suitable facilities and equipment for higher education, scientific, research and artistic or vocational work have been procured.
- The financial plan has secured a sustainable level of financing of at least one cycle of studies;
- Adequate number of persons fulfilling the requirements designated for educational - scientific, scientific, educational or supporting staff vocations have been secured; upon previous statement that they have applied for the add and have signed an employment contract if being selected and
- All other requirements regulated in norms and standards for provision of higher education work have been fulfilled.

The requirements of paragraph 1 of this Article as norms and standards for establishment of a higher education facility and performance of higher education work shall closely be regulated by a Norms and Standards Decree for establishment of higher education facilities and for delivery of higher education work (hereinafter: Norms and Standards Decree), which is adopted by the Government of Republic of Macedonia upon prior proposal submitted by the ministry responsible for higher education and upon prior proposal of the Inter-University Conference.

Requirements for Establishment of University

Article 28

University can be founded, if in accordance with the requirements stipulated in Article 27 of this Law, has enclosed at least five accredited units of which at least three are faculties.

For establishing a university the requirements for provision of study programs of at least the first and the second cycle of higher education and for independent higher education facility at least first cycle of higher education have to be fulfilled.

The condition of fulfilling the requirements for provision of study programs of third cycle shall be defined upon receipt of the Accreditation Decision of the university, the Decision for Initiation of Operation and completion of at least one cycle of students of first and second cycle of studies.

Special Requirements for Establishment of Private Higher Education Facility

Article 29

In addition to the requirements stipulated in Articles 27 and 28 of this Law for establishment of a private higher education facility, the founder shall also submit a sustainable financial guarantee warranting the reimbursement of resources paid by students to a dismissed higher education facility and other expanses incurred by students for transfer of studies to the same or similar higher education facility in the country.

Initiation of a Foundation Procedure

Article 30

The procedure for initiation of a higher education facility shall start with drafting of a project for the establishment of the higher education facility.

The project for establishment of a public higher education facility shall be prepared by the Government of Republic of Macedonia, or the body authorized thereof.

The project for establishment of a private higher education facility shall be designed by the founder.

Project for Establishment of Higher Education Facility

Article 31

The project for establishment of a university, a university unit, or an independent higher education facility shall particularly contain: study fields and their descriptions as a whole and study groups, departments and clusters, facilities and equipment necessary for the delivery of higher education, scientific, or artistic and vocational work; chance to attract more applicants who might be eligible for the educational - scientific, educational, scientific or supporting staff vocations and plan the method according to which other requirements defined in the Norm and Standard Decree shall be fulfilled.

The project for establishment of a university shall contain data of paragraph 1 of this Article for all units of the university.

At the project for establishment of a higher education facility, fees shall be regulated according to the Rulebook of Article 72 paragraph 1 of this Law.

The project for establishment of a public higher education facility or a private higher education facility and fees, shall be submitted by the Government of Republic of Macedonia or the founder to the Accreditation Board.

The project for establishment of a public higher education facility shall be commented by the Accreditation Board.

For the project for establishment of a private higher education facility an Accreditation Decision shall be adopted by the Accreditation Board.

Accreditation Decision

Article 32

The Accreditation Decision for the project for establishment of a private higher education facility shall be adopted by the Accreditation Board for each unit of a private university separately and for the university as a whole; or for an independent private higher education facility latest of 60 days subsequent to the day of project accreditation application submission. If needed, the Accreditation Board can extend the deadline for at most of 30 days for which the applicant must be informed. The Accreditation Board's Decision shall be definite.

Against the definite Decision of the Accreditation for the project for establishment of private higher education facility a complaint can be filed to the Administrative Court.

If, in the deadline designated in paragraph 1 of this Article, the Accreditation Board does not adopt a Decision, the project shall be considered as accepted.

If in the deadline designated in paragraph 1 of this Article, the Accreditation Board does not submit opinions in accordance with Article 31 paragraph 5 of this Law, the project for establishment of a public higher education facility shall be considered to be accepted.

The provisions of this Law addressing the accreditation of the project for establishment of a higher education facility shall be adequately applied to the accreditation for provision of higher education work by the scientific facility.

Foundation Act

Article 33

Prior to the proposal for the adoption of a Law on Establishment of Public Higher Education Facility, the claimant of proposal for adoption of a Law, shall obtain an opinion by the Accreditation Board as regards to the project for establishment of a public higher education facility.

Upon adoption of the Decision for Accreditation of the project for establishment of a private higher education facility, the founder shall adopt a Foundation Act, according to a text enclosed to the project for establishment of a higher education facility.

Founding Commission

Article 34

Following the adoption of the Law on Establishment of a Public Higher Education Facility, the Government of Republic of Macedonia upon a proposal by the minister in charge of higher education affairs, shall nominate a Founding Commission.

Following the adoption of a Foundation Act for the establishment of a higher education facility, the founder shall nominate a Founding Commission.

The Founding Commission for establishment of a university shall consist of three members for each unit of the university with educational- scientific, and scientific vocations in the scientific area, or the artistic area or cluster for the purpose of which it is being formed, of more than half thereof shall be recruited out of the pool of professors.

The Founding Commission for establishment of an independent higher education facility shall consist of five members with educational- scientific and scientific vocations in the scientific area, or artistic area or cluster for the purpose of which it is being formed.

In instances of a founder of private higher education facility is a foreign legal entity or a natural person or in cases of higher education facility is being founded by resources procured by foreign founders or donors, the founder, in cases stipulated in paragraphs 3 and 4 of this Article, for members of the Founding Commission shall nominate foreign residents.

The Founding Commission shall carry out all necessary preparations creating adequate grounds for initiating work in the accredited higher education facility, and within the given competencies shall perform the following:

- Select teachers and supporting staff for the first and second year of studies and of other necessary personnel

- Other affairs requested by the founder, significant for the initiation of operation of the higher education facility

The Founding Commission in the selection of teachers shall not recruit candidates for higher educational- scientific vocations.

Decision for Initiation of Operation

Article 35

Upon finalization of preparations for initiation of operation of the higher education facility, the founder, or the body authorized thereof, shall submit a request to the ministry responsible for the higher education affairs, for appraisal of successful completion of all requirements for initiation of higher education facility operation.

If one should note that for first and second study year in accordance with this Law at least half of the total number of teachers and at least half of the total number of supporting staff, separately for each study program have been selected and employed in compliance with the standards for educational work load stipulated in the Norm and Standard Decree, and all other requirements stipulated in this Law and the Accreditation Decision have been fulfilled, the minister in charge of the higher education affairs shall adopt a Decision for the Initiation of Higher Education Facility Operation of an irrevocable status.

In the work agreement signed between the higher education facility and the persons of paragraph 2 of this Article shall be set forth that employment shall start two months the latest prior to the beginning of the first, or the second school year.

Against the definite Decision for Initiation of Operation of paragraph 2 of this Article stipulating that if requirements for starting operation of higher education facility have not been fulfilled, the founder may file a complaint to the Administrative Court.

The provisions of this Article shall be adequately applied for implementation of study programs outside the headquarters of the higher education facility.

Registry of Higher Education Facilities

Article 36

Subsequent to the validity of the Decision for Initiation of Operation of the Higher Education Facility, the founder shall submit a request for registering the higher education facility in the Register of Higher Education Facilities maintained by the ministry in charge of the higher education affairs.

The Register shall be kept in fashion stipulated by this Law and Rulebook for Registration of Higher Education Facilities adopted by the minister in charge of the higher education affairs.

The Rulebook of paragraph 2 of this Article shall regulate the manner of record keeping, the content, the template of the sign-in form collection, manner of publishing of records, changes and evidence submitted along the request, the information record keeping, the link to the Central Register of Republic of Macedonia (hereinafter: Central Register) and other issues of significance for regular record keeping of the Register.

Constitution of Bodies

Article 37

Upon registry of higher education facility in the Register of Higher Education Facilities, the Senate is constituted and a Rector is being elected, or the Educational- Scientific Council or the Council of Teachers is constituted and a Dean or a Director is being appointed.

Central Register of Republic of Macedonia

Article 38

Upon constitution and selection of bodies of the university and its units, or the independent higher education facility, registering of the university and the independent higher education facility in the Central Register shall be performed by which act the status of legal entity is acquired.

Upon registration in the Central Register of the University, or the independent higher education facility, the higher education facility can enroll students in first and second study year.

Status Changes

Article 39

The Universities, the units of the universities or the independent higher education facilities might merge, split or adjoin according to requirements and fashion defined with this Law, the Statute of the University and by amendments to the Foundation Act.

The proposal of status change of paragraph 1 of this Article submitted to the founder shall be issued by the ministry in charge of the higher education affairs. The proposal for status changes to the ministry in charge of the higher education affairs can be submitted by the university as well.

In instances of status change of paragraph 1 of this Article, the student shall have the right to complete the studies according to the original study program. The status changes shall be registered in the Register for Higher Education Facilities and in the Central Register.

Dismissal of a Public Higher Education Facility

Article 40

When the Government of Republic of Macedonia shall identify the need of a particular unit of a public university or a public independent higher education facility to cease to exist, it shall convey the cause to the Senate of the university, or the body of governance of the independent higher education facility and shall offer a timeframe of at least 30 days following the day of publication for feedback opinion to the announcement.

If the Government of Republic of Macedonia upon receiving the opinion deems no need for further provision of higher education work by the higher education facility, shall submit a proposal to the Parliament of Republic of Macedonia for adoption of a Law for dismissal of the unit of public university or the independent higher education facility. In the proposal for adoption of a Law, the fashion of student's continuation of studies shall also be stipulated.

Upon entry into force of the Law of paragraph 2 of this Article, the minister in charge of the higher education affairs shall adopt a decision for removal of the facility from the Register of Higher Education Facility and thus shall submit a request for removal of the higher education facility from the Central Register.

Dismissal of Private Higher Education Facility

Article 41

If the body of the founder shall identify no need for provision of higher education work by the respective private higher education facility, or is in no position to finance its basic activity, shall convey the cause to the body of governance of the higher education facility or the other co-founders or co-owners or the shareholders if the founder is a legal entity and shall provide a deadline of at least 30 days for a decision of whether the higher education facility shall continue to work by securing its own income sources or if the funding of the higher education facility will be undertaken by one of the cofounders, if the higher education facility has been founded by one or more founders; or by some of the co-owners or shareholders if the co-owner of the higher education facility is one legal entity. If the private higher education facility is a university unit, the decision shall be presented to the university as well.

If the governance body, or the co-owner, co-founder or shareholder of paragraph 1 of this Article shall inform the founder that no further cause can be identified for continuation of the higher education work sustained by generated income or by funds offered by one of the co-owners, or co-founders or shareholders, the founder shall adopt a Decision for Dismissal of the Higher Education Facility. In the Decision, the founder shall be obliged to determine the fashion of continuation of student's studies.

If the secured funds by the founder for rendering of provided warrantees are insufficient for exercising the student's right to continue education, on account of the pledged warrantees the founder along with the assets shall have to be indefinitely held accountable.

After the adoption of the Decision for Dismissal of the Higher Education Facility, the minister in charge of the higher education affairs shall adopt a Decision for removal of the facility from the Register of Higher Education Facilities and shall submit a request for the removal of the higher education facility from the Central Register.

In cases of termination of the higher education facility when requirement of paragraph 2 of this Article has been fulfilled, or in cases of accreditation that has been revoked and a decision has been adopted for revocation of the right to provide higher education in accordance with Article 44 paragraphs 4 and 5 of this Law, the minister in charge of the higher education affairs acting on proposal by the Accreditation Board shall adopt a Decision enabling completion of the higher education studies of a facility in the process of liquidation or transfer of students in another higher education facility in a country offering the same or similar study programs. The Decision shall activate the financial guarantee provided by the founder in order to compensate for the funds the students have paid to the higher education facility which has been dismissed and for all other incurred expenses for the purposes of finalization of studies.

Dismissal of University

Article 42

The University shall cease to exist in the following cases:

- The founder can no longer identify a need for existence of a university,
- The university founding requirements stipulated in Article 27 paragraph 1 and Article 28 paragraph 1 of this Law are no longer met

- Minister in charge of the higher education affairs has adopted a Decision for Revocation of the Right to Higher Education Work, on the basis of the Decision of the Accreditation Board for Revocation of the Accreditation of Article 44 paragraph 4 of this Law and
- Status changes have taken place

Public university shall be terminated by Law, and a private university by a founder's Decision. The Act of Dismissal of University shall state if some of the units of the university shall continue to work or shall be adjoined to another university or shall keep on working as independent higher education facilities.

Dismissal by Bankruptcy

Article 43

Public higher education facility shall not be subject to bankruptcy procedure.

Public higher education facility can be subject to bankruptcy procedure compliant to the Law on Bankruptcy.

Financial guarantee which in accordance with this Law shall be provided by the founder of the private higher education facility shall not enter the bankruptcy estate and shall be exclusively utilized for the purposes set forth in this Law.

If the guaranteed funds in accordance with this Law and provided by the founder of the private higher education facility and the bankruptcy estate funds are insufficient to cover the funds paid by the students to the higher education facility which has ceased to exist and all other expenses incurred by students for transfer of studies to alike or similar higher education facility in the country, the founder and the assets shall be held indefinitely accountable in accordance with the Law on Bankruptcy and Law on Institutions.

Revocation of Right to Provide Higher Education

Article 44

The Ministry responsible for the higher education affairs, the founder, the Accreditation Board and the university can instigate a procedure for revocation of the right to provide higher education.

The procedure of paragraph 1 of this Article shall be instigated before the Accreditation Board.

If the Accreditation Board, on the basis of the Evaluation Agency report, shall decide that the higher education facility has ceased to fulfil requirements stipulated in Article 27, paragraph 1, indent 4, and Article 28, paragraph 1 of this Law for provision of higher education, shall caution the higher education facility to dismiss all shortcomings by a written notice. The Accreditation Board shall report to the university as well if the higher education facility is a unit thereof.

If in the designated deadline by the Accreditation Board, which must not be shorter than 60 days and longer than 120 days following the day of the receipt of the written notice of paragraph 3 of this Article the higher education facility has not dismissed all the stressed shortcomings, the Accreditation Board shall adopt a Decision for Revocation of the Obtained Accreditation and shall inform the ministry in charge of the higher education affairs.

On the basis of the Decision for Accreditation Revocation, the minister in charge of the higher education affairs shall adopt a Decision for Revocation of the

Right to Provide Higher Education which is definite. Subsequent to the adoption of the Decision, the minister in charge of the higher education affairs shall remove the higher education facility from the Register of Higher Education Facilities and shall petition a request for its removal from the Central Register.

Against the definite Decision of the minister in charge of the higher education affairs of paragraph 5 of this Article, a complained might be filed to the Administrative Court.

The higher education facility having had the right to provide higher education revoked, shall maintain to provide higher education until the end of the current study year.

Chapter five

INTERNAL ORGANIZATION OF THE UNIVERSITY AND TYPES OF COOPERATION

Internal Organization of the University and of its Units

Article 45

Internal organization of the university shall be regulated with this Law and the Statute of the University.

For the purposes of delivery of its activities, the unit if the university shall set up an institute, centre, department, division or other internal organizational units as stipulated in the Statute of the University.

The University, according to the provisions of the Law and Statute, in addition to its units can also have other internal organizational units related to the practice, knowledge, arts and higher education where the students can be assessed (engineer practices, workshops, legal and business advisory services, social service centres and other aid to citizens, plants, galleries, radio and TV stations etc., technology parks).

According to provision stipulated in the Law and the Statute of the University for delivery of its operation, the university can set up university medical centre, university outpatient facility, university sports centre, university veterinarian clinical centre, agricultural university institutes, research centres and continuous education as lifelong learning and other forms of units' activities).

The University having units of various study fields as a part of its structure can structure the units of the university in university fields, divisions or other forms.

For the purposes of delivery of activities, the university can sign contracts or agreements with university medical centres and other facilities if necessary, for the provision of higher education or with other facilities and companies whose work is significant to the work of the university and for the completion of primary applied work.

Establishment of Other Organization

Article 46

The University, or the independent higher education facility, can according to provisions stipulated in the Law or in the Statute for the purposes of trading its scientific results, discoveries or patents, public authorization services, expert knowledge, artistic products and other achievements of applied work, for publishing, for students' healthcare, for accommodation and food, for cultural events, sports and

recreation to students and employees in higher education facilities, as well as for other purposes, independently or with another co-founder establish a company or a facility according to provisions of the Law and the Statute. The previously stated needs can contractually be obtained with legal entities or natural persons in the long term by the university or the independent higher education facility.

The benefit of the company or the proceeds of the facility shall belong to the university, the unit of the university and the independent higher education facility and can be utilized for the advancement of the university work and of the units thereof participating in its establishment, or for the development of the work of the higher education facility.

Technical and administrative service

Article 47

For the purposes of performance of technical and administrative affairs of the university, technical and administrative service shall be formed.

The internal organization of the technical and administrative service shall be regulated in the Statute of the University.

Types of Cooperation of Higher Education Facilities

Rector Conference of Public Universities, or Private Universities

Article 48

For the purposes of review and alignment of issues of common significance and interest for the provision of higher education, public universities shall form Rector Conference of Public Universities consisted of rectors of public universities in Republic of Macedonia.

For the purposes of review and alignment of issues of common significance and interest for the provision of higher education, private universities shall form Rector Conference of Private Universities, consisted of rectors of private universities in Republic of Macedonia.

The Rector Conference of Public Universities and the Rector Conference of Private Universities shall submit a proposal to the Inter- University Conference for membership in the Accreditation Board and the Evaluation Agency.

The Rector Conference of paragraphs 1 and 2 of this Article shall adopt Rules of Procedure for specifying the work routine and decision making process.

Article 49

For the purposes of review and alignment of issues of common interest, the Universities shall form an Inter- University Conference acting as public legal entity with rights and responsibilities set forth in this Law and the Statute of the Inter-University Conference.

The Inter- University Conference shall consist of rectors of universities, chairpersons of student parliaments of universities, 20 members of the educational – scientific staff elected by the senates of the universities, in corresponding percentage compared to their participation in the total number of regular students enrolled for the first time in a study year and one member elected from the directors of the independent higher education facilities.

The minister in charge of the higher education affairs without the right to make decision shall participate in the work of the Inter – Universal Conference.

The Inter-Universal Conference shall adopt Rules of Procedure stipulating the work routine and the decision making process.

For other mutual interest purposes, the universities or the independent higher education facilities can contractually set up other types of mutual cooperation and implementation of particular issues.

Chapter six

AUTHORITIES AND BODIES OF HIGHER EDUCATION FACILITIES

Bodies/ Authorities and Bodies of the University

Article 50

Authorities of the University shall be the University Senate, Rector and Rector's Office. The University shall form a University Council as a university's body. Private university instead of a University Council can set up a founder's body, of rights and responsibilities stipulated in the Foundation Act and the Statute of the University in accordance with this Law.

University Senate

Article 51

University Senate (hereinafter: Senate) shall be a governance and vocational authority consisted of representatives of the units of the university, selected directly and by secret voting out of the pool of professors, or of the scientific supporting staff and of the students. The students shall represent at least 10% of the Senate membership. In the Senate, each unit of the university shall have one representative. The Rector shall be an ex officio member of the Senate. Prorectors shall participate in the work of the Senate, without a voting right.

Particular number of members in the Senate shall select the accompanying members of the University participating in the work and the decision making of the Senate of issues stipulated in the Statute of the University.

The number of members and fashion of nomination and dismissal of members of the Senate, as well as the organization and chairing of sessions of the Senate shall be regulated by the Statute of the University.

The mandate of the members of the Senate shall be of four years.

Competencies of the Senate

Article 52

The Senate shall do the following:

- Adopt Statute of the University and endorse the Rulebook of the units of the university;
- Decide on the educational, scientific, artistic and highly vocational (applied) work;
- Adopt study programs of the faculties, or higher vocational schools;
- Determine the scientific, or artistic areas, the educational fields and the areas as well as educational disciplines delivered by the higher education units of the university;

- Propose grounds to the Council for Development and Financing of Higher Education (hereinafter: Council) for delivery of co-financing;
- Decide on establishment of internal organizational units, organizations and companies;
- Provide opinions for merging, division or adjoining of certain units to the university in compliance with this Law;
- Give opinion to dismissal of certain units of the university and their transformation;
- Adopt annual and four-year Program for Development and Work of the University;
- Offer opinion and submit proposals to the Program for Higher Education and shall also provide opinions for the Annual Program for Development of University Units;
- Provide opinions and submit proposals to the National Program for Scientific and Research Activity of Republic of Macedonia;
- Adopt the annual Work Plan of the university;
- Adopt the annual Financial Plan of the university;
- Prepare an annual Financial Account and Annual Financial Statement of the university ;
- Adopt Investment Program for the university and its units;
- Select full professors;
- Decide on an honorary degree - doctor honoris causa and professor honoris causa;
- Appoint and dismiss Rector and Prorector of the university;
- Rule upon complaint for a dismissed Dean, or Director of university unit;
- Acclaim the nomination of Dean, or Director of university unit originally nominated by the Rector;
- Provide opinion to the Inter- University Conference as regards to the norms and standards for provision of higher education;
- Adopt Rulebook on Criteria and Election Procedure for nomination in the educational- scientific, educational, scientific or supporting staff positions;
- Adopt Rulebooks on Requirements, Criteria and Rules for enrolment and studying in the three study cycles;
- Adopt Rulebook on Universal Credit System and transition from one to another study program, or one to another unit of the university;
- Adopt Rulebook on issuance of diplomas, diploma supplement, vocational or scientific degree or other documentation on complete higher education studies and on requirements and procedure for revocation of an issued diploma;
- Adopt Rulebook on manner of performance of technical and administrative affairs of common interest of the units of the university;
- Adopt Rulebook on Publishing Activity;
- Adopt Program for International Cooperation;
- Designate work assignments to employees and identify principles for labour relations of employees performing higher education, scientific and artistic work;
- Form Self-evaluation Commission of the university and shall appoint its members;
- Adopt Rules of Procedure of Senate;
- Undertake measures for upgrading and safeguarding standard of students and employees; and
- Perform other work as stipulated in this Law and the Statute of the University

The Senate shall pass decisions if more than half of the total members of the Senate are attending the session, and decisions shall be passed only by a majority of votes of attendees.

All issues related to the status changes, the nomination of functions at the university and the nomination of full professors, the Senate shall decide only if the session is attended by at least 2/3 of the total number of members of the Senate, and decisions shall be passed only by a majority of attendees.

For issues of paragraph 1, indents 6, 13, 14 and 15 the founder's body in the private higher education facilities shall undertake responsibility.

Rector

Article 53

The Rector shall act as governance authority.

The Rector shall represent the university before the nation and abroad.

The Rector shall be elected out of the full professors and scientific advisors during a period of four years with a right for one re-election. The Rector shall be elected in compliance with requirements stipulated in the Statute of the University.

The Rector shall perform his/her duty in a professional manner and the labour rights shall be exercised according to an agreement signed with the Senate. The agreement shall regulate the scope of Rector's engagement as teacher in the unit of his/her nomination, which shall not exceed 30% of the working hours.

The university shall have one or more Prorectors elected from the personnel appointed in the educational- scientific and scientific positions of the units of the university. The Prorectors shall be elected upon a Rector's proposal and in fashion stipulated in the Statute of the University.

The function of Rector and Prorector shall not be performed along another state function or function in a political party.

The Rector must not originate from the employees of the university. The selection and appointment of the Rector shall be further regulated in the Statute of the University.

Competencies of the Rector

Article 54

The Rector within its governance competencies shall perform the following:

- Adjust the higher education, artistic, scientific and research and applied work with other activities of the university;
- Convene and chair sessions of the Senate;
- Implement decisions and Senate conclusions;
- Give initiative to summon the Senate;
- Submit to the Senate and Rector's Office proposals and decisions and other general acts of issues in their authority;
- Decide on financial and material issues which are not designated competencies of the Senate of the Public University;
- Promote doctors of science;
- Present awards of the university;
- Nominate and dismiss a Dean, or a Director of Unit of a University;
- Suggest the internal organization of the university;
- Guide international cooperation of the university and shall initiate cooperation with other universities in the country and abroad;

- Give authorization to the Prorectors for delivery of a part of the rights and responsibilities thereof;
- Manage the assets of the public university and shall mind its maintenance;
- Perform other activities defined according to law, statute and other general acts of the university

The Rector shall be committed to file a Report on individual work and operation of the university at least once a year to the Senate, the University Council and the founder.

If the Senate does not endorse the Report of paragraph 2 of this Article, a motion for the dismissal of the Rector of the University shall be instigated.

Responsibility of the Rector for Legality and Safeguarding Statute

Article 55

The Rector shall be responsible for safeguarding Statute provisions and legality in all activities of the university and units thereof and shall have the right and obligation to terminate or abolish an act of its bodies which is deemed to be incompliant with the Law, the Statute or with a decision by the university.

The unit of the university, whose act has been abolished, can file a complaint to the Senate. The decision of the Senate shall be definite.

If in the designated deadline envisaged in the Statute of the University, the unit does not propose candidates for Dean, or for Director, the Rector shall appoint an acting Dean, or acting Director, for a time period regulated in the Statute of the University.

In accordance with the Statute of the University, the Rector can suspend a Dean or a Director of a unit of a university for incompliance with the Law, the Statute, a general act or a decision of the University and nominate an acting Dean.

The Senate, within 30 days of Dean's suspension, can rule on the decision of the Rector of paragraph 4 of this Article. If the Senate adopts the suspension, a proposal for the dismissal of Dean or a Director shall be filed, and within three months a procedure for nomination of a Dean or Director shall be initiated.

Rector's Office

Article 56

The Rector's Office shall be composed of the Rector, the Prorectors, the Deans of the faculties, the Directors of the higher vocational schools, the Directors of the accredited scientific facilities and representatives of the students.

The Rector's Office shall be chaired by a Rector.

The organization and work of the Rector's Office, as well as number of student's representatives shall be further stipulated in the Statute of the University.

Competencies of the Rector's Office

Article 57

The Rector's Office shall:

- Prepare and propose acts and materials for issues decided by the Senate;
- Design and publish the public advertisement for enrolment of students of first and second cycle upon prior consent by the Government of Republic of Macedonia;
- Provide opinion on study programs of faculties or higher education schools;

- Following a proposal by the Rector shall nominate and dismiss General Secretary of the University;
- Adopt decision on current international cooperation of the university;
- Organize the issuance of diplomas and other documentation for completed studies of higher education;
- Prepare proposal on the amount of co-financing and student's co-pay in the public higher education facilities;
- Define the publishing activities of the university; and
- Perform other activities stipulated in the Statute of the University

University Council

Article 58

The University Council shall have at least 11 members. Of the total number of members within the University Council, six non-members of the Senate shall be appointed by the Senate of the University, of which at least one shall be a student; three members shall be appointed by the founder; one member by the organization of employers in Republic of Macedonia and one member shall be appointed by the local self government unit. In the work of the University Council, the Rector shall also participate without a right to vote.

The mandate of the members of the University Council shall be of four years, except for the student's members of having a two-year mandate.

The University Council shall elect a President of the body of its members.

Member of the University Council shall not be a person, who in compliance with Article 43 of the Law on Institutions is deemed ineligible to be a member of an institution governance body as well as a person employed in the University Administration, or occupying a position in the Ministry responsible for higher education affairs, or science, or a person occupying a position in a state administration body or a local self-government position or a function in a political party.

The composition and fashion of nomination of members of the University Council shall be further regulated in the Statute of the University.

University Council Competencies

Article 59

The University Council shall monitor the operation of the university, the tasks of the university in accordance with this Law, the legality of its operations, the rational utilization of human and material resources and performance of other activities stipulated in the Foundation Act and the Statute of the University.

The University Council shall not exercise competencies limiting or violating the autonomy of the university.

The competencies and decision making of the University Council shall further be regulated in this Law and the Statute of the University.

Authority of a Founder of a Private Higher Education Facility

Article 60

Governance authority of a private university or an independent private higher education facility shall be the body of the founder.

The number and composition of the body of paragraph 1 of this Article shall define the founder by the means of a Foundation Act of the University and the Statute of the University.

The body of the founder shall not have rights and responsibilities limiting or violating the autonomy of the higher education facility or limiting the rights and responsibilities of the bodies of the university, or the independent higher education facility set forth in this Law.

Bodies of the Faculty and the Higher Vocational School

Article 61

The bodies of the faculty, as units of the university shall be the Educational-Scientific Council, the Dean and the Dean’s Office.

The bodies of the higher vocational school, as units of the university shall be the Teachers Council, the Director and the Administration of the Higher Vocational School.

Private higher education facilities can adequately apply the provisions of this Law addressing the bodies of the faculty, or the higher vocation school according to organization of the university.

The bodies of the private higher education facility shall not have rights and responsibilities limiting or violating the autonomy of the higher education facilities regulated in this Law.

Educational- Scientific, or Teachers Council

Article 62

The expert body of the faculty shall be the Educational – Scientific Council, or the Teachers Council at the higher vocational school.

The Educational- Scientific Council of the faculty in the area of arts or an artistic academy can carry the name of an Educational- Scientific Artistic Council.

The Educational- Scientific Council shall consist of full and associate professors and docents. The Teachers Council shall consist of professors, senior lecturers and lecturers.

The Educational- Scientific Council of the faculty, or the higher vocational school consisting of more than 100 teachers shall have representation of organizational units (departments, institutes, centres and like), representation of full and associate professors and docents. The nomination shall be proportional to the selected teachers, or the distribution in organizational units shall be carried out according to the provisions of the Statute of the University and the Unit Rulebook.

The supporting staff and the students shall nominate their representation in the Educational- Scientific Council and the Teachers Council.

The number of representatives of supporting staff and students and the time of nomination shall be envisaged in the Statute of the University and the Unit Rulebook of the University, or in the Statute of the independent higher education facility.

The number of the student representation shall not be less than 10% of the total number of members in the Educational- Scientific Council.

The Educational- Scientific Council or the Teachers Council for particular study programs or other needs shall set up vocational bodies anticipated in the Statute.

The scientific institutes accredited for higher education, according to the Statute of the University, shall establish a Scientific Council for the studies of second

and third cycle, composing of persons elected in the scientific and supporting staff positions participating in the educational process as well as student’s representation.

Competencies of the Educational- Scientific Council and the Teachers Council

Article 63

The Educational- Scientific Council, or the Teachers Council shall have the following competencies:

- Adoption of the Unit Rulebook;
- Adoption of a Four- Year Program and an Annual Work Program;
- Identification of one or more candidates for a Dean, or Director and submittal of proposals to the Rector of the university;
- Nomination of Pro-Deans, or Deputy Director;
- Proposal of study programs to the Senate;
- Adoption of a program for scientific and research or artistic work;
- Election in educational- scientific positions – docent and associate professor and in educational and supporting staff positions;
- Proposal on number of students to be enrolled in the first year of studies;
- Proposal of measures to the Deanery, for development and advancement of educational- scientific youth and work with particularly talented and successful students;
- Proposal of measures to the Deanery, and making decisions for advancement in educational, scientific and research work as well as applied work and computer network;
- Nomination of Secretary of the Faculty, or of Higher Vocational School in accordance with the Statute of the University;
- Nomination of members in the Self-Evaluation Commission and adoption of a Guide for Evaluation of the Faculty, or Higher Vocational School;
- Decisions as regards to the library, librarian and information system and for provision of librarian, information and archiving work, in accordance with the Statute of the University
- Decision as regards to organization of events, symposiums, advisory services and similar gatherings and
- Decisions as regards to the international cooperation in accordance with the Statute of the University
- Performance of other activities in accordance with this Law and the Statute.

The Educational- Scientific Council, or the Teachers Council shall rule if the session is attended by more than half of the total membership and the decisions shall be endorsed by a majority of votes by attendees.

In the election in educational- scientific, scientific and educational positions the assistants, junior assistants and students shall not participate.

For issues stipulated in paragraph 1, indents 1,3,4,5 and 7 of this Article, the Council can decide if two thirds of the total membership is present, and decisions shall be endorsed if the majority of Council attendees have voted.

Dean, or Director and Competencies

Article 64

The Dean of the faculty or the Director of the higher vocational school shall act as a management body.

The Dean or the Director of the higher vocational school shall represent the faculty, or the higher vocational school locally and internationally in accordance with the Statute of the University, or of the independent higher education facility. The performance of the function Dean and Pro-Dean or Director of higher vocational school shall not be simultaneously carried out along another state function or function in a political party.

The Dean, or Director at their management roles shall perform the following:

- Implement decisions and conclusions of the Senate and the Rector of the university;
- Implement decisions and conclusions of the Educational- Scientific Council, or the Teachers Council;
- Maintain aligned delivery of higher education, artistic, scientific and research and applied work;
- Convene sessions of Educational- Scientific Council, or the Teachers Council, shall propose the agenda and shall chair the sessions;
- Propose and suggest acts and materials for issues decided by the Deanery;
- Submittal of proposals to decisions and conclusions of the Educational- Scientific Council, or the Teachers Council, for issues in his/her jurisdiction;
- Petition an advertisement for nomination of participants in the educational-scientific, educational- artistic, scientific, educational and supporting staff positions, six months prior to the start of job;
- Promote the graduate students and present awards;
- Manage the assets of the faculty, or the higher vocational school and shall maintain their keeping within competencies set out in the Rulebook of the Faculty, or the higher vocational school and the Statute of the Public University and
- Perform other activities in accordance with this Law, the Statute of the University and the Rulebook of the Faculty, or of the Higher Vocational School.

The Dean or the Director shall at least once a year submit a Report for his/her work to the Educational- Scientific Council, or the Teachers Council and the Rector of the University.

The Dean, or the Director shall maintain the Statute and legitimacy of work of the bodies of the faculty, or the higher vocational school and shall have the right and obligation to terminate the implementation of a general act or a decision of bodies thereof incompliant with the Law, the Statute of the University and the Rulebook of the Faculty, or higher vocational school, and shall report to the Rector which shall rule on the disputable issue.

For the implementation of certain rights and responsibilities, the Dean can authorize certain Pro-Deans, or Deputy Directors.

Nomination and Dismissal of Dean, or Director

Article 65

The Dean, or Director shall be elected out of the pool of full and associate professors of the unit of the university, or the independent higher education facility, and in cases of lack of presence of full and associate professors- the pool of docents, for a mandate of four years, and the right to one re-election, according to the Statute of the University or of the independent higher education facility.

The faculty, or the higher vocational school can have one or more Pro-Deans, or Deputy Directors, nominated by the Dean, or the Director.

If the Educational- Scientific Council or the Teachers Council cannot endorse the Work Report of the Dean, or the Director, a procedure of dismissal shall be instigated.

The nomination and dismissal of Dean and Pro-Deans or Director and Deputy Directors, shall be further regulated in the Unit Rulebook in accordance with the Statute of the University.

Deanery or Office of the Higher Vocational School

Article 66

The Deanery, or Office of Higher Vocational School shall be a body of governance of a unit of a university and can have at least five and at most eleven members.

The Deanery, or Office of Higher Vocational School shall consist of the Dean, or the Director, the Pro-Deans, or the Deputy Director and Heads of internal educational- scientific, or educational organizational units defined according to the Unit Rulebook and at least one member of the Students Parliament.

The Deanery, or Office of Higher Vocational School shall organize and the Dean or Director shall chair the sessions.

The Deanery, or Office of Higher Vocational School shall have the following competencies:

- Maintain the development and operation of the faculty, or the higher vocational school and the relations with the wider social community and state administration bodies;
- Adopt acts and monitor their implementation, except for acts, which according to this Law shall be the responsibility of the Educational- Scientific Council, or the Teachers Council;
- Adopt the Financial Plan and adopt Annual Financial Statement/ Report, under the universal Financial Plan of the university and consolidated Financial Account of the public university;
- Propose to the university, or in stipulated provisions of this Law, to the founder, changes or expansion of operations in accordance with this Law;
- Draft and propose acts and materials for issues decided by the Educational-Scientific or Teachers Council and the Dean, or the Director; and
- Perform other activities stipulated in the Rulebook of the Faculty, or the Higher Vocational School.

To the Deanery, or the Office of the Higher Vocational School, competencies or decisions limiting or violating the autonomy of the unit of the university shall not be extended.

The organization and operation of the Deanery, or the Office of the Higher Vocational School as well as the number and selection of students' representation shall further be envisaged in the Unit Rulebook.

Cooperation and Public Relation Board

Article 67

In order to establish cooperation and relation of trust with the public, business community, professional chambers and other institutions and civil service associations in the field of higher education and scientific and research work, as well as to maintain transparency and accountability of public interest affairs, the unit of a university can form a Faculty Board for Cooperation and Public Relation, or Board of Higher Vocational School for Cooperation and Public Relation.

Member of the Board for Cooperation and Public Relation shall not be a person who according to Article 43 of the Law on Institutions has been deemed ineligible for membership in a governance body of an institution. The composition and the nomination of the membership shall be stipulated in the Rulebook of the Faculty, or the Higher Vocational School.

On issues decided by the Board of Cooperation and Public Relation, recommendations shall be integrated.

Chapter seven

HIGHER EDUCATION QUALITY PROVISION AND ASSESSMENT

System of Provision and Assessment of Higher Education Quality

Article 68

The System of provision and assessment of higher education quality shall encompass the following:

- Approval, confirmation and recognition of higher education facility and study programs for provision of higher education in accordance with this Law, enforced by the means of accreditation (hereinafter: accreditation);
- Quality assurance of quality of higher education, the governance, the financing, the academic and other activities and the priorities thereof, delivered in the course of evaluation (hereinafter: quality assurance) and
- Other activities and mechanism by the means of which the quality of higher education stipulated in the Law and acts of bodies assessing the quality of higher education, shall be promoted.

The outcome of the quality assurance of higher education shall be contained in the reports accessible to the public.

Accreditation Board

Article 69

Accreditation shall be carried out by the Accreditation Board as an independent body.

The Accreditation Board shall have a seal of the following inscribed text: Republic of Macedonia – Higher Education Accreditation Board- Skopje. In the centre of the seal, the Coat of Arms of Republic of Macedonia shall be presented.

Composition and Representation of the Accreditation Board

Article 70

The Accreditation Board shall consist of 15 members of which eight professors elected by the Inter- University Conference, compliant with the equal representation of universities according to their total number of first year enrolled students in the study year, one member of the Macedonian Academy of Sciences and Arts and six members nominated by the Government of Republic of Macedonia of which at least half should be professors.

Members of the Accreditation Board cannot be persons nominated for Rector and Prorector of university, Dean of a faculty or Director of higher vocational school and Director of scientific institution providing higher education.

The members of the Accreditation Board shall have a mandate of four years. One person cannot be appointed more than two times in a row.

The members of the Accreditation Board shall be impartial and independent in their work and cannot be dismissed during their mandate, except in cases of a member of the Accreditation Board having had the professor status terminated due to various reasons, or if the current function prohibits member's simultaneous participation in the Board, and if the Accreditation Board decides that the member is in no condition to perform duties longer than six months and a legally banned conflict of interest is at hand.

The Constitution session of the Accreditation Board shall be summoned by the minister in charge of higher education affairs.

The President of the Accreditation Board shall be appointed by the Government of Republic of Macedonia, representing the Board of Accreditation.

Competencies of the Accreditation Board

Article 71

Accreditation Board shall be independent in its work and shall rule within its powers on the basis of the principle of expertise and competency.

The Accreditation Board within its rights and responsibilities shall perform the following:

- Decide if the requirements for delivery of higher education have been fulfilled by the Higher Education Foundation Project and the submitted documentation;
- Decide on accreditation for scientific institution for higher education of studies of second and third cycle;
- Decide on whether the higher education facility meets the criteria for organization of studies for new study programs and shall determine the studying capacity in the higher education facility;
- Provide accreditation for study programs;
- On the basis of the Evaluation Agency Reports for higher education facility, shall monitor the achievement of requirements of higher education facilities having acquired the accreditation and approval to work, and dependant on the result of that monitoring might decide to revoke accreditation;
- Every five years the latest, on the basis of the Evaluation Agency Reports, shall assess the conditions of higher education facility work, the study programs and academic personnel and dependant on the result of that assessment might decide to extend or revoke accreditation;
- Maintain records for accredited higher education facilities and other accreditations;
- Provide recommendations necessary to improve norms and standards for provision of higher education and
- Perform other activities envisaged in this Law.

The Accreditation Board shall inform the minister in charge of higher education affairs and the Evaluation Agency on approved accreditations and on other relevant issues in its scope.

Organization and Work of the Accreditation Board

Article 72

The organization, work, decision making process, methodology, procedure for accreditation, set of criteria and accreditation standards, as well as other issues

related to the work of the Accreditation Board shall be further regulated in a Rulebook.

The Rulebook of paragraph 1 of this Article shall be adopted by the Accreditation Board and endorsed by the Government.

Funds for the operation of the Accreditation Board shall be secured by the Budget of Republic of Macedonia via a special Program and individually generated revenues.

The minister in charge of higher education affairs, in an act, shall identify the type and amount of cost reimbursement for the accreditation procedure.

Technical and administrative affairs for the needs of the Accreditation Board shall be performed by the technical service of the ministry in charge of higher education affairs.

Evaluation of Higher Education Facilities

Article 73

The quality assurance shall be performed by the means of evaluation methods as external evaluation, self-evaluation as well as through the quality assessment system of academic personnel.

External evaluation and assessment of quality of academic staff of universities and other higher education facilities of Republic of Macedonia shall be performed by the Agency for Higher Education Evaluation (hereinafter: Evaluation Agency).

External evaluation shall normally be composed of commissions of professors of internationally renowned universities, formed by the Evaluation Agency.

The Evaluation Agency shall perform the external evaluation according to the provisions of the Guide for manner of assuring and assessing quality of higher education facilities and of academic personnel in Republic of Macedonia, which upon a proposal by the Rectors Conference shall be adopted by the Evaluation Agency.

In the course of performing external evaluation, in order to assure equal quality of higher education in the universal European space for higher education, the accepted procedures and standards shall be applied as well as the Guide applied by the European Association for Quality Assurance (ENQA) and by other institutions, organizations associations establishing and applying European standards and quality assurance guidelines for delivery of external evaluation, as well as services of renowned international organizations and associations which perform quality assurance of higher education.

Evaluation Agency

Article 74

The Evaluation Agency shall act as an independent body.

The Evaluation Agency shall have a seal of the following inscription: Republic of Macedonia- Evaluation Agency – Skopje. In the centre of the seal the Coat of Arms of Republic of Macedonia is displayed.

The Evaluation Agency shall comprise of 11 members of which five professors nominated by the Inter- University Conference appropriately to the representation of universities according to their participation in the total number of enrolled students for the first time in a study year, four members appointed by the Government of Republic of Macedonia, one member shall be nominated by the most representative employers agency and one member of the Inter- University Parliament of students.

The members of the Evaluation Agency shall not be persons appointed for the position – Rector, Prorector, Dean of faculty, or Director of higher vocational school and Director of scientific institution performing higher education activities and members of the Accreditation Board.

The members of the Evaluation Agency shall have a mandate of four years. One person shall not be appointed more than two times in a row.

The members of the Evaluation Agency shall be independent and impartial in their work and cannot be dismissed during their mandate, except in cases of a member of the Evaluation Agency having had the professor status terminated due to various reasons, or if the current function prohibits member’s simultaneous participation in the Agency and if the Evaluation Agency decides that the member is in no condition to perform duties longer than six months and a legally banned conflict of interest is at hand.

The Constitution session of the Evaluation Agency shall be summoned by the minister in charge of higher education affairs.

The President of the Evaluation Agency shall be appointed by the Government of Republic of Macedonia, representing the Evaluation Agency.

The Evaluation Agency might set up commissions, working groups and other working bodies for implementation of certain activities within its powers.

Competencies of the Evaluation Agency

Article 75

The Evaluation Agency shall:

- Monitor and assess the quality of the work of higher education facilities having accreditation and an approval for provision of higher education, on the basis of the reports of the self-evaluation commissions and the external evaluation of higher education facility;
- Monitor and assess the quality of provision of higher education activity, scientific and research activity, artistic work and vocational work of academic personnel and study programs of higher education facilities at latest of every five years, and dependant on the results shall suggest to the Accreditation Board extension or revocation of accreditation; and
- Perform other activities stipulated in this Law and in the Guide for Provision and Assessment of Quality of Higher Education Facilities and of academic personnel in Republic of Macedonia.

The Evaluation Agency shall publish the Report on external evaluation results submitted to the Government to the ministry in charge of higher education issues, to the Accreditation Board and to the higher education facility, the subject of evaluation.

Organization and Work of the Evaluation Agency

Article 76

The organization, work and decision making on issues managed by the Evaluation Agency shall further be regulated in a Rulebook adopted by the Evaluation Agency, for which the minister of higher education affairs shall offer consent.

The funds for the operation of the Evaluation Agency shall be allocated from the Budget of Republic of Macedonia in a separate slot.

The technical and administrative affairs for the Evaluation Agency shall be conducted by the technical service of the ministry in charge of the higher education affairs.

Self- evaluation

Article 77

The self- evaluation of a university, the units of the university or the independent higher education facility shall be carried out by a Self-evaluation Commission of the University, or an Organizational Unit for Evaluation of the University, Self-Evaluation Commission of the Unit, or the Independent Higher Education Facility according to the provisions in the Statute of the University and the Statute of the Independent Higher Education Facility.

The members of the Commissions of paragraph 1 of this Article shall be elected by secret voting by the Senate of the University, or the Educational-Scientific Council, the Teachers Council or the Scientific Council, out of the teachers for a four- year mandate and out of the students for duration of two years.

Commissions of paragraph 1 of this Article shall carry out self-evaluation according to the Guide for Provision and Assessment of Quality of Higher Education Facilities adopted by the Senate of the University, or the body of the independent higher education facility.

The self-evaluation shall be carried out in intervals of at most of three years. In the self-evaluation procedure, the assessment on behalf of the students shall be taken into consideration.

Chapter eight

DEVELOPMENT, FINANCING AND PROPERTY OF THE HIGHER EDUCATION FACILITIES

Higher Education Program

Article 78

The Parliament of Republic of Macedonia following a proposal by the Government of Republic of Macedonia shall adopt a Higher Education Program.

The Higher Education Program shall apply for a period of four years.

The Higher Education Program shall be implemented by the means of annual programs adopted simultaneously with the Annual Financial Account of the university.

Content of the Program

Article 79

The Higher Education Program shall define: the aims, the development directions, the source and the scope of funds necessary for financing the national needs and for the accomplishment of development of higher education facilities work, routes of development of higher education facilities network, projection of necessary profiles, number of educational- scientific and supporting personnel, facilities and equipment and other demands for the development of the higher education, the funds necessary for supporting the work of the private higher education facilities if their work is aimed towards public interest.

Within funds of paragraph 1 of this Article, financial resources for participation in the financing of study programs of private higher education facilities for which the Government of Republic of Macedonia has shown interest so as to satisfy public needs of higher education provided by private higher education facilities, shall be also secured.

Council

Article 80

For provision of finances stated in this Law and implementation of the Higher Education Program, within the ministry in charge of higher education affair, a Council shall be formed.

The Council shall be independent in its work and shall decide within designated powers and on the basis of expertise and competency.

Financing of Higher Education

Article 81

Funds for financing the public university and the studies of public interest shall be procured by the Budget of Republic of Macedonia and other sources defined by law, and according to the Higher Education Program.

The Council, for each budget year, the latest of 15 May for the next budget year to the minister in charge of higher education affairs and in accordance with the Higher Education Program shall propose the total amount of funds from the Budget of Republic of Macedonia to be allocated for financing the universities and the independent higher education facilities.

Compliant to the Higher Education Program, measures and criteria for financing the study programs, which according to the Program have been considered to be of public interest (hereinafter: study programs of public interest) shall be designed.

The starting point of funding of higher education facilities shall be the Annual Financial Accounts of the higher education facilities.

Composition of Council

Article 82

The Council shall comprise of 15 members recruited from the educational - scientific, artistic and scientific workers of the public universities, representative of the organization of employers of Republic of Macedonia and representative of areas other than economy and students.

The Government of Republic of Macedonia acting on proposal by the minister in charge of higher education affairs shall appoint and dismiss chairperson and five members of the Council, and the Rectors Conference of public universities appropriately to the representation of the universities and their participation in the total number of enrolled students for the first time shall elect members from the educational- scientific, artistic and scientific workers.

One representative shall be nominated by the organization of employers of Republic of Macedonia, one representative of areas other than economy and students.

The members of the Council shall have a mandate of four years. The member of the Council shall be elected from the students and shall have a mandate of two years.

Competencies of the Council

Article 83

The Council within its competencies shall perform the following:

- Give opinion on the Higher Education Program;
- Give opinion on allocation of funds for the work of the higher education facilities;
- Propose a Decree on Measures and Criteria for funding the work of the higher education facilities, which following a proposal by the minister in charge of higher education affairs shall be adopted by the Government of Republic of Macedonia;
- Give opinion on allocation of funds for investments, for maintenance of existing equipment and procurement of new equipment, for approval of funds for purchase of scientific literature and provision of depreciation and insurance,
- Propose measures and criteria for stimulation of talented students and funding students of above- average results in the studying process;
- Give opinion on funding of study programs of public higher education facilities, later submitted to the Accreditation Board;
- Decide on the smallest amount by enrolled and graduated student of a certain study year (budget pricing) for financing the study programs of public interest, on the basis of various charges by student for study areas regulated in the Decree of paragraph 1, indent 3 of this Article, the number of students in continuous studies, results of the inter-institutional evaluation and study program evaluation;
- Acting on proposal by the public university, shall adopt measures and criteria for co-financing the studies in the public higher education facilities and the co-payment and other charges to students of higher education facilities;
- Propose the amount of co-financing and co-payment;
- Adopt Rules of Procedure for its organization and work; and
- Perform other activities stipulated in a law.

The Council shall propose allocation of finances from the Budget of Republic of Macedonia for financing the private higher education facilities, if Republic of Macedonia shows an interest in meeting certain needs through their education programs.

The Council, for its work, every three months shall report to minister in charge of the higher education affairs and every year shall submit a work report to that minister in charge of the higher education affairs.

Technical and Administrative Work of the Council

Article 84

The technical and administrative affairs of the Council shall be carried out by the ministry in charge of the higher education affairs.

Financial Resources from Foreign Natural Persons and Legal Entities

Article 85

Higher education facilities can acquire financing from domestic and international legal entities and natural persons.

To funding of paragraph 1 of this Article, the domestic and international legal entities and natural persons can have tax and customs benefits set forth in a law.

Other Income of Higher Education Facilities

Article 86

Higher education facilities can acquire funding in the following manner:

- Provision of education services to legal and natural domestic and international entities/ persons;
- Interest;
- Revenues on the grounds of copyright owned by the higher education facility and
- Legates, gifts, inheritance, donations and other sources

The higher education facility shall manage the funds from legates, the gifts, inheritance and donations as required by the benefactor.

Co-financing and Co-payment of Studies

Article 87

Public university, on proposal by the unit of the university can introduce co-payment for studying costs for the number of students whose education is financed by the Budget of Republic of Macedonia according to the measures and criteria for funding of Article 83, paragraph 1 indent 3 of this Law and the defined co-payment amount, following a prior consent by the Government of Republic of Macedonia.

The students shall pay the co-payment in equal instalments prior to the start of each semester.

The higher education facilities shall not charge for the following:

- Parentless students
- Students with first and second disability degree
- Disabled war veterans and
- Students from abandoned children homes.

The co-payment for the aforementioned persons shall be covered by the Budget of Republic of Macedonia.

The public university, according to the number of students defined by the public advertisement can introduce co-financing of study costs for students whose education is not funded by the Budget of Republic of Macedonia, following a prior consent by the Government of Republic of Macedonia.

Those students ineligible according to the requirements stipulated in the studying rules defined in the Statute of the Public University shall individually carry the burden of studying costs since their education is not covered by the Budget of Republic of Macedonia as stated in the Statute of the University.

Real Estate and Other Assets of Public Higher Education Facilities

Article 88

Real estate and other assets of the public universities and public higher education facilities as well as funds from legates, donations, gifts and inheritance, shall be an asset to the university or the independent higher education facility.

The public universities or public independent higher education facilities shall manage the assets and utilize the items, the financial resources, exercise the intellectual ownership rights and other material rights as a result of higher education

and scientific work under provisions stipulated in this Law and the Statute of the University.

The public university and the public independent higher education facility can expropriate real estate following a positive opinion by the Government of Republic of Macedonia.

Revenues generated from the sales of property of paragraph 3 of this Article shall be used for investments, investment in maintenance and equipment following a prior consent of the Government of Republic of Macedonia.

Real Estate and Other Assets of Private Higher Education Facilities

Article 89

Real estate and other assets of the private university and the units thereof or of a private higher education facility shall be in ownership of the founder.

The real estate and other assets of paragraph 1 of this Article shall be offered for use and management to the private higher education.

The private higher education shall independently govern the property and shall utilize the items, the financial resources and other material rights for provision of higher education facility.

Earmarked Application of Inheritance, Foundation Resources or other Earmarked Funds

Article 90

The real estate and other assets obtained as inheritance, foundation resources or other earmarked funds, the higher education facility shall utilize according to the designated intent of the benefactor, in accordance with law.

The real estate and other assets obtained by the higher education facility as inheritance and gifts shall be considered as property of that higher education facility.

Assets of a Dismissed Higher Education Facility

Article 91

In cases of dismissal of a university unit, the ownership of the property, the assets and revenues upon settling all liabilities shall be transferred to the university of the dismissed unit.

In cases of dismissal of an independent higher education facility, the ownership of the property, the assets and revenues remaining upon settling all liabilities shall be transferred the founder.

Chapter nine

HIGHER EDUCATION ACTIVITY

Academic and Vocational Studies

Article 92

Higher education shall be provided by delivery of academic and vocational studies.

Academic studies shall enable students to perform work in science and higher education, in business, in the public sector and the overall society by the

means of training for upgrade and application of scientific and professional achievements.

The vocational studies shall provide the students with knowledge and skills enabling the performance of vocational occupations and shall train the students for direct engagement into the work process.

The academic and vocational studies shall be harmonized with the studies in the European education and research space.

Cycles of Higher Education

Article 93

The study programs for education shall be distributed in three cycles of higher education:

- First cycle of university studies
- Second cycle of university studies and
- Third cycle of doctor studies

Each cycle of university studies shall end by attainment of a particular degree.

Certain study programs can be delivered in an integrated manner through the first and the second cycle.

Each cycle of studies shall have to be in compliance with the European Credit Transfer System of transfer and accumulation of credits (hereinafter: ECTS) according to which for one year of studies, 60 ECTS credits should be earned.

First Cycle of University Studies

Article 94

The first cycle of university studies, normally can last from three to four years and upon its completion 180 to 240 ECTS credits shall be earned. The above stated studies shall enable the students for the second cycle of university studies and shall be provided the opportunity to be engaged in employment for certain vocational jobs.

The person completing the studies of paragraph 1 of this Article shall acquire a diploma accompanied by a supplement of the appropriate vocation if not otherwise stipulated by law.

Internationally, the diploma in English language shall contain the academic degree of completion of first cycle of studies – baccalaureus, or baccalaurea.

Second Cycle of University Studies

Article 95

The academic university studies of the second cycle shall last one to two years and upon their completion 60 to 120 ECTS shall be earned. The above stated studies can last longer if in compliance with the internationally accepted standards of a given profile.

The total number of credits earned in the first and the second cycle of the university studies shall be 300 ECTS credits.

The persons completing the studies of paragraph 1 of this Article with a total of 300 ECTS credits shall acquire the degree- master, or another degree according to the Article 106 of this Law.

Internationally, in English language the diploma shall contain the professional degree upon completion of second cycle of studies – master.

Third Cycle of University Studies- Doctors’ Studies

Article 96

The doctors’ studies, normally, last three years and carry 180 ECTS credits. Upon successful, public presentation and appraisal (defending) of the doctoral thesis, the scientific degree shall be acquired – doctor of science (Dr.Sc.) and doctor of arts (Dr.Art.)

The student can enrol in doctors’ studies upon completion of second cycle of academic studies.

The university can organize studies of third cycle in duration of at least three years, leading towards attainment of the degree- specialist in a particular field (spec.). The degree- specialist, i.e. the abbreviation shall be added to the academic degree of the second cycle of university studies.

Upon completion of specialist studies, the university can identify a different degree than the degree stated in paragraph 3 of this Article, in instances when for a particular vocational field, specialist professional improvement training is regulated by a separate law.

The university, by the means of a general act, shall identify the earning of required ECTS credits for the doctors’ studies and prescribe the ECTS credits necessary for submittal of the thesis.

Vocational Studies

Article 97

The vocational studies shall be implemented in universities and in higher vocational schools.

The vocational studies shall last for three years and by the time they have completed, 180 ECTS credits will have been earned.

Acting as an exception, vocational studies can last for four years if in compliance with the internationally accepted standards and 240 ECTS credits shall be earned.

In the first cycle of vocational studies, short study programs of 60 to 120 ECTS credits can be implemented.

Upon completion of vocational studies of 60 to 120 ECTS credits, a certain professional degree in accordance with law shall be attained.

Upon completion of vocational studies with 180 ECTS credits a diploma with a supplement to the vocation shall be attained, if not otherwise regulated by law.

Internationally, the diploma in English language shall have the professional degree of completion of first cycle of vocational studies – baccalaureus, or baccalaurea, accompanied by a supplement to the vocation, if not stated otherwise.

The Universities and higher vocational schools can organize specialist vocational studies of second cycle for persons having had the first cycle of vocational or academic studies completed. Such studies shall last for one to two years and upon completion, the following degree shall be attained – specialist in particular vocation (spec.) used in addition to the professional degree acquired after the vocational or academic studies of first cycle.

Vocational and Scientific Degree

Article 98

All vocational and scientific degrees shall be defined according to law, the Statute of the University and the University Unit Rulebook, or the Statute of the Independent Higher Education Facility.

Content of Study Programs

Article 99

Study programs of first, second and third cycle of studies shall be designed according to norms, standards and methodology accepted in a universal European space of higher education thus enabling comparison with the programs of higher education facilities in that space.

The profile, the objectives and the starting point for the design of the study programs shall further be regulated by a Decree for National Framework of Higher Education Qualifications, adopted by the Government of Republic of Macedonia following a proposal by the minister in charge of higher education affairs.

Study programs should contain compulsory and optional educational subjects. The compulsory educational subjects should be of the particular area of the unit of the university, or the internal organizational unit (institute, department, division), and the share thereof shall not exceed 50% of the number of subjects in the study program. The remainder of the study program shall consist of optional educational subjects independently selected by the students out of all subjects represented in the unit of the university.

All compulsory components contained in the study programs of the first, the second and third cycle shall be further regulated by the Accreditation Board in a separate act.

The study programs can contain other components defined in the Statute of the University, or of the University Unit Rulebook in accordance with the Statute of the University, or of the Statute of the Independent Higher Education Facility.

The education program entitled as study program not accredited according to this Law, shall not be considered as a study program by any of the cycles of education, or upon its completion a vocational or scientific degree stated in this Law shall not be attained.

Programs for Professional Improvement Training

Article 100

The universities and higher vocational schools can organize various programs of professional improvement training taking into account the concept of lifelong learning. Such programs shall be designed for the purposes of professional improvement, further upgrade, profound expertise and advancement of knowledge, and thus shall not be considered as studies in the way as envisaged in this Law. Upon completion of the programs for professional improvement training a certificate issued by the university or the higher vocational school shall be awarded.

The participants in the professional improvement training shall not have the status of students.

Forms of professional improvement training and other requirements thereof as well as the rights and responsibilities of attendees shall be regulated by a general act of the universities and the units thereof, in accordance with the Statute of the University or of the Independent Higher Vocational School.

In addition to the programs for professional improvement training the university and its units, or the higher vocational school can organize various forms of

non-formal learning such as courses, summer or winter colleges, schools, workshops and like, if not effecting the provision of the study programs of higher education.

Vocational Education Shorter Than Three Years

Article 101

For acquired professional degrees and training, the higher education facilities can organize vocational education of duration less than three years.

For acquired professional knowledge and training of paragraph 1 of this Article, a certificate or another credential stipulated in the Statute of the University, or in the Rulebook of the University Unit, or the Statute of the Independent Higher Vocational School shall be allocated.

For persons acquiring a certificate or other credential for professional knowledge, according to a program which is a part of an accredited study program of first cycle of higher education studies, the acquired professional knowledge and training expressed in credits can be recognized as a part of the higher education program. The acquired credits shall be recorded in the certificate or other credential of paragraph 2 of this Article.

The persons acquiring the professional knowledge and credits in accordance with paragraph 3 of this Article and possess knowledge acquired in other forms of learning adequately evaluated by the higher education facility, can proceed with studies according to the study program appropriate to the acquired credits and evaluated knowledge, according to the Statute of the University and the Unit Rulebook, or the Statute of the Independent Higher Vocational School.

Study Program for Joint Diploma

Article 102

The university program for acquiring a joint diploma shall be the study program accepted and implemented by the university, or its unit, or the independent higher vocational school along one or more universities, or independent higher vocational schools in Republic of Macedonia or from abroad, accredited in the headquarters country.

For study programs for acquisition of joint diploma, the university or unit thereof, or the independent higher education facility in addition to the provisions of this Law for accreditation of a study program, must take into consideration the measures for design and approval of the study program for attainment of a joint diploma, defined by the Accreditation Board in the course of the accreditation.

The joint program shall be a public document. The content and layout of the joint diploma as well as all accompanying documentation to the diploma shall be defined by the university, or the independent higher vocational school.

Languages in Education Process

Article 103

The teaching in the higher education facilities shall be delivered in Macedonian language.

The representatives of the communities, for the purposes of expression, nurturing and development of their identity and other particularities, shall have the right to deliver the teaching in the public higher education facilities, in certain study programs in their language, different than the Macedonian language, in accordance with this Law and the Statute of the Higher Education Facility. National funding for

higher education for the language spoken by at least 20% of the population in Republic of Macedonia shall be secured.

The teaching process in public pedagogic higher education facilities for training of instructors in pre-school facilities and teachers in elementary education as well as secondary education didactic and methodical subject teachers can be delivered in languages of other ethnicities, not a majority in Republic of Macedonia.

The teaching process in the higher education facilities can be performed in one of the world languages for particular study programs of foreign languages or a portion of the study program, for portions of study programs involving foreign teachers or for study programs where the teaching is delivered in Macedonian language or the language of the community different than the Macedonian language. Higher education facilities can offer teaching of the full study program to be delivered in Macedonian language and one of the world languages in parallel.

The teaching process in the private higher education facilities can be delivered in languages of the representatives of the communities not a majority in Republic of Macedonia or in world language.

In cases of the teaching process being delivered in languages of the ethnicities not a majority in Republic of Macedonia or in world languages, the Macedonian language shall be taught as a separate teaching subject and the teaching shall be delivered in Macedonian language for at least two more teaching subjects.

In cases of the teaching process being delivered in languages of the ethnicities not a majority in Republic of Macedonia, in accordance with paragraphs 2, 3, and 4 of this Article, the Macedonian language shall be taught as a separate teaching subject and the teaching process shall be delivered in Macedonian language for at least two more teaching subjects of the study program.

The teaching subjects shall be designed in the Statute of the Higher Education facility and number of lessons defined in the Norm and Standards Decree.

Body Adopting the Study Programs

Article 104

Study programs of first, second and third cycle and the study programs for professional improvement training shall be adopted by the Senate of the University upon a proposal by the Educational- Scientific Council, or the Teachers Council in the University Unit, or the Teachers Council in the Independent Higher Vocational School.

The study programs of first, second and third cycle shall be subject to accreditation performed by the Accreditation Board, and the Decision for Initiation of Operation shall be issued by the ministry in charge of the higher education affairs.

For the study programs of first, second and third cycle financed by the Budget of Republic of Macedonia, consent shall be provided by the Government of Republic of Macedonia following a prior opinion offered by the Council.

For the study programs of first, second and third cycle of private higher education facilities, consent, as well as Decision for Initiation of Operation shall be provided by the ministry in charge of the higher education affairs, following a prior accreditation by the Accreditation Board.

The university, or the independent higher education facility, shall publicly announce the study programs the latest to the publishing of the public advertisement for enrolment of students.

The compulsory components of the study programs shall be amended according to the same procedure of their endorsement.

The public higher education facilities can deliver accredited study programs not financed by the Budget of Republic of Macedonia.

Appraisal of Study Programs with Credits according to ECTS

Article 105

The study programs shall be appraised according to ECTS credits. Each year of study program shall carry 60 credits.

The study programs of first cycle carrying 180 to 240 credits and last three to four years dependant on the type of program shall be appraised as vocational or academic study programs.

The study programs of the second cycle carrying 60 credits along with the 180 credits earned during the first cycle of graduate academic studies and last one year shall be appraised as specialist studies,

The study programs of second cycle carrying 120 credits along the 180 credits earned in the first cycle of academic studies and last two years, or carry 60 credits and along the 240 credits earned in the first degree of academic studies and last one year, shall be appraised as master studies.

The study programs of second cycle organized as continuous studies of 60 plus 60 credits along the 180 credits earned in the first cycle of academic studies and last two years can be appraised upon completion of first year as specialist studies and upon completion of second year as master studies.

The study programs of third cycle can carry 180 credits or be appraised appropriately to the type of studies of third degree and along the 300 credits earned in the second cycle of master studies to be appraised as doctors' studies of three years.

Study programs of professional improvement training upon completion of first or second cycle of studies shall carry at least 10 and at most 60 credits.

Study Programs for Regulated Professions

Article 106

As an exception of the provisions of this Law, the number of credits and the duration of study cycles, the profile positions or the degrees acquired at each study cycle related to performance of regulated professions encompassed by the regulations of the European Union, shall be regulated by the general acts of the University and the Unit, or the Independent Higher Education Facility.

Residency in medicine, dentistry or pharmacy shall be regulated in a separate law.

Credit Transfer

Article 107

The credits might be transferred from one to another same, similar or different study program within a university, or from one to another university, or from one to another independent higher education facility, or university.

The criteria and requirements for transfer of credits and the method for transfer among study programs shall be further regulated by a general act of the university, or the independent higher education facility, or the contract signed among higher education facilities.

Requirements and Manner of Study Enrolment

Article 108

In the first cycle of university and vocational studies, a person graduating the state matura or the international mature can be enrolled.

If at the public advertisement for enrolment of students of first cycle in university and vocational studies in the first enrolment period, insufficient number of candidates fulfilling the requirements of paragraph 1 of this Article turn out, the right to enrolment in a first cycle studies can be provided for persons passing the state matura in the gymnasia or the final exam upon graduation from appropriate vocational secondary education of four years.

In the first cycle of university art studies a person passing the state matura, the international matura and the school matura in the art secondary school can enrol.

Enrolment in studies shall be performed on the basis of a public advertisement announced by the university, or the independent higher education facility delivering the studies at least five months prior to start of teaching process. The advertisement for enrolment shall contain the following: name of higher education facility and its address, name of study program, name of delivery of study program, duration of studies, requirements for enrolment, foreseen number of vacancies for enrolment, procedures and deadlines for application and enrolment delivery.

The university or the independent higher vocational school shall define the procedure for selection of candidates for enrolment in a manner guaranteeing equality for all candidates irrespective of race, skin colour, gender, language, religion, political or other affiliation, ethnic, national or social background, property, birth, social status, disability, sexual orientation or age.

The university or the independent higher vocational school shall define the criteria on the basis of which the selection and enrolment of candidates shall be performed.

The public advertisement for a public higher education facility shall be published by the university in a fashion stipulated in the Statute and following a prior consent by the Government of Republic of Macedonia.

The advertisement for the private higher education facility shall be published by the higher education facility in a fashion stipulated in its Statute.

The university or the independent higher vocational school shall decide on the syllabus for secondary education appropriate for the enrolment into appropriate academic or vocational studies.

As an exception, under study requirements defined by the higher education facility, persons without having completed prior appropriate education, and exceptionally talented persons can also enrol under the assumption that even without prior completed education, shall successfully complete studies.

The study program of second cycle of university studies can accept persons having completed the study programs of a first cycle. The university and units thereof shall define what type of studies shall be appropriate for entry into certain programs of second cycle, as well as define the requirements for enrolment for the candidates having completed other study programs.

The person having completed vocational studies can enrol into academic studies of second cycle if foreseen according to an act by the university and its units delivering the studies, or the independent higher vocational school where at enrolment, mandatory differential exams shall have to be passed.

Doctors' studies can be enrolled by persons having completed appropriate second cycle studies. The university might prescribe other requirements for the enrolment in the doctors' studies.

Foreign residents shall enrol in studies under the same conditions as the residents of Republic of Macedonia, except under conditions stipulated in paragraphs 1, 2 and 3 of this Article, but might be required in accordance with the decision of the competent state administration bodies or the higher education facility to co-pay or offer full coverage of study tuition. The foreign residents might be limited or denied the entry of studies of military or police education or studies of national security interest.

Equal Value of Foreign Education

Article 109

It shall be considered that the requirements for enrolment of Articles 107 and 108 of this Law shall be met by a person having completed equal study program abroad.

The Statute of the University shall define the requirements for enrolment of paragraph 1 of this Article for the person not having completed equal education abroad.

Decision for the Number of Enrolled Students

Article 110

The Decision on the number of the students enrolled in the public higher education facilities, whose education shall be financed by the Budget of Republic of Macedonia, following a proposal by a public university and prior opinion of the Council, shall be adopted by the Government of Republic of Macedonia.

Decision on the number of students enrolled in the public higher education facilities exceeding the number stipulated in paragraph 1 of this Article shall be adopted by the university, under provisions stipulated in this Law upon prior consent of the Government of Republic of Macedonia.

The total number of students eligible to enrol in the higher education facilities according to paragraph 1 and 2 of this Article shall be decided dependent on the capacity defined in the Decision for Accreditation of the Higher Education Facility.

Decision on the number of students enrolled in the private higher education facility, following a proposal by the Educational- Scientific Council, or the Teachers Council, shall be adopted by the governance body of the private higher education facilities, under requirements stipulated in this Law. The number of students shall not exceed the number stated dependant on the capacity in the Decision for Accreditation of the Higher Education Facility.

The Government of Republic of Macedonia shall adopt a Decision for supplementary quotas for enrolment of students of other ethnical communities not a majority in Republic of Macedonia.

Start and End of the Study Year

Article 111

The study year shall commence on the 15th September, and shall end on the 14th September the following year, and shall be divided into two semesters, a summer and a winter term or in three semesters with a possibility of the teaching process to be carried out in cycles. The start and the duration of the teaching

process in semesters shall be regulated in the Statute of the University, or of the Independent Higher Education Facility.

Scope and Organization of Studies

Article 112

In cases of paragraph 1 of this Article, the study programs of the first cycle shall contain at least 20, and at most 30 lessons of lectures, tutorials and seminars weekly and 30 weeks per annum.

Upon exception, if the study program contains practical training, a total scope should not exceed 40 lessons weekly and 45 weeks annually.

Teaching load of paragraph 1 of this Article shall encompass lectures, tutorials, seminars and other types of studies adequate to the particularity of the educational- scientific area (practical teaching, attendance at observation/ demonstration classes, performances, terrain work etc.) consultative – instructional teaching, types of continuous assessment of knowledge and exams considered as consultation, as well as individual study work (sports exercises, literature research, seminar papers, project work), individual learning, as well as preparation of a masters or PhD assignment.

Pursuant to a procedure and method stipulated in the Statute of the University, or of the Independent Higher Education Facility, the organization and the temporal distribution of the lectures, the seminars and tutorials can be adjusted to the particularity of the study program (art study programs etc.)

If enabled by the nature of the studies, the study program can be adjusted to the organization and the temporal distribution of lectures, seminars and tutorials compliant to students’ schedules (part time studies). The adjustment shall be performed in a fashion and according to a procedure defined in the Unit Rulebook in accordance with the Statute of the University, or of the Independent Higher Education Facility.

Completion of Studies

Article 113

Studies of first cycle shall be completed by taking all exams, drafting a final thesis or taking a final exam in accordance with the study program.

The studies of the second cycle shall be completed by taking all exams, preparation of postgraduate (vocational or masters) thesis and successful, public presentation and appraisal (defence) of the thesis, in accordance with the study program.

The procedure for application, assessment and successful public presentation and appraisal (defence) of the vocational and masters’ thesis shall be regulated by the Statute of the University. The successful public presentation and appraisal (defence) of the vocational or masters’ thesis shall be performed before a commission composed of three members of educational - scientific and scientific positions of at least two being in the appropriate scientific area encompassing the thesis of the vocational or masters’ dissertation.

The doctors’ studies shall be considered as completed after passing all exams, and following a preparation and successful public presentation and appraisal (defence) of the PhD dissertation.

The study program shall state if the doctors’ art studies might end in passing all exams or passing a final exam before an examination commission and/or by preparation and performance of an artistic act.

The procedure for application, assessment and successful public presentation and appraisal (defence) of the PhD dissertation or the preparation and performance of an artistic act shall be stipulated in the Statute of the University. The successful public presentation and appraisal (defence) of the PhD dissertation shall be carried out before a commission composed of five members of educational-scientific and scientific positions of at least three being from the relevant scientific area encompassing the doctors' dissertation.

The specialist vocational studies shall be considered completed by passing all exams, preparation of a professional thesis and/ or by passing an appropriate final exam in accordance with the study program.

Upon completion of studies in accordance with this Article, the student shall acquire an appropriate vocational or academic degree as all other rights in accordance with the respective regulations.

Assessment of knowledge

Article 114

The assessment of student's knowledge in teaching subjects shall be continuously performed during the teaching process and shall be expressed in points.

In order to meet all requirements for passing the exam (in segments or integrally) the student can earn 100 points at the most, or receive a positive grade expressed in the grade 10 (ten) in which case the grade 5 (five) shall refer to insufficient knowledge and signify a failing grade.

The assessment of knowledge in certain teaching subjects shall be conducted in a manner defined in the study program and in a deadline designated in the Statute of the Higher Education Facility.

The university or the independent higher vocational school shall define the method of assessment of knowledge and taking of the exam.

The final assessment shall be obligatory recorded in the index or in another document and in the final assessment application form.

The average grade of the student shall be expressed in an arithmetic mean of the final assessment of all teaching subjects during the studies, including the final exam.

Knowledge Assessment Complaint

Article 115

The student within 24 hours can file a complaint to the Dean or the Director of the higher education facility, if dissatisfied by the final assessment, or the final grade, or if considers the exam to be incompliant with this Law and the Rulebook of the Higher Education Facility, or the Statute of the Independent Higher Vocational School.

If the Dean considers all requirements of paragraph 1 of this Article to be met, the teacher shall re-examine the final assessment grade, and if the teacher does not re-examine the awarded grade, the student shall take the exam before a three-member commission composed of teachers of the same or related educational – scientific field within the 24 hours of the next working day.

Upon request by the student, repeated final assessment shall be granted for the purposes of acquiring a higher grade of the teaching subject in a period of four months the latest following the initial examination.

Diploma and Diploma Supplement

Article 116

To the student finalizing all responsibilities according to the study program for completion of higher education in any cycle of the education process, the university and the unit of the university, or the independent higher vocational school shall issue a Diploma on the basis of his/her kept records. The Diploma shall confirm that the student has completed a study program of first, second or third cycle and acquired an appropriate vocational or scientific degree. An integral part of the Diploma shall be the Diploma Supplement.

The Diploma and Diploma Supplement of the university shall be signed by the Rector and the Dean or the Director of the Unit of the University and shall be verified with a university's dry seal.

The Diploma and the Diploma Supplement of the independent higher vocational school shall be signed by the Director and verified by the dry seal of the independent higher vocational school.

The Joint Diploma and the Diploma Supplement shall be signed by authorized persons of the higher education facilities organizing the study program for acquisition of a Joint Diploma.

The student meeting all requirements of the study program in professional improvement training or a part of the study program for attainment of education shall be issued a Certificate, for the completed section of the study program containing data on the level, nature, content of studies as well as achieved outcome.

Other public credentials as stipulated in this Law shall be a certificate, index and student's identification card which might be issued, or might contain all data in an electronic form as well.

The content and the layout of the Diploma and the Certificate for preparation of the Diploma Supplement and other public credentials as defined in this law shall be prescribed by the minister in charge of higher education affairs.

Revocation of a Diploma

Article 117

The student having been issued a Diploma, in accordance with this Law can have the issued Diploma or the attained vocational or scientific degree revoked, if deemed that the student has failed to meet all necessary requirements for becoming a student at the respective higher education facility, has acquired the vocational and scientific degree contrary to the requirements for attainment of vocational or scientific degree stipulated in the Statute of the Higher Education Facility or has committed a criminal act related to the attainment of the Diploma.

The method and procedure for revocation of an issued Diploma shall be regulated in a Rulebook of the University or of the Independent Higher Education Facility.

Promotion of Completed Studies

Article 118

Promotion of persons having completed the vocational study or academic study programs of first cycle and the masters and specialist study programs of second cycle shall be performed by the Dean, or the Director according to a procedure stipulated in the rules of the unit, or the scientific facility.

Promotion of alumni of doctors' studies of third cycle that have attained the scientific degree of Doctor of Sciences shall be carried out by the Rector of the University, according to procedure defined in the Statute of the University.

Keeping and Protection of Personal Data

Article 119

Higher education facilities shall keep the following student's personal data records:

1. records of applied for enrolment and enrolled students;
2. personal file for each student since the beginning of the studies until the end of the studies or the day of renouncement;
3. minutes of the exam recording the application form of the exam, the course of the exam and the allotted grade; and
4. records for issued credentials for completed studies;

Records of paragraph 1 indents 1, 2 and 4 of this Article shall include: the first and last name of the student (for female students their maiden name as well), gender, date, place and date of birth, state of birth, place of residence, unique identification number of the citizen, citizenship, prior acquired education, method of studying as well as other data in separate regulations. The record keeping of paragraph 1 indent 2 of this Article shall encompass data on passed exams, data on progress and finalization of studies.

Record keeping of paragraph 1 indent 3 of this Article shall include: the first and last name of the student (for the female students their maiden name), gender, unique identification number of the citizen, the method of studying, the year of studying and the study year of first enrolment, date of exam, data on initial taking of exam or repeated taking of exam, as well as grade for the exam.

The provisions in relation to the keeping, usage and archiving of personal data according to this Law shall be utilized for the purposes of documentation, as grounds for the collection of data. Documents on previous education upon completed enrolment procedure shall be returned to the student.

Register of Enrolled Students Main Register of Graduated Students

Article 120

The higher education facilities shall keep Register of Enrolled Students and Main Register of Graduated Students as well as a student's file. The manner of keeping (hard copies or soft copies) as well as the content of the Register of Enrolled Students and Main Register of Graduated Students shall be prescribed by the minister in charge of higher education affairs.

Register of Enrolled Students and Main Register of Graduated Students shall be treated as permanent records.

Chapter Ten

EDUCATIONAL- SCIENTIFIC, EDUCATIONAL AND SUPPORTING STAFF POSITIONS

Educational- Scientific and Educational Positions

Article 121

The educational- scientific positions of the faculty shall be the docent, the associate professor and the full professor.

In the faculties addressing the area of philology and other higher education facilities delivering language courses, the educational- scientific positions shall be - lector and senior lector.

In the higher vocational schools, the teaching positions shall be lecturer, senior lecturer and professor in higher vocational school.

In the higher education facilities the nomination in the scientific positions in accordance with the Law on Scientific and Research Activity shall also be accounted for.

Higher education work can be performed only by a person selected in the educational- scientific, educational and supporting staff position for the period of the person’s mandate.

Upon exception of paragraph 5 of this Article, the higher education studies of first, second and third cycle can be delivered by a person selected in the scientific or supporting staff position in accordance with the provisions of the Law on Scientific and Research Activity, according to the equivalency of the positions regulated in this Law.

Supporting Staff Positions

Article 122

The supporting staff positions shall refer to junior assistant, assistant and junior lector. The artistic supporting staff positions shall refer to junior artistic associate and artistic associate.

Supporting staff of paragraphs 1 and 3 of this Article shall be selected for scientific or artistic areas, stipulated in the Statute of the University or of the Independent Higher Vocational School.

The supporting staff can be selected for project work for the duration of the project.

The supporting staff of paragraphs 1 and 3 of this Article shall participate in the teaching and education process in scope defined by the Statute of the University, the Unit Rulebook or the Statute of the Independent Higher Vocational School. The supporting staff can not teach and deliver exams independently.

Demonstrators

Article 123

In the faculties or higher vocational schools of the students that have completed the third year of studies with a total average grade of at least 8,00 (eight) or of the students of second or third cycle, demonstrators shall be nominated.

The nomination of demonstrators as well as their rights and responsibilities shall be regulated in the Statute of the University, the Unit Rulebook, or the Statute of the Independent Higher Vocational School.

The demonstrators shall participate in the teaching and education process in scope defined by the study program.

The higher education facility and the demonstrator shall sign a contract stipulating the mutual rights and obligations.

Election Criteria

Article 124

The teachers in the educational - scientific positions shall be selected in educational- scientific areas defined in the Statute of the University, or of the Statute of the Independent Higher Vocational School.

A docent can be a person of a scientific degree – Doctor of Sciences for the nominated scientific area, having published scientific opus, achievements in application of research outcomes and ability to perform certain types of higher education work.

For an associate professor a person having attained the following shall be considered eligible: a scientific degree – Doctor of Sciences for the nominated scientific area, independent scientific opus published separately or in publications, having participated in a scientific and research projects or had significant achievements in the application of scientific and research results, having had contribution in the training of supporting staff and junior teachers and having displayed ability to perform various types of higher education work.

For a full professor, a person having attained the following shall be considered eligible: a scientific degree- Doctor of Sciences for the nominated scientific area, significant scientific opus published separately or in scientific publications, having immense influence over development of science and practice, participated in or managed a scientific and research projects or had significant achievements in the application of scientific and research results, having had contribution in the training of supporting staff and junior teachers and having displayed ability to perform all types of higher education work.

Criteria for Election of Lectors

Article 126

A lector shall be a person having completed studies of second cycle of scientific area, for which the lector is being elected, has displayed competence to deliver educational work, shall master the issues of the discipline at hand and has practical experience in the teaching process.

Senior lector shall be a person having completed studies of second cycle of scientific area for which the senior lector is being elected, has published scientific opus and shall display competence for educational work.

Special Criteria for Election in Scientific- Artistic Subjects

Article 127

A docent, associate professor and full professor in a vocational – artistic subjects shall be a person without a degree of Doctor of Sciences, having completed appropriate higher education of second degree, has recognized artistic and professional opus, or achievements of significance for promotion of culture and arts in and out of the country as well as competencies for educational work.

Criteria for Election in Positions of Higher Vocational School

Article 128

A lecturer in higher vocational school shall be an elected person having completed the second cycle of academic studies and has displayed competencies for educational and high vocational work, has published professional opus and has several years of experience of working in his/her vocation.

Senior lecturer of higher vocational school shall be a selected person having completed the second cycle of academic studies, has published multiple scientific

works and has displayed the competency to deliver educational and high vocational work.

Criteria for Election of Junior Assistant, Junior Lecturer, or Junior Artistic Associate

Article 129

Junior assistant shall be an elected person having completed academic studies of second cycle with an average grade of at least 8,00 (eight), possesses knowledge in at least one of the world languages and has competencies in educational – scientific, educational – vocational or educational- artistic work.

Junior assistant in faculty of dentistry, faculty of medicine, and faculty of pharmacy shall be an elected person of having completed academic cycle of first degree of at least 300 earned credits, average grade of at least 8,00 (eight), fluent in one of the foreign languages and has competencies in scientific - educational or scientific- vocational work.

Junior lecturer shall be an elected person having completed academic studies of second cycle of average grade of at least 8,00 (eight), fluent in a foreign language and has competencies for educational work.

Junior artistic associate shall be an elected person having completed the academic studies of second cycle, has competency in artistic and vocational work and has passed the audition.

Rights and responsibilities of the junior assistant, junior lecturer, or junior artistic associate shall be defined in the Statute of the Higher Education Facility.

Persons of paragraphs 1, 2 and 3 of this Article shall be contracted for a period of three years of internship. The Educational- Scientific Council shall determine the method of vocational training, monitoring and assessment of the trainees.

Criteria for Election of Assistant and Artistic Associate

Article 130

Assistant shall be an elected person having completed academic studies of second cycle of a relevant scientific, or artistic field and at least three years of working experience or a mandate as a junior assistant, shall be knowledgeable in one of the world languages and shall display competency in educational – scientific, or educational- artistic work.

Assistance to medical faculty, faculty of dentistry or faculty of pharmacy shall be an elected person of completed academic cycle of second degree of an appropriate scientific field or residency in the area of medicine for clinical subjects according to the Law on Healthcare, shall be knowledgeable in one of the foreign languages and display competency in educational- scientific, or scientific- vocational work.

Artistic associate shall be a selected person of having completed academic studies of second cycle, has renowned artistic work, has been successfully engaged in the relevant artistic branch and has competencies for artistic – vocational work.

Public Advertisement for Election

Article 131

Election in educational- scientific, educational, scientific or supporting staff positions shall be conducted by a public advertisement, announced by the higher educational facility and daily media.

The public advertisement shall be announced for nominations in all educational-scientific, scientific or educational positions.

In the nomination of supporting staff, the job vacancy shall be defined.

The realization of an educational and scientific position for the selected teachers shall be a gradual process.

In the election of paragraph 1 of this Article the provisions of this Law for the election in the educational-scientific, educational, scientific or supporting staff positions shall be applied.

The procedure of the advertisement shall last six months the most. If the procedure shall not be completed in the designated deadline, the procedure shall be dismissed and a new advertisement shall be published.

Election Procedure

Article 132

Election of the candidates in the educational-scientific, scientific, educational or supporting staff positions shall be carried out by the Educational-Scientific or Teachers Council on the basis of the assessment in the report of the Reviewers Commission established upon completion of the deadline for application of candidates.

The Reviewers Commission shall be formed by the Educational- Scientific or Teachers Council and shall consist of at least three members. The members of the Reviewers Commission can come from the higher education facility in which the recruitment is performed or from other higher education and scientific facilities performing higher education work in accordance with this Law.

More than half of the members of the Reviewers Commission shall be persons selected in the educational-scientific and educational positions of the same educational-scientific or artistic area of which the candidate is selected, and the other members can be of a related educational-scientific or artistic area.

The members of the Reviewers Commission shall not be of a lower rank than the one of the candidate to be selected. On the basis of reciprocity, a member of the Reviewers Commission, under the same provisions stipulated in this Law for nomination of members of the Reviewers Commission, can be a teacher of an accredited higher education facility from abroad having signed a mutual cooperation contract with the university.

For all candidates the Reviewers Commission shall submit a report in a written form. The Report of the Reviewers Commission shall contain assessment of the scientific, vocational, pedagogic and other achievements of the candidates, important for deciding the nomination in an appropriate position, as well as a proposal for nomination of a candidate in an appropriate position.

The higher education facility shall publish the report of the Reviewers Commission in the bulleting of the university and on the web site of the university, or the independent higher education facility at least 15 days prior to the election day.

If the Educational-Scientific Council or the Educational- Artistic Council or the Teachers Council does not elect a proposed candidate, the advertisement shall be repeated.

The appointment to a position shall provide the basis for signing a contract for a definite or indefinite period of time.

The procedure for election in the educational-scientific, scientific, educational or supporting staff positions shall be closely regulated by a Rulebook of the Faculty and the Higher Vocational School in accordance with the Rulebook on

Criteria and Procedure for election in the educational-scientific, scientific, educational or supporting staff positions, adopted by the university.

Contracting

Article 133

Persons selected in the educational- scientific, scientific and educational positions, or supporting staff positions shall sign a contract and shall exercise labour rights and responsibilities in accordance with this and other law and collective agreement signed between the majority trade union organized in the higher educational facilities in Republic of Macedonia and the Government of Republic of Macedonia.

The persons selected in the educational-scientific, scientific and educational positions or the supporting positions contracted by the higher education facility shall perform healthcare in the public healthcare facility.

Persons having contract with the healthcare facility and elected in the educational-scientific, scientific and educational positions, or supporting staff positions of the higher educational facility shall perform higher education work in the higher education facility.

The fashion according to which the persons of paragraphs 2 and 3 of this Article provide healthcare, or higher education and scientific and research work shall be regulated in an agreement with the higher education and healthcare facility, and in accordance with law.

Direct pedagogic obligation for the duration of the organized study process of the public higher education facility and the form of direct weekly pedagogical commitment and schedule of working hours during a pedagogical week and year shall be defined by the Senate of the University according to an act stipulating the other pedagogic obligations.

By the means of the election in the educational-scientific, scientific, educational or supporting staff positions, the selected candidate shall establish a contractual liaison for the mandate of nomination.

In the private higher education facility, in accordance with the selected person of paragraph 1 of this Article, the contract might apply for a shorter period than the initially defined deadline.

Deadlines for Election

Article 134

Docent, associate and full professor and professor of higher vocational school shall be nominated for a period of five years.

The full professor after first nomination or the professor of higher vocational school after second nomination shall sign a contract for an indefinite time and shall retain the position full professor or professor for life.

Lector and senior lector, lecturer and senior lecturer and supporting staff shall be nominated for a mandate of four years.

Assistant shall be nominated for a period of three years with a right for another nomination.

Assistant having acquired the scientific degree of Doctor of Sciences can be elected for that position indefinitely.

Upon exception of paragraph 5 of this Article, the artistic associate not having acquired the scientific degree Doctor of Sciences can be elected in that position indefinitely.

Junior assistant shall be nominated for three years.

Junior artistic associate shall be elected for a period of three years. Artistic associate shall have the mandate of five years.

Election in Position upon Expiry of Mandate

Article 135

Latest of six months prior to the expiry of the mandate of election in the educational-scientific, scientific, educational or supporting staff positions, the Rector, the Dean, or the Director shall publish an advertisement for election in all educational-scientific, scientific, educational or supporting staff positions.

In the election of paragraph 1 of this Article, the provisions of this Law for the election in educational-scientific, scientific, educational or supporting staff positions shall be applied.

The time for publication of the advertisement of paragraph 1 of this Article shall be extended for the time of pregnancy leave, sick-leave longer than six months as well as dormant labour relations in cases assigned by law.

Early Promotion

Article 136

Nomination in a higher educational- scientific, educational, scientific and supporting staff position can be performed prior to the expiry of the mandate of current position, provided the teacher, or the supporting staff member have fulfilled all requirements for promotion in the next level, and by the means of scientific or educational work, have significantly contributed towards the development or application of scientific or artistic work of area thereof and have published scientific or vocational opus upon expiry of at least half of the mandate.

Upon exception, a person can be elected for promotion in the next level of educational- scientific, educational, scientific and supporting staff position even earlier, or prior to expiry of at least half of the mandate under the current position of in addition to the requirements of paragraph 1 of this Article, at least two scientific and three expert works in the most prestigious international magazines of impact factor have been published or quoted.

Initiative on promotion in the advanced position prior to mandate expiry shall have to be supported by at least two institutes or departments in related scientific areas.

The procedure for early promotion in a senior position shall be conducted in accordance with Article 131 and 134 of this Law.

University, or independent higher education facility shall publish an advertisement and conduct the procedure of early promotion to an advanced position in accordance with the Rulebook on Universal Criteria for Election in Higher Positions and the Rulebook on Criteria and Procedure for Election in the Educational- Scientific, Educational, Scientific and Supporting Staff Positions.

Dismissed Candidates

Article 137

If in the course of election, the person previously elected in the educational- scientific, educational, scientific and supporting staff position should be nominated for a promotion in a higher position and is not elected in the proposed higher position, a voting shall take place for re-election in the current position prior to proposed promotion.

The person not having been elected in a position shall have his work contract terminated.

The person of paragraph 2 of this Article shall have the right to a complaint to the body responsible for the election. If the complaint is denied, the person shall have the right to file an appeal to the university Senate, which shall form a commission of three members, consisted of full professors of the same or related scientific area of the plaintiff of which at least two members shall be of another higher education facility. The commission shall file a report containing the assessment of the nomination. The decision of the University Senate shall be final.

Early Termination of Election

Article 138

The person elected in the educational- scientific, educational, scientific and supporting staff position shall be committed to a continuous scientific, vocational or artistic improvement and progress, successful provision of higher education, contribution towards the creation of an educational and scientific or artistic youth and to maintaining successful delivery of study programs and contribution towards the development, or the application of the scientific or artistic area of nomination.

The person elected in the educational- scientific, educational, scientific and supporting staff position can have his/her working contract terminated prior to the mandated time, according to the provisions of the Statute if: it is confirmed that for a longer period of time commitments of paragraph 1 of this Article have not been fulfilled; if the legal and statutory activities of the higher education facility have been obstructed; if all other members are obstructed in the delivery of responsibilities and exercise of rights in the higher education facility; if basic conditions on the basis of which an appointment has been made, cease to exist; if a criminal act in relation to the provision of higher education has been committed.

The Decision on the termination of work prior to the expiry of mandate of election in the educational- scientific, educational, scientific and supporting staff position, shall be adopted by the election body electing the person on the basis of a report by a commission of three full professors.

The person of paragraph 3 of this Article shall have the right to a complaint to the body deciding on the dismissal of function.

If the complaint is to be rejected, the person shall have the right to an appeal to the University Senate, which will form a commission of three members, comprised of full professors of the same or related scientific area of the plaintiff, of which at least two shall be from another higher education facility. The commission shall file a report containing the assessment of the election. The decision of the University Senate shall be final.

Right to Work in another Higher Education Facility

Article 139

Person of one unit of the university can perform higher education or artistic work in another unit of the university in the position of election in the same or related educational-scientific or artistic area. Person of one university can perform higher education, or artistic work in another unit of another university, or independent higher vocational school in the position of election in the same or related educational- scientific, or artistic area following a university's consent.

Visiting Professors

Article 140

Upon invitation by the governance body of the higher education facility, professors of accredited higher education facilities, renowned scientists and distinguished artists from the country and abroad, might, as guests, without applying at a public advertisement, perform higher education or scientific and research work for a defined period of time, in a manner and according to the provisions of the Statute of the University, or of the Independent Higher Education Facility.

The work conditions of paragraph 1 of this Article shall be stipulated in a contract.

Distinguished Scientists, Experienced Professionals and Artists

Article 141

Distinguished scientists, experienced professionals and artists irrespective of the fulfilment of requirements of this Law for a position of specialists or experts, upon invitation, might teach in certain aspects of the teaching subject, in scope and according to requirements set in the Statute of the Higher Education Facility.

Entitled Position

Article 142

Distinguished scientists, experienced professionals, artists and supporting staff of the higher education facilities, fulfilling all requirements for nomination in positions for which there are no vacancies in the educational-scientific, or educational positions, can be elected in the position of entitled docent and entitled associate professor, according to conditions and procedure stipulated in this Law.

The type and scope of participation in provision of higher education facility of persons elected in entitled positions shall determined by the Educational-Scientific or Educational- Artistic Council.

Equivalency of positions

Article 143

For the purposes of higher education work, according to provisions set forth in this Law, the scientific and supporting staff positions acquired according to the provisions of the Law on Scientific and Research Work, shall relate to the following educational and supporting staff positions laid out in this Law: scientific advisor to full professor, senior scientific associate to an associate professor, scientific associate to a docent and associate in a scientific and research work to an associate in higher education facility.

Professor Honoris Causa and Doctor Honoris Causa

Article 144

To a distinguished professor of a university in Republic of Macedonia and abroad, providing significant contribution to the development of the higher education work, following a proposal by the unit, the university can award the honourable title of professor honoris causa.

To distinguished scientific, cultural, business and other persons from the country and abroad, providing significant contribution to the development of the scientific thinking, culture or in some other way have contributed to the development

of higher education, upon proposal of the higher education facility, or the accredited scientific facility, the university can allocate a honourable title of doctor honoris causa.

Further detailed provisions on allocation of the titles: professor honoris causa and doctor honoris causa as well as rights thereof shall be defined in the Statute of the University.

Professor Emeritus

Article 145

The university, following a proposal by the Educational-Scientific Council of a unit of a university can allocate a title – Professor Emeritus to a retired full professor, having particularly profound impact as a result of his/her produced scientific or artistic work, has gained international reputation and has achieved results in the provision of educational-scientific and supporting staff youth in the nominated area.

The total number of Professor Emeritus can not exceed 5% of the total number of teachers in the university.

Professor Emeritus can participate in the provision of third cycle studies in the area of nomination.

Further detailed provisions for the awarding of the title Professor Emeritus and for the rights thereof, shall be set forth in the Statute of the University.

Paid and Unpaid Leave and Sabbatical Year

Article 146

To a person elected in the educational-scientific, scientific, educational and supporting staff positions, every five years, the higher education facility can approve paid leave in the duration of one year, or unpaid leave in the duration up to three years for vocational, or scientific professional improvement in the appropriate scientific, or artistic area or a residency in a higher educational, scientific or artistic facility of status in the educational-scientific or scientific-research position.

Person elected in the educational-scientific, scientific, or educational position of six years of working experience shall have the right to attain further professional expertise for the research field of interest in a duration of at most of 12 month, in which period the pedagogical obligation shall be redistributed but shall not expand for more than one third.

The rights of paragraph 1 and 2 of this Article shall be further set forth in the Statute of the University, or of the Independent Higher Education Facility.

Termination of Work due to Retirement Age

Article 147

To the person elected in the educational-scientific or educational position, which during the school year has reached the age of 65, the working contract shall apply up to the end of the school year.

Retired full professor can provide third cycle studies or work at a scientific and research project under conditions stipulated in the Statute of the University or of the Independent Higher Education Facility.

Deadline of Rights and Responsibilities of Positions of Persons Nominated from the Founding Commission

Article 148

Person elected in the educational-scientific, educational or supporting staff position from the Founding Commission in the procedure for establishment of a higher education facility shall acquire the rights and responsibilities for the nominated position, set forth in this Law, on the day of registering the higher education facility in the Register of Higher Education Facilities.

Chapter eleven

STUDENTS

Status of Student

Article 149

The status of a student, and thus a member of the academic community shall be acquired by enrolment in first, second and third cycle of studies at the university, or the independent higher education facility.

The status of a student shall be evidenced by student's identification documents.

Rights and Responsibilities of the Student

Article 150

The student shall have the right to the following:

- studies of quality, and education program of quality as envisaged in the study programs;
- free expression of thoughts and opinions during the education process as well as other activities in the higher education facility;
- right to assessment of the teaching process and the teachers,
- regular studying and status of a regular student and a right to part time studying and status of a part-time student;
- regular progress, learning and completion of studies according to requirements applicable at enrolment;
- enrolment and education on equal terms set up in the Law, the Statute and the Study Program;
- participation in the governance of the higher education facility in accordance with this Law and the Statute of the Higher Education Facility;
- safeguarding of students' rights and responsibilities before the bodies of the higher education facility and
- safeguarding students distinction and protecting their identity from misuse

The student shall have the right to the following:

- progress and complete the studies in a period shorter than the anticipated deadline in the study program,
- study simultaneously more study programs of various specialties and learn additional courses,
- continue studies at another higher education facility if they are discontinued by the dismissal of the higher education facility in which the student is enrolled.

- use the library and data basis, the facilities, the equipment (teaching aids), the software and other scientific and vocational infrastructure of the university and its units, or of the independent higher education facility.
- Participate in scientific-research and vocational work of having guaranteed the authors, inventors and similar rights and awards.
- Nominate and be nominated as representative of the students in the bodies of higher education facilities
- Use the services of the student standard (accommodation, food, healthcare etc.), city and intercity transport according to the provisions stated in law by the providers of such services;
- Use the university facilities for sports and culture;
- Move from one to another higher education facility, or one to another studies and thus utilize the benefits of the credit system;
- Participate in the work of the students organizations;
- Participate in types of forming of student’s organization defined in the Statute of the University;
- Continue studies having been discontinued according to conditions stipulated in the Statute of the Higher Education Facility;
- Take leave no less than 60 days in one calendar year;
- Receive state or other scholarships or use financial loans to sustain the studies;
- Maintain cooperation with the students in the country or abroad and
- Exercise other rights according to the Law and the Statute of the Higher Education Facility

The Student shall have the responsibility to do the following:

- Fulfil assignments prescribed in other study programs;
- Respect the provisions of this Law the Statute of the Higher Education Facility and other legal acts of internal organization;
- Apply the decisions of the governance bodies, the Rector, or the Director of the Independent Higher Education Facility and
- Act in accordance with the students’ code of ethics prepared and approved by the higher education facility in accordance with the students’ actions.

The students to all levels of higher education without parents, of hearing disability, visual disability, disability of first and second group, mothers with children up till six years of age and hospitalized students shall have the right to special benefits stipulated in the Statute of the Higher Education Facility.

The rights of paragraphs 1 and 2 as well as responsibilities of paragraph 3 of this Article, the student of the higher education facility shall carry out in scope and as required by the provisions in the Law and the Statute of the Higher Education Facility.

In order to safeguard rights of students in each university a students ombudsmen is appointed. The competencies, the election and the work of the students’ ombudsmen shall be stipulated in the Statute of the University.

Parallel Studies

Article 151

The student can study in more than one study program (parallel studies), according to interdisciplinary or individual study programs at one or more higher education facilities.

The manner and conditions of studies of paragraph 1 of this Article shall be further regulated in the Statute of the Higher Education Facility.

Transfer from One to Other Studies

Article 152

In the course of studying, the student can be transferred from one to another study program or from one to another higher education facility, as laid down in the study program, or in the Statute of the Higher Education Facility, the facility of destination.

The student having been enrolled in the higher education facility which has ceased to work, shall have the right to proceed with studies at the same or another related higher education facility according to conditions set forth in this Law and the Statute of the Higher Education Facility, facility of destination.

Study Rules

Article 153

The Statute of the University, or of the Independent Higher Education Facility, and further in details the rules of the unit of the university, or the Statute of the Independent Higher Education Facility shall regulate the procedures and rules especially for the following:

- Student calendar;
- Enrolment procedures;
- Examination regime
- Study progress, inclusive of the conditions for fast progress;
- Completion of studies
- Transfer between study programs
- Repetition of the year, or potential progress;
- Resume of studies upon a discontinuation;
- Parallel, interdisciplinary and individual studying and
- Recognition of exams and other study commitments passed at various higher education facilities;

The Statute of the University, or of the Independent Higher Education Facility in addition to items of paragraph 1 of this Article shall regulate the following as well:

- Type of documentation issued to the student on the basis of records kept in accordance with this Law
- Procedure of safeguarding students' rights;
- Bodies in charge of procedures and decision making;
- Disciplinary responsibility and rights and responsibilities of students under a disciplinary procedure and
- Other rights related to the rights and responsibilities of students.

Termination of the Status of Student

Article 154

The student in the higher education facility shall have the status-student terminated as set forth in the Statute of the Higher Education Facility. The status of paragraph 1 of this Article shall be terminated if the student:

- Graduates;

- Does not complete studies in the designated time frame according to Law and Statute;
- Does not fulfil enrolment requirement for the following year within time frame set forth in the Statute and the rules
- Pulls out or
- Is expelled

The status of paragraph 1 of this Article can be renewed according to the procedure envisaged in the Statute of the Higher Education Facility, except if the status has not been terminated as a result of final eviction. The expenses for renewal of status shall be born by the student.

Disciplinary Measures

Article 155

For violation of duties and neglect to fulfil responsibilities, the student of graduate studies can be extended a disciplinary measure, a warning, and public warning and can be expelled.

The extended disciplinary measure of getting expelled shall apply for the current study year.

The disciplinary measures shall be extended by the Commission of Disciplinary Measures of the appropriate higher education facility.

The composition of the Disciplinary Commission shall comprise of one member delegated by the students of the higher education facility where the student is enrolled.

The Statute of the University or the Statute of the Independent Higher Vocational School shall define the composition of the Disciplinary Commission, the manner and procedure for identifying disciplinary accountability, measures and manner of delivery of disciplinary measure and safeguarding right of the student.

The disciplinary accountability shall be conducted on the principle of righteousness and devoted listening attention by the Commission for Disciplinary Measures.

Participation of Students in Governance

Article 156

The students shall participate in the governance of the higher education facilities by the means of nomination of their representatives in the Students Parliament at the university, or at the independent higher education facility, in the Student Inter-University Parliament, in bodies of higher education facilities, by various types of self-organization or in another form as required by Law and the Statute of the Higher Education Facility.

The Students Parliament of the University, or of the Independent Higher Education Facility and the Student Inter- University Parliament shall enable the students' implementation of joint interests as partners in the process of higher education.

Participation of the students in the bodies of the university, or of the independent higher education facility, in the Students Parliament, the issues of equal decision making, the number, the method of election and other significant issues for exercising their rights shall be regulated in the Statute of the University and in the rules of the units of the university, or in the Statute of the Independent Higher Education Facility.

Participation of the students in the Inter-University Parliament, the issues of equal decision making, the number, the method of selection and other significant issues for exercising their rights shall be further regulated in the Statute of the Inter-University Parliament.

Chapter twelve

EQUIVALENCY AND RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS

Article 157

Equivalency and recognition of foreign higher education qualifications shall be carried out in accordance with this Law and the ratified international treaties. Basic criterion for equivalency and recognition of foreign higher education qualification arranged by the general system for recognition of qualifications according to the regulations of the European Union shall be the status of the higher education institutions which has issued the qualification, or whether the facility has been accredited and authorized by competent authorities in the native (or other) country for the purposes of issuing qualifications, or diplomas and certificates, and the recognition of foreign higher education qualifications shall be performed according to the European Credit Transfer System.

Article 158

For equivalency and recognition of foreign higher education qualifications, records shall be kept. The manner of record keeping shall be prescribed by the minister in charge of higher education affairs.

Article 159

For the purposes of equivalency and recognition of the foreign higher education qualification, the minister in charge of higher education affairs shall form commissions by separate fields and areas, consisted of five members of university professors from the respective area. The vocational and administrative-technical activities of the commissions shall be carried out by the ministry in charge of higher education affairs.

The minister in charge of higher education affairs shall adopt and publish the Decision for Equivalency and Recognition of Foreign Higher Education Qualification within 20 days following the day of submittal of the request for equivalency and recognition of foreign higher education qualification, upon a proposal by the commission of paragraph 1 of this Article.

The minister in charge of higher education affairs shall adopt and publish the Decision for Equivalency and Recognition of Foreign Higher Education Qualification within eight working days if the higher education qualification has been obtained in one of the 500 universities ranked in the most recent published list by the following institutions: Institute of Higher Education in the Shanghai Jiao Tong University, US News and Report and Times Higher Education Supplement- World University Ranking.

If the minister in charge of higher education affairs does not adopt and publish the Decision of paragraph 2 of this Article within the designated time frame, the Decision for the Recognition of the foreign higher education qualification shall be considered as adopted.

Article 160

The applicant dissatisfied by the Decision for recognition of the foreign higher education qualification, can within 15 days following the day of receipt of Decision, file a complaint to the Second Instance Commission in charge of the education affairs under the Government of Republic of Macedonia.

Article 161

The Information Centre for Equivalency and Recognition of Foreign Higher Education Qualifications (hereinafter: ICER) as technical service under the ministry in charge of higher education affairs shall perform activities addressing the technical and administrative affairs in the implementation of the procedure for equivalency and recognition of foreign higher education qualifications.

ICER shall define the type and degree of foreign higher education qualification comparing it to the higher education qualifications attained at the higher education institutions in Republic of Macedonia, and taking into account the National Qualifications Framework. The equivalency shall be performed in accordance with the three qualification cycles envisaged in the Bologna process in the European higher education space, or degrees anticipated in the European Qualification Framework.

The manner and procedure of equivalency and recognition of foreign higher education qualifications as well as the necessary documentation shall be prepared by the minister in charge of higher education affairs.

Chapter thirteen

SUPERVISION OF THE HIGHER EDUCATION FACILITY

Supervision of the Legality of Work

Article 162

If the minister in charge of higher education affairs shall confirm unlawful operation, contrary to this Law by the higher education facility, shall address the unlawful behaviour by the higher education facility with minutes and shall designate a deadline of at least a month for removal of incompliance.

If the higher education facility, within the designated deadline does not act according to the instructions of paragraph 1 of this Article, the minister in charge of higher education affairs shall adopt a Decision for Temporary Termination of Work of the higher education facility and inform the founder.

The minister in charge of higher education affairs before passing a Decision for Temporary Termination of Work of the higher education facility shall require an opinion by the Accreditation Board.

Against the Decision of paragraph 2 of this Article, a complaint can be filed to the Second Instance Commission for resolving the issue in an administrative procedure in the area of education under the Government of Republic of Macedonia. The complaint shall not postpone the enforcement of the Decision.

Against the Decision of the Second Instance Commission for resolving the issue in an administrative procedure in the area of education under the Government of Republic of Macedonia, an appeal to the Administrative Court can be filed.

Upon legal effectiveness of Decision of Administrative Court, the minister in charge of higher education affairs shall adopt a Decision for erasing the higher education facility from the Registry of Higher Education Facilities.

Article 163

If the minister in charge of higher education affairs shall confirm that the higher education facility has adopted a decision incompliant with this Law shall alarm the higher education facility about the illegal decision and shall define a deadline for removal of the incompliance which shall not be shorter than a month.

If in the given time the higher education facility does not remove the incompliance, the minister in charge of higher education affairs shall terminate or annul the illegal decision by adopting a Declaration.

Against the Declaration of paragraph 3 of this Article, the higher education facility shall have the right to file a complaint to the Administrative Court.

Supervision over Constitutionality and Legality

Article 164

If the general act of the higher education facilities is incompliant with the Constitution or the Law, the minister in charge of higher education affairs shall have the right to stop its enforcement and is obliged, within eight days of the day of adoption of the Decision for stopping the enforcement, to instigate a procedure for appraisal of the constitutionality and legality of the terminated act before the Administrative Court of Republic of Macedonia.

The minister in charge of higher education facility can prior to initiating a procedure for assessing the constitutionality and legality, to inform the higher education facility about the stopping of the act and to caution the higher education on the deadline of 30 days following the day of enactment of the Decision for termination, to remove the incompliance.

If the higher education facility within the defined time line does not act according to the instruction, the minister in charge of higher education affairs in the following 8 days following the day of expiry of 30 days deadline shall initiate a procedure for assessment of the constitutionality and legality of the terminated act.

Supervision over the Issuance of Diplomas

Article 165

If the ministry in charge of the higher education affairs in the course of exercising the right to supervise the legality of operations detects that the higher education facility has issued a diploma contrary to the provisions of this law, shall adopt a Decision for Annulment of the Diploma announced in the public media and at the Public Prosecutor's Office shall initiate a criminal procedure for persecuting the responsible person.

Inspection

Article 166

The inspection of the higher education facility shall be carried out by the State Education Inspectorate, in accordance with Law.

Chapter fourteen

MISDEMEANOUR PROVISIONS

Article 167

Fine in the amount of 1000 to 2500 EUR in MKD equivalent shall be passed for a misdemeanour to a legal entity if perpetrates the following:

- Uses names of higher education facilities, without justified grounds for it in this Law (Article 5);
 - Applies Statute for which a consent by the competent authority has not been extended (Article 9);
 - Starts providing higher education without prior Accreditation Decision and Decision for Initiation of Operation (Articles 32,35);
 - Performs status changes without the consent of the founder (Article 39);
 - Charges the students other taxes contrary to the measures and criteria defined in this Law (Article 83, paragraph 1, indent 8);
 - Charges co-financing of studies or co-payment by students over the amount stipulated in accordance with this Law (Article 83, paragraph 1, indent 9);
 - Provides study programs without accreditation or Decision for Initiation of Operation in accordance with this Law (Article 103);
 - Enrols students in the first year of studies which do not fulfil the requirements stated in this Law and the advertisement (Article 108);
 - Enrols students more than the number decided in the Decision for enrolment of students or exceeds the capacity for which the higher education facility has attained accreditation (Article 110);
 - Does not keep record on personal data of students (Article 119);
 - Elects teachers and supporting staff contrary to the provisions of this Law (Articles from 121 to 148); and
 - Engage a teacher to perform higher education, or artistic work from another higher education facility without the approval of the university and contrary to the norms and standards for provision of higher education (Article 139);
- Fine in the amount of 500 to 1000 EUR in MKD equivalent shall be passed to the responsible person in the legal entity for the misdemeanour of paragraph 1 of this Article.

Article 168

The misdemeanour procedure for the misdemeanour of this Law shall be run by the responsible court.

In the course of submitting a request for initiation of misdemeanour procedure for the misdemeanour of this Law, the ministry in charge of the higher education affairs shall initiate a procedure for settlement in accordance with the Misdemeanour Law.

Chapter fifteen

TRANSITIONAL AND FINAL PROVISIONS

Article 169

The existing universities, faculties and higher vocational schools registered in the Register of Higher Education Facilities in Republic of Macedonia, latest of 31 December 2008, shall align their work with this Law, and shall adopt the Statutes and other general acts stipulated in this Law as well as constitute bodies in accordance with this Law.

In anticipation of the adoption of the general acts of paragraph 1 of this Article, the existing general acts shall be applied.

The University of South-East Europe in Tetovo, founded according to the current regulations for higher education, by the means of entry into force of this Law, shall resume the operation of a private-public non-profit higher education facility, in accordance with the provisions of this Law.

Article 170

The Accreditation Board shall continue with the operation in the present composition awaiting the nomination of new members, within three months the latest of the day of entry into force of this Law.

The members of the Accreditation Board and the Evaluation Agency elected for the first time shall have the re-election right of another mandate. The members elected for the second time, shall not have the right to a third re-election.

The Accreditation Board and the Evaluation Agency within three months following the day of nomination of members shall adopt the acts envisaged in this Law.

Article 171

The Council shall continue to work in the present composition in anticipation of the nomination of new members the latest of three months following the day of entry into force of this Law.

The members of the Council elected for the first time shall have the right to another mandate of four years. The members elected for the second time, shall not have the right to a third re-election.

The Council within three months of the day of nomination of the members shall adopt the acts envisaged in this Law.

Article 172

The Inter-University Conference, the latest of three months of the day of entry into force of this Law shall elect new members in the Accreditation Board and the Evaluation Agency, as replacement for the present members.

The Rectors Conference of the public universities within three months the latest of the day of entry into force of this Law shall elect new members of the Council, instead of the present members.

Article 173

The Minister in charge of the higher education within 12 months of the day of entry into force of this Law shall adopt the acts envisaged in this Law.

Article 174

The procedure for attainment of a scientific degree Master of Sciences or Doctor of Sciences initiated prior to the entry into force of this Law, as well as the procedure initiated prior to the introduction of masters studies, or doctors studies aligned in accordance with this Law, can be completed according to the provisions of the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007) and the present Statute of the Higher Education Facility or of the University.

Article 175

The nomination in the educational-scientific, educational and supporting staff positions initiated prior to entry into force of this Law shall be completed according to the entry into force of this Law and shall be completed according to the requirements and the procedure stipulated in the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007).

Article 176

Rector, Prorector, Dean, Pro-Dean, or Director and Deputy Director of higher education public facility nominated prior to the entry into force of this Law, shall continue performing their function up to the expiry of their mandate.

Persons of paragraph 1 of this Article elected for the first time shall have the right to another mandate of four years. The persons elected for the second time, shall not have the right to a third re-election.

Article 177

Full professors having been elected to the position for the first time, prior to the day of entry into force of this Law according to the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007) shall sign a work contract for an indefinite period and shall retain the position of full professor for life.

Article 178

Junior assistants having been elected to that position for the first time according to the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007), can be re-elected to the same position in the duration of two years.

Article 179

The existing faculties and higher vocational schools within the University of “St. Cyril and Methodius” in Skopje, the University of “Ss Kliment Ohridski” in Bitola, the State University in Tetovo and the University “Goce Delcev” in Stip, on the day of entry into force of this Law shall resume their work as units of university in accordance with this Law.

On the day of entry into force of this Law the foundation acts for the faculties as well as higher vocational school within the University of “St. Cyril and Methodius” in Skopje and within the University of “Ss Kliment Ohridski” in Bitola, the Parliament of Republic of Macedonia shall become the founder of the University of “St. Cyril and Methodius” in Skopje, the University of “Ss Kliment Ohridski” in Bitola, and the units thereof.

OOZT Institutes – University of “St. Cyril and Methodius” in Skopje, RO Medical Faculty (hereinafter: Institutes) shall be erased from the Court Register and shall resume operation within the University of “St. Cyril and Methodius” in Skopje as internal organization unit of the Medical Faculty. The employees in the Institute shall continue to work as employees in the Medical Faculty in Skopje. The property used by the Institutes is a property of the University of “St. Cyril and Methodius” in Skopje. The healthcare services of the University of “St. Cyril and Methodius” – Medical Faculty shall be provided in accordance with the Law on Healthcare and Law on Health Insurance.

The University of “St. Cyril and Methodius” in Skopje- Medical Faculty and the public healthcare facilities, the university clinics and institutes, shall sign an agreement for defining mutual roles in provision of educational, scientific-research and healthcare work, as a functional unity, in accordance with the needs of the study programs delivery as well as for regulating the labour relations, latest of three months following the day of entry into force of this Law.

The University of “St. Cyril and Methodius” in Skopje- Faculty of Dentistry and the public healthcare facilities, the University Dental Clinical Centre, or the University Clinic for Maxillofacial Surgery, shall sign an agreement for defining mutual roles in provision of educational, scientific-research and healthcare work as a functional unity in accordance with the needs of the study program delivery, as well

as for regulation of labour relations, latest of three months following the day of entry into force of this Law.

Article 180

Higher education facilities shall introduce the study programs for higher education and the study programs for professional improvement training according to this Law in stages, and latest of the study year 2009/2010. By introduction of study programs according to this Law and the advertisement, study programs incompliant with this Law shall not be eligible for enrolment.

Students enrolled in the study programs prior to the day of entry into force of this Law can complete the studies under conditions which applied during enrolment, but the latest within the deadline defined for the study program, extended for two years and studies in higher vocational schools by the end of the study 2009/2010.

Students of paragraph 2 of this Article which have the right to repeat the year and due to the gradual introduction of the new study programs cannot repeat the year according to the study programs of enrolment, shall continue and finish studying according to the new study programs.

Provisions of this Law regulating the cycles of higher education and the study programs can be enforced with the public advertisement for enrolment in the school year 2008/2009.

Article 181

Students, which have graduated according to the study programs prior to the day of entry into force of this Law, upon enrolment in the new two year master study programs of the same or similar field shall normally have recognized 60 study credits at the most.

Students, which have graduated according to the study programs prior to the day of entry into force of this Law, upon enrolment for occupations regulated in the directives of the European Union and are valued 300 credits or more, shall have the right to enrol in doctors' study programs according to the provisions of this Law and the Statute of the Higher Education Facility.

To the students having graduated according to the study programs prior to the day of entry into force of this law in line with the study programs of attained specialization, if their joint studying did not last at least five years, upon enrolment in study programs of third cycle additional study responsibilities in the value of 60 credits shall be imposed.

To the students having graduated according to the study programs prior to the day of entry into force of this Law, in line with the study programs of attained masters for doctors' study program, the study value of 60 credits shall be recognized.

Article 182

To persons having attained a diploma or other credentials for higher education, postgraduate studies or doctorates of sciences by the latest of 31st December 1996, obtained in the territory of former Socialist Federative Republic of Yugoslavia, the following shall be recognized: tertiary education, vocational position specialist, academic degree master, or scientific degree doctor of sciences in accordance with the provisions of this Law.

Article 183

The persons in line with this Law have fulfilled all requirements for enrolment in studies, and have attended teaching prior to the entry into force of this Law, but outside the public higher education facilities, in various forms of civil society initiatives in Republic of Macedonia, organized by 15th August 2000 inclusive, can in line with the provisions of this Law and the Statute of the corresponding facility to do the following:

- Continue the studies in first year of the studies in the corresponding higher education facilities
- Seek appraisal of their knowledge and dependant on successful outcome might enrol studies in the corresponding year or
- Based on outcome of appraised knowledge exercise their other rights.

Rights of paragraph 1 of this Article shall be enforced in the corresponding higher education facilities in accordance with the provisions of this Law and the acts thereof. These rights can be exercised following a personal initiative/ request submitted to the appropriate higher education facility latest of 31 December 2008.

Article 184

Teachers nominated for the position of lector of completed appropriate higher education, as well as teachers of the university sports centre, can be re-elected according to the requirements stipulated in the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007).

Article 185

The procedure for establishment of a higher education facility which has been initiated prior to the day of entry into force of this Law, shall be carried out according to the provisions of the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007).

Article 186

On the day of entry into force of this Law, the Law on Higher Education (Official Gazette of Republic of Macedonia” No. 64/2000, 49/2003, 113/2005 and 51/2007), shall cease to apply.

Article 187

This Law shall entry into force on the eight day following the day of publication in the “Official Gazette of Republic of Macedonia.”