

LAW OF GEORGIA ON HIGHER EDUCATION

Chapter I General Provisions

Article 1. Scope of the Law

This law regulates the implementation conditions for educational and research activities of higher education institutions, the principles and rules of higher education management and financing, defines the status of all higher education institutions and the rules for their establishment, operation, reorganization, liquidation, licensing and accreditation.

Article 2. Definition of Terms

The terms used in this law have the following meanings:

- (a) Entrant – a person holding the diploma of a full general education issued in Georgia or an equivalent document, and plans to continue studying at a higher education institution;
- (b) Autonomy – freedom of a higher education institution and its basic unit to plan and implement independently their academic, financial-economic and administrative activities;
- (c) Academic freedom – the right of academic personnel and students to carry out research, teaching and learning activities independently;
- (d) Academic mobility – free movement of students and academic personnel in and out of the country to ensure the participation in learning, teaching and research processes, in accordance with Georgian legislation and the rules prescribed by higher education institutions, and through recognition of academic degrees and qualifications;
- (e) Academic Council – the highest representative body of a higher education institution;
- (f) Academic degree – a degree awarded to a person by a higher education institution upon completion of the relevant academic level;
- (g) Academic title – the title (honorary doctor, emeritus) conferred in accordance with the existing legislature to a foreign scientist/scholar or a public figure for particular achievements as well as to a Georgian citizen as professional recognition of his/her academic activities;
- (h) Accreditation – the procedure of defining the status (the right to issue the certificate recognized by the state) of a higher education institution and/or educational programme. This procedure is carried out by the State Accreditation Body, which determines whether a higher education institution (institutional accreditation) and/or an

educational programme (programme accreditation) meet the requirements set forth by the state;

- (i) Assistant Professor – an academic position at a higher education institution that may be acquired by a person holding a doctoral degree or is a doctoral student and who conducts seminars, laboratory or practical sessions;
- (j) Associate Professor – an academic position at a higher education institution that may be acquired only by a person holding a doctoral degree. An Associate Professor takes part in the main study process and supervises research of Assistant Professors and students;
- (k) Chancellor (Head of the Administration) – the head of a higher education institution administration in the sphere of financial, material and human resource management;
- (l) Bachelor – a person holding an academic degree awarded upon the completion of bachelor's programme representing the first level of a higher educational programme;
- (m) Bachelor's Programme – the first level of a three-level higher education - the combination of educational programmes providing for teaching theoretical basics in a relevant field, essential for pursuing master's studies or studying professions requiring initial preparation of a level higher than the general education can provide;
- (n) Diploma – a document awarded by a higher education institution testifying to the receipt of an academic degree or qualification;
- (o) Certified Specialist – holder of an academic degree conferred to a graduate of either the single-level higher education programme or the first level of multiple-level higher education programme preparing the graduate for practicing his/her profession;
- (p) Diploma Supplement – a document issued by a higher education institution together with the diploma, testifying to the student's academic record and the status conferred by a higher education institution;
- (q) Dissertation – a research work to be defended by a doctorate to obtain the academic degree of a doctor;
- (r) Doctoral student – a person enrolled in a doctoral programme;
- (s) Doctoral programme – the third level of higher education, which represents the combination of study programmes and research activities aimed at preparing research personnel and is concluded by awarding the academic degree of a doctor;
- (t) Doctor – the highest academic degree awarded to a graduate of a doctoral programme after he/she defends the dissertation;

- (u) Unified National Examination – a procedure examining readiness of an entrant to learn under the higher education programme;
- (v) Individual Study Programme – a special study plan, contents, scope and methodology of studying designed for meeting the student’s particular interests and the level of his/her academic training;
- (w) Institute (school of higher education) – a higher education institution authorized to award academic degrees in one or more fields of study and where at least 70% of the courses offered by basic educational units include bachelor’s, special higher education and/or master’s education programmes;
- (x) Coefficient (coefficients) – the unit (units) established by a higher education institution at the beginning of an academic year, providing the basis for ranking of the Unified National Examination results for admission at a particular faculty of a particular higher education institution;
- (y) Credit – a unit reflecting the workload for a student to learn one subject;
- (z) Graduate – a person who has completed a course of a level of a higher education institution certified by a relevant diploma;
- (aa) License – right granted by the Ministry of Education and Science of Georgia to a private higher education institution to carry out higher educational activities if the institution meets the requirements established by relevant institutional accreditation.
- (bb) Master – academic degree awarded to a person who has completed the second level, the master’s programme, at a higher education institution;
- (cc) Master’s programme – the second level of university education; the combination of study programmes necessarily involving the elements of research and aiming to prepare a researcher or a specialist of a level higher than a bachelor;
- (dd) Module – an independent and coherent teaching block uniting the related disciplines. The module defines relationships between the disciplines and their sequence. Several modules form a curriculum;
- (ee) Professional Organization – Independent non-profit legal entity established under the Georgian legislation, uniting the representatives of the same profession on the basis of voluntary membership and aimed at developing the profession, protecting the common interests of its members and ensuring the observance of professional ethics;
- (ff) Professor – a person who holds an academic position at a higher education institution, leads a study process and supervises research work of associate professors, assistant professors and students;

- (gg) Ranking by absolute sum of scores – a list of absolute total scores received by an entrant on the Unified National Examination, determined by the National Examination Centre and approved by the Ministry of Education and Science of Georgia, ascertaining names of entrants who gained the state education grant for continuing study at higher education institutions;
- (hh) Ranking by coefficients – recalculation of absolute sum of scores received by entrants in the Unified National Examination determined by the National Examination Centre and approved by the Ministry of Education and Science of Georgia, according to the coefficients preliminarily established by the faculties. As a result of such recalculation the entrants, including those who obtained the state education grant, are assigned to specific higher education institutions, faculties and specialties;
- (ii) Regulated profession – a profession that requires passing a State Certification Test for practicing apart from obtaining a relevant academic degree;
- (jj) Regulated educational programme – a programme with special accreditation requirements prescribed by the state and/or a special research programme of preparation of a master or a doctor ensured by the state;
- (kk) Rector – the chair of the Academic Council of a higher education institution;
- (ll) Educational programme – the combination of study courses (their goals and objectives, contents and scope, a system of evaluation of knowledge and skills, the peculiarities of organizing the study process and provision of methodological support) designed for obtaining a relevant academic degree;
- (mm) Recognition of education credentials – recognition of education or qualification received abroad and/or verification of authenticity of educational credentials issued in Georgia, by a competent body upon request;
- (nn) Dissertation council – a body established within a faculty of a higher education institution, which is authorized to award a doctor’s degree;
- (oo) University higher education – a course of higher education consisting of bachelor’s, master’s and doctoral educational programmes;
- (pp) Performing Educational Programme – study programme for fine arts and/or sports higher education institution preparing a performer (including artist, musician, actor, sportsman and so on) in one or several performing specialty of arts and/or sports) and awarding an academic degree in a relevant field;
- (qq) State education grant – the allocation for a student based on the results of the Unified National Examination designed for financing the first level educational programme at an accredited higher education institution;

- (rr) Fine arts higher education – higher education preparing performers in one or several fields of fine art;
- (ss) Sports higher education – higher education preparing performers in one or several fields of sports;
- (tt) Special higher education – higher education consisting of education programme (programmes) of only one specific field;
- (uu) Student – a person according to this law and the higher education institution’s charter enrolled in and studying at a higher education institution to complete the bachelor’s, masters or certified specialist’s, as well as doctoral programme;
- (vv) Higher education – education following the full general education providing for the preparation of qualified personnel in different fields of professional activities, which is testified in an appropriate document;
- (ww) Higher education institution – the teaching and research institution implementing higher educational programme (programmes). Its primary activities include organization of higher educational activities, implementation of research and conducting the creative work. It consists of the main and support structural units and awards the relevant academic degree (degrees);
- (xx) Branch of higher education institution – a part of a higher education institution, having certain independence, territorially separated from the governing bodies of this institution and implementing the same higher educational programme (programmes) as the relevant higher education institution;
- (yy) University – a multi-field higher education and research institution authorized to award all three academic degrees and where at least 70% of the courses offered by the basic units include bachelor’s, master’s and/or certified specialists educational programmes;
- (zz) Faculty – a basic teaching, research and administrative unit of a higher education institution, which provides for students’ preparation in one or several specialties and ensures the receipt of relevant academic degrees;
- (aaa) Faculty Council – a representative body within a higher education institution’s basic unit;
- (bbb) Senate (Council of Representatives) – a representative body of a higher education institution;
- (ccc) Quality provision – internal and external evaluation procedures which when implemented improve the quality of education in a higher education institution.

Article 3. Goals of Higher Education

1. The primary goals of higher education in Georgia are as follows:
 - (a) To promote the development of Georgian and World cultural values, orientation towards the ideals of democracy and humanism essential for the existence and development of a civil society;
 - (b) To satisfy the requirements of one's personal interests and capabilities in obtaining proper higher education, in raising the level of one's skill and retraining;
 - (c) To realize personal potential, develop the creative skills, train the competent persons capable of satisfying modern requirements, provide for competitiveness of graduates on domestic and international labour markets, and offer to the interested person (persons) high quality education that meets the requirements of the student community and the public;
 - (d) To train and retrain new research personnel in order to ensure the sustainability of country's development and higher education system itself; to create, maintain and develop favourable conditions for research;
 - (e) To encourage the mobility of students and academic personnel of higher education institutions.

2. To achieve the goals set forth in the first section of this article the state shall ensure:
 - (a) Accessibility and openness of higher education; academic freedom in teaching, learning and research;
 - (b) Provision of lifelong learning opportunities;
 - (c) Integration of higher education and research;
 - (d) Establishment of quality assurance systems including accreditation system and quality assurance services at higher education institutions;
 - (e) Competent collaboration of teaching, learning and research in the unified European educational and research area and in other international systems of cooperation;
 - (f) Autonomy of higher education institution;
 - (g) Involvement of academic personnel and students of higher education institutions in making decisions and in monitoring their implementation;
 - (h) Prohibition of all forms of discrimination in the sphere of higher education, including academic, religious and ethnic grounds, and/or views, gender, social origin or any other grounds;

- (i) Publicity and transparency of higher education institution management and the competitions held there;
- (j) Creation of other conditions that will assist in achieving the goals set forth in the first section of this article.

3. To achieve the goals set forth in the first section of this article the higher education institution shall:

- (a) Prepare a person for professional activities requiring application of both theoretical knowledge and research skills;
- (b) Provide for raising the level of personnel's skill;
- (c) Support the improvement of students' social conditions;
- (d) Create studying conditions for disabled students;
- (e) Encourage development of sports within its authority;
- (f) Cooperate with other higher education and research institutions of Georgia;
- (g) Foster international cooperation and student/professor exchange with the relevant foreign educational institutions;
- (h) Encourage the development of research by teaching, learning and qualification upgrading in a free, democratic and socially fair environment;
- (i) Support the dissemination of modern knowledge and technologies;
- (j) Ensure accessibility and openness of higher education, academic freedom in teaching, learning and research, provision of higher education opportunities over the entire life span, involvement of academic personnel and the students in making decisions and monitoring their implementation, publicity and transparency of higher education institution management and the competitions held there, prohibition of all forms of discrimination in the sphere of higher education, including academic, religious and ethnic grounds, and/or views, gender, social origin or any other grounds;
- (k) Ensure the creation of other conditions that will assist in achieving the goals set forth in the first section of this article.

3. Restriction of academic freedom is admissible only in the following cases:

- (a) Freedom in research – in organizational issues and in defining priorities;

- (b) Freedom in teaching – in organizational issues related to the study process, in approving the timetable of the lectures and programmes for the study course;
 - (c) Freedom in learning – in organizing study process and providing the high quality education.
4. No structural units of political and religious organizations may be established in a higher education institution.

Article 4. Language of Higher Education

The language of instruction at a higher education institution is Georgian in Abkhazia – also Abkhazian. (Instruction in other languages, except for individual study courses, is permitted provided that this is envisaged by international agreement or is agreed with the Ministry of Education and Science of Georgia.)

Chapter II Management of Higher Education System

Article 5. Powers of the Parliament of Georgia in the Sphere of Higher Education

The Parliament of Georgia shall:

- (a) Define the key directions of higher education policy and management and pass appropriate legislative acts;
- (b) Hear, from time to time, reports of the Minister of Education and Science of Georgia on the implementation of state policy, financial activities and public programmes in the sphere of higher education.

Article 6. Powers of the Government of Georgia in the Sphere of Higher Education

1. The Government of Georgia shall:

- (a) Implement the state policy in the sphere of higher education;
- (b) Define the amount of the state education grant;
- (c) Based on the proposal of the Ministry of Education and Science of Georgia, define the amount and conditions of financing the education of the students enrolled in the state priority specialties at higher education institutions and also financing through social programmes; such financing must not exceed 6% of the annual volume of education grants;
- (d) Upon the proposal of the Ministry of Education and Science of Georgia, establish a higher education institution having the status of legal entity of public law.

2. The Prime-Minister of Georgia, upon the proposal of the Ministry of Education and Science of Georgia, shall appoint the directors of the following legal entities of public law: the State Accreditation Service of Educational Institutions and National Examination Centre.

Article 7. Powers of the Ministry of Education and Science of Georgia in the Sphere of Higher Education

1. The Ministry of Education and Science of Georgia shall:
 - (a) Implement a unified policy in the sphere of higher education;
 - (b) Develop a basic document reflecting the higher education system indicators;
 - (c) Propose to the Government of Georgia for approval the amount of the state education grant as well as the amount and conditions of financing for the students enrolled in the state priority specialties at higher education institutions, and for those funded through social programmes;
 - (d) Propose to the Prime-Minister of Georgia the candidacies of the directors of the State Accreditation Service of Educational Institutions and National Examination Centre;
 - (e) Implement the licensure of higher education institutions having the status of legal entity of private law, monitor compliance with licensure conditions and, in case of a violation of those conditions, is entitled to revoke the license;
 - (f) Upon the proposal of the State Accreditation Service for Educational Institutions, approve higher education institutions accreditation statute and in case of a breach of the statute conditions is entitled to request the State Accreditation Service for Educational Institutions to revoke accreditation;
 - (g) Develop and approve statutes for the legal entities of public law: National Examination Centre and the State Accreditation Service for Higher Education Institutions;
 - (h) Upon the proposal of the Senate and based on the Law of Georgia on Normative Acts, approve the charter of a higher education institution having the status of legal entity of public law and issue a conclusion on the draft charter of the legal entity of public law – sports and fine arts higher education institution;
 - (i) Upon the proposals of the National Examination Centre, approve a unified national examinations statute and examination schedule, the documents of total scores and absolute ranking of unified national examination results, conditions of enrolment in the higher education institutions of Georgia for those persons who received full general education abroad, activities in support of undertaking the unified national examinations within the framework of a social programme and in support of foreign citizens wishing to receive higher education in Georgia;

- (j) Cooperate with international organizations, foreign countries and their education institutions to monitor and ensure the quality of higher education;
 - (k) In the case provided in section 3 of article 74 of this law, appoint a representative who shall prepare recommendations regarding the further activities of a higher education institution having the status of legal entity of public law;
 - (l) Exert a state control over a higher education institution having a status of legal entity of public law and bear responsibility for enforcing the normative acts enacted in the sphere of higher education, except for fine arts and sports higher education;
 - (m) Approve a list of higher education specialties and the forms of document certifying higher education and its transcript;
 - (n) Approve the upper limit of institutional and programme accreditation fees for higher education institutions;
 - (o) Approve procedures and conditions for transferring the state education grant from one accredited higher education institution into another;
 - (p) Discharge other functions as prescribed by the Georgian legislation and the ministry's statute.
2. The Ministry of Education and Science of Georgia, in accordance with the established rule, shall enter into the Education Institutions Registry the data about the Rector, the Chancellor, and Senate Speaker of a higher education institution having the status of legal entity of public law by observing the following requirements:
- (a) All data shall be registered within one month following its receipt;
 - (b) No data shall be entered if the requirements of this law and other bylaws enacted in the area of higher education are violated;
 - (c) If within the period of one month the Ministry of Education and Science does not notify the provider of the data about the violations discovered in it, the given data shall be deemed registered.

Article 8. Powers of the Ministry of Culture, Monuments Protection and Sports in the Sphere of Higher Education

In accordance with this law, the Ministry of Culture, Monuments Protection and Sports, with regard to the fine arts and sports higher education institution having the status of legal entity of public law, shall:

- (a) Present to the government of Georgia proposals on establishing a higher education institution, with the consent of the Ministry of Education and Science of Georgia;
- (b) Considering the conclusion of the Ministry of Education and Science of Georgia and in accordance with the Law of Georgia on Normative Acts, approve the charter of higher education institution;
- (c) In accordance with the Law of Georgia on Legal Entity of Public Law shall exert the state control over a higher education institution;
- (d) Bear responsibility on enforcement of normative acts enacted in the sphere of fine arts and sports higher education;
- (e) Ensure programme financing of fine arts and sports higher education.

Chapter III

Purpose, Types, Organizational/Legal Status, Establishment, Reorganization and Liquidation of Higher Education Institutions;

Article 9. Types of Higher Education Institutions and Organizational/legal Structure

1. The types of higher education institution in Georgia are as follows:
 - (a) University;
 - (b) Institute (School of Higher Education).
2. A higher education institution may exist as a legal entity of public or private law.

Article 10. Division of Competences at a Higher Education Institution

1. A higher education institution, in compliance with this law, shall:
 - (a) Approve study, research and creative work policies of the faculties;
 - (b) Develop charter, approve institution's internal regulations, the rules and foundations for the Code of Ethics and disciplinary responsibility;
 - (c) Approve unified rule for personnel recruitment;
 - (d) In the beginning of an academic year, approve coefficients for individual components of the Unified National Examination, proposed by basic units;
 - (e) Elect the institution's management bodies and officials;

- (f) Manage the institution's finances and property in accordance with Georgian legislation.
2. Higher education institution's faculty, in compliance with this law, shall:
- (a) Develop main directions of study, research and creative work, design relevant programmes and plans;
 - (b) Develop personnel recruitment procedures, which shall be approved by the Senate upon the proposal of the Academic Council;
 - (c) In the beginning of an academic year, define coefficients for the Unified National Examinations;
 - (d) Elect management bodies and officials;
 - (e) Establish a study quality provision service;
 - (f) In accordance with the Georgian legislation and its charter make decisions regarding its finances, property ownership and its use;

Article 11. Higher Education Institution having the Status of Legal Entity of Public Law

1. The state may establish a higher education institution only with the status of legal entity of public law.
2. The Ministry of Education and Science of Georgia shall exert state control over the legal entities of public law referred to in section 1 of this article, except for fine arts and sports higher education institutions, in accordance with the procedures prescribed by this law and the Law of Georgia on Legal Entities of Public Law. The Ministry of Culture, Monuments Protection and Sports of Georgia shall implement state control over the fine arts and sports higher education institutions.
3. An act of government of Georgia on establishing a higher education institution having the status of legal entity of public law shall indicate the name, type, purpose, and the list of property to be conveyed to this higher education institution.

Article 12. Higher Education Institution having the Status of Legal Entity of Private Law

1. A higher education institution may be established with the status of legal entity of private law as prescribed by the Law of Georgia on Entrepreneurs and the Civil Code of Georgia.
2. The state and local self-government bodies may not be founders, interest holders (shareholders) or members of such higher education institutions that are established as legal entities of private law.

3. The rules prescribed by the Chapters IV, V (with exception of articles 32 and 35) and XIV shall not apply to the higher education institutions established as legal entities of private law.

Article 13. Reorganization and Liquidation of Higher Education Institutions

1. A higher education institution may be reorganized or liquidated in accordance with relevant provisions of the Laws of Georgia on Entrepreneurs and on Legal Entities of Public Law, this law, and the Civil Code of Georgia.
2. A higher education institution having the status of legal entity of public law may be reorganized or liquidated by the government of Georgia in accordance with Georgian legislation, upon the proposal of the Ministry of Education and Science of Georgia.

Chapter IV

Structure of Higher Education Institution Having the Status of Legal Entity of Public Law

Article 14. Structure of Higher Education Institution

1. A higher education institution is made up of the basic educational units – faculties, higher education institution’s library/libraries and support structural units: office of the Rector, office of the Chancellor, Chancellery¹ and secretariats of management bodies;
2. The institution’s charter and a statute of a relevant structural unit shall prescribe rules for the activities of higher education institution’s units. The charter of the higher education institution may also define other structural units of this institution or the faculties as well as rules for their activities.
3. The management of higher education institution's branch shall be implemented in accordance to the Georgian legislation and the charter of the institution, ensuring the representation of students and professors in the branch management bodies and the existence of quality provision mechanisms.
4. In accordance to the rules prescribed by Georgia's international agreements and Georgian legislation, the branch of a foreign higher education institution shall acquire a licensure and/or accreditation in order to operate on the Georgian territory.

Article 15. Management of Higher Education Institution

1. The higher education institution’s management bodies comprise: Academic Council, Senate, Rector, Chancellor and the Quality Provision Service.
2. The management bodies of faculties comprise: Faculty Council, Dean, and Faculty Quality Provision Service.

¹ Chancellery is the office at an university, ministries and other agencies where official letters are sent and received

Article 16. Principles of Management of Higher Education Institution

1. A higher education institution shall ensure:
 - (a) Publicity and accessibility for all interested persons to the decisions of its management bodies, reports and decrees of the Rector and the Chancellor;
 - (b) Academic freedom of academic personnel and students;
 - (c) Involvement of academic personnel and students in decision-making;
 - (d) Equal treatment for all, regardless of one's ethnic or social origin, gender, political or religious beliefs, etc.;
 - (e) Fairness and transparency of elections and the publicity of competitions held at a higher education institution;
2. Neither the higher education institution's charter, nor statutes of individual faculties may envisage any provisions restricting the above principles.

Article 17. Elections to the Higher Education Institution's Senate

1. A higher education institution's representative body shall be the Senate of the higher education institution, which shall be elected from the basic structural units of a higher education institution – faculties, based on the representation. Senate members shall be elected separately from the students and the academic personnel in proportion to their number at each basic structural unit. The minimum number of Senate members should not be less than two times the Academic Council members, which is prescribed by the charter of the institution;
2. The Senate shall be elected from within the higher education institution on the basis of general, direct and equal elections, by secret ballot, in accordance with the procedures prescribed by the higher education institution's charter.
3. Senate's term of service shall coincide with the duration of a basic teaching level and shall be indicated in the charter.
4. Students shall comprise one-third of the entire body of the Senate. An assistant professor, who is a doctoral student, participates in the elections as a student. While calculating the number of students the rounding takes place to the advantage of the students.
5. The Senate shall include a representative from the higher education institution's library/libraries as prescribed by the higher education institution's charter. The Senate may also include the alumni of the higher education institution and the representatives of the

public according to the rules and the proportion prescribed by the higher education institution charter.

6. Termination of academic and/or employment links between professors and students on the one hand and the higher education institution on the other hand, shall be the grounds for the termination of their membership in the Senate.
7. In the case of pre-term termination of powers of the Senate member for the rest of the period of his/her term, the position shall be occupied by the candidate who in the last elections received the biggest number of votes after the terminated member. If there is no such candidate, new elections shall be held to fill the vacant position for the same term.
8. Neither administrative or support staff nor the members of the Academic Council may be elected to the Senate.

Article 18. Authority of Senate

1. The Senate, in compliance with this law, shall:
 - (a) Develop the higher education institution's charter with the participation of the Academic Council and present said charter to the Ministry of Education and Science of Georgia for approval;
 - (b) Develop and approve the education institution's internal regulations, code of ethics and procedures for disciplinary responsibility;
 - (c) Approve the rule for designing the budget of a higher education institution as well as the statutes of structural units;
 - (d) Elect a Speaker of the Senate;
 - (e) Upon the proposal of the Academic Council, approve the candidacy for the Chancellor's office;
 - (f) Upon the proposal of the Chancellor, approve the higher education institution's budget;
 - (g) Upon the proposal of the Chancellor approve the structure of higher education institution's administration;
 - (h) Approve the annual report of the Chancellor;
 - (i) Based on the reasoned proposal of the Academic Council, or on its own initiative, may terminate the powers of the Chancellor before his/her term of office expires;
 - (j) Based on the proposal of the Chancellor, approve the support personnel recruitment procedures as well as terms and amount of remuneration;

- (k) Upon the proposal of the Academic Council, approve the academic personnel recruitment procedures, terms and amount of remuneration;
 - (l) Upon the nomination of the Academic Council, approve the candidacy for the Head of the Quality Provision Service.
 - (m) Exercise other powers conferred to it by the Georgian legislation.
2. The higher education institution's charter shall prescribe procedures for organizing and holding the Senate sessions.
 3. The Senate may proceed with approving the budget, electing a Chancellor and approving the annual report of the Chancellor, with the majority vote of all its members;
 4. The powers of the Senate may be terminated before its term of service expires in the case provided for in section 3 of article 74 of this law.

Article 19. Speaker of the Senate of Higher Education Institution

1. The Senate sessions shall be organized and presided over by a Speaker of the Senate. The Speaker shall be elected from among the members of the Senate and his/her term of office shall not be longer than that of a Senate [member?]. The term of the Speaker's office shall be indicated in the higher education institution's charter.
2. The following reasons shall be the grounds for pre-term termination of the powers of Senate Speaker:
 - (a) His/her own will;
 - (b) Enforcement of the court ruling regarding his/her conviction;
 - (c) Death;
 - (d) Decision of the court that he/she has a limited or no legal capacity;
 - (e) The case provided in section 3 of article 74 of this law;
 - (f) Dismissal from the academic office at this higher education institution;
 - (g) Any other case provided in the charter of a higher education institution.

Article 20. Elections of the Academic Council of Higher Education Institution

1. The Academic Council of higher education institution shall be the highest representative body of a higher education institution. They shall be elected by the members of the faculties'

academic personnel and those representatives of students' self-governance who are the members of faculty council, on the basis of direct, free and equal elections, by secret ballot.

2. Each faculty has an equal number of representatives in the Academic Council. This number shall be provided in the higher education institution charter.
3. Only professors may be elected as the members of the Academic Council.
4. The term of service of the Academic Council members shall coincide with the duration of basic education level and shall be indicated in the charter.
5. One-third of the Academic Council membership shall be renewed upon the completion of a halftime of basic educational level.

Article 21. Powers of the Academic Council of Higher Education Institution

1. The Academic Council, in compliance with this law, shall:
 - (a) Draft and approve the higher education institution's strategic development plans;
 - (b) Upon the proposal of the faculties, approve study and research programmes;
 - (c) Promote the higher education integration into the European space as well as creation of the curricula, study and research programmes, cooperation between the higher education institutions, mobility and integrated teaching;
 - (d) By the majority vote of its members, elect a chair of the Academic Council – the Rector, based on free and equal elections, by secret ballot;
 - (e) Propose to the Senate a candidacy for the Chancellor selected by a majority of all its members on the basis of competition;
 - (f) By the majority vote of its members, present to the Senate a substantiated proposal to terminate the powers of the Chancellor before his /her term of office expires;
 - (g) Within the period of one month following the dismissal of the Chancellor, propose to the Senate a new candidacy for this office;
 - (h) Take part in the discussions of the Senate regarding the higher education institution charter, statutes of structural units, budget and the annual report of the Chancellor;
 - (i) In the beginning of a new academic year, upon the proposal of the faculty councils, approve coefficients for unified national examinations as well as number of students to be enrolled at each faculty;

- (j) Define procedures for recognition of academic degrees awarded by other higher education institutions;
 - (k) Approve the dissertation council statutes upon the proposal of faculty councils;
 - (l) Propose to the Senate for approval a candidacy for the head of the higher education institution's Quality Provision Service;
 - (m) Design and propose to the Senate for approval the rules for recruitment, remuneration terms and amounts for academic personnel;
 - (n) Present the annual report to the Senate;
 - (o) Upon the proposal of a faculty, make decision on awarding a degree of Honorary Doctor;
 - (p) Elect the heads of the higher education institution's library (libraries);
 - (q) Upon the proposal of the Quality Provision Service define evaluation procedures for teaching and research activities;
 - (r) Exercise other powers conferred to it by Georgian legislation.
2. The powers of the Academic Council may be terminated before its term of service expires in the case provided for in section 3 of article 74 of this law.

Article 22. Rector of Higher Education Institution

1. The Rector shall be the highest academic authority of a higher education institution, serve as a chair of the Academic Council, represent the higher education institution in academic and research spheres both domestically and internationally and be entitled to enter into agreements and make deals on behalf of the higher education institution. When a deal or an agreement concerns financial and economic matters, it should also be signed by the Chancellor.
2. The Rector shall be elected by the majority vote of Academic Council members, through secret ballot. The Rector's term of office shall be defined by the higher education institution's charter, provided this term does not exceed the term of service of Academic Council. A Rector can be elected a professor of this or another accredited higher education institution.
3. Academic Council of a higher education institution shall publicize the announcement regarding the registration for the candidates of Rector no later than one month prior to the launch of registration and three months prior to holding the elections based on the rules prescribed by the legislation and institution's charter, observing transparency and the principles of equal and fair competition.

4. The same person may be elected to the office of Rector for not more than two consecutive terms.
5. The person holding the office of Chancellor at a higher education institution may be elected as a Rector of the same institution only after completion of one full term as a Chancellor following the termination of his/her powers as a Chancellor.
6. While selecting candidacies for the Rector's office prior to the elections, the Academic Council evaluates action plans submitted by each candidate.

Article 23. Chancellor of Higher Education Institution

1. The Chancellor is the highest administrative manager at a higher education institution in the sphere of financial issues, material and human resources and represents the institution in financial and economic relationships.
2. The Chancellor is nominated by the Academic Council and approved by the Senate, through secret ballot, in accordance with the procedures prescribed in this law. The Academic Council may nominate the same person only twice. In case of the Senate's repeated refusal to elect a nominee, the Academic Council shall propose a new candidacy for the Chancellor's office.
3. The term of office of the Chancellor shall not be longer than four years.
4. The same person may be elected to the office of the Chancellor for two consecutive terms only.
5. The person holding the office of Rector at a higher education institution may be elected as the Chancellor of the same institution only after completion of one full term as Rector following the termination of his/her powers as a Rector.

Article 24. Powers of the Chancellor

1. The Chancellor:
 - (a) Is in charge of higher education institution's administration;
 - (b) May enter into financial and economic agreements on behalf of the higher education institution as prescribed in the budget of the higher education institution;
 - (c) Defines and proposes to the Senate for approval the structure of the higher education institution's administration;
 - (d) Defines and proposes to the Senate for approval the support personnel recruitment procedures, amount and terms of remuneration;

- (e) Drafts and proposes to the Senate for approval the higher education institution's budget;
 - (f) Develops and proposes to the Senate for approval an annual report on the works carried out;
 - (g) Passes individual acts within its competence;
 - (h) Bears responsibility for lawfulness and efficiency of the higher education institution's financial and economic activities;
 - (i) Discharges other functions as defined by the charter.
2. The Chancellor shall be accountable to the Senate and the Academic Council.
 3. Apart from general reasons for dismissal, the Chancellor's powers may be terminated on the following grounds:
 - (a) The Senate's repeated refusal to approve the annual report and the budget;
 - (b) The Senate's substantiated decision.

Article 25. Quality Provision Service of Higher Education Institution

1. The study and research activity of a higher education institution, as well as the process of upgrading the personnel qualifications, is subject to systematic evaluation in which the students also take part and the results of which shall be public and available for any interested person.
2. With the purpose of ensuring systematic evaluation of study and research activities of a higher education institution, as well as upgrading personnel qualifications, there shall be established a Quality Provision Service at a higher education institution that shall operate on the basis of the institution's charter.
3. The Quality Provision Service of a higher education institution closely cooperates with the similar services of foreign higher education institutions in order to establish the transparent criteria for quality control and develop the methodology for meeting these criteria;
4. The head of the higher education institution's Quality Provision Service is nominated by the Academic Council and approved by the Senate.
5. Cooperation between the higher education institution's Quality Provision Service and the quality provision services of individual faculties is regulated by the institution's charter.

6. The higher education institution's Quality Provision Service ensures the provision of high-quality teaching by introducing modern methods of teaching, learning and evaluation (modules, credit systems, etc.) and prepares self-evaluation for the accreditation process.

Article 26. Higher Education Institution's Budget

1. The higher education institution's budget shall be approved by the Senate upon the proposal of the Chancellor.
2. The Chancellor, together with the faculties and other structural units of a higher education institution, shall draft the budget of a higher education institution and, with the consent of the Academic Council, present it to the Senate for approval.
3. The Senate shall review the proposed budget and either approve or return it to the Chancellor with relevant remarks.
4. If the Chancellor agrees with the Senate's remarks, the Senate shall approve the budget amended according to the remarks.
5. If the Chancellor disagrees with the Senate's remarks, he/she may return the first draft for approval to the Senate together with the Academic Council's suggestions and substantiated remarks.
6. The Senates repeated refusal to approve the budget shall result in the termination of the Chancellor's powers. The budget shall then be approved upon the proposal of a newly elected Chancellor.

Article 27. Faculty and Faculty Council

1. A Faculty shall be the basic structural unit of a higher education institution. The faculty may be comprised of the teaching, research (*Lehrstuhl*, research institute, laboratory, clinic, special programme, etc.) and support (library and other) structural units.
2. Faculty Council shall be the representative body of a faculty, which shall consist of all the academic personnel of the faculty and the representatives of students' self-governance, or in accordance to the rules prescribed by the higher education institution's charter – elected representatives of the academic personnel and the students' self-governance.
3. The number of student self-governance representatives in the Faculty Council shall be defined by the faculty statute and shall not be less than 1/4 of the entire membership of the Council.

Article 28. Powers of the Faculty Council

The Faculty Council shall:

- (a) Define and present to the Chancellor for approval the faculty budget;
- (b) On the basis of free and equal elections, by secret ballot, elect a faculty Dean by a majority vote;
- (c) Upon the Dean's proposal, develop and present to the higher education institution's Academic Council for approval faculty's strategic development plan, study and research programmes;
- (d) Upon the Dean's proposal, develop and present to the Academic Council for approval the structure and the statute of the faculty;
- (e) Develop and present to the Academic Council for approval dissertation council statute;
- (f) Elect a head of the faculty's Quality Provision Service;
- (g) Exercise other powers conferred to it by Georgian legislation and this law.

Article 29. Dean of the Faculty

1. Faculty Council shall elect a Dean for the term prescribed by the higher education institution charter, which shall not be longer than four years. The same person may be elected as Dean for not more than two consecutive terms. Faculty Council shall publicize the announcement on registration of the candidates for Dean's office no later than one month prior to the launch of registration and two months prior to holding the elections based on the rules set forth in the legislation and higher education institution charter, observing the principles of transparency, equal and fair competition.
2. A Dean must hold the academic degree of doctor.
3. The Dean shall:
 - (a) Ensure efficiency of study and research activities in the faculty;
 - (b) Present to the Faculty Council for review the faculty's strategic development plan, and study and research programmes;
 - (c) Develop and present to the Faculty Council for approval the faculty structure and the statute;
 - (d) Within his/her competence, be responsible for the implementation of the decisions of Senate, Academic Council and Faculty Council;
 - (e) Within his/her competence pass an individual legal act;
 - (f) Preside over the sessions of the Faculty Council;

- (g) Be responsible for the proper spending of the faculty's budget funds in compliance with this law and the institution's charter;
- (h) Exercise other powers conferred to him/her by this law and the Georgian legislation;

Article 30. Dissertation Council

1. Dissertation Council is a body that is established at a faculty and awards the academic degree of a doctor.
2. Procedures for staffing of the dissertation council and election of its Chair are defined by the statute that shall be approved by the Academic Council upon the proposal of the Faculty Council. The dissertation council shall be comprised of all professors and associate professors of the faculty having an academic doctor's degree. The charter of the higher education institution may define the rules and conditions for inviting a professor or an associate professor to the faculty dissertation council from another higher education institution;
3. Dissertation Council operates according to the statute approved by the Academic Council upon the proposal of the Faculty Council and awards the degree of doctor in the fields indicated in this statute;
4. The higher education institution is entitled to sign a contract with a research institution to implement doctoral study programmes.

Article 31. Faculty Quality Provision Service

1. With the purpose of ensuring systematic evaluation of quality of academic and research activities of the faculty as well as upgrading the personnel qualifications, there shall be established a Quality Provision Service that shall operate on the basis of the faculty's statute.
2. The Faculty Quality Provision Service closely cooperates with the similar services of foreign countries and foreign higher education institutions in order to ensure transparent criteria for quality control and develop methodology for meeting these criteria.
3. The Faculty Council shall approve the head of the Faculty Quality Provision Service.
4. The Faculty Quality Provision Service promotes high quality education by introducing modern methods of teaching, learning and evaluation (modules, credit systems, etc.) and prepares self-evaluation for the accreditation process.
5. Any member of the Faculty Council having the academic degree of a doctor may be a member of the Faculty Quality Provision Service.

Chapter V
Personnel of Higher Education Institution having the Status of the Legal Entity of Public Law

Article 32. Personnel

A higher education institution shall have academic, administrative and support positions.

Article 33. Academic Personnel of Higher Education Institution

1. The academic personnel of a higher education institution shall consist of professors.
2. The body of professors shall consist of professors, associate professors and assistant professors.
3. Professors shall be involved and/or lead the study process and research.
4. The limit of a professor's teaching load shall be defined by the Academic Council and approved by the Senate.

Article 34. Rules for Filling Academic Position

1. An academic position may be filled only on the basis of open competition based on the principles of transparent, equal and fair competition.
2. The date and conditions of competition shall be made public in accordance with the procedures prescribed by the Georgian legislation and the higher education institution's charter not later than one month prior to the registration and two months prior to the competition.
3. The rules for competition shall be defined by Academic Council and approved by the Senate of a higher education institution.

Article 35. Conditions for Filling Academic Positions

1. For the position of professor there shall be selected a person who holds the academic degree of a doctor and who has at least six years of experience in teaching and research; additional conditions shall be defined by the Academic Council and approved by the Senate of a higher education institution.
2. For the position of associated professor there shall be selected a person who holds the academic degree of a doctor; additional conditions shall be defined by the Academic Council and approved by the Senate of a higher education institution.
3. For the position of assistant professor there can be selected a doctor or a doctoral student.

4. For the performing specialties of fine arts and sports higher education institutions, the conditions for filling the academic positions on the basis of open competition shall be defined by the Academic Council of a respective higher education institution and approved by the Senate, which shall then be reflected in the charter of the relevant higher education institution.

Article 36. Employment Relationships of Academic Personnel

1. The employment contract with academic personnel shall be concluded for the term defined by the Labour legislation.
2. No person who has reached the age of 65 may be elected to an academic position at a higher education institution having the status of legal entity of public law.

Article 37. Rights of Academic Personnel

1. Academic personnel shall have the right to:
 - (a) Take part in the higher education institution management in accordance with this law and the institution's charter;
 - (b) Carry out teaching, research and creative activities and publish research works without any interference;
 - (c) Within the framework of educational programmes, independently determine the contents of study programmes, as well as methods and means of teaching;
 - (d) Once in every five years, take a paid leave for research and creative purposes in order to upgrade his/her qualification, but for not longer than one academic year;
 - (e) Exercise other powers conferred to him/her by this law and the Georgian legislation.
2. Academic personnel shall have the following duties:
 - (a) To comply with the requirements of the higher education institution's charter;
 - (b) To comply with the code of ethics and norms of disciplinary responsibility;
 - (c) To perform the duties assigned to him/her by the employment contract;
 - (d) After upgrading the qualifications, present a report on the works and activities carried out.
3. A higher education institution shall ensure freedom of teaching and research for all academic personnel and create proper conditions for their work.

Article 38. Dismissal of Academic Personnel

Academic personnel may be dismissed on the following grounds:

- (a) At his/her own request;
- (b) Expiration of the employment contract;
- (c) Gross or systematic violation of the code of ethics and disciplinary norms;
- (d) Violation of terms and conditions of the employment contract;
- (e) Retirement or conferral of the rank of Emeritus;
- (f) Other cases envisaged by legislation.

Article 39. Academic Ranks

1. In recognition of special service, the Academic Council may award scientists/scholars and public figures who are the citizens of foreign countries the rank of Honorary Doctor.
2. All the professors who have reached the age of 65 are conferred the rank of Professor Emeritus.
3. The difference between the amount of salary that Emeritus received before the conferral of this rank and the state pension shall be covered by the higher education institution. At the same time, Emeritus can take part in educational and research activities of a higher education institution without holding any academic or administrative position and enjoy some additional social benefits payable out of the institution's budget.

Article 40. Administrative Positions and other Personnel

1. Administrative offices at a higher education institution are comprised of the positions of a Rector, Chancellor, Faculty Dean and their deputies.
2. No person who has reached the age of 65 can be elected or appointed to an administrative position of a higher education institution having the status of legal entity of public law.
3. Teacher personnel shall be comprised of a teacher and a senior teacher.
4. Teacher is entitled to conduct seminars, practical and laboratory sessions without holding an academic position.
5. Support personnel shall be comprised of other persons whose services are necessary for a higher education institution and who are included on the institution's payroll.

Article 41. Dismissal from Administrative position

A person holding an administrative position may be dismissed on the following grounds:

- (a) At his/her own will;
- (b) Enforcement of the court ruling regarding his/her conviction;
- (c) Death;
- (d) Decision of the court that he/she has limited or no legal capacity;
- (e) Reaching the age of 65;
- (f) The case provided in section 3 of article 74 of this law.
- (g) Dismissal from the academic office at this higher education institution;
- (h) Any other case provided in the charter of a higher education institution.

Article 42. Incompatibility of Office at a Higher Education Institution

1. A person holding an administrative position may not simultaneously hold either another administrative position in this higher education institution or the office of the head of other structural unit.
2. The member of the Academic Council may not simultaneously hold the Administrative position at this higher education institution, with the exception of the Rector, and may not be a member of the Senate.
3. Speaker of the Senate cannot simultaneously hold an administrative position at this higher education institution.
4. Office incompatibility of academic, teacher and support personnel is determined by the legislation and the higher education institution's charter.

Chapter VI Student

Article 43. Rights of a Student

1. A student shall have the right to:
 - (a) Receive a quality education;

- (b) Participate in research activities;
 - (c) In accordance with the procedures established by the higher education institution's charter, internal regulations and the statute, use the higher education institution's material and technical facilities, library and information resources and other means;
 - (d) Receive exhaustive information about the higher education institution's activities, including financial and economic activities as prescribed by the Georgian legislation;
 - (e) Elect representatives and be elected to the student self-governance and representative management bodies of a faculty and a higher education institution on the basis of general, direct and equal elections in accordance with this law and the higher education institution's charter;
 - (f) Freely establish and/or join student organizations in accordance with his/her own interests;
 - (g) Freely express his/her opinion and give a substantiated refusal to share those ideas that are suggested during the study process;
 - (h) In accordance with the rules prescribed by the Georgian legislation and the receiving higher education institution's charter, transfer to another higher education institution in the second year of study and take with him/her the government funding allocated for him /her;
 - (i) In accordance with the rules prescribed by the Georgian legislation and the higher education institution's charter, receive stipend from the state, the higher education institution or any other sources, also financial or material aid, other benefits;
 - (j) Choose study programmes;
 - (k) Take part in the development of individual study programmes;
 - (l) From time to time evaluate the work of academic personnel;
 - (m) Exercise other powers conferred to him/her by this law and the Georgian legislation.
2. A doctoral student may be elected to the position of assistant professor. He/she takes part in the elections of higher education institution's management bodies as a student.
 3. Higher education institution provides benefits for the students with disabilities in order to create essential conditions for their education, which is prescribed by enacted legislation, the charter of the higher education institution and the statute of a relevant faculty.
 4. The private information stated by the student in the presence of academic personnel, also the information about student's views, faith and political beliefs, which become known to the

academic personnel during the study process, also the information regarding the disciplinary measures against the student are confidential, except for the case when the student's permission is in place or the administration has the lawful interest to defend the security of others and the rights guaranteed by the law. The information regarding the student's academic performance and the student's disciplinary prosecution [could also say "disciplinary action" or other terms – use the same term everywhere] shall be kept separately. When keeping the information about the student, the administration has the duty to follow the rules and procedures prescribed by the General Administrative Code of Georgia.

5. Higher education institution is forbidden to exercise its power and use material and technical resources in such a way that may result into the threat of imposing the censorship or restricting the freedom of expression, except for the case provided in section 7 of this article.
6. Higher education institution is obligated to ensure a fair assessment of the student's knowledge, for which it shall develop appropriate procedures.
7. Disciplinary prosecution of the student should be proportionate to the student's misconduct and may be carried out only in accordance to the higher education institution's charter that, in those cases, is provided by the internal regulations through observing the procedures prescribed by this law and fair procedure. A higher education institution is obligated to design the students' code of ethics, which may impose some restrictions on the student's behaviour if it is related to the study process. Higher education institution is obligated to thoroughly explain the behaviour, which becomes grounds for disciplinary responsibility.
8. Disciplinary prosecution of the student shall not restrict the student's right to participate in the study process, except for the cases provided in the higher education institution charter and the internal regulations, if it endangers the rights and health of others, security and the property of a higher education institution. The issue of a student's disciplinary prosecution is decided by the Faculty Council. The student has the right to attend his/her proceedings.
9. The student who is the subject of a disciplinary prosecution has the following rights:
 - (a) Receive a written substantiated decision regarding starting his/her disciplinary prosecution;
 - (b) Attend the proceeding regarding his/her disciplinary prosecution and has the right of defence;
 - (c) Provide the Council with the evidence and the information he/she possesses;
 - (d) Take part in examining the evidence obtained by the Faculty Council;
 - (e) Demand public hearing of his/her disciplinary prosecution.
10. At the proceedings of disciplinary prosecution the burden of presenting proof is the responsibility of complainant. The resolution regarding the disciplinary prosecution shall be

substantiated and based on the evidence as prescribed by the Georgian legislation, higher education institution charter and internal regulations. The Faculty Council shall examine all the evidence that is the basis for disciplinary prosecution.

11. A student has the right to appeal in court the decision made by the Faculty Council regarding his/her case.
12. The status of the student shall be terminated upon the completion of a relevant educational programme or in any other case envisaged by the higher education institution's charter.

Article 44. Duties of a Student

A student shall have a duty to study those subjects which he/she selected and which are compulsory as laid out in the higher education institution's programme and comply with the higher education institution's charter and internal regulations.

Article 45. Powers of Student Self-Governance

1. In a higher education institution there shall be established student self-governance to be elected according to individual faculties on the basis of general, equal and direct elections.
2. Combination of self-governances in individual faculties shall represent the higher education institution's self-governance, which shall develop the student self-governance statute.
3. The student self-governance, in compliance with its statute, shall:
 - (a) Ensure students' involvement in the higher education institution management;
 - (b) Promote protection of students' rights;
 - (c) Elect representatives to the Faculty Council;
 - (d) Have the right to make recommendations on improving the faculty/higher education institution's management systems and quality of studying and present them to the Faculty Council, Senate and Academic Council;
 - (e) Exercise other powers as may be defined by the statute.
4. Higher education institution's administration may not interfere with the activities of student self-governance.

Chapter VII Higher Education Levels

Article 46. Types of Higher Education Levels

1. At a higher education institution higher education may be provided based on one, two or three- level studies.
2. The three-level higher education shall consist of the following levels:
 - (a) Bachelor's Programme – educational programme that may not be shorter than three years and longer than four years;
 - (b) Master's Programme – educational programme that may not be shorter than two years;
 - (c) Doctoral Programme – educational programme that may not be shorter than three years.
3. Upon completion of each educational level a relevant diploma shall be awarded together with a standard transcript.
4. Any person who did not/could not complete any of the above levels shall be granted an appropriate certificate.

Article 47. Certified Specialist's Programme

1. Certified specialist's programme represents a single-level higher educational programme lasting for 3-5 years (5-6 years in case of medical education) according to the special higher educational programme, which aims at preparing the person for practicing his/her profession.
2. A certified specialist shall have the right to continue studies on a master's level, if he/she accumulates the total credits necessary for the bachelor of a relevant specialty, for which he/she shall undergo additional preparation.

Article 48. Bachelor's and Master's Programme

1. Only the persons holding the state certificate of full general education or those with equal status have the right to take a bachelor's programme.
3. The purpose of undertaking a bachelor's programme, in addition to receiving the higher level of professional preparation as compared to general education, is acquiring the deeper knowledge of theoretical aspects of study disciplines, which shall prepare the graduate through the research programmes for further study on a master's level.
4. A bachelor or certified specialist of equal status may take a master's programme.
5. The purpose of taking a master's programme shall be as follows:
 - (a) Preparation for research work and pedagogic activities at a higher education institution;
 - (b) Changing specialty;

(c) Upgrading qualifications.

6. Master's study programme may not comprise only teaching, except at the performing specialties of fine arts and sports higher education institutions; it shall necessarily include independent research by the student, which will result in considerable enhancement of student's knowledge and serve as the basis for presenting a research work.
7. In the medical field (including veterinary medicine) the degree of a certified specialist awarded after concluding a six-year educational programme may be deemed as an equal degree of a master.

Article 49. Doctoral Programme

1. A person holding a master's or an equal academic degree may take a doctoral programme.
2. A higher education institution shall provide a doctoral student with a research supervisor, create favourable conditions for conducting work related to the research, which shall encompass theoretical and/or experimental results and facilitate his/her integration into the world research community.
3. Upon completion of the doctorate programme and successful defence of dissertation, a doctoral student is awarded the academic degree of a doctor.
4. The academic degree of doctor shall be awarded by a dissertation council established within a faculty of higher education institution in compliance with the regulations prescribed by the relevant statute.
5. The procedures for awarding the academic degree of a doctor shall be set out in the Dissertation Council Statute to be approved by the Academic Council of a higher education institution.

Article 50. Recognition of Educational Credentials Issued Abroad

1. The recognition of study programmes taken in a foreign higher education institution and the results of academic achievements shall take place if the compatibility of such programmes with the Georgian higher education institutions' study programmes is established.
2. The formal recognition (acknowledgement) of educational credentials issued abroad and establishment of equivalence and authenticity of the educational credentials issued in Georgia shall be the responsibility of a National Information Centre for Academic Recognition, which is a part of the European network, after consulting with the relevant services of the relevant higher education institutions, in compliance with international treaties, bilateral or multilateral agreements and appropriate provisions of the Georgian legislation. Once recognition of the credentials is in place, the decision regarding the

continuation of studies or employment in Georgia shall be made by a higher education institution or an employer respectively.

Chapter VIII

Admission to the Higher Education Institution

Article 51. National Examination Centre

1. National Examination Centre is a legal entity of public law, which develops and manages the system of national entrance examinations for admissions into higher education institutions.
2. The statute of the National Examination Centre shall be developed and approved by the Minister of Education and Science of Georgia.
3. The director of the National Examination Centre is appointed by the Prime Minister of Georgia upon the nomination of the Minister of Education and Science of Georgia.
4. The results of Unified National Examinations conducted by the National Examination Centre are compulsory for every accredited higher education institution and serve as the basis for awarding the higher education grant to a Georgian citizen or resident. Everyone who wishes to undertake the national examinations can do so provided they present a state document certifying their full general education.

Article 52. Basis of Student Admission to Accredited Higher Education Institution

1. Only students who have passed the Unified National Examinations may enrol in a state accredited programme at an accredited higher education institution, based on the ranking of scores he/she received at the examinations.
2. To receive fine arts and sports higher education the entrant shall participate in a relevant competition that is conducted before the Unified National Examination according to the procedures defined by the fine arts and sports higher education institutions.
3. To encourage mobility of entrants, the foreign citizens and stateless persons that have obtained a right to higher education in accordance with the law of those countries where they have received secondary or equivalent education shall have the right to take accredited programmes at accredited higher education institutions.
4. The Ministry of Education and Science, upon the proposal of the National Examination Centre, shall define requirements to be met by Georgian citizens who have obtained the right to a higher education in a foreign country by receiving secondary or equivalent education in that country and now wish to enrol into a state accredited programme at an accredited higher education institution.

5. At the beginning of the academic year, every higher education institution that wishes, has the right and/or obligation to be involved in the unified examination system, and shall announce coefficients set by its faculties for examination results in each subject. Admission to the faculties of the students who have passed the examinations shall be conducted in accordance with the coefficients set by faculties for each examination subject at the beginning of the academic year.
6. Within the limits of the number of students to be admitted, which is established after the accreditation of a higher education institution, a number of slots may be reserved for the citizens of foreign countries, but it must not exceed 5% of the admission limit.
7. Awarding state education grants to foreign citizens is possible within the limits of 2% of the annual funding for state education grants, through a special state programme defined by the Ministry of Education and Science of Georgia, based on international agreement or on the principle of reciprocity.
8. Within the limits of 6% of annual funding for state education grants and upon the proposal of the Ministry of Education and Science of Georgia, the Georgian government is entitled to define the conditions and the amount of funding for students enrolled in state priority specialties as well as for those funded through social programme.
9. The National Examination Centre shall rank the entrants who have taken the exams according to those coefficients that were published by the faculties at the beginning of the academic year and send the lists to the relevant faculties.
10. The Higher Education Institution and the faculty are obligated to admit the entrants based exclusively on the list defined in section 9 of this article.

Article 53. Unified National Examinations

1. The National Examination Centre shall be responsible for preparing and holding Unified National Examinations.
2. The Minister of Education and Science shall approve the procedures for holding the Unified National Examinations and allocating the state education grant upon the proposal of the National Examination Centre.
3. A person willing to take the Unified National Examination shall file an application with the Examination Centre in which he/she shall indicate the higher education institution, faculty (faculties) and specialty (specialties) where he/she is willing to continue studying.
4. A person shall hold a state document certifying his/her full general secondary education in order to take the Unified National Examinations.

5. The procedures for participation in the National Examinations for persons who have received secondary education in a foreign country shall be defined by the National Examination Centre and approved by the Ministry of Education and Science of Georgia.
6. The Unified National Examination programme shall be designed by the Centre and approved by the Minister of Education and Science.
7. Entrants shall pay the Examination fees. The Minister of Education and Science shall approve the amount of the fee, as well as conditions for exemption, upon the proposal of the Centre.

Article 54. Awarding State Education Grants

1. Based on the results of the Unified National Examination, the National Examination Centre shall draft a project for awarding state education grant and present it to the Ministry of Education and Science of Georgia for approval.
2. The state education grant shall be awarded according to the absolute sum of scores earned as a result of the Unified National Examination.
3. Besides the list of the students who won the state education grant, the draft project for awarding the grants shall include the ranking of all students who passed the Unified National Examination according to the absolute sum of scores received.

Article 55. Unified National Examination Certificate

1. Having undertaken the Unified National Examination, a person shall be provided with a Unified National Examination certificate indicating the scores earned by the certificate holder.
2. The Unified National Examination certificate shall indicate whether or not the entrant earned a state education grant and the entrant's ranking on the list (lists) sent to the faculty (faculties). The entrant shall present this certificate to the faculty or faculties where he/she has earned the right to be enrolled.
3. If an entrant fails to be enrolled in a higher education institution during two years following the date of examination, the certificate shall become invalid.

Article 56. Admissions to Master's and Doctoral Programmes

Procedures for admissions to master's and doctoral programmes shall be defined by the statute of a relevant faculty of a higher education institution.

Chapter IX

Licensure of Higher Education Institution

Article 57. License for Higher Education Activities

Licensure of private higher education institutions shall be carried out in accordance with this law and the Law of Georgia on General Procedures for Granting Business Licenses and Permits.

Article 58. Documents to Be Submitted to Obtain a License

To obtain a license, higher education institutions seeking the license shall submit to the Ministry of Education and Science of Georgia the following documents:

- (a) Charter of the higher education institution;
- (b) Educational programmes and curriculum;
- (c) Information about academic personnel indicating their number and documents certifying their qualifications;
- (d) Estimates of costs required to maintain the educational process;
- (e) Information on material and technical resources;
- (f) Information on workplace security and sanitary/hygienic conditions;
- (g) A statement issued by a banking institution regarding the actual amount of the funds (equity capital) in the account of a license seeker at the time of applying for the license.

Article 59. License Granting Period

The Issuer of license shall make a decision on granting or denying the license no later than three months following the submission of all documents referred to in Article 58 of this law.

Article 60. Grounds for Refusing the License

1. The license shall not be issued if:
 - (a) Documentation submitted by the license seeker, technical, material and other resources fail to meet the requirements for licensure as established by the law;
 - (b) The license seeker's license has been suspended and the reasons for suspension have not been eliminated.
2. The license may not be refused for the reason of limiting the number of licenses issued.

Article 61. Suspending the License

1. If a license holder fails to comply with the licensing conditions established by the law, the issuer of license shall make a decision regarding suspending the license.
2. The issuer of license shall indicate in its decision on suspension the conditions, which, if met, will result in the renewal of license.
3. The license shall be suspended until the conditions referred to in section 2 of this article are met, which shall not be longer than three months after making the decision on suspension.

Article 62. Revoking the License

1. The license may be revoked on the following grounds:
 - (a) At license holder's request;
 - (b) License holder's liquidation;
 - (c) Expiration of suspension period, if within this period the reasons for suspension are not eliminated.
2. The issuer of license shall make a decision on revoking the license within three days following the receipt of relevant statement or information, or expiration of the period referred to in subsection "c" of section 1 of this article.

Chapter X Accreditation Procedure

Article 63. State Accreditation Service for Educational Institutions

1. To ensure compatibility of higher education institutions and their programmes with the international standards and procedures, the state shall implement accreditation. The state shall acknowledge no other diploma but that issued by accredited educational institutions.
2. To ensure implementation of the state accreditation, the Ministry of Education and Science of Georgia shall establish a legal entity of public law – State Accreditation Service for Educational Institutions (hereinafter – State Accreditation Service).
3. The State Accreditation Service shall independently carry out its activities and operate based on this law and the statute approved by the Ministry of Education and Science of Georgia.
4. State Accreditation Service carries out accreditation of higher education institutions, monitors the compliance with the accreditation conditions and is entitled to revoke the accreditation if the accreditation conditions are violated.

5. The head of the State Accreditation Service shall be appointed to and dismissed from the office by the Prime-Minister of Georgia.
6. To ensure quality control, the higher education institutions having the status of legal entities of public law shall have the right to jointly establish a legal entity of private law, the assessment of which may be considered by the State Accreditation Service in the process of accrediting the higher education institution.

Article 64. Establishing the Team of Experts

1. For each accreditation case, the State Accreditation Service shall appoint a chair of the expert team whose candidacy shall be agreed upon with the party seeking accreditation. The procedure of agreement shall be prescribed by the State Accreditation Service statute.
2. The chair of the expert team shall nominate the team members. A citizen of Georgia as well as that of any other country, or a stateless person may be nominated as an expert team member.
3. All candidacies for expert team membership shall be agreed upon with the party seeking accreditation. The procedure of agreement shall be prescribed by the State Accreditation Service statute.
4. When agreement with the party seeking accreditation is not reached, the expert team shall be approved by the head of the State Accreditation Service for Higher Education Institutions, if:
 - (a) Institutional accreditation of a legal entity of public law is to be carried out;
 - (b) Accreditation for a regulated educational programme is to be carried out.

Article 65. Team of Experts

1. A precondition for accreditation shall be the self-evaluation of a party seeking accreditation, which shall be conducted in accordance with the forms provided in advance by the State Accreditation Service to the accreditation seeker.
2. Within one week following the completion of their work, the expert team shall present its conclusion concerning accreditation results to the State Accreditation Service.
3. Based on the conclusion of the expert team, the State Accreditation Service shall issue an individual act - ordinance as provided in Article 66 of this law.

Article 66. Resolution on Accreditation

1. A decision on the accreditation of a higher education institution shall be made in the form of an individual act - ordinance of the Head of the State Accreditation Service, which shall be

entered into the Educational Institutions Registry of the Ministry of Education and Science and be publicized in accordance with the procedure prescribed by the law.

2. A resolution on higher education institution's accreditation may be of four different types:
 - (a) on awarding accreditation;
 - (b) on refusing accreditation;
 - (c) on awarding conditional accreditation;
 - (d) on revoking accreditation.
3. If a conditional accreditation is awarded, the ordinance shall indicate the rules for meeting the condition.
4. Except in the cases of conditional accreditation, the accreditation shall be awarded to higher education institutions for not longer than five years.
5. In the case of conditional accreditation, the next accreditation shall be carried out no later than within the period of two years, as defined by the ordinance of the Head of the State Accreditation Service referred to in the first section of this article.

Chapter XI Institutional and Programme Accreditation of Higher Education Institutions

Article 67. Accreditation Types

1. Higher education institution shall be subject to the two types of accreditation – institutional accreditation and programme accreditation.
2. The state accreditation procedures shall be drafted by the State Accreditation Service pursuant to this law and approved by the Minister of Education and Science of Georgia.

Article 68. Institutional Accreditation

1. Institutional accreditation examines the compatibility of a higher education institution's status (the right to award the certificate acknowledged by the state) with the standards of its material, financial and human resources established by the state.
2. State institutional accreditation shall be compulsory for all higher education institutions having the status of legal entity of public law.

Article 69. Documents to be submitted to Obtain Institutional Accreditation

An institutional accreditation seeker shall submit to the State Accreditation Service the following documents:

- (a) Preliminary estimates of financial costs required to maintain the educational process;
- (b) List of academic disciplines;
- (c) Educational and study programmes;
- (d) Information on academic personnel (number of professors and documents certifying their qualifications);
- (e) Information on material and technical resources;
- (f) Information on workplace security and sanitary/hygienic conditions.

Article 70. Periodic Institutional Accreditation

After receiving the accreditation, a higher education institution having the status of legal entity of public law is obligated to undertake every next institutional accreditation within the period indicated in the document certifying accreditation.

Article 71. Programme Accreditation

1. Programme accreditation examines the compatibility of a status of higher education institution's programme (the right to award the certificate acknowledged by the state) with the following criteria:
 - (a) Feasibility of its educational goals and objectives, their compatibility with the programme and the principles for designing the programme;
 - (b) Methodology and organization of teaching, adequacy of assessing the learning under the programme;
 - (c) Student achievements, individual work with students;
 - (d) Provision of study resources;
 - (e) Potential for upgrading the quality of teaching;
2. Institutional accreditation serves as a precondition for programme accreditation.
3. State programme accreditation may be obtained for the educational programme of any higher education institution, irrespective of their organizational/legal status.

4. A state programme accreditation certificate shall be issued based on the evaluation of a higher education institution's educational programme.

Article 72. Revoking Programme Accreditation

1. State programme accreditation shall be revoked:
 - (a) Upon revoking the license;
 - (b) Upon revoking the institutional accreditation;
 - (c) In cases provided in the accreditation statute.
2. In case of revoking the institutional accreditation, a higher education institution may reapply to the State Accreditation Service for undertaking a new accreditation process for its educational programme not earlier than after a one-year period following the decision on revoking.
3. If state accreditation of an accredited educational programme is revoked as a result of subsequent accreditation process, negotiations involving the Ministry of Education and Science, Ministry of Economic Development, Ministry of Finance and the Higher Education Institution regarding the status of already enrolled students and future operations must be immediately started.

Article 73. Technical Organization of Accreditation

1. Except for cases envisaged by this law, state accreditation costs, including the remuneration for expert team members, shall be covered by the higher education institution.
2. The State Accreditation Service is obligated to provide higher education institutions with legal assistance regarding accreditation. The State Accreditation Service shall develop recommendations on accreditation issues on the annual basis.

Article 74. Legal Consequences of Accreditation

1. The State shall recognize only those academic degrees and diplomas that are awarded after completing accredited educational programmes.
2. The state educational and research grants may be awarded only to accredited education institutions and accredited educational programmes.
3. If a higher education institution with the status of legal entity of public law, fails to obtain accreditation on two consecutive occasions, this shall result in dismissing the officials of management and administrative bodies of a higher education institution and serve as the basis for an institution's reorganization or liquidation.

4. In the case provided in section 3 of this article, the Minister of Education and Science of Georgia is entitled to appoint a temporary representative, who will coordinate the current activities of the institution and develop recommendations on the expediency of further activities of this higher education institution and the possibility of transferring the students to other higher education institutions.

Chapter XII

Accreditation of Regulated Educational Programmes

Article 75. Regulated Educational Programme

1. A regulated educational programme is regulated by the relevant law.
2. Regulated educational programmes comprise:
 - (a) Law;
 - (b) Medicine (including veterinary medicine);
 - (c) Pedagogy.
3. The accreditation procedures for both regulated educational programmes and higher education institutions offering such programmes shall be defined by the State Accreditation Service and approved by the Ministry of Education and Science.

Article 76. Regulated Professions

1. The list of regulated professions subject to the State Certification Examinations shall be defined exclusively by the law of Georgia.
2. Procedures and conditions for conducting the State Certification Examination for regulated professions shall be prescribed by relevant legislation.

Article 77. Accreditation of Regulated Educational Programme

1. The State Accreditation Service, in cooperation with professional associations envisaged by law, shall develop and present to the Minister of Education and Science of Georgia for approval conditions for regulated educational programme accreditation.
2. If there is no legally established professional association in a relevant field of study, then the State Accreditation Service shall develop regulated educational programme accreditation conditions in cooperation with interested organization (organizations) and parties.
3. Subsequent accreditation of a regulated educational programme shall take place after each five-year period following the original accreditation.

4. For the purposes of accreditation of regulated educational programmes the State Accreditation Service shall make the decision referred to in section 2 of Article 66 of this law.

Chapter XIII

Types of Activities and Sources of Funding of Higher Education Institutions

Article 78. Economic Activities of Higher Education Institution

A non-profit legal entity higher education institution may carry out other economic activities permitted by Georgian law, in accordance with the Law of Georgia on Legal Entity of Public Law and in cases envisaged by the Civil Code of Georgia.

Article 79. Financing of Higher Education Institution

1. The State funding of higher education institutions shall be oriented towards teaching and research, as well as training, retraining and upgrading the qualifications of the institution's personnel.
2. The funding sources of a higher education institution are as follows:
 - (a) Tuition fees which are covered by the state education grant funds;
 - (b) Funds received through private grants, contributions or a will;
 - (c) Research grants awarded by the state on the basis of competition;
 - (d) Special state-budgetary programmes designed to encourage the enrolment in those specialties of a higher education institution, which represent priority for the state;
 - (e) Programme financing allocated by the ministries of a relevant field;
 - (f) Any other sources of income allowed by the Georgian legislation, including the revenues from economic activities.

Article 80. Financing of Higher Education Institution through State Education Grant Funds

1. A citizen of Georgia, who is enrolled in a higher education institution pursuant to this law, shall be eligible for a state education grant.
2. The state education grant may be awarded to foreign citizens within the 2% of annual funding for state education grants, under a special programme defined by the Ministry of

Education and Science of Georgia, based on the international agreement or the principles of reciprocity.

3. No person may receive more than one state education grant at each level of study.
4. The state shall cover the tuition fees at the higher education institution, which is a legal entity of private law, only within the limits of state education grant.

Article 81. Amount of State Education Grant

1. Tuition fees for accredited educational programme at a higher education institution having the status of legal entity of public law, shall be defined by the higher education institution.
2. The amount of the state education grant, which shall fully cover the tuition fees for an accredited educational programme at a higher education institution having the status of legal entity of public law, shall be defined by the government of Georgia.
3. If the cost of an accredited programme at a higher education institution having the status of legal entity of private law is higher than the amount of the state education grant, the higher education institution shall have the right to set an additional fee which shall be covered by other than state sources.
4. If the cost of an accredited programme at a higher education institution having the status of legal entity of private law is less than the amount of the state education grant, the state funding shall equal the amount of cost for this education programme.
5. There shall be no difference in tuition fees for one and the same educational programme at a higher education institution.
6. In case if the student who holds the state education grant transfers to another higher education institution, the state shall cover the tuition fees at this higher education institution within the maximum amount of state education grant.
7. The person who has passed the competition as established by fine arts and sports higher education institutions having the status of legal entity of public law, and was awarded a state education grant as a result of Unified National Examinations, shall receive at least half of the amount of this grant in the form of a stipend from the budget of this higher education institution.

Article 82. Relationship between the Higher Education Institution and the Issuer of State Education Grant

1. In the beginning of each academic year and/or before January 1 of the following calendar year, the state shall transfer to a higher education institution the amount of funds which shall match the number of those students in this institution that have obtained the state education grant.

2. Before the next academic year, the higher education institution is obligated to notify the Ministry of Education and Science of the names of all those students that obtained the state education grant but for some reason have terminated or postponed their studies.

Article 83. State Research Grant

1. The research grant is awarded to the higher education institution unit on the basis of competition in accordance with the procedures established by the Ministry of Education and Science of Georgia.
2. Neither the state research grant nor the state education grant may be used for funding any other activity.
3. The state funding for master's and doctor's programmes shall be provided through the state Research Grant funds, in accordance with the priorities set by the Ministry of Education and Science of Georgia, under a special state programme.

Chapter XIV

Property of Higher Education Institution having the Status of Legal Entity of Public Law

Article 84. Property of Higher Education Institution having the Status of Legal Entity of Public Law

The property of a higher education institution having the status of legal entity of public law comprises the property conveyed to it by the state, legal and private persons, as well as that acquired by the institution itself using its own funds.

Article 85. Using the Property of Higher Education Institution having the Status of Legal Entity of Public Law

1. Acquiring, alienating or leasing the entire or a part of real estate belonging to higher education institution having the status of legal entity of public law, also any other decision on property, if it is outside the scope of educational and research activities is only permissible by the decision of higher education institution Senate with the consent of the Ministry of Education and Science and the Ministry of Finance, in accordance with the procedures prescribed by the legislation.

Article 86. Property Conveyed by the State to the Higher Education Institution having the Status of Legal Entity of Public Law

1. Upon the establishment of a higher education institution having the status of legal entity of public law, the state shall convey to it relevant property in the form of free-of-charge usufruct.

2. The list of property to be conveyed shall be attached to the higher education institution's establishment act.
3. The list of property to be conveyed shall indicate:
 - (a) Enumeration of property;
 - (b) Audit results conducted by an independent auditor on the state of property;
4. Upon the liquidation of a higher education institution that has the status of legal entity of public law, the property of the institution shall be returned to the state in its entirety in accordance with Georgian legislation.

Chapter XV

Transitional Provisions

Article 87. Management of Higher Education Institution

1. Until this law becomes effective, all higher education institutions having the status of legal entities of public law that were founded under relevant presidential decrees shall be deemed as established.
2. Entry into force of this law shall result in the dismissal of the rectors and faculty deans of higher education institutions having the status of legal entities of public law. The rector can be dismissed based on presidential decree. The President of Georgia is entitled to assign the duties of the rector to the dismissed rector or appoint a professor of the higher education institution as an acting rector. The president of Georgia is entitled to terminate the powers of the acting rector before the term. The faculty dean can be dismissed based on the ordinance issued by the acting rector, the acting rector is entitled to assign the duties of the dean to the dismissed dean or appoint another candidacy.
3. The first elections to the management bodies of the higher education institutions having the status of legal entity of public law shall be conducted in accordance with the procedures set by the Ministry of Education and Science of Georgia, not later than within a two-year period following the entry into force of this law.
4. The higher education institutions having the status of legal entity of public law shall present to the Ministry of Education and Science of Georgia for approval the new charters pertaining to this law, not later than within the six-month period following the first elections of the management bodies as prescribed by this law.
5. Immediately after the election of the first Academic Council, there shall be determined, by casting lots, one-third of the members who shall serve for half the time of the basic educational level.

6. The candidates for Rector, Chancellor and Dean offices, who have been holding the same offices, including those of acting rector or acting dean, at a higher education institution for two consecutive terms, the periods of their service in the above offices shall be counted for the purposes of the terms of office referred to in section 3 of article 22, section 4 of article 23, section 1 of article 29 of this law.
7. Higher education institutions shall fully engage in offering educational programmes envisaged by this law and provide the relevant academic degrees no later than the beginning of the academic year 2007-2008.
8. In order to implement the educational programmes provided for in this law, the higher education institutions shall establish the European credit transfers system before the beginning of the academic year 2009-2010.

Article 88. The Status and Financing of Higher Education Institutions

1. The higher education institutions that are accredited according to the presidential decree #418 of July 20, 1998 regarding the Approval of the Educational Institutions Accreditation Council Statute and its Personal Composition, shall be deemed as institutionally accredited before the Ministry of Education and Science of Georgia starts institutional accreditation, but not later than the beginning of the academic year 2006-2007. Before the beginning of the academic year 2006-2007, the Ministry of Education and Science of Georgia shall examine the licensure conditions of those higher education institutions with the status of legal entities of private law, which do not participate in the institutional accreditation provided in this section.
2. Ministry of Education and Science shall take relevant measures to start educational programme accreditation from the academic year 2007-2008 for those higher education institutions having the status of legal entity of public law, which have obtained institutional accreditation.
3. Before conducting the programme accreditation of higher education institutions, but not later than the beginning of the academic year 2010-2011, all educational programmes of the higher education institutions having the status of legal entity of public law and the licensed institutions having the status of legal entity of private law shall be deemed accredited, provided that they hold institutional accreditation.
4. The costs of the first institutional accreditation of higher education institutions, as defined in this law, shall be covered by the state.
5. Higher education institutions having the status of legal entity of private law shall cover the costs of licensure as well as the subsequent but not the first institutional accreditation.
6. The Government of Georgia shall ensure that from the beginning of the academic year 2005-2006, the higher education funding system established by this law be introduced step by step.

7. Before implementing the programme accreditation of higher education institutions, the state funding may be placed at higher education institutions that have acquired the institutional accreditation, but not later than the beginning of the academic year 2010-1011.
8. The government of Georgia shall define the minimum, average and maximum amount of a state education grant for the academic years 2005-2006, 2006-2007 and 2007-2008. Higher education institutions having the status of legal entities of public law shall define the costs for higher educational programmes according to faculties and/or specialties in accordance to the amount of state education grant defined by Georgian government for the academic years of 2005-2006, 2006-2007 and 2007-2008.
9. Before the beginning of the academic year 2007-2008, the parliament and the government of Georgia shall prepare the draft legislative amendments for conferring the new status of non-profit legal entity to the higher education institutions.
10. Before January 1, 2007, the Ministry of Education and Science of Georgia shall develop the new rules and conditions for financing master's and doctor's programmes.
11. The new system of funding master's and doctor's programmes, as defined by this law, shall become effective upon starting the study courses for students enrolled in these programmes in pursuant to this law.
12. Before the start of the academic year 2007-2008, higher education institutions having the status of legal entity of public law, shall present to the Ministry of Education and Science of Georgia proposals regarding the expediency of establishing their branches as higher education institutions.

Article 89. National Examination Centre, State Accreditation Service and Compatibility of Educational Programmes

1. Before the beginning of the academic year 2006-2007, the Ministry of Education and Science of Georgia shall approve the statutes of National Examination Centre and the State Accreditation Service for Higher Education Institutions.
2. By the beginning of the academic year 2007-2008, the government of Georgia shall ensure that the State Accreditation Service start its activities.
3. The functions of the National Examination Centre before its establishment shall be performed by the Ministry of Education and Science and the National Assessment and Examinations Centre, which is a legal entity of public law.
4. For the academic year 2005-2006, the Ministry of Education and Science shall ensure holding the unified national examinations in Georgian Language and Literature, General Abilities, Foreign Languages (English, German, French or Russian) and mathematics, and for the academic year 2006-2007 - in other subjects as well. The procedures for conducting the examinations and their optional/compulsory status shall be defined by the Ministry of Education and Science of Georgia in accordance with this law.

5. Before the establishment of the State Accreditation Service for Higher Education Institutions, the Ministry of Education and Science of Georgia shall ensure the performance of its functions.
6. Before the programme accreditation for higher education institutions, the results of the unified national examinations carried out by the National Examination Centre shall apply to the higher education institutions holding the institutional accreditation, but not later than the beginning of the academic year 2010-1011. Before this time, the Ministry of Education and Science of Georgia shall ensure programme accreditation for higher education institutions.
7. By the academic year 2006-2007, higher education institutions shall move on providing the master's educational programme lasting for not less than two years.
8. The degree awarded before the entry into force of this law, shall be equal to the master's academic degree, if it was awarded to a person upon completion of educational programme lasting for not less than five years. Also, the academic degree of a higher education diploma received before the entry into force of this law shall be equal to the academic degree of a bachelor, if it was awarded to a person upon completing the educational level for a bachelor.
9. The scientific degree of a Candidate of Sciences² acquired before the entry into force of this law shall be equivalent to the doctor's academic degree.
10. Section 9 of this article shall apply to the persons who became or will become Aspirants³ (Seeker⁴) and obtain the degree of a Candidate of Science before the establishment of the dissertation council provided in this law, but not later than 31 December of 2006.
11. Before the beginning of the academic year 2006-2007, the higher education institutions having the status of legal entity of public law shall ensure the transfer of the institutions' professors/teachers and researchers to the relevant academic positions pertaining to this law.
12. Before the beginning of the academic year 2006-2007, the Ministry of Education and Science of Georgia shall ensure adoption of the acts provided for in "f," "g," "i," "m," "n," subsections of section 1 of article 7 of this law.
13. In the case of discrepancy between the provisions of this law and those of the Law of Georgia on Education, the provisions of this law shall apply.

² The degree introduced in the Soviet Union and awarded since then for completing the second level of higher education

³ A person enrolled in the graduate studies programme of an aspirant at a higher education institution and preparing for defending the dissertation

⁴ A person who does not pursue the graduate studies programme of an aspirant but is working on a dissertation

Chapter XVI
Final Provisions

Article 90. Entry into Effect

1. The age limit provided in section 2 of article 36 of this law, subsection “e” of article 38 of this law and sections 3 and 4 of article 39 shall become effective in the beginning of the academic year 2009-2010.
2. Section 1 of article 81 of this law shall become effective in the beginning of the academic year 2008-2009.
3. This law shall become effective immediately upon publication.

Mikheil Saakashvili
President of Georgia

December 21, 2004