

**LAW OF GEORGIA**  
**ON HIGHER EDUCATION**

**Chapter I – General Provisions**

**Article 1 - Scope of the Law**

This Law regulates the process of carrying out educational, scientific research activities by higher education institutions in Georgia, and the principles and procedures of administering and financing higher education; it also defines procedures for the establishment, reorganisation of the activities and for the liquidation of higher education institutions, as well as principles of the authorisation and accreditation of higher education institutions.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

**Article 2 - Definition of terms**

The terms used in this Law have the following meanings:

a) entrant – a person with complete general education who holds a document certifying complete general education or its equivalent document issued in Georgia, and intends to continue studies at a higher education institution;

b) autonomy – the rights of higher education institutions and their main educational units to determine and carry out academic, financial, economic and administrative activities independently;

b<sup>1</sup>) authorisation – procedures for acquiring the status of a higher education institution, intended to ensure compliance with the standards necessary to implement appropriate activities for issuing a document certifying education recognised by the State;

c) academic freedom – the right of academic personnel, scientific personnel and students to independently carry out teaching activities, scientific work and study;

c<sup>1</sup>) attestation – determination of compliance of professional skills, academic activities and scientific activities of a Professor and a chief research fellow with the requirements set for the occupied positions;

d) mobility – free movement of students and academic personnel in order to participate in the study, teaching and research processes in Georgia and abroad, which is followed by the recognition of the education, credits or qualification acquired during the study period;

e) Academic Council – the highest representative body of a legal entity under public law (LEPL) higher education institution;

e<sup>1</sup>) higher academic education – a higher education course consisting of Bachelor's, Master's, integrated teacher Bachelor's and Master's training and Doctor's education programmes;

e<sup>2</sup>) higher education qualifications framework – a document of the National Qualifications Framework that combines all higher education qualifications in Georgia;

f) academic degree – a qualification awarded to a person by a higher educational institution or an Orthodox theological higher education institution after completing an appropriate level of higher academic education;

f<sup>1</sup>) joint academic degree – qualification jointly awarded to a person by higher education institutions recognised under the legislation of Georgia and/or a foreign country as a result of implementing a joint higher education programme after completion by the person of an appropriate level of academic higher education;

g) academic title – a title (honorary doctorate, emeritus) granted to scholars or public figures for their special merits as provided for by the legislation of Georgia;

h) accreditation – procedures for determining the compliance of educational programmes of higher education institutions with accreditation standards, which are intended to introduce a systematic self-evaluation system and facilitate the development of quality assurance mechanisms for the improvement of education quality, on the basis of which state financing is acquired, as well as for the implementation of certain programmes determined by this Law;

i) Assistant Professor – a person occupying an academic position at a higher education institution, who participates in the educational, scientific research processes within his/her authority;

i<sup>1</sup>) Assistant – a person occupying an academic position at a higher education institution who conducts seminars and performs research activities under the supervision of a Professor, an Associate Professor or an Assistant Professor during studies at main educational units;

j) Associate Professor – an academic position at a higher education institution. Associate Professors participate in the study process and supervise educational, scientific research activities carried out by students;



k) Head of Administration (Chancellor) – the head of administration of a higher education institution in the field of managing financial, material and administrative resources;

l) Bachelor – a person holding the academic degree granted after gaining the number of credits determined for the first level of higher academic education, the Bachelor's Programme;

m) Bachelor's Programme – the educational programme of the first level of higher academic education, where the basics of corresponding specialities are taught in order to enable a person to work with the qualification acquired as a result of these studies and to continue studies for the Master's Programme;

m<sup>1</sup>) independent scientific research unit – an independent structural unit of a Legal Entity under Public Law (LEPL) university or of a major educational unit of a university (a scientific research institute, centre, laboratory, etc.), which carries out scientific research work and has management bodies. The independent scientific research unit shall have the right to participate in the study process. The independent scientific research unit must meet the criteria determined by the Statute of a higher education institution and must be established in accordance with the procedure established by the Statute. The scope of the autonomy, the rule of management and operation of the independent scientific research unit shall be determined by the legislation of Georgia and the Regulations of the independent scientific research unit;

m<sup>2</sup>) a LEPL scientific research institution within a LEPL university – an institution established by the Government of Georgia within a LEPL university with the consent of the university. The LEPL scientific research institution within the LEPL university shall carry out scientific research activities and may participate in the study process on the basis of an agreement with a higher education institution;

n) diploma – a document certifying qualification awarded by a higher education institution, and a document certifying qualification jointly awarded by higher education institutions recognised by the legislation of Georgia and/or of a foreign country;

n<sup>1</sup>) certified medical worker/dentist – a person holding an academic degree granted for completing an academic medical higher education programme and for gaining the required number of credits. The purpose of the programme is to train medical workers/dentists for their professional activities of a practical nature;

n<sup>2</sup>) Master of Education – a holder of an academic degree awarded to a person as a result of completing the integrated teacher Bachelor's and Master's education training programme or a Master's education programme and obtaining the determined credits. The Master of Education degree may give a person the right to teach;

o) (Deleted);

o<sup>1</sup>) (Deleted);

p) diploma supplement – a document issued together with the diploma by a higher education institution to certify the content of the education acquired by a student, and the qualification awarded to him/her by the higher education institution; also a document to certify the content of the education acquired by a student as a result of completing a joint higher education programme, and the qualification jointly awarded to him/her by higher education institutions recognised by the legislation of Georgia and/or of a foreign country;

q) dissertation – a scientific paper presented by a doctoral student in order to acquire a Doctor's academic degree;

r) doctoral student – a person who studies for a Doctor's degree;

s) Doctoral Programme – the third level educational programme of a higher academic education, a combination of educational, scientific research components for the training of scientific personnel, which is completed by the granting of a Doctor's academic degree;

t) Doctor – a person who holds the academic degree granted to him/her for his/her achievements in the components of the Doctoral Programme and for the dissertation presented by him/her;

t<sup>1</sup>) e-learning – the study process or a part thereof that does not require the presence of a student and the personnel of a higher education institution simultaneously at a certain location, based on modern information and communication technologies and organised by a higher education institution for persons in the territory of Georgia to acquire a qualification on the basis of higher education programmes accredited in Georgia. Appropriate approaches and methods for planning the curriculum and organising and administering the study process are required for providing e-learning;

u) Unified National Examinations – the procedure that identifies the readiness of an entrant to acquire education on the basis of a higher education programme;

u<sup>1</sup>) National Qualifications Framework – a document combining all qualifications in Georgia, including higher education qualifications;

u<sup>2</sup>) Unified Post-Graduate Examination Network – a group of higher education institutions participating in post-graduate examinations, where candidates for Master's degree are enrolled in accordance with procedures established by this Law, after passing the Unified Post-Graduate Examinations and the examination/examinations determined by higher education institutions;

v) Individual Educational Programme – a programme prepared in accordance with the interests and levels of the academic training of students;

w) (Deleted);

w<sup>1</sup>) college – a higher education institution that carries out only the first level educational programmes of higher academic education;

w<sup>2</sup>) qualification – the result of study achieved by completing a higher education programme, and certified by a diploma or a certificate awarded by a higher education institution; also, the result of study achieved by completing a joint higher education programme and certified by a diploma/diplomas or a certificate jointly awarded by higher education institutions recognised by the legislation of Georgia and/or of a foreign country;



x) coefficient(s) – the unit(s) determined by a higher education institution at the beginning of an academic year, based on which the results of the Unified National Examinations are ranked for the admission of students to a particular educational programme at a particular higher education institution;

y) credit– the unit that defines the necessary academic load for students and which can be obtained after achieving certain study results;

z) (Deleted);

z<sup>1</sup>) (Deleted);

z<sup>2</sup>) Master – a person who holds an academic degree granted to him/her after gaining the necessary number of credits established for the second level of higher academic education, the Master's Programme;

z<sup>3</sup>) Master's degree student – a person who studies for a Master's degree;

z<sup>4</sup>) Master's Programme – the second level educational programme of higher academic education that includes elements of scientific research and is intended to train specialists of the academic level that follows Bachelor's studies or to train scholars; the programme is also intended to train persons to work with acquired qualifications;

z<sup>5</sup>) candidate for Master's degree – a person holding a Bachelor's, a certified medical worker's/a dentist's, a Master's or a Master of Education or an equivalent degree and intending to continue study for a Master's programme. In the case of a regulated education programme, to continue study for a Master's programme, a candidate for a Master's degree must hold a respective Bachelor's, certified medical worker's/a dentist's or an equivalent academic degree;

z<sup>6</sup>) teacher education training programme – a higher education programme developed on the basis of an appropriate standard, and is independent from a Bachelor's and the integrated teacher Bachelor's and Master's education training programmes;

z<sup>7</sup>) teacher training certificate – a document awarded after completing the teacher education training programme;

z<sup>7</sup>1) integrated teacher Bachelor's and Master's education training programme – a higher education programme developed on the basis of an appropriate standard, which must include a module of appropriate subjects/groups of subjects, a teacher training module, a selectable components module, and a school practice and practice research module;

z<sup>7</sup>2) scientist – a person holding a scientific position at an independent scientific research unit and carries out scientific research activity, and who has the right to participate in the study process and to administer the scientific research work of students;

z<sup>7</sup>3) post-doctoral fellow – a person holding a Doctor's or an equivalent academic degree and employed on the basis of a fixed-term labour contract at a major educational unit or an independent scientific research unit under the procedure established by the Academic Council to carry out a specific scientific research project;

z<sup>8</sup>) module – an independent and consistent unit of studies that combines related subjects. A module determines correlation and consistency of subjects. A curriculum consists of several modules;

z<sup>9</sup>) Professional Association – an independent non-entrepreneurial (non-commercial) legal entity based on the membership principle, established under the legislation of Georgia, which comprises the representatives of one or more related professions and is intended to facilitate the development of professions, to protect common interests of its members and to ensure compliance with the norms of professional ethics;

z<sup>10</sup>) Professor – a person holding an academic position at a higher education institution, who administers studies and supervises the scientific research work of students;

z<sup>11</sup>) ranking by absolute score(s) – a list prepared on the basis of the absolute score(s) gained by entrants and/or students in the Unified National Examinations and approved by the National Assessment and Examinations Centre in the manner provided for by the legislation of Georgia, and which identifies the entrants and/or students who have obtained state educational scholarships;

z<sup>12</sup>) ranking by coefficients – a list prepared on the basis of the recalculation of the absolute score(s) gained by entrants in the Unified National Examinations and approved by the National Assessment and Examinations Centre in the manner provided for by the legislation of Georgia in accordance with preliminary coefficients which have been established. As a result of recalculation the entrants are assigned to particular educational programmes of appropriate higher education institutions;

z<sup>13</sup>) regulated profession – an activity the precondition of performance of which, apart from having appropriate qualification, is passing of the State Certification Examination, or for awarding of the needed qualification to perform it, passing of an appropriate examination provided for by the legislation of Georgia is required;

z<sup>14</sup>) regulated educational programme – a programme for which the State determines special accreditation requirements and/or by which the State ensures the training of Masters and Doctors using special research programmes;

z<sup>15</sup>) Rector – the head of a higher education institution established by the State, the chairperson of the Academic Council of a LEPL higher education institution, or the chairperson of one of the collegiate bodies of a higher education institution as a non-entrepreneurial (non-commercial) legal entity;

z<sup>16</sup>) educational programme (curriculum) – a combination of training courses and/or modules for obtaining a higher education qualification, including the goals of the programme, the results of studies, the training courses and/or modules with appropriate credits, the system of students assessment and the special details related to the organisation of the study process;



z<sup>17</sup>) recognition of education acquired abroad – qualification or education within a higher educational programme acquired during studies abroad and recognised by an authorised body;

z<sup>18</sup>) Dissertation Council – a body granting a Doctor's academic degree. A Dissertation Council may exist at a legal entity under public law within a main educational unit or a university;

z<sup>19</sup>) (Deleted);

z<sup>20</sup>) educational programme in the fields of art, creative work and sport – an educational programme intended to train specialists (including artists, musicians, actors/actresses, sports specialists, etc.) in one or several specialities in the field of art and sport and to award these persons with corresponding qualifications;

z<sup>21</sup>) state study grant – the sum awarded by the State under the procedure established by the legislation of Georgia to a student or a person enrolled for a teacher education training programme, which is intended for funding a Bachelor's, integrated teacher Bachelor's and Master's training, or a certified medical worker's/dentist's accredited educational programme, and/or a teacher education training programme;

z<sup>22</sup>) higher education in arts – higher education that aims to train specialists in one or more fields of art;

z<sup>23</sup>) higher education in sports – higher education that aims to train specialists in one or more fields of sport;

z<sup>24</sup>) (Deleted);

z<sup>25</sup>) student – a person enrolled in a higher education institution under the procedure established by this Law and the Statute of the higher education institution and studying at the institution to take a Bachelor's, Master's, integrated teacher Bachelor's and Master's training, or a certified medical worker's/dentist's and a Doctoral programme; also a person enrolled in a higher education institution recognised under the legislation of a foreign country and is completing a part of the study and/or research component within the framework of a joint higher education programme at a Georgian higher education institution and/or at an independent scientific research unit/a LEPL scientific research institution within a LEPL university/a LEPL scientific research institution;

z<sup>26</sup>) higher education – the education that follows the complete general education and that ensures the acquisition of expertise relevant to the educational level and certified by an appropriate document;

z<sup>27</sup>) higher education institution – an education or an educational scientific research institution carrying out higher educational programmes, the primary function of which is to deliver higher educational activities and scientific research works or higher educational activities, and to administer creative works. A higher education institution consists of major and structural units and awards appropriate qualifications;

z<sup>28</sup>) branch of a higher education institution – a part of a higher education institution, which is partially independent, is territorially separated from the management bodies of the institution and delivers the higher educational programme(s) that are equivalent to those of the respective higher education institution;

z<sup>29</sup>) university – a higher education institution that carries out higher education programmes and scientific research of the second and third levels or all the three levels of academic higher education;

z<sup>30</sup>) major educational unit – a major educational and scientific and administrative unit of a higher education institution that trains students in one or more specialities and awards them appropriate qualifications;

z<sup>31</sup>) council of a major educational unit – a representative body of a major educational unit of a LEPL higher education institution;

z<sup>32</sup>) Board of Representatives (Senate) – a representative body of a LEPL higher education institution;

z<sup>33</sup>) quality assurance – internal and external assessment procedures, the implementation of which facilitates the improvement of education quality at higher education institutions;

z<sup>34</sup>) syllabus – a document that provides information on the goals of training courses and/or modules, the results of studies, credits, the content of studies, the methods of teaching and learning as well as information on assessment criteria;

z<sup>35</sup>) Unified Post-Graduate Examinations – procedures established in accordance with academic disciplines and/or educational programmes under the legislation of Georgia and which identify the readiness of a person to continue studies for a Master's degree;

z<sup>36</sup>) coefficient of Unified Post-Graduate Examinations – the unit determined for each part of the Unified Post-Graduate Examinations by a higher education institution in accordance with procedures established by the legislation of Georgia;

z<sup>37</sup>) minimum threshold for Unified Post-Graduate Examinations – minimum amount of scores determined for each part of the Unified Post-Graduate Examinations under the legislation of Georgia, which must be obtained by a Master's candidate in order to pass the Unified Post-Graduate Examinations and to gain the right to pass the examination / examinations established by a higher education institution;

z<sup>38</sup>) (Deleted – 22.3.2013, No 388);

z<sup>39</sup>) ranking by the absolute score / scores of the Unified Post-Graduate Examinations in accordance with each academic discipline and/or prioritised academic disciplines – a list prepared after the completion of the Unified Post-Graduate Examinations in accordance with the absolute score / scores obtained by Master's candidates in the Unified Post-Graduate Examinations and approved by the National Assessment and Examinations Centre under



the legislation of Georgia and which identifies the Master's candidates who obtained a State Educational Scholarship in certain academic disciplines and/or prioritised academic disciplines of accredited higher education programmes on the basis of the results of Unified Post-Graduate Examinations within the percentage thresholds determined for the annual State Education Scholarship for Master's Programmes, which is allocated under the legislation of Georgia for certain academic disciplines, including for prioritised academic disciplines;

z<sup>40</sup>) post-graduate examinations – procedures established for obtaining the right to continue studies for a Master's Programme that includes the Unified Post-Graduate Examinations organised by the National Assessment and Examination Centre in accordance with academic disciplines, as well as the examination / examinations organised by a higher education institution;

z<sup>41</sup>) sum of coefficients of post-graduate examinations – the sum of coefficients of the Unified Post-Graduate Examinations and/or the examination / examinations established by a higher education institution;

z<sup>42</sup>) ranking by coefficients of post-graduate examinations – a list of candidates for Master's degree, who have acquired the right to be admitted to an appropriate academic discipline of the Master's Programme of a particular higher education institution and who have been ranked in accordance with coefficients predetermined and listed by an appropriate higher education institution on the basis of the results of post-graduate examinations in accordance with procedures determined by the Ministry of Education and Science of Georgia;

z<sup>43</sup>) state educational scholarship for Master's Programme – the amount, determined by the Government of Georgia, granted to students for academic disciplines, including for prioritised academic disciplines, and intended for financing accredited Master's Programmes, except for the accredited Master's Programmes of arts, sports, maritime, Orthodox theological and military higher education institutions, unless admission to such programmes is conducted on the basis of the Unified Post-Graduate Examinations;

z<sup>44</sup>) teaching university – a higher education institution that delivers higher education programme/programmes (except for Doctoral Programmes). A teaching university is required to carry out the second level Master's educational programme / programmes;

z<sup>45</sup>) study results – the knowledge and skills acquired by a student after completing an educational programme, module and/or training courses;

z<sup>46</sup>) Georgian language education training programme – a special education programme used for citizens of Georgia that are enrolled in a higher education institution only on the basis of the results of general aptitude tests of the Unified National Examinations in the Azerbaijani, Abkhazian, Ossetian and Armenian languages to acquire skills and knowledge in the Georgian language (writing, reading, listening, speaking) to a level necessary for them to continue study for a Bachelor's, integrated teacher Bachelor's and Master's training, or a certified medical worker's/dentist's educational programme. The above education programme may also be taken by persons will be enrolled in a higher education institution without passing the Unified National Examinations under the procedure established by the legislation of Georgia;

z<sup>47</sup>) interim qualification – the qualification awarded to a student as a result of gaining the number of credits determined for a short cycle of the first level educational programme;

z<sup>48</sup>) Board of Regents – the collegiate body established by the Government of Georgia that exercises the supervisory authority determined by this Law over the activities of higher educational institutions established by the State as non-entrepreneurial (non-commercial) legal persons;

z<sup>49</sup>) Higher Education Institution Development Fund – a non-entrepreneurial (non-commercial) legal person set up by a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal person that manages a part of the property and finances of the higher education institution;

z<sup>50</sup>) military higher education institution – a higher education institution, the state monitoring or the functions of which, as determined by this Law, are performed by the Ministry of Defence of Georgia;

z<sup>51</sup>) maritime higher education – higher education that ensures the acquisition of appropriate expertise in marine sciences and is certified by an appropriate document;

z<sup>52</sup>) Orthodox theological higher education – a higher education programme based on Orthodox teaching, doctrine and culture and comprising the Bachelor's, Master's and Doctor's theological educational programmes;

z<sup>53</sup>) Orthodox theological higher education institution – an education or educational scientific research institution implementing higher educational programmes in Orthodox theology, the primary function of which is to carry out Orthodox theological higher education activities and scientific research works, as well as Orthodox theological higher education activities and creative works;

z<sup>54</sup>) police higher education institution – a higher education institution the state monitoring or the functions of which, as determined by this Law, are performed by the Ministry of Internal Affairs of Georgia;

z<sup>55</sup>) educational exchange programme – an educational programme carried out on the basis of a student exchange agreement concluded between a Georgian higher education institution and a foreign higher education institution recognised by the legislation of an appropriate foreign country, which enables the students participating in the educational exchange programmes to gain a certain number of credits at a partner higher education institution;

z<sup>56</sup>) student participating in an educational exchange programme – a student of a Georgian higher education institution or a foreign higher education institution recognised by the legislation of an appropriate foreign country, who gains a certain number of credits within the educational exchange programme at a partner higher education institution;

z<sup>57</sup>) maritime higher education institution – an educational or educational and scientific research institution delivering higher education programmes, the primary function of which is to carry out maritime higher education activities and maritime scientific research works.

z<sup>58</sup>) Technology Institute – a higher education research institution established under the Law of Georgia on Establishment of the Legal Entity under Public Law – Technology Institute.



z<sup>59</sup>) joint higher education programme – an educational programme carried out between a Georgian higher education institution/institutions and/or a higher education institution recognised under the legislation of a foreign country; also between a higher education institution and an independent scientific research unit/a LEPL scientific research institution within a LEPL university/a LEPL scientific research institution on the basis of an agreement on the implementation of a joint higher education programme, and after completion of which a document/documents certifying higher education is issued under the procedure established by the Statute of a higher education institution and on the basis of an agreement on the implementation of a joint higher education programme.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4209 of 22 February 2011 - website, 10.3.2011*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 6014 of 10 April 2012 - website, 20.4.2012*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 288 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 1627 of 20 November 2013 - website, 3.12.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 2791 of 14 November 2014 - website, 26.11.2014*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

### **Article 3 - Goals of higher education**

1. The primary goals of higher education in Georgia are the following:

- a) to facilitate the formation of Georgian and international cultural values and to focus on ideas of democracy and humanism necessary for the existence and development of a civil society;
- b) to meet the requirements for acquiring higher education, for qualification and for re-training appropriate for the interests and capabilities of a person;
- c) to realise personal potential, develop creative skills, train persons with competences relevant to present-day requirements, ensure competitiveness of persons with higher education in domestic as well as in international labour markets, and to offer to interested persons high quality higher education that meets the requirements of students and of the public as a whole;
- d) to train and re-train new scientific personnel and to create, provide and improve conditions for scientific research works in order to ensure development of the State and particularly the viability of the higher education system;
- e) to encourage the mobility of students and the academic personnel of higher education institutions.

2. In order to achieve the goals determined by paragraph 1 of this article the State shall ensure:

- a) access to and openness of higher education and academic freedom in learning, teaching and scientific research;



- b) the opportunity to acquire higher education at any time during a person's lifetime;
- c) the integration of higher education and science;
- d) the development of quality assurance systems, which implies the functioning of authorisation and accreditation systems, and quality management assurance mechanisms at higher education institutions;
- e) full participation in a unified European educational and research area for the processes of learning, teaching and for conducting scientific research works, as well as in other international systems of cooperation;
- f) the autonomy of higher education institutions;
- g) the participation of academic personnel, scientific personnel and students of a higher education institution in the process of making decisions and monitoring of their execution;
- h) the prevention of any forms of discrimination in the field of higher education, including academic, religious or ethnic discrimination, as well as discrimination on the grounds of opinion, sex, social origin and others;
- i) publicity and transparency of the management of higher education institutions and of the competitions held in these institutions;
- j) the provision of other conditions that facilitate achievement of the goals specified by paragraph 1 of this article.

3. In order to achieve the goals determined by paragraph 1 of this article higher education institutions shall:

- a) train a person for professional practice that requires the use of scientific knowledge and methods;
- b) ensure the professional development of their personnel;
- c) facilitate the improvement of the social conditions of students;
- d) provide appropriate learning conditions for students with disabilities;
- e) facilitate the development of sports within its authority;
- f) cooperate with other higher education, scientific research institutions of Georgia;
- g) facilitate international cooperation and the exchange of students and Professors with appropriate foreign education institutions;
- h) ensure the development of science in a free, democratic and fair social environment by providing favourable conditions for learning, teaching and professional development;
- i) assist in spreading contemporary knowledge and technologies;
- j) ensure access to and openness of higher education, academic freedom, opportunity to acquire higher education at any time during a person's lifetime, participation of the academic personnel, scientific personnel and students in the process of making decisions and monitoring of their execution, publicity and transparency in managing a higher education institution and in competitions conducted in the institution, prohibition of any forms of discrimination in the field of higher education, including discrimination on any ground such as academic, ethnic, social or religious affiliation, and/or opinion, sex and other grounds;
- k) provide other conditions to facilitate the achievement of the goals specified by paragraph 1 of this article.

4. Academic freedom may be restricted only in:

- a) determining organisational issues and priorities in order to achieve freedom of scientific research;
- b) resolving organisational issues regarding the study process, and the issues concerning the approval of the timetable of lectures and the curricula, in order to achieve freedom of teaching;
- c) organising the study process and ensuring high quality studies in order to achieve freedom of learning.
- d) in the cases when implementation of a scientific research and publication of its results is restricted under a labour agreement, or when the results contain a state secret.

5. Structural units of political and religious organisations may not be established at higher education institutions.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 4 - Language of higher education**



The language of instruction at higher education institutions is Georgian, and in the Autonomous Republic of Abkhazia (studies may be conducted in other languages as well, except for Individual Educational Programmes, where determined by international agreements or agreed with the Ministry of Education and Science of Georgia) the language of instruction is Abkhazian as well.

## Chapter II – Management of the Higher Education System

### Article 5 - Authority of the Parliament of Georgia in the field of higher education

The Parliament of Georgia shall:

- a) determine the primary areas of higher education policy and management, and adopt appropriate legislative acts;
- b) periodically hear a report from the Minister of Education and Science of Georgia on the implementation of state policy, financial activities and the fulfilment of state programmes in the field of higher education.

### Article 6 - Authority of the Government of Georgia in the field of higher education

1. The Government of Georgia shall:

- a) implement state policy in the field of higher education;
- b) upon recommendation of the Ministry of Education and Science of Georgia, approve the annual volume and amount of state educational scholarships and state educational scholarships for Master's Programmes;
  - b<sup>1</sup>) upon recommendation of the Ministry of Education and Science of Georgia, approve annual academic disciplines for the Master's programme, including prioritised academic disciplines, and distribute the annual amounts of state educational scholarships for Master's Programmes among each academic discipline for the Master's Programme and the prioritised academic disciplines for the Master's Programme, by distributing percentage thresholds of state educational scholarships for Master's Programme among the prioritised academic disciplines for the Master's Programme;
  - b<sup>2</sup>) (Deleted – 17.6.2011, No 4792);
  - b<sup>3</sup>) (Deleted – 17.6.2011, No 4792);
- c) upon recommendation of the Ministry of Education and Science of Georgia, determine the amount of and conditions for financing students admitted to accredited higher education programmes, with a minimum 6% and a maximum 20% of the annual state financing allocated under the social programme;
  - c<sup>1</sup>) upon recommendation of the Ministry of Education and Science of Georgia, approve the volume and amount of financing for persons enrolled for a teacher education training programme;
  - c<sup>2</sup>) upon recommendation of the Ministry of Education and Science of Georgia, determine the volume and amount of state educational scholarships for students who have been admitted to higher education institutions on the basis of results of the general aptitude tests of the Unified National Examinations in the Azerbaijani, Armenian, Abkhazian and Ossetian languages, who are being trained under the Georgian language education training programme;
  - c<sup>3</sup>) upon recommendation of the Ministry of Education and Science of Georgia, determine the amount of and conditions for financing students for the Master's degree admitted to Master's Programmes of higher education institutions with the state educational scholarship for Master's Programmes under the social programme by not more than 10% of the annual amount of the state educational scholarship for Master's Programmes;
  - c<sup>4</sup>) determine the amount of and conditions for financing the higher education of foreign citizens on the basis of the international agreements of Georgia, or the principle of reciprocity or under a special state programme;
  - c<sup>5</sup>) be authorised, upon the recommendation of the Ministry of Education and Science of Georgia, to determine the annual volume and amount of and conditions for allocating state educational scholarship to the citizens of Georgia and also the persons with neutral ID cards and/or neutral travel documents, who continue studies at an accredited higher education programme of Georgian higher education institution without taking Unified National Examinations following the recognition of education acquired in the occupied territories of Georgia, for the purpose of financing state educational scholarship with the maximum amount allocated by the Government of Georgia for a given year; Upon the recommendation of the Ministry of Education and Science of Georgia the Government of Georgia shall also be authorised to determine the amount of and the procedures for allocating state educational scholarships and state educational scholarships for Master's Programmes to the students affected by the natural disasters, who have been admitted to accredited higher education programmes of higher education institutions of Georgia;
  - c<sup>6</sup>) approve the procedures for enjoying student discounts using the student ID Cards ( residence cards) upon the recommendation of the Ministry of Education and Science of Georgia;
- d) upon the recommendation of the Ministry of Education and Science of Georgia establish a legal entity under public law or a non-entrepreneurial (non-commercial) legal entity under private law in order to acquire the status of a higher education institution, and approve its temporary statute;
  - d<sup>1</sup>) upon recommendation of the Ministry of Education and Science of Georgia, approve the criteria and procedure for the establishment of a LEPL





scientific research institution within a LEPL university;

e) establish the Board of Regents and approve its regulations;

f) upon the recommendation of the Ministry of Defence of Georgia establish a legal entity under public law or a non-entrepreneurial (non-commercial) legal entity under private law in order to acquire the status of a higher military education institution, and approve its temporary statute;

g) upon the recommendation of a LEPL Maritime Transport Agency of Georgia establish a legal entity under public law in order to acquire the status of a higher maritime education institution and approve its temporary statute;

h) upon the recommendation of the Ministry of Internal Affairs of Georgia, grant the Academy of the Ministry of Internal Affairs of Georgia ('the MIA Academy of Georgia') the right to apply to the legal entity under public law as National Centre for Educational Quality Enhancement in order to acquire the status of a higher police education institution.

2. (Deleted).

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3987 of 14 December 2006 - LHG I, No 48, 22.12.2006, Art. 354*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 5533 of 4 December 2007 - LHG I, No 43, 12.12.2007, Art. 392*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 2941 of 20 April 2010 - LHG I, No 23, 4.5.2010, Art. 123*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

*Law of Georgia No 1627 of 20 November 2013 - website, 3.12.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

## **Article 7 - Authority of the Ministry of Education and Science of Georgia in the field of higher education**

1. The Ministry of Education and Science of Georgia shall:

a) implement a unified policy in the field of higher education;

b) (Deleted – 17.6.2011, No 4792);

c) (Deleted – 17.6.2011, No 4792);

c<sup>1</sup>) (Deleted – 17.6.2011, No 4792);

c<sup>2</sup>) (Deleted – 17.6.2011, No 4792);

c<sup>3</sup>) (Deleted – 17.6.2011, No 4792);

d) (Deleted);

d<sup>1</sup>) appoint and dismiss a Director of the National Assessment and Examinations Centre upon the approval of the Prime Minister of Georgia;

e) (Deleted);

f) approve the authorisation regulations of the educational institutions and the accreditation regulations of the educational programmes of educational institutions upon the recommendation of a LEPL National Centre for Educational Quality Enhancement ('the National Centre for Educational Quality



Enhancement');

f<sup>1</sup>) approve the accreditation procedure and fees of Georgian language education training course upon the recommendation of the National Centre for Educational Quality Enhancement;

g) develop and approve the regulations of a LEPL National Assessment and Examinations Centre;

h) approve the statutes of higher education institutions established by the State upon the recommendation of the Board of Representatives or the collegiate body in accordance with the Law of Georgia on Normative Acts, and issue opinions on the draft statutes of military, police, maritime, arts and sports higher education institutions established by the State upon the recommendation of an appropriate ministry;

h<sup>1</sup>) (Deleted – 6.9.2013, No 1081);

i) approve the regulations for organising the Unified National Examinations and the procedures of allocating and distributing state educational scholarships, also the regulations for organising the Unified Post-graduate Examinations and the procedures of allocating and distributing state educational scholarships for Master's Programmes upon the recommendation of the National Assessment and Examinations Centre;

i<sup>1</sup>) approve incentives for foreign citizens to acquire higher education in Georgia;

j) cooperate with international organisations, foreign countries and their educational institutions in the field of inspection and the assurance of quality of higher education;

k) (Deleted);

l) be responsible for the compliance with the normative acts applicable to the field of higher education;

l<sup>1</sup>) approve the procedure for conducting the first elections of the management bodies of the Legal Entity under Public Law – a higher education institution (except for the Technology Institute);

m) approve the templates of a state document certifying higher education and of its supplement;

m<sup>1</sup>) approve the procedure for admitting a person to a teacher education training programme, and the procedure for awarding the state study grant to a person admitted to a teacher education training programme and the procedure for issuing a teacher training certificate;

m<sup>2</sup>) submit the volume and amount of financing for persons enrolled for a teacher education training programme to the Government of Georgia for approval;

m<sup>3</sup>) approve the accreditation procedures and the fees of teachers' training programmes upon the recommendation of the National Centre for Educational Quality Enhancement and upon the approval the National Centre for Teachers' Professional Development;

n) approve fees for the authorisation of higher educational institutions (except for the Technology Institute) and for the accreditation of their educational programmes; n<sup>1</sup>) approve the rules, conditions and fees for organising English language certification examinations. The Ministry of Education and Science of Georgia may determine the procedures and periods for submitting and reviewing administrative complaints regarding English language certification examinations other than the procedures and periods determined by the General Administrative Code of Georgia;

o) determine the procedures and conditions for allocating and transferring state educational scholarships and state educational scholarships for Master's Programmes among the accredited higher education programmes of higher education institutions;

o<sup>1</sup>) establish the procedures for the calculation of credits for higher education programmes;

o<sup>2</sup>) determine the procedures and fees for transferring from one higher education institution to another, also the procedures for transferring from one academic programme to another within a higher education institution upon the recommendation of the National Centre for Educational Quality Enhancement, and the procedures and fees for the verification of the authenticity of educational documents issued in Georgia, and for the recognition of education acquired abroad;

o<sup>3</sup>) approve procedures for keeping the register of educational institutions upon the recommendation of the National Centre for Educational Quality Enhancement, which contains data on the educational programmes of higher education institutions, including the personnel carrying out higher education programmes and the persons admitted to higher education programmes;

o<sup>4</sup>) approve a framework for higher education qualifications;

o<sup>5</sup>) approve a list of international examinations, in which a certain threshold shall be passed for a person, to take the examination/examinations determined by a higher education institution for academic disciplines, including for the prioritised academic disciplines of the higher education institutions that are members of the Unified Post-graduate Examination Network;

o<sup>6</sup>) annually approve a programme discipline/disciplines of a Bachelor's, integrated teacher Bachelor's and Master's training and/or a certified medical worker's/dentist's accredited academic education programme of a higher education institution established by the State, for which tuition fees of a student are fully and/or partially financed by the State;

o<sup>7</sup>) approve procedures and conditions for financing Doctoral Programmes;

o<sup>8</sup>) approve procedures for the conditional admission of Georgian national team members participating in International Educational Olympiads to Georgian higher education institutions as well as procedures for the financing thereof;



o<sup>9</sup>) with regard to the examinations provided for by the normative acts of the Minister of Education and Science of Georgia, have the right to determine the time limits and procedure for submitting and reviewing an administrative complaint that are different from those determined under the General Administrative Code of Georgia;

o<sup>10</sup>) have the right to determine the service fees/cost of activities provided by the legal entities under public law within the Ministry of Education and Science of Georgia (except for the tuition fees for a higher education institution);

p) perform other functions determined by the legislation of Georgia and by the regulations of the Ministry.

2. The LEPL Education Management Information System within the Ministry of Education and Science of Georgia shall register the Heads of Administration and the heads of higher education institutions established by the State, and speakers of the Board of Representatives of LEPL higher education institutions in the registry of higher education institutions in accordance with the procedure established by the Ministry of Education and Science of Georgia.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 2941 of 20 April 2010 - LHG I, No 23, 4.5.2010, Art. 123*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4209 of 22 February 2011 - website, 10.3.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5347 of 25 November 2011 - website, 6.12.2011*

*Law of Georgia No 5512 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 6014 of 10 April 2012 - website, 20.4.2012*

*Law of Georgia No 6450 of 12 June 2012 - website, 25.6.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 8 - Authority of the Ministry of Culture and Monument Protection of Georgia and the Ministry of Sport and Youth Affairs of Georgia in the field of arts and sports higher education**

With regard to the arts and sports higher education institutions established by the State, the Ministry of Culture and Monument Protection of Georgia and the Ministry of Sport and Youth Affairs of Georgia, within their scopes of authority, shall:

a) submit proposals to the Government of Georgia, upon the approval of the Ministry of Education and Science of Georgia, regarding the establishment of a legal entity under public law or a non-entrepreneurial (non-commercial) legal entity under private law in order to acquire the status of a higher education institution;

b) approve the statute of a higher education institution on the basis of the opinion of the Ministry of Education and Science of Georgia. The statute of a LEPL higher education institution shall be approved as provided for by the Law of Georgia on Normative Acts;

c) carry out state supervision over LEPL higher education institutions as provided for by the Law of Georgia on Legal Entities Under Public Law;

d) be responsible for compliance with the normative acts of Georgia;



e) finance the academic disciplines at arts and sports higher education institutions;

f) participate in the development of procedures for the authorisation and accreditation of arts and sports higher education institutions.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 8<sup>1</sup> – Authority of the Ministry of Defence of Georgia with regard to higher military education institutions**

1. With regard to higher military education institutions, the Ministry of Defence of Georgia, under this Law, shall:

a) submit proposals to the Government of Georgia, upon the approval of the Ministry of Education and Science of Georgia, with regard to establishing an appropriate legal entity in order to acquire the status of a higher education institution;

b) approve the statute of a higher educational institution on the basis of the opinion of the Ministry of Education and Science of Georgia;

c) be responsible for compliance with the normative acts applicable to the field of military education;

d) finance the academic disciplines at higher military education institutions and/or purchase the services from such institutions;

e) participate in the development of procedures for the authorisation and accreditation of higher military education institutions.

2. A higher military education institution may carry out:

a) professional military education programmes

b) appropriate educational activities for the purpose of the professional development of the personnel of the Ministry of Defence of Georgia.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 8<sup>2</sup> – Scopes of authority of the Ministry of Economy and Sustainable Development of Georgia and the LEPL Maritime Transport Agency of Georgia in the field of higher maritime education**

1. The Ministry of Economy and Sustainable Development of Georgia shall approve the statute of a LEPL higher maritime education institution on the basis of the opinion of the Ministry of Education and Science of Georgia and under the Law of Georgia on Normative Acts.

2. The LEPL Maritime Transport Agency of Georgia, under this Law, shall:

a) submit proposals to the Government of Georgia, upon the approval of the Ministry of Economy and Sustainable Development of Georgia and the Ministry of Education and Science of Georgia, on the establishment of a LEPL higher maritime education institution in order to acquire the status of a higher education institution;

b) carry out state supervision of higher maritime education institutions as provided for by the Law of Georgia on Legal Entities under Public Law;

c) be responsible for compliance with the normative acts applicable to the field of higher maritime education;

d) have the right to finance the academic programmes of higher maritime education institutions ;

e) participate in the development of procedures for the authorisation and accreditation of higher maritime education institutions.

f) exercise other powers as determined by the Legislation of Georgia.

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

### **Article 8<sup>3</sup> – Scopes of authority of the Ministry of Internal Affairs of Georgia with regard to higher police education institutions**

With regard to higher police education institutions the Ministry of Internal Affairs of Georgia shall:

a) approve the statute of a higher police education institution on the basis of the opinion of the Ministry of Education and Science of Georgia by which the structure and management bodies of a LEPL higher education institution other than those determined by this Law may be defined;

b) appoint and dismiss a Rector of the Academy of MIA of Georgia ;

c) be responsible for compliance with the normative acts of Georgia applicable to the field of police education;

d) finance the academic disciplines at higher police education institutions and/or purchase services from such institutions;



e) participate in the development of procedures for the authorisation and accreditation of higher police education institutions.

*Law of Georgia No 1627 of 20 November 2013 - website, 3.12.2013*

### **Chapter III – Purpose, Types, Establishment, Acquisition of Status, Reorganisation and Liquidation of Higher Education Institutions**

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 9 - Types of higher education institutions**

1. The types of higher education institutions are:

a) a university;

b) a teaching university;

c) a college.

d) another higher education institution established by law. <sup>1</sup>A university must have an appropriate base to carry out scientific research activities within the scope of the second and third levels of academic higher education, and if such a base is not available, the university must have an agreement concluded with a scientific research institution for the implementation of a joint higher education programme.

2. A higher education institution shall be established in a form of a legal entity under public or private law.

3. An Orthodox theological higher education institution may be established as a structural unit within the Patriarchate of Georgia, or as an individual legal entity under private law.

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 10 - Delimitation of scopes of authorities at higher education institutions**

1. Under this Law, a higher education institution shall:

a) approve main areas in educational, research and creative activities;

b) develop the statute, approve the internal regulations of the institutions and the grounds and rules of ethical and disciplinary liability;

c) approve common procedures for recruiting academic and assistant personnel;

d) approve the coefficients for each subject of the Unified National Examinations submitted by the main educational units;

d<sup>1</sup>) make a decision regarding the assignment of coefficients to the Unified Post-graduate Examinations upon the recommendation of the main educational units in cases determined by the legislation of Georgia. If coefficients are assigned to the Unified Post-Graduate Examinations, a higher education institution shall approve the coefficients for each part of the Unified Post-Graduate Examinations and for the examination/examinations determined by it; however if the coefficients are not assigned to the Unified Post-Graduate Examinations and Master's candidates manage to pass a minimum threshold level in the Unified Post-graduate Examinations for admission to Master's Programmes as provided for by the legislation of Georgia, the higher education institution shall apply the coefficients assigned to the examination/examinations determined by it;

e) elect the management bodies and officials of an institution;

f) dispose of the finances and property as provided for by the legislation of Georgia;

g) determine an examination in an appropriate speciality to be taken by Master's candidates, and determine the examinations to be taken in another subject/subjects upon the recommendation of the main educational units;

h) approve procedures for the taking of the examination/examinations determined by higher education institutions for Master's candidates as provided for by an order of the Minister of Education and Science of Georgia upon the recommendation of the main educational units and in cases determined by the legislation of Georgia;



h<sup>1</sup>) establish the minimum threshold level in the examination specified in the list of international examinations approved by the Ministry of Education and Science of Georgia, and if a person exceeds a minimum threshold level, he/she may take the examination/examinations established by a higher education institution;

i) for carrying out Master's Programmes determine the compliance of the list of specialisation/specialisations, submitted by the main educational units, with the academic disciplines approved by the Government of Georgia for the Master's Programmes of higher education institutions, upon the approval of the National Centre for Educational Quality Enhancement;

j) determine and submit to the National Assessment and Examinations Centre, in accordance with each academic discipline, the list of Master's candidates, who have passed the examination/examinations determined by higher education institutions and acquired the right to continue studies for the Master's Programmes at an appropriate higher educational institution.

1<sup>1</sup>. An independent scientific research unit shall have the right to:

a) carry out fundamental and applied scientific research activities;

b) carry out consultation activities and provide under the procedure established by the legislation of Georgia;

c) organise scientific conferences and other scientific events in accordance with the procedure established by the Statute of a higher education institution;

d) cooperate with Georgian and foreign scientific research institutions in accordance with the procedure established by the regulations of a major educational unit/the Statute of a higher education institution;

e) participate in international scientific events in accordance with procedure established by the regulations of a major educational unit/the Statute of a higher education institution;

f) participate in the preparation and implementation of higher education programmes under the procedure established by a higher education institution, and in the preparation of Bachelor's and Master's theses and dissertations by students;

g) engage students in scientific grant programmes, local and international scientific conferences and scientific research events in accordance with the procedure established by a higher education institution;

h) carry out other activities provided for by the legislation of Georgia and the regulations of an independent scientific research unit.

2. The Main educational units of higher education institutions, under this Law, shall:

a) develop basic areas of educational, scientific, research and creative activities, and determine appropriate programmes and plans;

b) develop the procedure for recruiting academic personnel, and the procedure for recruiting scientific personnel (if any);

c) determine the coefficients for the Unified National Examinations at the beginning of the academic year;

d) be authorised to make a decision on the assignment of coefficients to the Unified Post-Graduate Examinations as provided for by an order of the Minister of Education and Science of Georgia and if assigned, determine the coefficient for each part of the Unified Post-Graduate Examinations and also assign coefficients to the examination/examinations determined by it;

e) organise examination/examinations for Master's candidates;

f) elect management bodies and officials;

g) establish a quality assurance mechanism for teaching and research;

h) resolve the issues related to the ownership of finances acquired and to their own property, and issues related to the use of this property as provided for by the legislation of Georgia and their statute;

i) develop procedures for organising the examination/examinations for Master's candidates determined by higher education institutions as provided for by an order of the Minister of Education and Science of Georgia;

j) determine the list of specialisations within the scope of academic disciplines for carrying out Master's Programmes.

2<sup>1</sup>. A legal Entity under Private Law – a higher education institution itself (except for a higher education institution established by the State) shall determine the delimitation of competences provided for under this Law between the higher education institution and a major educational unit. Delimitation of competences shall not apply to awarding a qualification as it falls within the competence of the major educational unit. Delimitation of competences shall not be necessary if there is only one major educational unit at a higher education institution.

2<sup>2</sup>. Scopes of authorities and procedures for delimiting such authorities at Orthodox theological higher education institutions, as provided for by this article, shall be determined by the Catholicos-Patriarch of all Georgia.

2<sup>3</sup>. The Technology Institute shall, on its own, define the separation of competences under this Law between a higher education institution and a major education unit.

3. A higher education institution shall meet the requirements determined by Article 521(2) of this Law if it is a member of the Unified Post-Graduate Examinations Network.



*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 10<sup>1</sup> – Scope of authority of LEPL higher education institutions**

LEPL higher education institutions shall be authorised to:

a) carry out educational, scientific research activities;

a<sup>1</sup>) consultation activities and provision of expertise under the procedure established by the legislation of Georgia;

b) carry out publishing activities;

c) sell the products developed in the process of educational, scientific research activities;

d) develop and sell products (inventions and useful models) created in the process of scientific, research and laboratory activities;

e) carry out entrepreneurial activities of an auxiliary nature in cases determined by its statute (regulations);

f) carry out other activities determined by an appropriate law, an ordinance of the Government of Georgia and/or by its statute (regulations), unless otherwise provided for by an appropriate law.

*Law of Georgia No 2100 of 7 March 2014 - website, 14.3.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 11 – Higher education institutions established by the State**

1. The State establishes a legal entity under public law or a non-entrepreneurial (non-commercial) legal entity under private law in order to acquire the status of a higher education institution.

2. State supervision over the LEPL higher education institution (except for the Technology Institute, and military, police, maritime, arts and sports higher education institutions) shall be carried out by the Ministry of Education and Science of Georgia as provided for by the Law of Georgia on Legal Entities under Public Law and this Law. State supervision over the military, police, maritime, arts and sports higher education institutions shall be carried out by appropriate bodies. 3. The name and purpose of an education institution, and measures related to the transfer of property to the institution shall be determined and the acting head of the institution shall be appointed on the basis of the edict of the Government of Georgia on the establishment of legal entities under public law and non-entrepreneurial (non-commercial) legal entities under private law for acquiring the status of a higher education institution. The scope of authority of the acting head of an institution with regard to acquiring authorisation and/or accreditation and to carrying out higher education activities before the election of the management bodies shall be determined by a temporary statute of the institution.

4. Higher education institutions, including legal entities under public law, shall not have right to carry out general educational activities without establishing another independent legal entity.

5. In order to facilitate the development of arts and/or sports education in the country, the arts and/or sports higher education institutions established by the State may carry out out-of-school arts and/or sports educational programmes, within the scope of auxiliary activities, for the pupils of general education institutions as provided for by this Law and the statutes of the arts and/or sports higher education institutions, in coordination with the Ministry of Culture and Monument Protection and/or the Ministry of Sports and Youth Affairs and the Ministry of Education and Science of Georgia.

*Law of Georgia No 3987 of 14 December 2006 - LHG I, No 48, 22.12.2006, Art. 354*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 2379 of 18 December 2009 - LHG I, No 48, 29.12.2009, Art. 364*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*



*Law of Georgia No 1627 of 20 November 2013 - website, 3.12.2013*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

#### **Article 11<sup>1</sup> – A LEPL scientific research institution within a LEPL university**

1. The Government of Georgia may establish a LEPL scientific research institution within a LEPL university with the consent of the university.
2. Issues related to the structure and management of a LEPL scientific research institution within a LEPL university shall be regulated by the Law of Georgia on Science, Technology and their Development.
3. On the basis of an agreement with a higher education institution, a LEPL scientific research institution within a LEPL university shall have the right to:
  - a) participate in the preparation and implementation of joint higher education programmes and in the preparation of Bachelor's and Master's theses and dissertations by the students;
  - b) engage students in scientific grant programmes, local and international scientific conferences and scientific research events.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 12 - Higher education institutions as legal entities under private law**

1. A legal entity under private law may be established under the Law of Georgia on Entrepreneurs and the Civil Code of Georgia in order to acquire the status of a higher education institution.
  - 1<sup>1</sup>. A legal entity under private law may perform higher education activities as provided for by the legislation of Georgia without establishing another independent legal entity.
2. Local self-government bodies may not establish, own shares in or be the members of a legal entity under private law for the purpose of acquiring the status of a higher education institution.
  - 2<sup>1</sup>. The State may not establish, or own shares in or be a member of an entrepreneurial legal entity under private law for the purpose of acquiring the status of a higher education institution.
3. Chapters IV, V (except for Articles 32 and 35) and XIV of this Law shall not apply to higher education institutions as legal entities under private law, based on the scope of their activities, except for institutions established by the State.
4. (Deleted – 17.6.2011, No 4792).

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3987 of 14 December 2006 - LHG I, No 48, 22.12.2006, Art. 354*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 12<sup>1</sup> – Acquisition of the status of a higher educational institution**

The status of a higher education institution may be acquired and corresponding educational activities may be carried out only in the cases of acquiring authorisation thereof in accordance with procedures determined by the authorisation clause of the regulations of a higher education institution.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 13 - Reorganisation and liquidation of higher education institutions**

1. Higher education institutions shall be reorganised or liquidated in accordance with the procedures established by this Law, the Law of Georgia on Entrepreneurs, the Law of Georgia on Legal Entities under Public Law and the Civil Code of Georgia.
2. Higher education institutions established by the State, and legal entities established by the State for acquiring the status of a higher education institution shall be reorganised and liquidated by the Government of Georgia as provided for by the legislation of Georgia upon the recommendation of the body, on the initiative of which the institution and/or entity has been established.
3. The requirements determined by the legislation of Georgia shall not apply to the reorganisation and liquidation of Orthodox theological higher education institutions; reorganisation and liquidation of these institutions shall be carried out by the Catholicos-Patriarch of all Georgia. The property of a liquidated Orthodox theological higher education institution shall be transferred to the Patriarchate of Georgia.





*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

## **Chapter IV – Structure of Higher Education Institutions Established by the State**

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 14 - Structure of higher education institutions**

1. The structure of a higher education institution shall be determined by the statute of the institution, which shall also include a main educational unit.
2. A LEPL higher education institution comprises main educational units, the library (libraries) of the higher education institution and auxiliary structural units, such as: the Rector's office, the Office of the Head of Administration, the Chancellery and the secretariats of the management bodies.
3. Other structural units of a higher education institution, and the activities of these units shall be determined by the statute of the institution and the regulations of the respective structural units.
4. An affiliate foreign higher education institution may carry out appropriate educational activities on the territory of Georgia, only after its compliance with the authorisation standards are verified under the procedures provided for by the international agreements and other legislative and subordinate normative acts of Georgia, and for carrying out appropriate educational activities on the territory of Georgia, the foreign higher education institution shall acquire authorisation on the basis of verifying its compliance with the authorisation standards determined by the legislation of Georgia.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 15 - Management of higher education institutions**

1. The management bodies of a higher education institution shall be determined and the scope of authority among these bodies is delimited by the statute of the institution.
2. The management bodies (managing units) of a LEPL higher education institution are: the Academic Council, the Board of Representatives, the Rector, the Head of Administration and the quality assurance office.
  - 2<sup>1</sup>. At higher education institutions established by the State:
    - a) the remuneration of the Rector shall be determined within the range of the maximum amount of a Professor's remuneration multiplied by a coefficient not less than 1.15 and not more than 1.35;
    - b) the remuneration of the Head of Administration shall be determined within the range of the maximum amount of a Professor's remuneration multiplied by a coefficient not less than 1.10 and not more than 1.30;
    - c) the remuneration of the head of the quality assurance office of a higher education institution and of the head of the quality assurance office of a main educational unit shall be determined within the range of the maximum amount of a Professor's remuneration multiplied by a coefficient not less than 1.10 and not more than 1.30;
    - d) the remuneration of the Dean of a main educational unit shall be determined within the range of the maximum amount of the remuneration corresponding to the occupied academic position, multiplied by a coefficient not less than 1.10 and not more than 1.30;
3. The management bodies (managing units) of a main educational unit of a LEPL higher education institution are: the Council of a main educational unit, the Dean of a main educational unit and the quality assurance office of a main educational unit.
4. A higher education institution shall develop quality assurance mechanisms.
5. A higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity shall have at least one collegiate body that comprises the elected representatives of the academic personnel and students of the main educational units.
6. The Head of a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity shall be elected.
7. The senior administrative manager in the areas of financial, material and administrative resources of a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity shall be the Head of Administration.



8. The Higher Education Institution Development Fund may be established for the purpose of administering the property of a higher education institution, established by the State as a non-entrepreneurial (non-commercial) legal entity.

9. A higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity and the Higher Education Institution Development Fund may purchase literature (printed, electronic or recorded on audio-visual drives) through simplified procurement procedures. Other products may be purchased through simplified procurement procedures upon the consent of the Board of Regents.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

#### **Article 16 - Management principles of higher education institutions**

1. A higher education institution shall ensure:

- a) public knowledge of and access to the decisions of higher educational institutions, and to the reports and legal acts of their management bodies by all persons concerned. The rules of freedom of information established by the General Administrative Code of Georgia apply to the non-entrepreneurial (non-commercial) legal entities established by the State and these entities shall ensure the development of transparent decision-making procedures;
- b) academic freedom of the academic personnel, scientific personnel and students;
- c) participation of the academic personnel, scientific personnel and students in making decisions;
- d) equal treatment irrespective of the ethnic origin, sex, social origin, and the political or religious affiliation of a person;
- e) fairness and transparency of elections, and public notification of the competitions at higher education institutions.

2. The statute of a higher education institution and the regulations of its structural units may not impose any limitations on these principles.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 17 - Elections of the Board of Representatives**

1. The representative body of a LEPL higher education institution is the Board of Representatives, which shall be elected from the main educational units of the higher education institution depending on how they are represented, individually by the students and academic personnel, in proportion with their representation in the main educational units. The number of members of the Board of Representatives shall be at least double the number of members of the Academic Council as provided for by the statute of the institution.

2. Elections to the Board of Representatives shall be carried out within the higher education institution on the basis of universal, equal and direct suffrage by secret ballot, in accordance with the procedures established by the statute of the institution.

3. The term of authority of the Board of Representatives shall be equivalent to the term set for the basic level of studies, and shall be specified in the statute of the institution.

4. Students shall comprise one third of the total number of members of the Board of Representatives. Assistants as well as students shall take part in the elections. The number of students shall be rounded off in favour of the students.

5. A representative of the library/libraries of a higher education institution shall also be a member of the Board of Representatives as provided for by the statute of the higher education institution. In accordance with the procedures and proportions determined by the statute of a higher education institution, the persons to whom qualifications have been awarded by that higher education institution, also the representatives of independent scientific research units and public representatives may also be members of the Board of Representatives.

6. The grounds for the termination of the status of a member of the Board of Representatives of professors and students may be the termination of their academic and/or labour relations with such higher education institution.

7. In the case of termination of the term of authority of a member of the Board of Representatives, the member for the remaining term of authority of the Board of Representatives shall be the candidate, with the next majority of votes gained in the elections, after the member, whose term of authority term has been terminated; in the case of the absence of a candidate elections shall be held in order to elect a representative for the remaining term.

8. The representatives of administrative and assistant personnel, as well as members of the Academic Council may not be elected as members of the Board of Representatives.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*



## **Article 18 - Authority of the Board of Representatives**

1. Under this Law the Board of Representatives Board of shall:

- a) develop the statute of a higher education institution in coordination with the Academic Council and submit it to the Ministry of Education and Science of Georgia for approval;
- b) develop and approve the internal regulations of the institution, the Code of Ethics and the rules of disciplinary liability of a higher education institution;
- c) approve the procedure for drawing up the budget of a higher education institution and the regulations of its structural units (except for the regulations of an independent scientific research unit of a major educational unit);
- d) elect the speaker of the Board of Representatives;
- e) approve the candidate for the Head of Administration upon the recommendation of the Academic Council;
- f) approve the budget of a higher education institution upon the recommendation of the Head of Administration;
- g) approve the structure of the administration of a higher education institution upon the recommendation of the Head of Administration;
- h) approve the annual reports of the Head of Administration;
- i) have the right to terminate the authority of the Head of Administration upon the reasonable proposal of the Academic Council or upon its own initiative;
- j) approve rules for the recruitment of, and the amount of and conditions for the remuneration of, the support personnel upon the recommendation of the Head of Administration;
- k) approve, upon recommendation of the Academic Council:
  - k.a) the unified procedure for recruiting academic personnel, and the amount and conditions of the remuneration of labour;
  - k.b) the procedure/procedures for recruiting scientific personnel of an independent scientific research unit/units of a university, and the amount and conditions of the remuneration of labour;
  - k.c) additional conditions for occupying a scientific position at an independent scientific research unit of a university;
- l) approve the candidate of the head of the quality assurance office of a higher education institution upon the recommendation of the Academic Council;
- m) exercise other powers granted by the Legislation of Georgia.

2. Meetings of the Board of Representatives shall be convened upon the initiative of the speaker or by not less than one third of the members of the Board of Representatives. The procedure for organising and holding meetings of the Board of Representatives shall be determined by the statute of a higher education institution.

3. The Board of Representatives shall make a decision on the approval of the budget, the elections of the Head of Administration and the approval of the annual report of the Head of Administration on the basis of a majority of the members of the Board of Representatives on the list.

4. (Deleted).

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

## **Article 19 - Speaker of the Board of Representatives**

1. Meetings of the Board of Representatives shall be organised and chaired by the speaker elected by the Board of Representatives from its members for the term of not more than the term of office of the Council. The term of office of the speaker shall be specified by the statute of the higher education institution.

2. The term of office of the speaker of the Board of Representatives may be terminated before its expiration on the basis of:

- a) the application of the speaker;
- b) the entry into force of a judgement of conviction pronounced by the court against him/her;
- c) death;



- d) recognition of the speaker as a legally incapable person by the court or as a recipient of support, unless otherwise decided by the court;
- e) (Deleted);
- f) dismissal from an academic position of a higher education institution;
- g) other cases determined by the statute of the higher education institution.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 3374 of 20 March 2015 - website, 31.3.2015*

## **Article 20 - Elections to the Academic Council**

1. The highest representative body of a LEPL higher education institution is the Academic Council. Members of the Academic Council shall be elected on the basis of the direct, free and equal elections by secret ballot by all members of the academic personnel of the major educational units, all members of the scientific personnel of the independent scientific research units and the representatives of the self-government of students that are members of the council of the major educational unit.

2. Each main educational unit shall have equal number of representatives in the Academic Council. The number of the representatives shall be determined by the statute of a higher education institution.

2<sup>1</sup>. Each independent scientific research unit (except for an independent scientific research unit of a major educational unit) must have at least one representative in the composition of the Academic Council.

3. A Professor or an Associate Professors may be elected as a member of the Academic Council. A person may be elected as a member of the Academic Council only for two consecutive terms.

4. The term of election of members of the Academic Council shall be equivalent to the duration of the basic educational level as provided for by the statute.

5. The composition of representatives of a major educational unit that are elected to the Academic Council shall be subject to renewal by one third after elapsing of a half of the established period of the major educational level.

6. If a member of the Academic Council holds an academic or administrative position in another higher education institution, his/her membership of the Academic Council shall be terminated.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

## **Article 21 - Authority of the Academic Council**

1. Under this Law the Academic Council shall:

- a) develop and approve the strategic development plan of the higher education institution;
- b) approve the educational and scientific research programmes upon the recommendation of a main educational unit and/or an independent scientific research unit;
- b<sup>1</sup>) upon recommendation of the Scientific Council of an independent scientific research unit of a university, approve the Director of the independent scientific research unit of the university;
- b<sup>2</sup>) upon recommendation of an independent scientific research unit of a university, review and submit to the Board of Representatives for approval the regulations of the independent scientific research unit of the university and additional conditions for occupying a scientific position at the independent scientific research unit of the university;
- b<sup>3</sup>) review and submit to the Board of Representatives for approval the procedure for recruiting the scientific personnel of an independent scientific research unit of a university;
- b<sup>4</sup>) upon recommendation of the quality assurance office of a higher education institution, review and approve the procedure for the internal assessment



of scientific research activities of an independent scientific research unit of a university;

b<sup>5</sup>) upon recommendation of a major educational unit, review and approve the procedure for participation of an appropriate independent scientific research unit in the preparation of Bachelor's and Master's theses and dissertations by students, and for the engagement of students in the scientific grant programmes, local and international scientific conferences and scientific research events;

c) facilitate integration into the European area of higher education, draw up educational plans and curricula, and programmes for cooperation, mobility, integrated studies and scientific research among educational institutions;

d) elect the chairperson of the Academic Council - the Rector, by a majority of members on the list on the basis of impartial and equal suffrage by secret ballot;

e) nominate to the Board of Representatives the candidate for the Head of Administration, selected by a majority of the members on the list on the basis of the competition ;

f) submit to the Board of Representatives a reasonable proposal on the termination of the authority of the Head of Administration agreed by the majority of the members on the list;

g) nominate to the Board of Representatives a new candidate for the Head of Administration within one month of the termination of the authority of the Head of Administration;

h) participate in the review of the statute, the regulations of the structural units, the budget and the annual report of the Head of Administration of the higher education institution at the Board of Representatives;

i) approve the coefficients for Unified National Examinations at the beginning of the academic year, and the number of students to be admitted to the main educational units upon the recommendation of the councils of the main educational units;

i<sup>1</sup>) approve the coefficients for the Unified Post-graduate Examinations and the number of students to be admitted to main educational units upon the recommendation of the councils of the main educational units in cases determined by the legislation of Georgia, as provided for by an order of the Minister of Education and Science of Georgia;

i<sup>2</sup>) establish the minimum threshold level for the examination, determined by the list of international examinations approved by the Ministry of Education and Science of Georgia, upon the recommendation of the councils of the main educational units;

j) determine rules of the recognition of credits acquired at other educational institutions;

k) approve the regulations of the Dissertation Council upon the recommendation of a main educational unit and/or an independent scientific research unit;

l) nominate the candidate for the head of the quality assurance office of a higher education institution to the Board of Representatives for approval;

m) determine general rules for the recruitment of, and the amount and conditions of remuneration of, academic personnel and submit the same to the Board of Representatives for approval;

m<sup>1</sup>) (Deleted - 17.6.2011, No 4792);

n) submit annual reports to the Board of Representatives;

o) (Deleted - 17.6.2011, No 4792);

p) elect the head / heads of the library / libraries of a higher education institution;

q) approve the procedure for the assessment of the educational and scientific research work, upon the recommendation of the quality assurance office;

r) exercise other powers granted under this Law and the legislation of Georgia.

11. The Academic Council shall be authorised to review the issue of the termination of the authority of the Rector upon the request of at least one third of the members of the Academic Council on the grounds of violation by the Rector of the legislation of Georgia, or the improper fulfilment of the duties imposed on him/her, and/or on the grounds of conducting activities inappropriate for the position of a Rector. The decision on the termination of the authority of the Rector shall be made on the basis of a secret ballot by a majority of members on the list. The Rector may not participate in the ballot determined under this paragraph. An appeal of a decision made on these matters shall not suspend the disputed act in proceedings.

12. (Deleted – 6.9.2013, No 1081).

13. Meetings of the Academic Council shall be convened upon the initiative of the Rector or of at least one third of the members of the Academic Council.

14. In the event of termination of the authority of the Rector, he/she shall cease to be a member of the Academic Council;

2. (Deleted).

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1341 of 26 June 2009 - LHG I, No 16, 7.7.2009, Art. 77*



*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3444 of 16 July 2010 - LHG I, No 42, 22.7.2010, Art. 266*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

## **Article 22 - Head (Rector) of a higher education institution**

1. The Rector of a higher education institution established by the State is a person holding the highest academic position, also the chairperson of the Academic Council in a LEPL higher education institution and a chairperson of one of the collegiate bodies of a higher education institution as a non-entrepreneurial (non-commercial) legal entity, which is a higher education institution in academic and scientific fields inside and outside the country, for which the Rector shall be authorised to conclude agreements and contracts on behalf of the higher education institution. Where agreements and contracts are concluded in relation to financial and economic matters, they shall be also concluded by the Head of Administration.

2. Before the approval of the results of the first elections of the Head of a higher education institution established by the State the acting Head is appointed by the Government of Georgia.

3. The Head of a higher education institution established by the State may be elected only for two consecutive terms, which shall not exceed two consecutive terms of the basic educational level.

4. A candidate for the Rector of a higher education institution established by the State (except for military, police, maritime, arts and sports higher education institutions established by the State) shall hold a Doctor's academic degree or its equivalent, and shall meet the requirements determined by the statute of the higher education institution.

5. A person who has previously held the position of Head of Administration, may hold the position of the Head of the same higher education institution only after one term of office of the Head of the higher education institution has expired after the termination of his/her authority as the Head of Administration.

6. The Head of a LEPL higher education institution shall be elected by the Academic Council by a majority of members on the list by secret ballot as provided for by the legislation of Georgia, for the term of authority determined by the statute of the higher education institution, which shall not exceed the term of authority of the Council.

7. The opening of applications for registration of the candidates for the Head of a LEPL higher education institution is announced by the Academic Council at least one month prior to the beginning of registration of candidates, in accordance with procedures established by the legislation of Georgia, and by the statute of the institution, on the basis of transparency, equality and fair competition principles.

8. Where a candidate is selected prior to the elections of the Head of a higher education institution, the Academic Council shall assess the action plans submitted by each candidate.

9. In the event of the termination of authority of the Rector under the legislation of Georgia, an acting Rector shall be elected by the Board of Elections comprising all persons with a Doctor's academic degree or its equivalent, who hold academic or scientific positions at the higher education institution.

10. The Head (Rector) of a higher education institution established by the State may appoint an acting Director of an independent scientific research unit of a university.

11. The Head (Rector) of a higher education institution established by the State may appoint the Director of a LEPL scientific research institution within a LEPL university and under the state control of the higher education institution, upon recommendation of the Scientific Council of the scientific research institution.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 1916 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 226*

*Law of Georgia No 3444 of 16 July 2010 - LHG I, No 42, 22.7.2010, Art. 266*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 1627 of 20 November 2013 - website, 3.12.2013*



## Article 22<sup>1</sup> – Board of Regents

1. The Board of Regents shall be established for the supervision of the activities of non-entrepreneurial (non-commercial) legal entities established by the State.
2. The Board of Regents shall be established, its statute approved and the number of its members determined by the Government of Georgia.
3. The activities performed by the members of the Board of Regents shall not be for consideration, however the Government of Georgia may include their remuneration in the state budget for the corresponding year.
4. The rights, obligations, responsibilities and termination of authority of a member of the Board of Regents, as well as the rules for the activities of the Board of Regents, shall be determined by the statute of the institution.
5. The Board of Regents shall:
  - a) nominate a candidate for the Head of Administration to the collegiate body for approval, as determined by the statute of the higher education institution. If the collegiate body rejects the candidate for the Head of Administration on two occasions consecutively, the Head of Administration shall be appointed by the Board of Regents. The procedures for the selection of candidates for the Head of Administration shall be established by the Board of Regents;
  - b) approve the budget of the higher education institution upon the recommendation of the Head of Administration; moreover, the consent of the Board of Regents shall be required in the case of an amendment of more than 15% of the allocations of the approved line-item budget. Other amendments shall be made by the collegiate body of the higher education institution upon the recommendation of the Head of Administration;
  - c) approve the annual report of the Head of Administration;
  - d) approve the candidate for the Director of the Higher Education Institution Development Fund, appointed by a collegiate body of the higher education institution, upon the recommendation of the collegiate body of the higher education institution;
  - e) exercise other powers determined by the legislation of Georgia and the statute of a higher education institution provided that they do not restrict the academic freedom of the higher education institution.
6. The Law of Georgia on Conflicts of Interest and Corruption in Public Service shall apply to a member of the Board of Regents.

[6. The Law of Georgia on Conflicts of Interest and Corruption at Public Institutions shall apply to the members of the Board of Regents. **(Shall become effective from 1 July 2017)**]

Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011

Law of Georgia No 4381 of 27 October 2015 - website, 11.11.2015

Law of Georgia No 155 of 21 December 2016 - website, 28.12.2016

## Article 23 - Head of Administration

1. The Head of Administration of a higher education institution established by the State shall represent the higher education institution in financial and economic relations. The same person may be appointed as Head of Administration only for two consecutive terms, which shall not exceed two consecutive terms of the basic educational level.
2. A person, who has previously held the position of Head of a higher education institution, may occupy the position of the Head of Administration of the same higher education institution only after a single term of office of the Head of the higher education institution has expired after the termination of his/her authority as the Head of the higher education institution.
3. The Head of Administration of a LEPL higher education institution shall be appointed by the Board of Representatives upon the recommendation of the Academic Council on the basis of a secret ballot, as provided for by the legislation of Georgia. The same candidate may be nominated by the Academic Council to the Board of Representatives only twice; In the case of a repeated rejection of the candidate for the Head of Administration by the Board of Representatives, the Academic Council shall nominate a new candidate.
4. The Law of Georgia on Conflicts of Interest and Corruption in Public Service shall apply to the Head of Administration.

[4. The Law of Georgia on Conflicts of Interest and Corruption at Public Institutions shall apply to the Head of Administration. **(Shall become effective from 1 July 2017)**]

5. In cases determined by the statute of the higher education institution the election to the position of the Head of Administration may be grounds for the termination of authority of a person holding an academic position.

Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118

Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011

Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013



## **Article 24 - Authority of the Head of Administration**

1. The Head of Administration shall:

a) be the head of administration of the higher education institution;

b) be authorised to conclude financial and economic agreements on behalf of the higher education institution in compliance with the budget of the higher education institution;

c) draw up a draft of the structure of the administration of the higher education institution, and submit the same to the collegiate body or the Board of Representatives of the higher education institution for approval;

d) draw up a draft of general rules for the recruitment of, and the amount and conditions of remuneration of, support personnel, and submit the same to the collegiate body or the Board of Representatives of the higher education institution for approval;

e) administer the process of drawing up the draft budget of the main educational units of the higher education institution and its submission to the Board of Representatives, and the process of drawing up a general draft budget of the higher education institution and its approval by the Board of Representatives. The Head of Administration of a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity, shall coordinate a draft budget of the higher education institution with the collegiate body of the institution and submit the same to the Board of Regents for approval;

e<sup>1</sup>) administer the process of drawing up by independent scientific research units of a higher education institution of their own draft budgets and their submission to the Board of Representatives;

f) prepare an annual report of the work achieved and submit the same to an appropriate Board of Regents or the Board of Representatives for approval;

g) issue individual acts within his/her authority;

h) be responsible for the lawfulness and effectiveness of the financial and economic activities of the higher education institution;

i) perform other functions determined by the statute.

2. The Head of Administration shall be accountable to the Board of Regents and the collegiate body of the higher education institution, or the Board of Representatives and the Academic Council.

3. The term of office of the Head of Administration may be terminated before its expiration on the basis of:

a) repeated rejection of the annual report and budget by the Board of Regents at a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity, and by the Board of Representatives at a LEPL higher education institution;

b) a reasonable decision made by the Board of Regents upon the recommendation of the Board of Representatives at a LEPL higher education institution, and by a collegiate body at a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity;

c) on the grounds for the termination of a labour agreement established by the Organic Law of Georgia the Labour Code of Georgia.

## **Article 25 - Quality assurance at higher education institutions**

1. Educational, scientific research work conducted by a higher education institution, and the quality of the professional development of its personnel, shall be subject to systematic assessment; the students of the institution shall participate in the assessment and its results shall be public and available to all persons concerned.

2. A quality assurance mechanism shall exist at a higher education institution, including at the main educational units operating in compliance with the statute of the higher education institution, for the purpose of the systematic assessment of the educational, scientific research work conducted by the institution and the quality of the professional development of its personnel.

3. In order to develop transparent criteria for quality control and the methodology for the assurance of those criteria, a higher education institution shall establish links and cooperate with the appropriate offices of foreign countries and foreign higher education institutions.

4. A higher education institution shall ensure the high quality of teaching by introducing modern methods for studying, teaching and evaluation (modules, credit systems, etc.), and preparing self-evaluation for the authorisation/accreditation process. The higher education institutions shall also





ensure the high quality of research by introducing modern methods of research.

4<sup>1</sup>. The quality assurance office of a LEPL higher education institution shall prepare the procedure for internal assessment of scientific research activities of an independent scientific research unit of a university, and submit it to the Academic Council for approval.

4<sup>2</sup>. The procedure for the internal assessment of scientific research activities of an independent scientific research unit of a university shall be based on the international standards of the assessment of scientific research activities (participation of foreign assessors in the process of assessment, use of various forms of scientific bibliometrics, etc.).

5. The Head of the quality assurance office of a LEPL higher education institution shall be approved by the Board of the Representatives upon recommendation of the Academic Council. The requirements for the Head of the quality assurance office shall be set by the higher education institution.

6. The cooperation between a quality assurance office of a LEPL higher education institution and the quality assurance offices of the main educational units shall be regulated by the statute of the higher education institution.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 26 - Budget of a higher education institution**

1. The Head of Administration of a higher education institution shall administer the process of developing the draft budget of the institution for the following year.

2. The draft budget of a higher education institution of the following year shall be developed in consultation with the main educational units and other structural units of the higher education institution.

3. The Head of Administration of a non-entrepreneurial (non-commercial) legal entity established by the State shall coordinate the budget for the following year with the collegiate body of the higher education institution and shall submit the same to the Board of Regents for approval; the Head of Administration of a legal entity under public law shall coordinate the budget for the following year with the Academic Council and shall submit the same to the Board of Representatives for approval.

4. The Board of Regents or the Board of Representatives shall review the submitted draft budget, and shall approve or return the same to the Head of Administration with appropriate comments.

5. If the Head of Administration agrees with the submitted comments, the draft budget shall be duly approved by the Board of Regents or the Board of Representatives by taking into account the comments made.

6. If the Head of Administration does not agree with the comments made by the Board of Regents or the Board of Representatives, he/she s may return the initial version of the draft budget to the Board of Regents or the Board of Representatives for further approval on the grounds of having provided appropriate validation thereof. The proposals of the Academic Council shall be attached to the validation submitted to the Board of Representatives.

7. Repeated rejection of the draft budget by the Board of Regents or the Board of Representatives shall result in termination of authority of the Head of Administration. The draft budget shall be approved upon the recommendation of a new Head of Administration.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

#### **Article 27 - Main educational unit and the council of a main educational unit**

1. The main educational unit of a LEPL higher education institution may consist of educational, scientific research (including an academic department, a scientific research institute, a laboratory, a hospital, a department devoted to a specialist discipline and others) and auxiliary (libraries and others) structural units.

1<sup>1</sup>. The procedure for management and operation of an independent scientific research unit of a major educational unit shall be established by the regulations of the independent scientific research unit approved by the Council of the major educational unit.

1<sup>2</sup>. Under the procedure determined by a higher education institution, an independent scientific research unit of a major educational unit may:

a) participate in the implementation of higher education programmes, and in the preparation of Bachelor's and Master's theses and dissertations by students;

b) engage students in scientific grant programmes, local and international scientific conferences and scientific research events.

2. The representative body of a major educational unit of a LEPL higher education institution shall be the Council of the major educational unit comprised of all persons holding academic positions at the major educational unit, all persons holding scientific positions at the independent scientific



research unit, and representatives of the students' self-government, or representatives of the academic personnel, of persons holding scientific positions at the independent scientific research unit, and representatives of the students' self-government elected under the procedure established by the Statute of the higher education institution.

3. The number of the representatives of students' self-government bodies in the council of a main educational unit shall be determined by the regulations of the main educational unit, but it shall not be less than one fourth of the members of the council.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

## **Article 28 - Authority of the council of a main educational unit**

The council of a main educational unit shall:

- a) develop a draft budget for the main educational unit and submit the same to the Head of administration for approval;
- b) elect the Dean of the main educational unit by a majority of the members on the list on the basis of impartial and equal suffrage and by secret ballot;
- c) draw up a strategic development plan, and educational and scientific research programmes, for the main educational unit upon the recommendation of the Dean, and submit the same to the Academic Council of the higher education institution for approval;
- d) develop the structure and the regulations of the main educational unit upon the recommendation of the Dean, and submit the same to the Board of Representatives for approval;
- e) develop the regulations of a Dissertation Council and submit the same to the Academic Council for approval;
- f) elect the head of the quality assurance office of the main educational unit;
- g) have the right to review the issue of the termination of the authority of the Dean upon the request of not less than one third of the members of the council of the main educational unit on the grounds of violation of the legislation of Georgia by the Dean, or the improper fulfilment of the duties imposed on him/her and/or on the grounds of conducting activities that are irrelevant to the duties of the Dean. The decision on the termination of the authority of the Dean shall be made on the basis of a secret ballot by a majority of members on the list. The Dean may not participate in the ballot specified in this paragraph. An appeal of a decision regarding these matters shall not result in the suspension of the disputed act in proceedings;
- h) appoint an acting Dean in the case of the termination of the authority of the Dean;
- h<sup>1</sup>) upon recommendation of the Scientific Council of an independent scientific research unit of a major educational unit, approve the Director of the independent scientific research unit of the major educational unit;
- h<sup>2</sup>) upon recommendation of an independent scientific research unit of a major educational unit, approve the procedure for recruiting scientific personnel of the independent scientific research unit of the major educational unit;
- h<sup>3</sup>) upon recommendation of an independent scientific research unit of a major educational unit, approve the regulations of the independent scientific research unit of the major educational unit, and additional conditions for occupying scientific positions at the independent scientific research unit of the major educational unit;
- h<sup>4</sup>) upon recommendation of the quality assurance office of a major educational unit, approve the procedure for the internal assessment of scientific research activities of an independent scientific research unit of the major educational unit;
- i) exercise other powers granted to it under this Law and other legal and subordinate normative acts of Georgia.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3444 of 16 July 2010 - LHG I, No 42, 22.7.2010, Art. 266*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

## **Article 29 - Dean of a main educational unit**

1. The council of a main educational unit shall elect the Dean of the main educational unit for the term determined by the statute of the higher education institution, but not for more than four years. A person may be elected to the position of Dean only for two consecutive terms. The opening for applications for the registration of candidates for the position of Dean shall be announced by the council of the main educational unit at least one month prior to the beginning of registration of candidates, in accordance with the procedures established by the legislation of Georgia and its statute and on the basis of principles of transparency, equality and fair competition.

2. Under the statute of a higher education institution (except for military, maritime, arts and sports higher education institutions established by the State), a Professor or an Associate Professor of a main educational unit of a corresponding higher education institution may be elected as Dean; the



procedures and conditions for the election of the Dean at military, maritime, arts and sports higher education institutions shall be established by the State are determined by the statute of the corresponding higher education institution.

3. The Dean of a main educational unit shall:

- a) ensure the practice of effective educational and scientific activities by the main educational unit;
- b) submit a strategic development plan, and educational and scientific research programmes, for the main educational unit to the council of the main educational unit for approval;
- c) develop the structure and the regulations of the main educational unit and submit the same to the council of the main educational unit for approval;
- d) be responsible, within his/her scope of authority, for the execution of decisions made by the Board of Representatives, the Academic Council and the council of the main educational unit;
- e) issue individual legal acts within his/her scope of authority;
- f) chair the meetings of the council of the main educational unit;
- g) be responsible for the targeted use of the budget of the main educational unit as provided for by this Law and the statute;
- h) exercise other powers granted to him/her under this Law and other legal and subordinate normative acts of Georgia.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3444 of 16 July 2010 - LHG I, No 42, 22.7.2010, Art. 266*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

#### **Article 29<sup>1</sup> – The structure and management of an independent scientific research unit**

1. The structure of an independent scientific research unit may include main and auxiliary structural units.
2. The management bodies of an independent scientific research unit are the Scientific Council of the independent scientific research unit and the Director of the independent scientific research unit.
3. Scientific and non-scientific structural units of an independent scientific research unit, their management and operation procedure shall be determined by the regulations of the independent scientific research unit. The regulations of an independent scientific research unit of a university shall be approved by the Board of Representatives, and the regulations of an independent scientific research unit of a major educational unit shall be approved by the Council of the major educational unit.
4. The Head of a scientific structural unit of an independent scientific research unit shall be elected by the Scientific Council on the basis of an open competition and approved by the Director according to the regulations of the independent scientific research unit. A person who meets the requirements established for a chief research fellow or a senior research fellow of an independent scientific research unit may be elected as the Head of a scientific structural unit of the independent scientific research unit. If a person who has not occupied the position of a chief research fellow or a senior research fellow of an independent scientific research unit is elected as the Head of a scientific structural unit of the independent scientific research unit, he/she shall also be considered as elected to a respective scholar's position.
5. The procedure for the election/appointment of the Head of a non-scientific structural unit of an independent scientific research unit shall be determined by the regulations of the independent scientific research unit.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 29<sup>2</sup> – Scientific Council of an independent scientific research unit**

1. Chief research fellows of an independent scientific research unit shall establish the Scientific Council of the independent scientific research unit.
2. The Scientific Council of an independent scientific research unit shall:
  - a) review and decide on the issues of scientific management and development of the independent scientific research unit;
  - b) in case of implementing higher education programmes, participate in the monitoring process of fulfilment of a research component;
  - c) perform other functions determined by this Law, other legislative and subordinate legal acts of Georgia and the regulations of an independent scientific research unit.
3. The activities of the Scientific Council of an independent scientific research unit shall be administered by the Chairperson elected by majority of the members on the nominal list of the Council.



4. Powers, term of office, procedure of election and termination of powers of the Chairperson of the Scientific Council of an independent scientific research unit shall be determined by the regulations of the independent scientific research unit.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

### **Article 29<sup>3</sup> – Director of an independent scientific research unit**

1. Operation of an independent scientific research unit shall be administered by the Director of the independent scientific research unit.

2. The Scientific Council of the independent scientific research unit shall select the candidate for the Director of an independent scientific research unit on the basis of an open competition for a five-year term and submit to the Academic Council/the council of the major educational unit for approval. In case of a grounded refusal of the Academic Council/the council of the major educational unit to approve the candidate of the Director, the Scientific Council of the independent scientific research unit shall submit the same candidate or select another candidate. In case of repeated refusal of the Academic Council/the council of the major educational unit to approve the candidate of the Director, an acting Director of an independent scientific research unit of the major educational unit of a university shall be appointed by the Head (Rector) of a higher education institution, and an acting Director of an independent scientific research unit of the major educational unit shall be appointed according to the procedures determined by the Statute of a higher education institution. The Scientific Council of an independent scientific research unit shall, no later than 6 months, select a new candidate for the Director of the independent scientific research unit. An acting Director of an independent scientific research unit shall be appointed until the candidate for the Director of the independent scientific research unit is approved by the Academic Council/council of a major educational unit.

3. The position of the Director of an independent scientific research unit may be occupied by a person who meets the requirements established for a chief research fellow of the independent scientific research unit, and whose age does not exceed 65. If a person who does not hold the position of a chief research fellow of an independent scientific research unit occupies the position of the Director of the independent scientific research unit, he/she shall also be considered as elected to the position of a chief research fellow. Reaching the age of 65 shall not entail termination of powers of the Director.

4. The same person may occupy the position of the Director of an independent scientific research unit only for two consecutive terms.

5. The procedure for selecting a candidate for the Director of an independent scientific research unit and powers of the Director shall be determined by the regulations of the independent scientific research unit.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

### **Article 30 - Dissertation Council**

1. A Dissertation Council is the body that grants the Doctor's academic degree.

2. A higher education institution that carries out Doctoral Programmes shall establish a Dissertation Council at an appropriate main education unit of a university. The Dissertation Council shall develop the Dissertation Council regulations that determine the procedures for establishing the Council and electing its chairperson, as well as procedures for presenting the dissertation. The regulations of the Dissertation Council shall be approved by the collegiate body of a higher education institution.

3. The Dissertation Council shall be established within a legal entity under public law (LEPL) – a higher education institution or a major educational unit according to an appropriate field/specialisation. The decision on the establishment of the Dissertation Council/Councils shall be made by the Academic Council of a university.

4. The procedures for the establishment of a Dissertation Council within a main educational unit of a LEPL higher education institution and of the election of its chairperson shall be determined upon the recommendation of the council of the main educational unit under regulations approved by the Academic Council. The procedures for the formation of a Dissertation Council of a university and of the election of its chairperson shall be determined upon the recommendation of the council of a main educational unit and/or the councils of main educational units and an independent scientific research unit and/or independent scientific research units, or upon the recommendation of the councils of main educational units, or independent scientific research units, under regulations approved by the Academic Council.

5. The Dissertation Council of a major educational unit of a LEPL higher education institution shall consist of all Professors and Associate Professors of an appropriate field/specialisation of the major educational unit, and of a senior research fellow and a chief research fellow of an appropriate field/specialisation of an independent scientific research unit of a major educational unit. The Dissertation Council of a university may consist of all Professors and Associate Professors of an appropriate field/specialisation of the university, and a senior research fellow and a chief research fellow of an appropriate field/specialisation of an independent scientific research unit of the university, or of the Professors and Associate Professors of an appropriate field/specialisation of the university and senior research fellows and chief research fellows of an appropriate field/specialisations of an independent scientific research unit of the university. Members of the Dissertation Council of a university shall be selected based on the criteria and the procedure determined by the Academic Council of the institution. Representatives of an appropriate field/persons with an appropriate specialisation from Georgia and abroad may be members of the Dissertation Council of a major educational unit and the Dissertation Council of a university, based on the criteria and the procedure determined by the Academic Council of a higher education institution.

6. The statute of a university which is a LEPL higher education institution, may determine the procedures and conditions for inviting persons with Doctor's academic degrees to the Dissertation Council.

7. A LEPL higher education institution may conclude agreements with scientific research institutions for carrying out Doctoral Programmes.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*



*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 31 - Quality assurance service of a main educational unit**

1. For the systematic internal assessment of the quality of teaching and scientific research activities at the major educational unit of a LEPL higher education institution, and of the quality of professional development of its academic personnel and scientific personnel, the quality assurance office shall be established for continuous development of the education quality assurance system. The quality assurance office shall operate according to the regulations of the major educational unit.

2. In order to develop transparent criteria of quality control and the methodology for the assurance of those criteria, the quality assurance service of a main educational unit shall establish links and cooperate with the appropriate services of foreign countries and foreign higher education institutions.

3. The quality assurance service of a main educational unit shall ensure the high quality of studies by way of applying contemporary methods for teaching, learning and assessing (modules, credit systems and others) and by way of developing self-assessment for the processes of authorisation and/or accreditation.

3<sup>1</sup>. The quality assurance office of a major educational unit shall develop the procedure for internal assessment of scientific research activities of an independent scientific research unit of the major educational unit and submit it to the Council of the major educational unit for approval.

3<sup>2</sup>. The procedure for internal assessment of the scientific research activities of an independent scientific research unit of a major educational unit must be based on the international standards of the assessment of scientific research activities (participation of foreign assessors in the process of assessment, use of various forms of scientific bibliometrics, etc.).

3<sup>3</sup>. The quality assurance office of a major educational unit shall assess the independent scientific research unit activities of the major educational unit on the basis of the procedure of internal assessment of the independent scientific research unit activities of the major educational unit, which is developed by the quality assurance office of the major education unit and approved by the council of the major education unit.

4. The requirements for the Head of the quality assurance office of a major educational unit shall be established by a higher education institution.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Chapter IV<sup>1</sup> – Orthodox Theological Higher Education Institutions**

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

#### **Article 31<sup>1</sup> – Establishment and management of Orthodox theological higher education institutions**

1. Orthodox theological higher education institutions shall be established, their statutes approved and their structure and management bodies, other than specified by this Law, and determined by the Catholicos-Patriarch of all Georgia.

2. The Patriarchate of Georgia shall grant property to Orthodox theological higher education institutions, established as legal entities, for the purpose of achieving the set goals and performing the assigned functions; the procedures of using such property are determined by the constituent act.

3. The procedure for transferring a student from one Orthodox theological higher education institution to another Orthodox theological higher education institution, and for transferring a student from one Orthodox theological higher education programme at an Orthodox theological higher education institution to another Orthodox theological higher education programme, and the procedure for awarding an academic degree at an Orthodox theological higher education institution shall be established by the Catholicos-Patriarch of all Georgia.

4. The procedures for appointing and dismissing the Head of an Orthodox theological higher education institution shall be determined by the Catholicos-Patriarch of all Georgia.

5. The Head of an Orthodox theological higher education institution shall perform the functions determined by the statute of the institution.



## **Chapter IV<sup>2</sup> – The Technology Institute**

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

### **Article 31<sup>2</sup> – The Technology Institute**

1. Educational programmes of the Technology Institute shall aim to train persons under the procedure provided for by the Law of Georgia on Establishment of the Legal Entity under Public Law – the Technology Institute in the specialities defined by the same law, and to award appropriate qualifications to them.

2. Chapters IV and V shall not apply to the Technology Institute.

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

## **Chapter V – Personnel of Higher Education Institutions**

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 32 - Personnel of a higher education institution**

At a higher education institution there shall be academic, scientific, administrative and support positions, as well as other positions provided for by the Statute of the higher education institution.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

### **Article 33 - Academic personnel of a higher education institution**

1. The academic personnel of a higher education institution comprises a professor, an associate professor, an assistant professor and an assistant.

2. (Deleted – 16.12.2016, No105).

3. Professors participate in and/or manage the educational process and scientific research.

4. Under the supervision of Professors, Associate Professors and Assistant Professors assistants conduct seminars and carry out research activities within the scope of the study process at a main educational unit.

5. The workload threshold for academic personnel shall be determined by a higher education institution as provided for by its statute.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

### **Article 34 - Procedures for holding academic positions**

1. An academic position may be held only on an open competition basis, which shall comply with the principles of transparency, equality and fair competition; and an academic position at an Orthodox theological higher education institutions may be held under the procedure established by the Catholicos-Patriarch of all Georgia.

2. The date and requirements for conducting competitions shall be published as provided for by the legislation of Georgia and the statute of a higher education institution, within not more than one month prior to the submission of applications.

3. Procedures for a competition shall be determined by the statute of the higher education institution.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*



## **Article 35 - Conditions for the election and appointment to academic positions**

1. To the position of a Professor:

a) for a term determined under the Statute of a higher education institution, may be elected a person with a Doctor's or an equivalent academic degree, who has at least six years of experience in a scientific and pedagogical field, and who meets the additional conditions established by the Statute of a higher education institution.

b) for an indefinite term, may be elected a person who meets the requirements established under sub-paragraph a) of this paragraph, and who has special professional achievements and/or scientific achievements (for instance, has scientific publications in leading local and international journals and other editions, has participated in national and international scientific research projects, etc.);

c) in the field of art (creative activity) (except for theoretical fields) at an art and creative higher education institution, for at least a four-year term, may be elected a person with a Doctor's or an equivalent academic degree, who has at least eight years of experience in a scientific and pedagogical field and/or art (creative activity). Additional requirements may be determined by the Statute of an art and creative higher education institution. If a person is elected to the position of the Professor for a third consecutive term, he/she shall, by decision of an appropriate academic board, hold this position until he/she reaches the age of retirement or the maximum age determined by the higher education institution.

2. A person with a Doctor's academic degree or an equivalent degree, who has at least three years of experience in scientific and pedagogical field, may be elected to the position of an Associate Professor. A person with a Doctor's academic degree or an equivalent degree, who has at least four years of experience in a scientific and pedagogical field and/or art (creative activity), may be elected to the position of an Associate Professor of art (creative activity) (except for theoretical fields) at an art and creative higher education institution for at least a four-year term. Additional requirements may be determined by the Statute of an art and creative higher education institution.

3. A person with a Doctor's academic degree or an equivalent degree may be elected to the position of an Assistant Professor for a three- or four-year term under the procedure defined by the Statute of a higher education institution. A person with a Master's academic degree or an equivalent degree may be elected to the position of an Assistant Professor of art (creative activity) (except for theoretical fields) at an art and creative higher education institution for at least a four-year term.

4. A doctoral student may be elected to the position of an Assistant for a three- or four-year term under the procedure defined by the Statute of a higher education institution. A master's student may be appointed to the position of an Assistant of art (creative activity) (except for theoretical fields) at an art and creative higher education institution for a two- or three-year term under the procedure defined by the Statute of the higher education institution.

4<sup>1</sup>) If elected to the position of a Professor under paragraph 1(a,b) of this article for more than a five-year term, the Professor shall, once in every five years, undergo an attestation under the procedure established by the Statute of a higher education institution. A Professor elected to the position under paragraph 1(a,b) of this article shall not undergo an attestation if he/she is elected to the position of a Professor for more than a five-year term but he/she has left less than a five-years term of powers after five years from his/her election to the position of a Professor.

5. The possibility of occupying academic positions under paragraphs 1-4 of this article by professionally qualified personnel may be defined by the Statute of a higher education institution. In such cases the qualifications of a person may be certified by professional experience, special preparation and/or published works. A person shall be deemed to have appropriate qualification if he/she has the competence required for achieving the study results provided for under the programme.

6. The requirements under this article do not apply to an academic position of an Orthodox theological higher education institution.

## **Article 36 - Labour relations with academic personnel**

1. Labour agreements with academic personnel shall be concluded in accordance with procedures established by the labour legislation of Georgia.

2. A person who has attained the age of 65 may not be elected to an academic position at a higher education institution established by the State, and a person occupying an academic position, who has attained the age of 65 shall be dismissed after the expiration of the term of his/her office.

3. Exceptions to paragraph 2 of this article may be determined by the statute of a higher education institution.



### **Article 37 - Rights of academic personnel**

1. The academic personnel shall have the right to:

- a) participate in the management of the higher education institution as provided for by this Law and the statute of the higher education institution;
- b) carry out the study process, research, creative activities and publish scientific research;
- c) determine the content of the syllabi of educational programmes independently, as well as the teaching methods and mechanisms within the scope of educational programmes;
- d) (Deleted – 17.6.2011, No 4792);
- d) exercise other powers granted to them under this Law and the legislation of Georgia.

2. Academic personnel shall be obliged to:

- a) comply with the requirements determined by the statute of a higher education institution;
- b) observe the Code of Ethics and the rules of disciplinary liability;
- c) comply with obligations undertaken under a labour agreement;
- d) submit a report on the work performed after the completion of research leave.

3. A higher education institution shall ensure freedom of academic personnel in scientific studies and research work and provide appropriate conditions for carrying out their activities.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 37<sup>1</sup> – Scientific personnel of a university**

1. The scientific personnel of an independent scientific research unit may consist of scholars and postdoctoral fellows.

2. Scholars are persons holding the following scientific positions: a chief research fellow, senior research fellow and a research fellow.

3. A postdoctoral fellow shall be a person who is elected on a competition basis at a major educational unit or an independent scientific research unit to carry out a particular scientific research project according to the procedure and for a term determined by the Academic Council. A person may be elected to the position of a postdoctoral fellow only once.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

### **Article 37<sup>2</sup> – Procedure for occupying a scientific position**

1. A scientific position may only be occupied on the basis of an open competition to be conducted according to the transparency, equality and fair competition principles.

2. The position of a chief research fellow:

- a) for a term determined under the Statute of a higher education institution, may be occupied by a person with a Doctor's or an equivalent academic degree, who has at least six years of experience in a scientific research field, and who meets the additional conditions established by the Statute of a higher education institution;
- b) for an indefinite term, may be occupied by a person who meets the requirements established under sub-paragraph a) of this paragraph, and who has special scientific achievements (for instance, has scientific publications in leading local and international journals and other editions, has participated in national and international scientific research projects, etc.)..

3. A person with a Doctor's or an equivalent academic degree may hold the position of a senior research fellow. A person shall hold the position of a senior research fellow for the term determined by the Statute of a higher education institution.

4. A person with a Master's or an equivalent academic degree may hold the position of a research fellow. A person shall hold the position of a research fellow for the term determined by the Statute of a higher education institution.

5. The date of the competition for occupying a scientific position and additional conditions shall be published under the procedure established by the





legislation of Georgia and the regulations of a scientific research unit one month prior to submitting appropriate documents.

5<sup>1</sup>) If elected to the position of a chief research fellow under paragraph 2 of this article for more than a five-year term, the chief research fellow shall, once in every five years, undergo an attestation under the procedure established by the Statute of a higher education institution. A chief research fellow elected to the position under paragraph 2 of this article shall not undergo an attestation if he/she is elected to the position of a chief research fellow for more than a five-year term but he/she has left less than a five-years term of powers after five years from his/her election to the position of a chief research fellow.

6. The procedure for recruiting the scientific personnel of an independent scientific research unit of a university and the additional requirements for occupying a scientific position at an independent scientific research unit of a university shall be developed by the Scientific Council of the independent scientific research unit and submitted to the Academic Council of a higher education institution for review. The Academic Council shall submit the procedure and additional requirements to the Board of Representatives of the higher education institution for approval.

7. The procedure for recruiting the scientific personnel of an independent scientific research unit of a major educational unit and the additional requirements for occupying a scientific position at an independent scientific research unit of a major educational unit shall be developed by the Scientific Council of the independent scientific research unit of the major educational unit and submitted to the Council of the major educational unit for approval.

8. A person with a Doctor's academic degree may be elected as a postdoctoral fellow according to the procedure established by the Academic Council.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

### **Article 37<sup>3</sup> - Labour relations of scientific personnel**

1. A written labour agreement shall be concluded with the scientific personnel.

2. The grounds for terminating a labour agreement with the scientific personnel shall be as follows:

- a) a personal application;
- b) expiration of a fixed-term labour agreement;
- c) gross or systematic violation of disciplinary norms;
- d) violation of the conditions under the labour agreement;
- e) other cases determined by the legislation of Georgia.

3. The issue of compatibility of an academic position and a scientific position shall be determined by the Statute of a higher education institution.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

### **Article 37<sup>4</sup> – Rights and obligations of a scholar**

1. The rights of a scholar shall be determined by the legislation of Georgia, the regulations of an independent scientific research unit and/or under the labour agreement.

2. A scholar shall have the right to:

- a) conduct a scientific research without external interventions and publish the research results without limitation, unless the results are limited under the labour agreement or they contain a state secret;
- b) independently determine the content, methods and means of the scientific research;
- c) participate in the completion of educational and research components of the educational programmes;
- d) along with scientific research activities, participate in competitions for obtaining grant financing, and use the financing under an individual grant/grants and obtain additional financing;
- e) exercise other powers granted by this Law and other legal and subordinate acts of Georgia.

3. A scholar shall:

- a) comply with the requirements established under the legislation of Georgia and the regulations of an independent scientific research unit;
- b) fulfil the obligations under the labour agreement;
- c) annually submit an activity report according to the procedure established by the legislation of Georgia.

4. A university/major educational unit and an independent scientific research unit shall ensure freedom of scientific research of the scientific personnel.



### **Article 38 - (Deleted)**

Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011

### **Article 39 - Academic titles**

1. The administrative positions of a higher education institution established by the State shall be: the Head (Rector) of a higher education institution, the Head of Administration, the Head of a major educational unit and the Director of an independent scientific research unit, and other positions provided for under the Statute of the higher education institution. The administrative positions of a LEPL higher education institution also include the position of the Head of the quality assurance office of a higher education institution and the position of the Head of the quality assurance office of a major educational unit.
2. The procedures and the requirements for granting honorary doctorate degrees or the title of emeritus shall be determined by the statute of a higher education institution. The option to remunerate persons holding the title of emeritus may be determined by the statute.
3. A person with the title of emeritus may not simultaneously hold an academic position at the higher education institution.

Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67

Law of Georgia No 1341 of 26 June 2009 - LHG I, No 16, 7.7.2009, Art. 77

Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011

### **Article 40 - Administrative positions and other personnel**

1. The administrative personnel of a higher education institution established by the State comprise: the Head of the institution, the Head of Administration, the Head of a main educational unit and their Deputy Heads, as well as other persons determined by the statute. The administrative positions at higher education institutions also include the Heads of the quality assurance services of a higher education institution and of a main educational unit.
2. A person who has attained the age of 65 may not be elected or appointed to an administrative position of a higher education institution established by the State, unless otherwise expressly determined by the statute of the higher education institution.
3. The teaching personnel comprise a teacher and a senior teacher.
4. A teacher may carry out practical and laboratory work without holding an academic position.
5. The support personnel comprise other persons included in the staff list who are required for the activities of a higher education institution;
6. A higher education institution may invite a specialist with appropriate qualifications to participate in and/or manage the educational and/or scientific research processes without occupying an academic or a teacher's position determined by this Law.
7. A higher education institution may consider the option of giving remuneration from its budget (out of the income earned from economic activities of the higher education institution, except for the income from study fees established for accredited higher education programmes) to former academic or scientific personnel on account of their special merits before the institution. The procedures and conditions for allocating remuneration shall be determined by the Academic Council and the Board of Representatives of the higher education institution.

Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67

Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118

Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011

Law of Georgia No 3051 of 18 February 2015 - website, 26.2.2015

Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015

### **Article 41 - Dismissal of administrative personnel**

The following may be the grounds for the early dismissal of a person holding an administrative position at a higher education institution established by the State:

- a) the application of the speaker;
- b) the entry into force of a judgement of conviction pronounced by the court against him/her;
- c) death;



- d) recognition of the speaker as a legally incapable person by the court or as a recipient of support, unless otherwise decided by the court;
- e) attainment of the age of 65, unless otherwise expressly provided for the statute of the higher education institution;
- f) dismissal from an academic position of this higher education institution, if holding of the academic position is a precondition for occupying a respective administrative position;
- g) other cases determined by the statute of the higher education institution.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 3374 of 20 March 2015 - website, 31.3.2015*

#### **Article 42 - Incompatibility of offices at higher education institutions established by the State**

1. Administrative personnel may not at the same time hold other administrative positions at the same higher education institution or be the heads of other structural units.

1<sup>1</sup>. If a precondition for occupying an administrative position or for being a member of a management body is the holding of an academic position, the expiration of the term of office of the academic position shall entail the termination of the term of office of corresponding administrative positions or the termination of membership of a management body immediately after the results for the selection of candidates for academic positions have been approved, if the person was not elected to a respective academic position.

2. A member of the Board of Regents may not hold an administrative or academic position at a higher education institution established by the State. A member of the Academic Council may not at the same time hold an administrative position, except position of Rector, or be a member of the Board of Representatives at the same higher education institution.

3. The speaker of the Board of Representatives may not simultaneously hold an administrative position at the same higher education institution.

4. The incompatibility of offices of academic, teaching and support personnel, as well as other cases of incompatibility, shall be determined by the legislation of Georgia and the statute of the higher education institution.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Chapter VI – Students**

#### **Article 43 - Student's rights**

1. Students shall have the right to:

- a) acquire high quality education;
- b) participate in scientific research;
- c) use the material and technical and, library and, informational and other resources of a higher education institution on equal terms, as provided for by the statute, and the internal regulations and provisions of the higher education institution;
- d) (Deleted – 17.6.2011, No 4792);
- e) elect a representative and be elected as a member of the students' self-government body, as well as of the management bodies of the higher education institution and its main educational units on the basis of universal, equal and direct suffrage by secret ballot, as provided for by the statute of the higher education institution;
- f) establish and/or join student organisations independently in according to their interests.
- g) express opinions freely and reasonably refuse to share ideas offered during the study process;
- h) transfer to an alternative higher education institution after the completion of the first year of studies in accordance with procedures established by the legislation of Georgia and the statute of the alternative higher education institution; procedures for transferring a state scholarship shall be determined by the Ministry of Education and Science of Georgia;

h<sup>1</sup>) transfer to alternative Master's Programme by changing higher education institution as provided for by an order of the Minister of Education and Science of Georgia; and transfer a state scholarship, obtained within the percentage thresholds determined for the annual state education scholarship for Master's Programmes allocated under the legislation of Georgia for certain academic disciplines, including prioritised academic disciplines, to another accredited Master's Programme in case of continuing studies for the same academic discipline or prioritised academic discipline at a higher education



institution that is a member of the Unified Post-Graduate Examination Network as provided for by this Law;

i) obtain scholarship, financial or material assistance and other benefits from the State, higher education institution or other sources as provided for by the legislation of Georgia and the statute of the higher education institution;

j) choose an educational programme;

k) participate in preparing an Individual Educational Programme;

l) periodically assess the performance of academic personnel;

m) exercise other rights granted to them under this Law and the legislation of Georgia.

1<sup>1</sup>. If a higher education institution is liquidated without determining its legal successor, or if a higher education institution is no longer authorised to conduct educational activities or if its educational programme is terminated, the right of a student to transfer to an alternative education institution or educational programme shall arise irrespective of the duration of studies at the first institution.

2. (Deleted – 17.6.2011, No 4792).

3. A higher education institution shall allocate benefits for students with disabilities in order to provide them with the necessary conditions for the acquisition of appropriate education as provided for by the legislation of Georgia and the statute of the higher education institution.

4. Personal information disclosed by a student in the presence of academic personnel, or information about personal and political opinions and religious confessions of students which become known to the academic personnel during the study process, as well as information on disciplinary measures against a student shall be confidential, unless otherwise authorised by the student or where it is a legal interest of the administration to ensure the safety and protect the lawful rights of others. Information on the academic performance of a student and on disciplinary measures taken against a student shall be kept separately. The administration shall keep information on a student as provided for by the General Administrative Code of Georgia.

5. A higher education institution may not exercise its rights and use its material and technical base in a manner that increases the risk of imposing censorship or restricting freedom of expression, except for cases determined by paragraph 7 of this article.

6. A higher education institution shall ensure the fair assessment of the students' knowledge, for which the institution shall develop appropriate procedures.

7. Disciplinary proceedings against a student shall be proportionate to the committed disciplinary offence, and may be implemented only in the cases and in accordance with the procedures determined by the statute and the internal regulations of the higher education institution, and shall be conducted in accordance with this Law and by way of fair procedures. A higher education institution shall draft a Code of Ethics for Students that may impose restrictions on certain types of conduct of students related to the educational process. A higher education institution shall thoroughly determine the nature of the conduct that may result in the imposition of disciplinary liability.

8. The initiation of disciplinary proceedings against a student shall not limit the student's right to participate in the study process, except in cases determined by the statute and the internal regulations of the higher education institution, where such participation puts others' rights and, health, or the property and security of the higher education institution, at risk. The decision on initiating disciplinary proceedings against a student shall be made by the higher education institution, and the body authorised to make such decisions shall be determined on the basis of its statute. A student may attend the hearing of his/her case.

9. Upon the initiation of disciplinary proceedings a student shall have the right to:

a) be provided with a written substantiated decision on the initiation of disciplinary proceedings against him/her.

b) attend the hearing of the case of disciplinary proceedings and exercise the rights of defence;

c) provide the appropriate body of the higher education institution with information and evidence available to him/her;

d) participate in the investigation of the evidence obtained by the appropriate body of the higher education institution;

e) require a public hearing of the case of disciplinary proceedings initiated against him/her.

10. During the hearing of the case of disciplinary proceedings the burden of proof rests with the claimant. The decision on the disciplinary proceedings shall be substantiated and be based on the evidence obtained in accordance with procedures established by the legislation of Georgia and the statute and internal regulations of the higher education institution. All evidence that is the basis for the disciplinary proceedings shall be investigated by the appropriate body of the higher education institution.

11. A student may appeal the decision concerning him/her taken by a higher education institution to court .

12. The status of student shall be terminated upon the completion of an appropriate educational programme, or in other cases determined by the statute of the higher education institution.

13. A student of an Orthodox theological higher education institution does not enjoy the rights under paragraph 1(e, l) of this article, nor the rights to obtain state educational scholarships and state educational scholarships for Master's Programmes. A student of an Orthodox theological higher education institution has the right to transfer to another Orthodox theological higher education institution according to the procedure determined by the Catholicos-patriarch of all Georgia and under the procedure established by the Statute of the admitting Orthodox theological higher education institution; also to transfer from an Orthodox theological higher education programme of an Orthodox theological higher education institution to another Orthodox theological higher education programme according to the procedure determined by the Catholicos-patriarch of all Georgia and under the procedure established by the Statute of the Orthodox theological higher education institution.

14. A student of an Orthodox theological higher education institution shall not transfer to another higher education institution, except as provided for



by paragraph 13 of this article.

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 26, 20.8.2009, Art. 148.*

*Law of Georgia No 3529 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 44 - Students' obligations**

In accordance with the curriculum established by a higher education institution a student shall study all subjects that have been selected by him/her or that are mandatory, and shall comply with the statute and the internal regulations of the higher education institution.

#### **Article 45 - Rights of students' self-government bodies**

1. The students' self-government bodies, elected for each main educational unit, shall be established within a higher education institution on the basis of universal, equal and direct suffrage by secret ballot.

2. The unity of students' self-government bodies, elected within the main educational units, shall constitute the self-government of a higher education institution that develops regulations for the students' self-government bodies.

3. Under its regulations the students' self-government bodies shall:

a) ensure the participation of students in the management of the higher education institution;

b) facilitate the protection of the students' rights;

c) elect representatives to the council of the main educational unit;

d) have the right to prepare proposals for improving the management system and quality of studies at the higher education institution, and submit such proposals to an appropriate body;

e) exercise other rights determined by the regulations.

4. The administration of a higher education institution may not intervene in the activities of the students' self-government bodies.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Chapter VII – Levels of Higher Education**

#### **Article 46 - Levels of higher academic education and Orthodox theological higher education**

1. Higher academic education and Orthodox theological higher education shall consist of three levels.

2. The levels of higher academic education and Orthodox theological higher education are:

a) the first level (Bachelor's Programme) – an educational programme that consists of at least 240 credits;

b) the second level (Master's Programme) – an educational programme that consists of at least 120 credits (except in the cases determined by paragraph 22 of this article);

c) the third level (Doctoral Programme) – an educational programme that consists of at least 180 credits.

2<sup>1</sup>. At a higher education institution the educational programme for one academic year consists of an average of 60 credits.

2<sup>2</sup>. A person, holding the certificate determined by Article 472(5) of this Law, shall be granted the academic degree of Master of Education after completion of the Master's Programme in Education that consists of 60 credits.

3. After the completion of each educational level an appropriate diploma together with a diploma supplement shall be granted.

4. A person who has completed or a person who was not able to complete, an appropriate educational level shall be granted an appropriate certificate.



*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 26, 20.8.2009, Art. 148.*

*Law of Georgia No 3529 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 46<sup>1</sup> – Short cycle within the scope of the first level educational programme**

A higher education institution may grant a person an interim qualification after completing a part of an educational programme. An interim qualification may be granted after achieving certain results in studies determined for a part of an appropriate educational programme, which shall not be less than the half of the credits required for the educational programme.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 46<sup>2</sup> – Integrated teacher Bachelor's and Master's education training programme**

1. An integrated teacher Bachelor's and Master's education training programme is a higher education programme developed on the basis of an appropriate standard, which results in awarding an academic Master of Education degree in a subject/ group of subjects of an appropriate general education level.

2. An integrated teacher Bachelor's and Master's education training programme must include at least 300 credits.

3. An integrated teacher Bachelor's and Master's education training programme for a beginner level teacher of general education must include:

a) a subject and a methodological module of a subject/group of subjects of the general education beginner level – at least 180 credits;

b) a selectable component module – not more than 60 credits;

c) school practice and study of practice modules – at least 60 credits.

4. An integrated teacher Bachelor's and Master's education training programme (except for an integrated teacher Bachelor's and Master's education training programme for a beginner level teacher of the general education under paragraph 3 of this article) must include:

a) a subject/group of subjects module – at least 120 credits;

b) a teacher training module – at least 60 credits;

c) a selectable component module – not more than 60 credits;

d) school practice and study of practice module – at least 60 credits.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 47 - (Deleted)**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 47<sup>1</sup> – Medical and/or dental education**

The Medical and/or dental education programme is a one-level higher education programme, after the completion of which the academic degree of a certified medical worker/ dentist shall be granted. The academic degree granted after the completion of education programmes for a certified medical worker consisting of 360 credits and/or for a dentist consisting of 300 credits, is equivalent to the Master's academic degree.

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*



### **Article 47<sup>2</sup> – Teacher's training programme**

1. A teacher education training programme is a higher education programme developed on the basis of an appropriate standard.
2. A person with at least a Bachelor's or an equivalent academic degree, or with an appropriate professional military/sports education shall have the right to take a teacher education training programme.
3. A teacher's training programme consists of 60 credits and it lasts for at least one academic year.
4. The procedures and fees or accreditation of a teacher's training programme shall be determined by the Ministry of Education and Science of Georgia upon the recommendation of the National Centre for Educational Quality Enhancement and the National Centre for Teacher Professional Development.
- 5.

An appropriate certificate shall be granted after completing a teacher education training programme..

30.

### **Article 47<sup>3</sup> – Georgian language education training course**

1. The Georgian language educational training programme shall be mandatory for students enrolled in higher education institutions only on the basis of the results of general aptitude tests of the Unified National Examinations taken in the Azerbaijani, Armenian, Abkhazian and Ossetian languages in order for the students to continue studying for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programmes.
2. The Georgian language education training programme consists of 60 credits and it is mandatory to complete the programme during the first academic year.
3. After completing the Georgian language education training programme the higher education institution shall grant an appropriate certificate.
4. After completing the Georgian language educational training programme, students enrolled in higher education institutions only on the basis of the results of the general aptitude tests of the Unified National Examinations in the Azerbaijani, Armenian, Abkhazian, and Ossetian languages shall continue studying for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programmes at the same higher education institution.
5. Entrants who want to be admitted to higher education institutions by passing the general aptitude tests of the Unified National Examinations only in the Azerbaijani, Armenian Abkhazian and Ossetian languages, and who are going to study for arts/sports educational programmes after completing a Georgian language education training course, are obliged to participate in an appropriate competition as provided for by the institutions carrying out arts or sports educational programmes.
6. After completing the Georgian language educational training programme, students enrolled in higher education institutions only on the basis of the results of the general aptitude tests of the Unified National Examinations in Azerbaijani, Armenian, Abkhazian and Ossetian languages shall continue studying for Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programmes in the Georgian language.
7. All higher education institutions established by the State are obliged to admit students who are being trained under the Georgian language education training programme, on the basis of the results of the general aptitude tests of the Unified National Examinations only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages.
8. Persons enrolled in higher education institutions under Article 52(3) of this Law shall have the right to take the Georgian language educational training programme in order to continue studying for Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programmes. The Georgian language educational training programme consists of 60 credits. It can be done only during the first academic year. After completing this educational programme the higher education institution shall grant a certificate evidencing completion of the programme.



#### **Article 47<sup>4</sup> – E-learning**

1. E-learning shall imply carrying out the study process through the Learning Management System (LMS). The LMS is an internet-based software that is necessary for organising and managing the study process based on information and communication technologies, for delivering learning materials, providing student-to-student communication and/or communication with the personnel of a higher education institution, for testing, consultation, and monitoring of students' progress, and other purposes.
2. E-learning is carried out through asynchronous and/or synchronous communication. In asynchronous communication, a sender and a receiver of information do not communicate simultaneously, while synchronous means simultaneous communication between a sender and a receiver.
3. An e-learning programme shall be prepared in accordance with the requirements determined for a higher education programme under this Law. After completing an e-learning programme a person shall be granted an appropriate qualification and a document certifying such qualification.
4. Students may be admitted to an e-learning programme only during the first and second levels of higher academic education as provided for by Chapter VIII of this Law.
5. (Deleted – 17.6.2011, No 4792);

*Law of Georgia No 4209 of 22 February 2011 - website, 10.3.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Article 47<sup>5</sup> – Orthodox theological higher education programmes**

1. **Orthodox theological higher education** institutions may carry out the following educational programmes:

- a) an educational programme in theology;
- b) an educational programme in iconography;
- c) an educational programme in church architecture (art of building);
- d) an educational programme in church music and church musicology;
- e) an educational programme in Christian psychology;
- f) an educational programme in Christian art;
- g) an educational programme in easel and monumental iconography restoration;
- h) an educational programme in Christian philosophy.

2. After completing the educational programmes specified by paragraph 1 of this article, a diploma and a diploma supplement recognised by the State shall be granted, the template of which shall be approved by the Head of an Orthodox theological higher education institution upon the agreement of the National Centre for Educational Quality Enhancement.

3. The education obtained by a person after completing one of the educational programmes under paragraph 1 of this article shall be considered as being unconditionally recognised by the State.

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 47<sup>6</sup> – Programmes at the Technology Institute**

1. The Technology Institute shall be entitled to implement doctoral education programmes, master's education programmes and post-higher education research programmes approved on the recommendation of the Board of International Advisors of the Technology Institute.
2. A diploma recognised by the State shall be awarded after completion of a programme under paragraph 1 of this article.

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

#### **Article 48 - Bachelor's and Master's Programmes**





1. A person, holding a document certifying complete general education or its equivalent document issued in Georgia, may continue studies for a Bachelor's Programme.

2. The purpose of a Bachelor's Programme, in addition to professional training at a higher than complete general education, is to deepen the knowledge of theoretical aspects of academic disciplines in order to ensure the training of persons through research programmes for continuing studies for a Master's academic degree and for working within the limits determined by the legislation of Georgia.

2<sup>1</sup>. The qualification to be granted after completing a Bachelor's Programme shall include the term 'Bachelor' and shall specify an appropriate discipline and/or field or specialisation.

3. A person with at least a Bachelor's academic degree or its equivalent may continue studies for a Master's Programme.

4. A Master's Programme aims to:

- a) train a student for scientific research work and pedagogical work at higher education institutions;
- b) change specialisation (except for a regulated educational programme);
- c) upgrade qualifications.

5. A Master's Programme, except for arts and sports higher educational programmes, may not comprise studies only. It also shall include independent research to be conducted by the students, on the basis of which they submit qualification papers.

5<sup>1</sup>. The qualification to be granted after completing a Master's Programme shall include the term "Master" and specify an appropriate discipline, field and/or specialisation and/or sub-field and/or sub-specialisation.

6. (Deleted).

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Article 49 - Doctoral Programmes**

1. A person with at least a Master's academic degree or its equivalent may continue studies for a Doctoral Programme.

2. A higher education institution shall provide a doctoral student with a supervisor, and shall ensure for him/her appropriate conditions for carrying out works focused on a scientific research, which shall include substantiated results of theory and experiments, and shall also facilitate the integration of a doctoral student into the international scientific community.

3. After completing a Doctoral programme and after presenting a dissertation a doctoral student shall be granted an academic degree the title of which shall include the term "Doctor" and specify an appropriate discipline and/or field and/or speciality.

4. Doctor's academic degree shall be granted by a Dissertation Council as provided for by appropriate regulations.

5. (Deleted – 17.6.2011, No 4792);

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 49<sup>1</sup> – Joint higher education programmes**

1. For consolidation and rational allocation of their own resources, for carrying out joint activities for integration into the international education



environment and facilitation of regional development, the higher education programmes specified by Articles 47 – 49 of this Law may be jointly carried out by several Georgian higher education institutions and/or a foreign higher education institution recognised by a foreign legislation. The procedure for carrying out a joint higher education programmes shall be jointly established by higher education institutions.

2. The higher education programmes under Articles 47<sup>1</sup>– 49 of this Law may be jointly carried out by a Georgian higher education institution/institutions and an independent scientific research unit/units and/or a LEPL scientific research institution within a LEPL university, and/or a LEPL scientific research institution.

3. In order to carry out a joint higher education programme, the institutions intending to carry out the programme shall sign an agreement, under which the content of the joint higher education programme and the form of its implementation is determined. The draft agreement under this paragraph must be agreed upon with the National Centre for Educational Quality Enhancement.

4. After completion of a joint higher education programme a joint academic degree shall be awarded by a higher education institution/institutions implementing the programme, which is determined under an appropriate agreement.

5. A joint programme, which requires accreditation under this Law, may only be carried out after obtaining accreditation. The accreditation of a joint programmes shall be performed under the procedure established by the legislation of Georgia, except as provided for by paragraph 6 of this article.

6. The accreditation of a joint higher education programme carried out together with a higher education institution recognised by a foreign legislation may be performed by an appropriately authorised foreign organisation recognised by the National Centre for Educational Quality Enhancement.

7. The accreditation of a joint higher education programme carried out together with a higher education institution recognised by a foreign legislation and/or the recognition of the accreditation granted by a foreign organisation shall be performed according to the procedure established under the accreditation Statute of educational programmes of the educational institutions.

8. A student shall be admitted to a joint higher education programme according to the procedure established under the legislation of a respective country at one of the higher education institutions preliminarily agreed upon between the higher education institutions implementing the programme.

9. A student admitted to a joint higher education programme of several Georgian higher education institutions shall be included in the total number of students determined for each of the higher education institutions.

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 49<sup>2</sup> – Exchange programmes**

1. Before concluding an agreement on a student exchange programme with a foreign higher education institution, the Georgian higher education institution shall obtain information, in a written form, from the National Centre for Educational Quality Enhancement, on the recognition of the foreign higher education institution by the legislation of the foreign country.

2. A student participating in an exchange programme of a higher education institution recognised by the legislation of a foreign country, who has acquired the status of a student at a higher education institution recognised by a foreign country, may continue studies at an appropriate educational level of higher education at a partner Georgian higher education institution on the basis of the act issued by the Head of this higher education institution.

3. A student participating in an exchange programme, who has acquired the status of a student at a Georgian higher education institution, may continue studies at a partner foreign higher education institution as provided for by the legislation of that foreign country.

4. The status of students who have left Georgia within education exchange programmes and who participate in exchange programmes may not be suspended.

5. Foreign students participating in exchange programmes, who continue studies at Georgian higher education institutions, shall not be included in the total number of students registered at such institutions.

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

#### **Article 50 - Recognition of education acquired abroad**

1. Qualifications or education acquired at a foreign higher education institution shall be recognised only if they comply with the appropriate qualifications granted by Georgian higher education institutions. The compliance with the study results and granted qualification may be established irrespective of the duration of the studies.

2. Qualifications or education acquired at a foreign higher education institution shall be recognised by the National Centre for Educational Quality Enhancement in accordance with procedures established by the international agreements of Georgia and the Minister of Education and Science of Georgia.

3. The decision to admit an entrant or a student holding a foreign educational document to a Georgian higher education institution shall be made by an appropriate higher education institution under the legislation of Georgia, on the basis of the document certifying recognition issued by the National



*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

## **Chapter VIII – Admission of Students to Higher Education Institutions**

### **Article 51 - National Assessment and Examinations Centre**

1. The National Assessment and Examinations Centre is a legal entity under public law that organises Unified National and Unified Postgraduate Examinations and is authorised to carry out national assessments and international research work and to exercise other rights determined by the legislation of Georgia.

1<sup>1</sup>. When exercising its powers the National Assessment and Examinations Centre shall develop databases in accordance with the procedures determined by the Minister of Education and Science of Georgia. In order to ensure access to information gathered in the process of keeping the databases and in the process of organising Unified National and Unified Postgraduate Examinations and also in exercising other rights, the National Assessment and Examinations Centre may use its available means, including telephones, insured post packages, e-mails, short text messages and others.

1<sup>2</sup>. The fees for services provided by the National Assessment and Examinations Centre may be defined, and their amount and payment procedures shall be determined by the Minister of Education and Science of Georgia.

2. The regulations of the National Assessment and Examinations Centre shall be developed and approved by the Minister of Education and Science of Georgia.

3. A Director of the National Assessment and Examinations Centre shall be appointed to and dismissed from the position by the Minister of Education and Science of Georgia upon the agreement with the Prime Minister of Georgia.

3<sup>1</sup>. When exercising its powers the National Assessment and Examinations Centre may receive, keep and issue any document in a written or electronic form. The electronic document and its printed form shall have the same legal force as the written document. The procedures for and terms and conditions of receiving, keeping and issuing electronic documents by the National Assessment and Examinations Centre shall be determined by the Minister of Education and Science of Georgia.

4. The results of the Unified National Examinations conducted by the National Assessment and Examinations Centre shall be binding for all higher education institutions and shall serve as a basis for granting state scholarships to the citizens or residents of Georgia in order to acquire higher education. All applicants presenting a document certifying complete general education or its equivalent document issued in Georgia shall be eligible to take part in the Unified National Examinations.

5. The results of the Unified Postgraduate Examinations conducted by the National Assessment and Examinations Centre shall be binding for higher education institutions.

6. All persons presenting a document that certifies an academic degree of higher education issued under the legislation of Georgia shall be eligible to take part in the examination/examinations conducted by higher education institutions in order to be admitted to the accredited Master's Programmes.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 2941 of 20 April 2010 - LHG I, No 23, 4.5.2010, Art. 123*

*Law of Georgia No 3529 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*



**Article 52 - Grounds for the admission of students to the Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programmes of higher education institutions**

1. Only an applicant that has passed appropriate Unified National Examinations under the procedure approved by the Ministry of Education and Science of Georgia shall be eligible to study for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational programme in a higher education institution.

1<sup>1</sup>. Students shall be admitted to Orthodox theological higher education institutions on the Bachelor's Programme in theology on the basis of a proposal submitted by the Catholicos-Patriarch of all Georgia, in accordance with the procedures established by the Ministry of Education and Science of Georgia and based on the results received in individual subjects at the Unified National Examinations.

2. Before taking part in the Unified National Examinations, entrants shall take part in a respective competition:

- a) to acquire higher arts or sports education as provided for by higher education institutions carrying out arts or sports educational programmes;
- b) to acquire the right to go through the procedures determined by the legislation of Georgia for admission to higher military education institutions in accordance with the procedures established by these institutions.

3. For the purpose of supporting entrants and for ensuring the mobility of students, admission to higher education institutions without passing the Unified National Examinations, in accordance with the procedures and within the periods established by the Ministry of Education and Science of Georgia, shall be permitted for:

- a) citizens of foreign countries or stateless persons who have acquired complete general education or equivalent education in a foreign country;
- b) citizens of Georgia who have acquired complete general education or its equivalent education in a foreign country, and have studied on a complete general educational programme in a foreign country for previous two years;
- c) citizens of foreign countries (except for students participating in a joint higher education programme and students participating in an higher education exchange programme) who study/have studied and have acquired credits/qualification in a foreign country at a higher education institution recognised under the legislation of that country.
- d) citizens of Georgia (except for students participating in a joint higher education programme and students participating in an higher education exchange programme) who live/have lived and study/have studied for the period determined by the Ministry of Education and Sciences of Georgia and who have acquired credits/qualification in a foreign country at a higher education institution recognised under the legislation of that country.

4. (Deleted – 6.8.2013, No 917).

5. A higher education institution intending to admit students to a Bachelor's, integrated teacher Bachelor's and Master's training, medical worker's/dentist's educational programmes shall announce a coefficient assigned by its own educational programmes to an applicant's result for each examination subject. On the basis of the Unified National Examinations applicants shall be admitted to educational programmes according to the coefficients assigned to the examination subjects.

5<sup>1</sup>. Higher education institutions that admit students who pass the general aptitude tests of the Unified National Examinations only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages, shall announce admission of students on the basis of the results of the general aptitude tests of the Unified National Examinations only in Azerbaijani, Armenian, Abkhazian and Ossetian languages within the threshold determined for higher education institutions by the National Centre for Education Quality Enhancement, which shall amount to the following percentage of the total number of students to be admitted on the basis of the results of the Unified National Examinations:

- a) 5% – for students to be admitted only on the basis of the results of the general aptitude tests in the Azerbaijani language;
- b) 5% – for students to be admitted only on the basis of the results of the general aptitude tests in the Armenian language;
- c) 1% – for students to be admitted only on the basis of the results of the general aptitude tests in the Abkhazian language;
- d) 1% – for students to be admitted only on the basis of the results of the general aptitude tests in the Ossetian language.

5<sup>2</sup>. Taking into consideration the number of entrants to be admitted on the basis of the tests of the Unified National Examinations only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages, and who have been registered in a respective year, the percentage distributions determined by paragraph 5<sup>1</sup> of this article may be changed by the total percentage value upon the reasonable decision of the higher education institution and the approval of the Ministry of Education and Science of Georgia.

6. Within the limits of the number of students determined as a result of authorisation, a higher education institution may define the admission limit for the persons specified in paragraph 3 of this article.

7. (Deleted).

8. Upon the recommendation of the Ministry of Education and Science of Georgia, the Government of Georgia shall be authorised to determine the amount, and the terms and conditions, of financing for students under the social programme admitted to accredited higher educational programmes, in no less than 6% and no more than 20% of the annual volume for financing state educational scholarships.

9. The National Assessment and Examinations Centre shall compile the lists of applicants that have passed the Unified National Examinations and acquired the right to study for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's educational



programme at a major educational unit, and shall forward the lists to the appropriate major educational unit.

9<sup>1</sup>. The National Assessment and Examinations Centre shall compile the lists of entrants having taken national examinations, who are to be admitted on the basis of the results of the general aptitude tests only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages, and who are to take a Georgian language education training programme and who have obtained the right to study at a higher education institution; the National Assessment and Examinations Centre shall forward the above lists to the appropriate higher education institutions.

10. Higher education institutions and main educational units shall admit entrants only in accordance with the lists specified by paragraphs 9 and 9<sup>1</sup> of this article, except for the persons determined by paragraph 3 of this article.

11. Admission to a branch of a higher education institution shall be carried out by the higher education institution. This article shall not apply to the branches specified by Article 14(4) of this Law.

*Law of Georgia No 1443 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 170*

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 5533 of 4 December 2007 - LHG I, No 43, 12.12.2007, Art. 392*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

## **Article 52<sup>1</sup> – Grounds for admission to second level educational programmes of higher academic education at higher education institutions**

1. Only Master's candidates, who have overcome the minimum threshold limit determined by the legislation of Georgia or by a higher education institution under Article 10(1)(d<sup>2</sup>) of this Law as provided for by the legislation of Georgia, may take part in the examination / examinations determined by the higher education institution for the academic disciplines, including prioritised academic disciplines, of the higher education institution, which institution is a member of the Unified Postgraduate Examination Network.

1<sup>1</sup>. Students shall be admitted to the Master's Programme in theology of an Orthodox theological higher education institution in accordance with the procedures established by the Catholicos-Patriarch of all Georgia, without passing the Unified Postgraduate Examinations.

2. A higher education institution, which is a member of the Unified Postgraduate Examination Network, shall not be authorised to admit Master's candidates who have failed to overcome the minimum threshold limit of the Unified Postgraduate Examinations determined by the legislation of Georgia or by the higher education institution under Article 10(1)(d<sup>2</sup>) of this Law, to take part in the examination/examinations determined by the institution.

3. (Deleted – 28.2.2012, No 5718).

4. Only Master's candidates who have passed the Unified Postgraduate Examination/Examinations under this Law may study for the academic disciplines, including for the prioritised academic disciplines, of Master's Programmes of higher education institutions that are members of the Unified Postgraduate Examinations Network, except for Master's Programmes in arts or sports, where candidates are not admitted to these programmes on the basis of passing the Unified Postgraduate Examinations. This procedure shall not apply to the persons specified by paragraphs 7 and 7<sup>1</sup> of this article.

5. If a higher education institution, which is a member of the Unified Postgraduate Examinations Network, assigns coefficients to the individual parts of the tests of the Unified Postgraduate Examinations in the cases determined by Article 10(1)(d<sup>1</sup>) of this Law, the higher education institution shall use the total of coefficients of the postgraduate examinations determined by it for admission to the Master's Programmes.



6. If a higher education institution, which is a member of the Unified Postgraduate Examinations Network, fails to assign coefficients to the individual parts of the tests of the Unified Postgraduate Examinations in the cases determined by Article 10(1)(d<sup>1</sup>) of this Law, the higher education institution shall use the coefficients of the examination/examinations determined by it for admission to the Master's Programmes.

7. For the purpose of supporting Master's candidates and for ensuring the mobility of students, studying at higher education institutions without passing the Unified Postgraduate Examinations in accordance with the procedures and within the periods determined by the Ministry of Education and Science of Georgia, shall be permitted for:

a) Master's candidates who have obtained certificates of academic degrees of appropriate higher education abroad;

b) citizens of foreign countries (except for students participating in a joint higher education programme and students participating in an education exchange programme) who are/were studying and have acquired credits/qualification in a foreign country at a graduate school of a higher education institution recognised under the legislation of that country;

b<sup>1</sup>) citizens of Georgia (except for students participating in a joint higher education programme and students participating in an education exchange programme) who live/have lived and study/have studied for the period determined by the Ministry of Education and Science of Georgia and who have acquired credits/qualification in a foreign country at a graduate school of a higher education institution recognised under the legislation of that country.

c) Master's candidates who have been admitted to higher education institutions under Article 52(3) of this Law.

7<sup>1</sup>. Admission to study at higher education institutions without passing the Unified Postgraduate Examinations shall be permitted for persons who have overcome the minimum threshold limit in the examination determined by the list of international examinations approved by the Ministry of Education and Science of Georgia.

8. Candidates for Master's Programmes in arts and sports shall be admitted in accordance with the procedures established by higher education institutions, except for cases where candidates are admitted to these programmes on the basis of the Unified Postgraduate Examinations.

9. Within the range of the number of students determined as a result of the authorisation, a higher education institution may define the admission limit for the persons specified in paragraphs 7 and 7<sup>1</sup> of this article.

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

### **Article 53 - Unified National and Unified Postgraduate Examinations**

1. Unified National and Unified Postgraduate Examinations shall be prepared and conducted by the National Assessment and Examinations Centre.

2. The Ministry of Education and Science of Georgia shall approve the regulations for conducting the Unified National Examinations and the procedures for the allocation and distribution of state educational scholarships, and the regulations for conducting the Unified Postgraduate Examinations and the procedures for the allocation and distribution of state educational scholarships for Master's Programmes, upon the recommendation of the National Assessment and Examinations Centre.

3. Persons interested in taking part in the Unified National and Unified Postgraduate Examinations shall apply to the National Assessment and Examinations Centre in a written and/or electronic form by means of special software. The procedures and conditions for submitting applications shall be established by the Minister of Education and Science of Georgia upon the recommendation of the National Assessment and Examinations Centre.

3<sup>1</sup>. (Deleted – 11.3.2011, No 4431).

4. (Deleted – 11.3.2011, No 4431).

5. (Deleted).



6. The Unified National Examinations programme shall be approved by the Minister of Education and Science of Georgia upon the recommendation of the National Assessment and Examinations Centre.

7. A fee for taking part in the Unified National and Postgraduate Examinations shall be determined by a normative administrative act of the Minister of Education and Science of Georgia. The procedures for, and the terms and conditions, of exemption from the payment of fees shall be approved by the Minister of Education and Science of Georgia.

8. The Ministry of Education and Science of Georgia may determine the periods and procedures for submitting and reviewing administrative complaints regarding the Unified National and Unified Postgraduate Examinations, other than the periods and procedures determined by the General Administrative Code of Georgia. The decisions made by the National Assessment and Examinations Centre with regard to the Unified National and Unified Postgraduate Examinations may be appealed to court and the appeal thereof shall not cause the suspension of the disputed acts in proceedings.

*Law of Georgia No 1443 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 170*

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

#### **Article 54 - Granting of state educational scholarships**

1. On the basis of the results of the Unified National Examinations the National Assessment and Examinations Centre shall prepare a document on the granting of state educational scholarships, except for the cases determined by Article 54<sup>2</sup> of this Law.

2. State educational scholarships shall be granted in accordance with the procedures determined by the Minister of Education and Science of Georgia.

2<sup>1</sup>. The procedure for financing those students enrolled only on the basis of the results of general aptitude tests of the Unified National Examinations in the Azerbaijani, Armenian, Abkhazian and Ossetian languages that must study for the Georgian language education training programme and continue studies for a Bachelor's, integrated teacher Bachelor's and Master's training, medical worker's/dentist's educational programme shall be determined by the Minister of Education and Science of Georgia.

3. (Deleted – 22.3.2013, No 388).

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 54<sup>1</sup> – Granting of state educational scholarships for Master's programmes**

1. (Deleted – 22.3.2013, No 388).

2. The accredited academic disciplines of the Master's Programmes of higher education institutions which are members of the Unified Postgraduate Examinations Network, shall be equally financed within the percentage threshold limit allocated for academic disciplines out of the annual amount of state educational scholarships for Master's Programmes as provided for by the legislation of Georgia, and shall be distributed among the Master's students in the form of a state educational scholarship for Master's Programmes in accordance with the absolute ranking of the score / scores of the



Unified Postgraduate Examinations in each academic discipline as provided for by the legislation of Georgia.

3. The accredited prioritised academic disciplines of the Master's Programmes of higher education institutions which are the members of the Unified Postgraduate Examinations Network, shall be equally financed within the percentage threshold limit allocated for the prioritised academic disciplines out of the annual amount of state educational scholarships for Master's Programmes as provided for by the legislation of Georgia, and shall be distributed among the Master's students in the form of a state educational scholarship for Master's Programmes in accordance with the absolute ranking of the score/scores of the Unified Postgraduate Examinations in each prioritised academic discipline as provided for by the legislation of Georgia.

4. After organising the examination/examinations determined by a higher education institution, which is a member of the Unified Postgraduate Examinations Network, and after the submission of the results of the examination/examinations by the higher education institution, the document of absolute ranking of the score/scores of the Unified Postgraduate Examinations for each academic discipline, including for prioritised academic disciplines of the accredited Master's Programmes, shall be approved by the National Assessment and Examinations Centre.

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

#### **Article 54<sup>2</sup> – Awarding of state study grants to persons enrolled for teacher education training programmes**

A person enrolled for a teacher education training programme shall be awarded a state study grant under the procedure approved by the Ministry of Education and Science of Georgia.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 55 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

#### **Article 55<sup>1</sup> – Unified Postgraduate Examinations Certificate**

1. Unified Postgraduate Examinations Certificates, specifying the scores gained shall be granted to Master's candidates who have passed the Unified Postgraduate Examinations.

2. (Deleted – 22.3.2013, No 388).

3. (Deleted – 11.3.2011, No 4431).

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 4431 of 11 March 2011 - website, 22.3.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

#### **Article 56 – Procedures for admission to Master's and Doctoral Programmes**

1. The procedures for admission to Master's and Doctoral Programmes shall be defined under the By-law of a respective major educational unit of a higher education institution, based on the requirements of this Law.

2. Persons shall be admitted to the Master's and Doctoral Programmes of the Technology Institute under the procedure established by the legislation of Georgia, or under the procedure established by the Technology Institute. An applicant for a Master's or Doctoral Programme of the Technology Institute must submit a document evidencing the academic degree of higher education issued under the procedure established by the legislation of Georgia.

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*





## Chapter VIII<sup>1</sup> – Authorisation

Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299

### Article 56<sup>1</sup> – Scope of authorisation

1. Authorization is a procedure for acquiring the status of a higher education institution, which is intended to ensure the meeting of standards necessary for the implementation of appropriate activities in order to issue an education certificate recognised by the State.
2. Authorisation standards shall apply to:
  - a) the mission of a higher educational institution and its strategic development;
  - b) organizational structure and management of higher educational institutions;
  - c) educational programmes;
  - d) personnel of a higher educational institution;
  - e) students and activities for their facilitation;
  - f) research, development and/or other creative activity;
  - g) material, informational and financial resources.
3. The term of authorisation is six years.
4. Authorization shall be carried out by the National Centre for Educational Quality Enhancement as provided for by the Authorisation Regulations of an Education Institutions.

Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299

Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016

### Article 56<sup>2</sup> – Decisions with regard to authorisation

1. In order to carry out authorisation of higher education institutions the National Centre for Educational Quality Enhancement shall form a Group of Experts for Authorisation of a Higher Education Institution, the rules of formation and activities of which shall be determined by the Authorisation Regulations of Education Institution.
2. The decision with regard to authorisation is made by the Authorisation Council for Higher Education Institutions ('the Authorisation Council'), the members of which shall be appointed and dismissed by the Prime Minister of Georgia upon the recommendation of the Ministry of Education and Science of Georgia. Members of the Authorisation Council may not be public officials. The authority of the Authorisation Council shall be determined by the Authorisation Regulations of the Education Institutions, which guarantees its functional independence from educational institutions and state bodies.
3. On the basis of the authorisation documents and the opinion of the Group of Experts for Authorisation of a Higher Education Institution the Authorisation Council shall make decisions with regard to:
  - a) authorisation;
  - b) refusal of authorisation;
  - c) revocation of authorisation.
4. The Authorisation Council shall justify all decisions made by it.
5. Decisions with regard to authorisation shall be published on the website of the National Centre for Educational Quality Enhancement within 10 days of the decision being made.

Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299

Law of Georgia No 351 of 20 March 2013 - website, 28.3.2013

Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016



### **Article 56<sup>3</sup> – Decision with regard to authorisation and legal consequences of authorisation**

1. A decision with regard to authorisation shall be made if an education institution meets all the authorisation standards.
2. When the decision with regard to authorisation is made, the Authorisation Council shall determine the limit of the number of students to be admitted to a higher education institution for the term of the authorisation, as provided for by the Authorisation Regulations of the Education Institutions.
3. As a result of authorisation, a higher education institution may admit students as provided for by the legislation of Georgia and may issue documents certifying qualification.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

### **Article 56<sup>4</sup> – Decisions to refuse or revoke authorisation and legal consequences thereof**

1. Decisions to refuse or revoke authorisation shall be made where an education institution fails to meet one of the authorisation standards.
2. On the basis of the inspection results of a higher education institution the Authorisation Council may make a decision to revoke the authorisation of the higher education institution upon the recommendation of the National Centre for Educational Quality Enhancement, where the institution fails to meet the authorisation standards or violates the legislation of Georgia in the field of education regarding the origination, suspension or termination of student or vocational student status.
3. If authorisation is refused or revoked:
  - a) the institution shall not be able to acquire and/or shall be deprived of the status of an education institution;
  - b) the student status of the students of the institution shall be suspended for five years and said students may exercise their right to mobility.
4. In the event of refusing to authorise or if a decision to revoke an authorisation is made, a legal person shall be authorised to submit an authorisation application to the National Centre for Educational Quality Enhancement a year after a refusal to authorise or after a decision to revoke an authorisation is taken.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

### **Article 56<sup>5</sup> – Implementation of theological education programmes**

Institutions that deliver only theological educational programmes shall acquire authorisation for and accreditation of their educational programmes in accordance with other procedures established by the Ministry of Education and Science of Georgia.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Article 56<sup>6</sup> – Implementation of education programmes by the Technology Institute**

The Technology Institute shall be authorised and the education programmes shall be accredited under the Law of Georgia on Establishment of the Legal Entity under Public Law – the Technology Institute.

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

## **Chapter IX – (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

### **Article 57 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

### **Article 58 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

### **Article 59 - (Deleted)**



**Article 60 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

**Article 61 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

**Article 62 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

**Chapter X – Process of Accreditation**

**Article 63 - Scope of accreditation**

1. The purpose of accreditation is to introduce a systematic self-evaluation of education institutions and facilitate the development of quality assurance mechanisms for the improvement of education quality by means of determining the compliance of educational programmes of higher education institutions with accreditation standards.

1<sup>1</sup>. The accreditation procedures determined by this Law do not apply to the Orthodox theological higher education programmes delivered by Orthodox theological higher education institutions.

1<sup>2</sup>. The accreditation procedures established under this Law shall not apply to the education programmes implemented by the Technology Institute.

2. Accreditation standards shall be as follows:

- a) the purpose of an educational programme, outcomes of studies and their compliance with the programme;
- b) methodology and organisation of studies, adequacy of assessing the proficiency level of the programme;
- c) achievement of the students, individual work with them;
- d) provision of studies with necessary resources ;
- e) opportunities for the improvement of education quality .

3. State educational scholarships and state educational scholarships for Master's Programmes shall be allocated to finance only accredited educational programmes of higher education institutions.

4. Regulated programmes, teachers' training programmes and Georgian language education training programmes, also Doctoral Programmes, except for Doctoral Programmes in Orthodox theology of Orthodox theological higher education institutions, shall be put into effect only after obtaining accreditation.

5. The accreditation process shall be carried out by the National Centre for Educational Quality Enhancement.

6. To take decisions with regard to accreditation the Accreditation Council for Educational Programmes ('the Accreditation Council') shall be established, the members of which shall be appointed and dismissed by the Prime Minister of Georgia upon the recommendation of the Ministry of Education and Science of Georgia. Members of the Accreditation Council may not be public officials. The authority of the Accreditation Council shall be determined by the Accreditation Regulations of the Educational Programmes of Education Institutions, which guarantees its functional independence from education institutions and state bodies.

7. The National Centre for Educational Quality Enhancement shall monitor compliance with accreditation conditions. If accreditation conditions are violated, the National Centre for Educational Quality Enhancement may require the Accreditation Council to revoke accreditation.

8. Higher education institutions, including legal entities under public law, may jointly establish a legal entity under private law for quality assurance purposes, assessments of which may be reviewed by the National Centre for Educational Quality Enhancement during the accreditation process of the educational programmes of higher education institutions.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*



*Law of Georgia No 1916 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 226*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 2941 of 20 April 2010 - LHG I, No 23, 4.5.2010, Art. 123*

*Law of Georgia No 3529 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 4562 of 25 November 2015 - website, 8.12.2015*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

#### **Article 64 - Group of Accreditation Experts**

1. For the purposes of implementing accreditation the National Centre for Educational Quality Enhancement shall form a Group of Accreditation Experts, and the procedures for its establishment and the rules of its activities shall be determined by the Regulations for the Accreditation of Educational Programmes of Education Institutions.

2. The first step of accreditation is self-assessment, which shall be performed by the accreditation applicant on the basis of the templates preliminarily provided to the accreditation applicant by the National Centre for Educational Quality Enhancement.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 65 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 66 - Decisions with regard to accreditation**

1. Decisions with regard to the accreditation of educational programmes of higher education institutions shall be made by the Accreditation Council in accordance with the Accreditation Regulations of the Educational Programmes of Education Institutions and based on the opinion of a Group of Accreditation Experts as provided for by the legislation of Georgia.

2. With regard to accreditation there may be four types of decisions on:

- a) accreditation
- b) conditional accreditation
- c) refusing accreditation
- d) revoking accreditation.

3. The term of accreditation is seven years. The term of conditional accreditation is no more than two years. In the case of expiry of the term of authorisation or revocation of authorisation, accreditation shall be also revoked.

3<sup>1</sup>. In the case of the first and each subsequent accreditation of the higher education institution, a decision with regard to accreditation shall be taken in the event the higher educational programme meets all accreditation standards.

3<sup>2</sup>. In the case of each subsequent accreditation of the higher education institution a decision with regard to a conditional accreditation shall be taken in the cases defined by the Accreditation Regulations of the Educational Programmes of Education Institutions and in accordance with the established procedures, if the higher educational programme fails to fully meet the accreditation standards.

3<sup>3</sup>. A decision with regard to a conditional accreditation of a higher educational programme may be taken twice successively;



4. If accreditation is refused or revoked:

a) the higher education institution shall be deprived of the right to acquire state educational scholarships for appropriate educational programmes and state educational scholarships for Master's Programmes;

b) the students whose studies were being financed by state educational scholarships may move to other accredited educational programmes, and transfer the remaining part of the obtained state educational scholarship or state educational scholarship for Master's Programmes to the optional educational programme;

c) the higher education institution shall terminate the delivery of regulated programmes, teachers' training programmes, Georgian language education training programmes and Doctoral Programmes. In such case student status of students shall be suspended for five years and said students may exercise their right to mobility.

5. In accordance with the procedures established by the Ministry of Education and Science of Georgia, the National Centre for Educational Quality Enhancement shall annually approve the threshold limit of students to be admitted to higher academic educational programme / programmes determined by higher education institutions, and the threshold limit of students to be admitted on the basis of the results of the general aptitude tests of the Unified National Examinations only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

#### **Article 66<sup>1</sup> – (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

### **Chapter XI – (Deleted)**

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 67 - Types of accreditation**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 68 - Institutional accreditation**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 69 - (Deleted)**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

#### **Article 70 - (Deleted)**



**Article 71 - (Deleted)**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

**Article 72 - (Deleted)**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

**Article 73 - (Deleted)**

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

**Article 74 - (Deleted)**

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

**Chapter XII – Accreditation of Regulated Educational Programmes**

**Article 75 - Regulated educational programmes**

1. Regulated educational programmes shall be regulated by appropriate legislation.

2. Regulated academic higher education programmes are:

- a) legal;
- b) medical;
- c) pedagogical;
- d) (Deleted);
- e) maritime.

3. The procedures and fees for accreditation of regulated higher academic educational programmes shall be approved by the Ministry of Education and Science of Georgia upon the recommendation of the National Centre for Educational Quality Enhancement.

4. (Deleted).

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 5625 of 18 December 2007 - LHG I, No 48, 27.12.2007, Art. 415*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 2383 of 18 December 2009 - LHG I, No 50, 31.12.2009, Art. 400*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*



#### **Article 76 – Regulated professions**

1. Only the law may establish a list of the regulated professions that require higher academic education and passing of the state certification examination, or for awarding a required appropriate qualification to engage in which an appropriate examination must be passed.
2. The procedures and terms and conditions for conducting certification examinations in regulated professions shall be determined by appropriate legislation.
3. The procedure and conditions of conducting an appropriate examination required for awarding an appropriate qualification to carry out pedagogical activity shall be determined by an order of the Minister of Education and Science of Georgia.

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 77 – Accreditation of regulated educational programmes**

1. The terms and conditions for the accreditation of regulated educational programmes shall be developed by the National Centre for Educational Quality Enhancement in coordination with the professional associations determined by the legislation of Georgia, and shall be submitted to the Ministry of Education and Science of Georgia for approval.
2. In the case of the absence of a professional association in a corresponding field as provided for by the legislation of Georgia, the National Centre for Educational Quality Enhancement shall develop the terms and conditions for the accreditation of regulated educational programmes in coordination with interested organisation/organisations and parties.
3. (Deleted – 19.02.2016, N 4787).
4. The National Centre for Educational Quality Enhancement shall make decisions provided for by Article 66(2) of this Law with regard to the accreditation of regulated educational programmes.

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4787 of 19 February 2016 - website, 7.3.2016*

### **Chapter XIII – Types of Activities and Sources of the Financing of Higher Education Institutions**

#### **Article 78 – Economic activities of higher education institutions**

A higher education institution established as non-entrepreneurial legal entity may carry out other economic activities permitted by the legislation of Georgia.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 79 - Financing of higher education institutions**

1. The financing of higher education institutions from the State Budget is focused on studies and/or scientific research, training, re-training and the professional development of the personnel of the institutions.
2. The sources of the financing of higher education institutions are:
  - a) tuition fees paid by state educational scholarships and state educational scholarships for Master's Programmes (only for accredited higher educational programmes);
  - b) income from grants, donations and bequests;
  - c) scientific research grants allocated by the State on the basis of a competition;
  - d) (Deleted);
  - e) financing allocated by the ministries according to the disciplines;



f) other income, including the income from economic activities, permitted by the legislation of Georgia.

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

#### **Article 80 - Financing of higher education by state educational scholarships**

1. Citizens of Georgia who are persons with neutral ID cards or neutral travel documents, and aliens with the status of fellow citizens living abroad, who have been admitted to the accredited educational programmes of higher education institutions as provided for by this Law, may obtain state educational scholarships.

2. Aliens, except for aliens with the status of fellow citizens living abroad, whose higher education is financed in accordance with the procedures established by this Law for financing the higher education of the citizens of Georgia, may be granted state educational scholarships only within the threshold limit of 2% of the annual amount of state educational scholarships under the state programme determined by the Ministry of Education and Science of Georgia.

3. One and the same person may not be granted more than one state educational scholarship for each educational level.

4. The tuition fees of the students of higher education institutions shall be paid by the State only within the threshold limit of state educational scholarships, except for the financing allocated by the ministries according to the disciplines.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4999 of 1 July 2011 - website, 15.7.2011*

*Law of Georgia No 5304 of 24 November 2011 - website, 8.12.2011*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

#### **Article 80<sup>1</sup> – Financing of higher education by state educational scholarships for Master's Programmes**

1. Citizens of Georgia who are persons with neutral ID cards or neutral travel documents, and aliens with the status of fellow citizens living abroad, who are admitted to the accredited educational programmes of higher education institutions that are the members of the Unified Post-graduate Examination Network as provided for by this Law, may obtain state educational scholarship for Master's Programmes.

2. Aliens, except for aliens with the status of fellow citizens living abroad, whose higher education is financed in accordance with the procedures established by this Law for financing the higher education of the citizens of Georgia, may be granted state educational scholarship for Master's Programmes only within the threshold limit of 2% of the annual amount of state educational scholarships for Master's Programmes under the state programme determined by the Ministry of Education and Science of Georgia.

3. A student with a Master's degree may be financed from the state educational scholarships for Master's Programmes only once, in accordance with one academic discipline, as well as in accordance with a prioritised academic discipline.

4. The tuition fees established by higher education institutions for students admitted to accredited educational programmes of higher education institutions that are the members of the Unified Post-graduate Examination Network shall be paid by the State within the threshold limit of the amount of state educational scholarships for Master's Programmes.

5. Master's students of the Technology Institute shall be funded through targeted state grants, the amount of which shall be determined by decision of the Government of Georgia upon recommendation of the Executive Director of the Technology Institute.

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4999 of 1 July 2011 - website, 15.7.2011*

*Law of Georgia No 5304 of 24 November 2011 - website, 8.12.2011*





## **Article 81 - Amount of state educational scholarships and state educational scholarships for Master's Programmes**

1. The tuition fees for the educational programmes of higher education institutions established by the State shall be determined by higher education institutions as provided for by the legislation of Georgia.

2. The Government of Georgia shall determine an annual amount of a state study grant that fully covers tuition fees for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's accredited education programme and a teacher education training programme at a higher education institution established by the State. The State shall finance higher education for a Bachelor's Programme for four years (and for five years if a Georgian language education training programme is studied along with an accredited Bachelor's education programme); an accredited integrated teacher Bachelor's and Master's education training programme of 300 credits shall be financed for not more than five years (and for not more than six years if a Georgian language education training programme is studied along with the integrated teacher Bachelor's and Master's education training programme); a certified dentist's educational programme of 300 credits shall be financed for not more than five years (and for six years if a Georgian language education training programme is studied along with the certified dentist's accredited educational programme); a medical worker's educational programme of 360 credits shall be financed for not more than six years (and for seven years if a Georgian language education training programme is studied along with the medical worker's accredited educational programme), and a teacher education training programme shall be financed for not more than one year. The Government of Georgia may also determine partial amounts of an annual state study grant that partially cover tuition fees for a Bachelor's, integrated teacher Bachelor's and Master's training, or certified medical worker's/dentist's accredited educational programme at a higher education institution established by the State.

2<sup>1</sup>. (Deleted).

2<sup>2</sup>. (Deleted).

2<sup>3</sup>. The Government of Georgia shall determine the annual amount of state educational scholarship for Master's Programmes, allocated for financing accredited Master's Programmes of higher education institutions established by the State in accordance with the academic disciplines defined by the Government of Georgia. The State shall finance tuition fees for Master's programmes for two years, except for the Master's Programmes in arts and sports if admission to these programmes does not require passing the Unified Postgraduate Examinations.

2<sup>4</sup>. The amount/amounts of the state study grant shall not include the cost of financing for the period of study relevant to the credits that are recognised by a higher education institution under the procedure established by the legislation of Georgia, except as provided for in Article 49<sup>2</sup>(4) of this Law. In this case, the value of the state study grant within the amount/amounts of the state study grant determined by the Government of Georgia shall be calculated under the procedure approved by the Ministry of Education and Science of Georgia.

3. If the tuition fees for the accredited educational programmes of a legal entity under private law exceed the respective amount of state educational scholarships or state educational scholarship for Master's Programmes determined by the State, a higher education institution may define the additional fees which shall be paid from non-budgetary sources. The tuition fees for the accredited Master's Programmes of higher education institutions established by the State may exceed the amount of state educational scholarships for Master's Programmes only with the consent of the Government of Georgia.

4. If the tuition fees for the accredited educational programmes of higher education institutions are less than the amount of state educational scholarships or state educational scholarship for Master's Programmes determined by the State, the state educational scholarships or state educational scholarships for Master's Programmes shall be equal to the tuition fees for these programmes.

5. The agreement between a higher education institution and a student and/or vocational student shall determine the tuition fees for an appropriate educational programme of the higher education institution, and the conditions for making possible changes to the agreement for the duration of the educational programme. A higher education institution may not increase the tuition fees determined under the agreement by way of violating the conditions of the agreement. The conditions of the agreement regarding the tuition fees shall become public before the registration of entrants for the Unified National Examinations starts. Such conditions shall become a part of the agreement and shall not be subject to change. The tuition fees, determined for the year of admission of students and/or vocational students to higher education institutions, may be unilaterally increased where circumstances substantially change and this fact is established by an ordinance of the Government of Georgia.

6. If a student, holding a state educational scholarship or a state educational scholarship for Master's Programmes, moves to another higher education institution, the State shall allocate the state educational scholarship or state educational scholarship for Master's Programmes for the studies of the student at that higher education institution within the maximum threshold limit of the state educational scholarships or state educational scholarships for Master's Programmes, except for the cases specified by Article 43(1)(h<sup>1</sup>) of this Law.

7. The amount of financing allocated for a student admitted to an arts or a sports higher education institution established by the State, who obtains a scholarship from the assignments allocated from the State Budget for a controlling body of the institution, or state educational scholarships or state educational scholarships for Master's Programmes, shall not exceed the maximum amount of state educational scholarships or state educational scholarships for Master's Programmes.

*Law of Georgia No 1443 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 170*

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*



*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

#### **Article 82 - Relationship of higher education institutions with the body allocating state educational scholarships and state educational scholarships for Master's Programmes**

1. The State, in accordance with the procedures and within the terms determined by the legislation of Georgia, shall transfer to the higher education institution, the amount that corresponds to the total number of students having obtained state educational scholarships and state educational scholarships for Master's Programmes.

2. Higher education institutions, in accordance with the procedures and within the terms determined by the legislation of Georgia, shall notify the Ministry of Education and Science of Georgia of the identity of all students who have terminated or postponed studies for whatever reason.

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

#### **Article 83 - State research scholarships**

1. State research scholarships shall be allocated for higher education institutions on the basis of a competition, in accordance with the procedures established by the Ministry of Education and Science of Georgia.

2. The amount of state research or educational scholarships may not be used to finance other activities.

3. State Master's and Doctoral Programmes shall be funded from research scholarships under a special state programme, in accordance with the priorities determined by the Ministry of Education and Science of Georgia.

### **Chapter XIV – Property of Higher Education Institutions Established by the State and Monitoring of Compliance with Normative Acts**

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 84 - Property of higher education institutions established by the State**

1. The property of a higher education institution established by the State consists of the property transferred to it by state, legal and private entities, and of the property acquired by it with its own funds.

2. The State shall impose taxes on the initial transfer of property to a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity in accordance with the legislation of Georgia.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 85 - Using the property of higher education institutions established by the State**

1. The real property of a LEPL higher education institution or part thereof may be purchased, disposed of or leased only by resolution of the Board of Representatives of the higher education institution, with the consent of the Ministry of Education and Science of Georgia and the Ministry of Economy and Sustainable Development of Georgia, under the procedure established by the legislation of Georgia.

1<sup>1</sup>) Any decision with regard to the movable property of a LEPL higher education institution if it is outside the scope of educational and scientific research activities, may be made only by resolution of the Board of Representatives of the higher education institution, with the consent of the Ministry of Education and Science of Georgia, under the procedure established by the legislation of Georgia.

2. A Higher Education Institution Development Fund may be established for the purpose of managing the property of a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity under private law, and part of the property and finances of the higher education institution shall be transferred to that Fund.



3. A higher education institution shall establish a Higher Education Institution Development Fund and shall provide it with the property necessary for its operation. Taxation of the initial transfer of property shall be determined by the legislation of Georgia.
4. A higher education institution shall approve the statute of a Higher Education Institution Development Fund upon the approval of the Board of Regents, which statute shall define the authority of the Director of the Fund and the rules of management and disposal of the property transferred to the Fund.
5. The consent of the Board of Regents is required for the entire or partial disposal and encumbrance of the property of a higher education institution established by the State as a non-entrepreneurial (non-commercial) legal entity under private law.
6. The property transferred by the State to an arts and/or a sports higher education institution, established by the State as provided for by the legislation of Georgia, may be transferred with the right of free ownership and use to a general education institution as a non-entrepreneurial (non-commercial) legal entity, which delivers out-of-school arts and/or sports educational programmes determined by Article 11(5) of this Law; the transfer shall be made upon the consent of the Board of Regents (upon the consent of the Ministry of Culture and Monument Protection of Georgia, the Ministry of Sports and Youth Affairs of Georgia, the Ministry of Education and Science of Georgia, and the Ministry of Economy and Sustainable Development of Georgia in the case of legal entities under public law).

*Law of Georgia No 2379 of 18 December 2009 - LHG I, No 48, 29.12.2009, Art. 364*

*Law of Georgia No 4469 of 22 March 2011 - website, 1.4.2011*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Article 86 - Property transferred to higher education institutions by the State**

1. The State shall transfer appropriate property to a higher education institution upon its establishment as provided for by the legislation of Georgia.
2. A list of the property to be transferred shall be attached to the constituent act of the higher education institution.
3. The list of the property to be transferred shall contain:
  - a) an inventory of the property;
  - b) the results of evaluation of the condition of the property by an independent audit, or balance sheet data.
4. The property remaining as a result of the liquidation of a higher education institution established by the State, shall be returned to the State in full, as provided for by the legislation of Georgia. The liquidation of a non-entrepreneurial (non-commercial) legal entity established by the State shall result in the liquidation of the Higher Education Institution Development Fund, and the property remaining as a result of liquidation shall be returned to the State in full as provided for by the legislation of Georgia.

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

#### **Article 86<sup>1</sup> – Monitoring of compliance with normative acts at higher education institutions established by the State as non-entrepreneurial (non-commercial) legal entities**

1. Monitoring of compliance with normative acts implies supervision of the lawfulness of activities carried out by higher education institutions established by the State as non-entrepreneurial (non-commercial) legal entities.
2. Monitoring of compliance with normative acts is accordingly carried out by the Ministry of Education and Science of Georgia, the Ministry of Defence of Georgia, the Ministry of Culture and Monument Protection of Georgia and the Ministry of Sports and Youth Affairs of Georgia.
3. Authorities carrying out monitoring of compliance with normative acts may require the submission of documents and information necessary to implement such monitoring.

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

### **Chapter XV – Transitional Provisions**

#### **Article 87 – Management of higher education institutions**

1. Higher education institutions established as legal entities under public law on the basis of the edicts of the President of Georgia prior to the entry of this Law into force shall be deemed incorporated.
2. The entry of this Law into force shall cause the early termination of the authorities of Rectors and Faculty Deans of LEPL higher education institutions. The early termination of Rectors' authorities shall be documented by an ordinance of the President of Georgia. The President of Georgia is



authorised to devolve Rector's responsibilities on the dismissed Rector, or to appoint a Professor of the higher education institution as an Acting Rector. The President of Georgia is authorised to terminate early the term of office of the Acting Rector. Early termination of authority of a Faculty Dean shall be documented by a legal act of an Acting Rector of a higher education institution, who is authorised to devolve the Dean's responsibilities on the dismissed Dean, or to appoint another candidate as an Acting Dean.

3. The first elections of the management authorities of LEPL higher education institutions shall be held by the higher education institutions in accordance with the procedures established by the Ministry of Education and Science of Georgia not later than two years after the entry of this Law into force.

4. LEPL higher education institutions shall submit new statutes prepared in accordance with this Law to the Ministry of Education and Science of Georgia for approval not later than six months after the first elections of the management authorities determined by this Law are held.

5. Under this Law, immediately after the members of the Academic Council are first elected, one third of the members shall be chosen by lot, whose term of authority shall be equal to the half of the duration of the major educational programme.

6. For candidates for Rector, Head of Administration and Faculty Dean of a higher education institution elected according to this Law, the term under Articles 22(3), 23(1) and 29(1) of this Law shall include the term during which they have held the position of Rector, Head of Administration and/or Faculty Dean respectively at the higher education institution for two full consecutive terms of power, including as acting Rector, Head of Administration and/or Faculty Dean.

7. Higher education institutions shall completely replace their current study programmes with the educational programmes (Bachelor's, Master's, certified specialist's, Doctoral Programmes) under this Law and shall grant appropriate degrees determined by this Law not later than the beginning of the academic year 2007-2008. Before completely changing the current programmes with the educational programmes (Bachelor's, Master's, certified specialist's) determined by this Law and after finishing one-level, and at least a five-year educational programme, the graduates of higher education institutions shall be granted a higher education diploma, which shall be equal to a Master's diploma. Procedures for ensuring the equivalence with the Master's diploma, including additional educational modules, shall be determined by an appropriate faculty of the higher education institution.

8. For the delivery of educational programmes determined by this Law, higher education institutions shall move to the European credit transfer system before the beginning of the academic year 2009-2010.

9. The Ministry of Education and Science of Georgia and higher education institutions shall ensure the compliance of appropriate legal acts with this Law before 31 December 2009.

10. The Ministry of Education and Science of Georgia shall approve the procedures specified by Article 7(1)(1<sup>1</sup>) of this Law before the beginning of the academic year 2010-2011.

11. The Ministry of Education and Science of Georgia shall approve the Authorisation Regulations of Education Institutions determined by Article 7(1)(f) of this Law before 15 September 2010, and approve the Accreditation Regulations of the Educational Programmes of Education Institutions determined by Article 7(1)(f) of this Law before 1 March 2011.

12. The President of Georgia, the Government of Georgia, the Ministry of Education and Science of Georgia and education institutions shall ensure the compliance of appropriate legal acts with this Law before 1 March 2011.

13. Institutions that carry out a regulated academic higher education programme under Article 75(2)(e) of this Law shall be conferred the right to carry out a maritime academic higher education programme, irrespective of the accreditation, before commencement of the 2017-2018 academic year.

*Law of Georgia No 1444 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 171*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

## **Article 88 – Status and financing of higher education institutions**

1. Higher education institutions accredited under Edict No 418 of 20 July 1998 of the President of Georgia on the Approval of the Statutes and Membership of Accreditation Councils of Higher Education Institutions shall be considered as holding the institutional accreditation provided for by this Law prior to the beginning of the academic year 2007-2008. Documents certifying the completion of an educational programme that are granted under the legislation of Georgia prior to the beginning of the academic year 2007-2008 to students of institutions that were refused accreditation as provided for by the above edict, shall be considered as recognised by the State.

1<sup>1</sup>. Documents certifying completion of an educational programme issued by higher education institutions which are licensed or are considered as licensed under the law prior to the beginning of the academic year 2005-2006, shall be recognised by the State irrespective of the accreditation status of such institutions.

2. (Deleted).

3. Before the accreditation of the programmes of higher education institutions, but not later than the beginning of the academic year 2013-2014, the



programmes of all licensed higher education institutions as legal entities under private law and legal entities under public law which hold institutional accreditation shall be considered as accredited.

4. (Deleted).
5. (Deleted).
6. The Government of Georgia shall ensure the gradual transfer to the financing system determined by this Law as from the academic year 2005-2006.
7. State educational scholarships and state educational scholarships for Master's programmes shall be granted before 1 September 2010 to newly established licensed higher education institutions holding institutional accreditation, or determined by Article 66<sup>1</sup>(2) of this Law, for the remaining term of accreditation. Where accreditation of an appropriate programme is not possible at the moment of submission of applications for acquiring authorisation by such institutions, the programme shall be considered as accredited before providing appropriate conditions.
- 7<sup>1</sup>. Before 1 September 2010, taking into consideration the interests of the students admitted to newly-established licenced higher education institutions holding institutional accreditation or determined by Article 66<sup>1</sup>(2) of this Law before the expiration of the term of institutional accreditation, the Accreditation Council may make a decision to accredit educational programmes for less than five years. The legal consequences of accreditation shall apply to these students only.
8. The Government of Georgia shall determine the maximum, medium and minimum sums of full and partial amounts of a state study grant for a higher education programme starting from the 2005 – 2006 academic year through the 2017 – 2018 academic year. Higher education institutions established by the State shall ensure that tuition fees for a higher education programme for the citizens of Georgia are determined for the 2005 – 2006 academic year through the 2017 – 2018 academic year according to the full amounts of a state study grant determined by the Government of Georgia. Tuition fees for joint educational programmes carried out by a non-entrepreneurial (non-commercial) legal entity – a higher education institution established by the State and a foreign higher education institution recognised under the foreign legislation, which are different from those provided for in this article can be determined in agreement with the Board of Regents.
9. (Deleted).
10. (Deleted – 28.2.2012, No 5718).
11. (Deleted – 28.2.2012, No 5718).
12. Prior to the beginning of the academic year 2007-2008, LEPL higher education institutions shall submit proposals to the Ministry of Education and Science of Georgia on the suitability of the transformation of their branches into higher education institutions.
13. The Government of Georgia may reorganise a LEPL higher education institution as a legal entity under private law, which shall be considered a legal successor of the appropriate legal entity under public law.
14. The Government of Georgia shall ensure the establishment of a Board of Regents and the approval of its statute within one month from the entry of this paragraph into force.

*Law of Georgia No 1443 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 170*

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 3987 of 14 December 2006 - LHG I, No 48, 22.12.2006, Art. 354*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Article 89 - National Assessment and Examinations Centre, National Centre for Education Accreditation and compatibility of educational programmes**

1. The Ministry of Education and Science of Georgia shall approve the regulations of the National Examinations Centre before the beginning of the academic year 2006-2007.



2. By the beginning of the academic year 2007-2008 the Government of Georgia shall ensure the launching of the operations of the State Accreditation Office.

3. Before its establishment the functions of the National Examinations Centre shall be performed by the Ministry of Education and Science of Georgia and the LEPL National Assessment and Examinations Centre.

3<sup>1</sup>. The LEPL National Examinations Centre shall be the legal successor of the LEPL National Assessment and Examinations Centre, and the LEPL National Centre for Education Accreditation shall be the legal successor of the LEPL State Accreditation Office.

3<sup>2</sup>. The LEPL National Centre for Education Accreditation shall be reorganised as the LEPL National Centre for Educational Quality Enhancement. The LEPL National Centre for Educational Quality Enhancement shall be the legal successor of the LEPL National Centre for Education Accreditation.

3<sup>3</sup>. The LEPL National Examinations Centre shall be reorganised as the LEPL National Assessment and Examinations Centre. The LEPL National Assessment and Examinations Centre shall be a legal successor of the LEPL National Examinations Centre.

4. In the academic year 2005-2006 the Ministry of Education and Science of Georgia shall ensure the administration of the Unified National Examinations in Georgian language and literature, general aptitude, foreign languages (English, German, French or Russian) and mathematics, and also in other subjects for the academic year 2006-2007. The procedures for conducting examinations and their mandatory and/or optional character shall be determined by the Ministry of Education and Science of Georgia as provided for by this Law.

5. Before the establishment of the State Accreditation Office of higher education institutions, its functions shall be performed by the Accreditation Council of Georgian higher education institutions, established under Edict No 418 of 20 July 1998 of the President of Georgia on the Approval of the Regulations and Membership of Accreditation Councils of Higher Education Institutions.

5<sup>1</sup>. Before completing the procedures related to the reorganisation of the LEPL State Accreditation Office as the National Centre for Education Accreditation, its functions shall be performed by the LEPL State Accreditation Office, and before completing procedures related to changing the name of the LEPL National Examinations Centre, its functions shall be performed by the LEPL National Examinations Centre.

5<sup>2</sup>. The Ministry of Education and Science of Georgia shall be assigned to implement procedures related to the reorganisation of the LEPL National Centre for Education Accreditation into the LEPL National Centre for Educational Quality Enhancement. Before the completion of such procedures, the functions of the LEPL National Centre for Educational Quality Enhancement shall be performed by the LEPL National Centre for Education Accreditation.

5<sup>3</sup>. The Ministry of Education and Science of Georgia shall be assigned to implement procedures related to the reorganisation of the LEPL National Examinations Centre into the LEPL National Assessment and Examinations Centre before 1 September 2013. Before the completion of such procedures, the functions of the LEPL National Assessment and Examinations Centre shall be performed by the LEPL National Examinations Centre.

6. (Deleted).

6<sup>1</sup>. The Ministry of Education and Science of Georgia shall ensure accreditation of the teacher education training programme before commencement of the 2017 – 2018 academic year.

6<sup>2</sup>. The Ministry of Education and Science of Georgia shall ensure that procedures under Article 7(1)(m<sup>1</sup>) and Article 54<sup>2</sup> of this Law are developed and approved before commencement of the 2017–2018 academic year. Until the appropriate procedure is approved, a person with higher education shall be admitted to a teacher education training programme and a teacher training certificate shall be issued according to the procedure approved by a higher education institution.

6<sup>3</sup>. Before 31 December 2011 the Ministry of Education and Science of Georgia shall approve the procedures determined by Article 7(1)(r<sup>1</sup>) of this Law.

6<sup>4</sup>. The Ministry of Education and Science of Georgia shall ensure accreditation of the Georgian language education training programme before the beginning of the academic year 2012-2013. Higher education institutions are obliged to obtain accreditation of the Georgian language education training programme before the beginning of the academic year 2012-2013. Before conducting the first accreditation of the Georgian language education training programme, the Georgian language education training programme of higher education institutions shall be considered as accredited.

7. Higher education institutions shall move to the 120-credit Master's Programmes before the beginning of the academic year 2006-2007.

8. Before the beginning of the academic year 2005-2006, a higher education diploma obtained as a result of the completion of a one-level, and at least five-year educational programme, shall be equivalent to a Master's diploma. Before the beginning of the academic year 2005-2006 a higher education diploma obtained as a result of the completion of a one-level, and less than five-year educational programme, shall be equivalent to a Bachelor's diploma.

8<sup>1</sup>. Persons admitted before the beginning of the academic year 2007-2008 and having completed at least a five-year medical (including veterinary medicine) educational programme, shall be granted a certified medical worker's (veterinarian's) diploma that is equivalent to a Master's diploma.

8<sup>2</sup>. A diploma, granted by the end of the academic years 2004-2005, 2005-2006 and 2006-2007 as a result of the completion of at least a five-year educational programme shall be equivalent to a Master's diploma; a certified specialist's diploma granted as a result of the completion of a four-year educational programme shall be equivalent to a Bachelor's diploma; and a certified specialist's diploma granted as a result of the completion of at least a three-year educational programme shall be equivalent to a higher vocational education diploma.

8<sup>3</sup>. A diploma granted before the beginning of the academic year 2005-2006 as a result of the completion of a one-level, four-year educational programme for a secondary speciality, for the purposes of which the results of the completion of an educational programme for a major speciality were taken into account, and which was considered as identical to a five-year educational programme for the same speciality of the institution that delivered the educational programme, shall be equivalent to a Master's diploma.



8<sup>4</sup>. In order to continue studies at a higher education institution, a diploma certifying the secondary vocational education, which is equivalent to a higher vocational education diploma under the law, shall be considered equivalent to a state document certifying completion of the full general educational programme.

8<sup>5</sup>. Before entry of this paragraph into force a certified veterinarian's academic degree, granted after the completion of a veterinarian's 300-credit educational programme, shall be equivalent to a Master's academic degree. Persons admitted to a veterinarian's 300-credit educational programme, may complete the programme, after which they shall be granted a certified veterinarian's academic degree that is equivalent to a Master's academic degree.

9. The academic degree of a Candidate of Sciences acquired before the entry of this Law into force, shall be equivalent to a Doctor's academic degree.

10. Article 9 of this Law also applies to persons who have become or will become post-graduate students (candidates), and will acquire the degree of a Candidate of Sciences at a higher education institution not later than 31 December 2006.

10<sup>1</sup>. The legal status of persons who were granted the scientific and pedagogical title of a Docent or a Professor in an appropriate field of arts or architecture before 2007, shall be equivalent to the legal status of a person holding a Doctor's academic degree.

10<sup>2</sup>. Persons having completed a one-level educational programme during the implementation of which they were authorised to continue studies for post-graduate programmes, may continue studies for Doctoral Programmes.

11. LEPL higher education institutions shall move the professors, teachers and scientific personnel employed in the institution to the appropriate academic positions determined by this Law before the beginning of the academic year 2006-2007.

12. The Ministry of Education and Science of Georgia shall adopt the acts determined by Article 7(1)(f, g, i, m, n) of this Law before the beginning of the academic year 2006-2007.

12<sup>1</sup>. Before 15 April 2009 the Ministry of Education and Science of Georgia shall approve the regulations of the administration of postgraduate examinations and the procedures for the allocation of state educational scholarships for Master's Programmes.

12<sup>2</sup>. Persons having acquired a document certifying an academic degree of higher education before 2013, after the Unified Postgraduate Examinations and before the examination/examinations determined by higher education institutions, and who were admitted to Master's Programmes of higher education institutions as provided for by the legislation of Georgia, shall be considered as having passed the Unified Postgraduate Examinations.

13. In the case of any conflict between the rules determined by this Law and the Law of Georgia on Education, the rules determined by this Law shall prevail.

14. Higher education institutions with institutional accreditation obtained in 2006, shall require repeated accreditation for activities related to higher vocational education in order to deliver higher vocational education programmes.

15. Before the beginning of the academic year 2008-2009 the Government of Georgia shall ensure the compliance of LEPL higher education institutions with Article 2(w, w<sup>1</sup>, z<sup>29</sup>) and Article 9(1) of this Law.

16. (Deleted).

17. In the academic year 2007-2008 the admission to higher vocational education programmes of accredited higher education institutions shall be carried out in accordance with procedures other than the procedures determined by this Law, on the basis of the Unified National Examinations as provided for by the Ministry of Education and Science of Georgia.

17<sup>1</sup>. Students may not be admitted to certified specialist's educational programmes (higher vocational education) after the academic year 2010-2011. Persons, admitted before the above period, shall be granted state educational scholarships in accordance with the procedures applicable before 1 September 2010.

17<sup>2</sup>. In the case of continuing studies for Bachelor's, certified medical worker's/dentist's and/or veterinarian's educational programmes, the credits gained by certified specialists shall be recognised by higher education institutions for the purposes of acquiring Bachelor's, certified medical worker's/dentist's and/or veterinarian's academic degrees. In order to continue studies for Bachelor's, certified/dentist's and/or veterinarian's educational programmes, certified specialists shall be admitted to higher education institutions in accordance with the procedures determined by the legislation of Georgia.

17<sup>3</sup>. Higher education institutions delivering educational programmes for craftsmanship prior to 1 September 2010 may carry out educational activities before the completion of the appropriate programme by persons admitted to the educational programme for craftsmanship. Higher education institutions shall have the right not to admit students to educational programmes for craftsmanship after 1 September 2010.

18. In 2009 accredited higher education institutions as legal entities under private law and newly established licensed higher education institutions as legal entities under private law specified by Article 66<sup>1</sup>(2) of this Law, may refuse to join the Unified Postgraduate Examination Network and may admit Master's candidates in accordance with the different procedures determined by Article 52<sup>1</sup> of this Law.

19. In 2009, in the case of appropriate circumstances, accredited higher education institutions shall be authorised to conduct the examination/examinations for the Master's candidates before conducting Unified Postgraduate Examinations. Before 7 June 2009 accredited higher education institutions shall determine the procedures for conducting the examination/examinations for Master's candidates, determined by the higher education institutions, as provided for by Article 10(1)(h) of this Law.

20. When the Authorisation Regulations of Education Institutions determined by Article 7(1)(f) of this Law enters into force, all licensed higher education institutions, except for accredited higher education institutions or newly established licensed higher education institutions determined by Article 66<sup>1</sup>(2) of this Law, which operated until 1 September 2010, shall undergo the process of authorisation in order to acquire the right to grant state documents certifying higher education. Accredited higher education institutions or newly established licensed higher education institutions determined



by Article 66<sup>1</sup>(2) of this Law, which operated until 1 September 2010, shall be considered as authorised for the remaining accreditation period. After the expiration of the said period these institutions shall obtain authorisation in order to acquire the right to grant state documents certifying higher education.

21. The legal regime applicable before 1 September 2010, shall apply to persons admitted to higher education institutions licensed before 1 September 2010.

22. The legal consequences of undergoing the process of authorisation by licensed higher education institutions shall not apply to persons admitted to these institutions before undergoing the process of authorisation. The legal regime applicable before undergoing the process of authorisation, as provided for by the legislation of Georgia, shall apply to such persons. State recognition of the education acquired by persons admitted to licensed higher education institutions shall be carried out by the LEPL National Centre for Educational Quality Enhancement in accordance with the conditions determined by the Ministry of Education and Science of Georgia, and in the case of admission to higher education institutions as provided for by the legislation of Georgia. The terms and conditions of, and fees for, state recognition of education acquired by persons admitted to licensed higher education institutions shall be determined by a normative administrative-legal act issued by the Ministry of Education and Science of Georgia.

23. Within 10 days from 1 September 2010, all licensed higher education institutions, except for accredited higher education institutions or newly established licensed higher education institutions determined by Article 66<sup>1</sup>(2) of this Law that operate until 1 September 2010, shall submit a list (both in printed and electronic forms) of persons admitted to these institutions to the LEPL National Centre for Education Quality Enhancement.

23<sup>1</sup>. The persons indicated in the list of persons admitted to licensed higher education institutions determined by paragraph 23 of this article, shall be authorised to continue studies at the licensed higher education institutions that have submitted the list of persons admitted to these institutions to the LEPL National Centre for Education Quality Enhancement.

24. The Ministry of Education and Science of Georgia shall ensure admission of the entrants to higher education institutions without passing the Unified National Examinations, who failed to take the Unified National Examinations in 2010 due to the fault of the authorities within the system of the Ministry. The fault shall be ascertained by appropriate proceedings. Entrants shall be admitted to higher education institutions for the term of one year, by an individual administrative act of the Minister of Education and Science of Georgia. During this term the Ministry of Education and Science of Georgia shall finance the studies of such persons within the maximum amount of state educational scholarship determined by the Government of Georgia. In the application for registration the Ministry of Education and Science of Georgia shall take into consideration the priority list of the faculty and higher academic and/or higher vocational education programmes, and/or Georgian language education training programmes of higher education institutions and the vacancies for students to be admitted out of the total number of students determined for higher education institutions having obtained institutional accreditation. Such persons shall acquire the right to continue studies for academic disciplines and/or specialities only after passing the Unified National Examinations the following year. In the case of passing the Unified National Examinations higher education institutions shall recognise the credits gained by such persons as provided for by the legislation of Georgia, and state educational scholarships shall be allocated in accordance with the procedure determined by Article 54(2) of this Law.

25. Before the entry of this paragraph into force, reorganisation by an authorised body by way of merging the LEPL accredited higher education institution with the educational institution carrying out higher educational programmes not recognised by the State, shall result in the application of the legal regime prescribed for the students under the legislation of Georgia with regard to persons with complete general education admitted to such programmes.

26. All legal consequences specified for the use of a real certificate shall apply to persons, who were admitted to higher education institutions as a result of Unified National Examinations before the entry of this paragraph into force, but were not granted a document certifying complete general education, a School Leaving Certificate, due to criminal or administrative legal proceedings.

27. Persons admitted conditionally to the first year of a Bachelor's Programme of a higher military education institution in 2011, without acquiring the status of a cadet as provided for by the legislation of Georgia, shall be granted the status of a cadet and the right to continue studies for an appropriate educational programme of the higher military education institution only after overcoming the minimum threshold limit in the Unified National Examinations in 2012.

28. Aliens, having acquired the right to continue studies at Georgian higher education institutions before the entry of this law into force and who hold a document issued in Georgia certifying state higher education, may study at higher education institutions without passing the Unified Postgraduate Examinations in accordance with the procedures and within the periods established by the Ministry of Education and Science of Georgia.

29. A Georgian higher education institution that has concluded a student exchange agreement with a foreign education institution before the entry of this paragraph into force, shall request written information from the National Centre for Education Quality Enhancement on the recognition of the foreign education institution by the legislation of the corresponding foreign country.

*Law of Georgia No 1444 of 13 May 2005 - LHG I, No 25, 2.6.2005, Art. 171*

*Law of Georgia No 2795 of 17 March 2006 - LHG I, No 9, 31.3.2006, Art. 67*

*Law of Georgia No 4529 of 28 March 2007 - LHG I, No 15, 23.4.2007, Art. 118*

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 1161 of 7 April 2009 - LHG I, No 9, 13.4.2009, Art. 44*

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3376 of 16 July 2010 - LHG I, No 40, 20.7.2010, Art. 253*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*





*Law of Georgia No 4040 of 15 December 2010 - LHG I, No 75, 27.12.2010, Art. 464*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

*Law of Georgia No 6177 of 15 May 2012 - website, 29.5.2012*

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 518 of 5 April 2013 - website, 24.4.2013*

*Law of Georgia No 917 of 6 August 2013 - website, 20.8.2013*

*Law of Georgia No 1081 of 6 September 2013 - website, 20.9.2013*

*Law of Georgia No 2690 of 17 October 2014 - website, 27.10.2014*

*Law of Georgia No 2725 of 30 October 2014 - website, 6.11.2014*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

### **Article 89<sup>1</sup> – Measures for supporting students in acquiring higher education during hostilities in Georgia**

1. Higher education acquired in the occupied territories shall be recognised in accordance with the procedures determined by the Minister of Education and Science of Georgia. After the recognition of the education acquired in the occupied territories the citizens of Georgia, persons holding neutral ID cards or neutral travel documents may continue studies at Georgian higher education institutions without passing the Unified National Examinations in accordance with the procedures determined by the Minister of Education and Science of Georgia.

2. The amount of scholarships allocated under the social programme for financing the acquisition of higher education on the accredited educational programmes of Georgian higher education institutions by victims of the armed attack of the Russian Federation on Georgia on 7 August 2008, may exceed the maximum amount of scholarships to be allocated under the social programme determined by this Law. The amount of and terms and conditions for financing such persons from state educational scholarships shall be determined by the Government of Georgia upon the recommendation of the Ministry of Education and Science of Georgia.

3. Citizens of Georgia who lived in the Russian Federation until 7 August 2008 and were admitted to higher education institutions recognised by the Russian Federation may continue studies at Georgian higher education institutions without passing the Unified National Examinations, in accordance with the procedures determined by the Minister of Education and Science of Georgia.

*Law of Georgia No 673 of 10 December 2008 - LHG I, No 38, 19.12.2008, Art. 241*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4999 of 1 July 2011 - website, 15.7.2011*

### **Article 89<sup>2</sup> – Measures for supporting students affected by natural disasters in acquiring higher education in Georgia**

The amount of scholarships allocated under the social programme for financing the acquisition of higher education on the accredited educational programmes of Georgian higher education institutions by the students affected by natural disasters in 2012, may exceed the maximum amount of scholarships to be allocated under the social programme determined by this Law. The amount of and terms and conditions for financing such persons from state educational scholarships and state educational scholarship for Master's Programmes shall be determined by the Government of Georgia upon the recommendation of the Ministry of Education and Science of Georgia.

*Law of Georgia No 141 of 21 December 2012 - website, 27.12.2012*

### **Article 89<sup>3</sup> – Recognition of documents certifying education issued by education institutions of the Georgian Apostolic Autocephalous Orthodox Church from 2005 to 1 January 2015**

1. The Ministry of Education and Science of Georgia and the Patriarchate of Georgia shall ensure that the issue of recognising documents certifying higher education issued by educational institutions of the Georgian Apostolic Autocephalous Orthodox Church from 2005 to 1 January 2015 are jointly studied, the procedure for recognising documents certifying education issued by education institutions of the Georgian Apostolic Autocephalous Orthodox Church from 2005 to 1 January 2015 is elaborated and it is approved by the Minister of Education and Science of Georgia.

2. The Patriarchate of Georgia shall ensure compliance of documents certifying education, recognised under paragraph 1 of this article, with the template of a diploma determined by Article 47<sup>5</sup>(2) of this Law.

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*



#### **Article 89<sup>4</sup> – Authorisation of Orthodox theological higher education institutions**

Orthodox theological higher educational institutions, established by the Georgian Apostolic Autocephalous Orthodox Church as provided for by this Law, shall be considered authorised under this Law until 1 January 2015. From 1 January 2015 Orthodox theological higher education institutions shall be subject to authorisation as provided for by the legislation of Georgia.

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

#### **Article 89<sup>5</sup> – Granting of academic degrees by the Catholicos-Patriarch of all Georgia**

1. Before 1 January 2015 the Catholicos-Patriarch of all Georgia shall be authorised to define procedures for granting of academic degrees, other than procedures determined by the legislation of Georgia, and to grant academic degrees in accordance with such procedures in the field of Orthodox theological higher education.

2. Documents certifying education, diplomas, granted under paragraph 1 of this article shall be recognised by the State.

*Law of Georgia No 187 of 28 December 2012 - website, 29.12.2012*

#### **Article 89<sup>6</sup> – Students enrolled in a higher education institution of the Georgian Apostolic Autocephalous Orthodox Church/Orthodox theological higher education institution**

1. Students enrolled in an Orthodox theological higher education institution before 1 January 2016 shall be considered as enrolled under the legislation of Georgia. Recognition of the education acquired by the students before their enrolment in this institution and calculation of the credits shall be performed by an appropriate institution.

2. Students enrolled in a higher education institution of the Georgian Apostolic Autocephalous Orthodox Church before 1 January 2013 shall be considered as enrolled under the legislation of Georgia. Recognition of the education acquired by the students before their enrolment in this institution and calculation of the credits shall be performed by an appropriate institution.

*Law of Georgia No 388 of 22 March 2013 - website, 8.4.2013*

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

#### **Article 89<sup>7</sup> – Measures for supporting students in acquiring higher education who have been affected in the villages near the demarcation line of the occupied territories of Georgia**

For the purposes of financing the higher education of students who have been affected in the villages near the demarcation line of the occupied territories of Georgia, the amount of scholarships allocatable in 2013 and 2014 under the social programme for studying on the accredited educational programmes at higher education institutions of Georgia, may exceed the maximum amount of scholarships to be allocated under the social programme determined by this Law. The amount of and terms and conditions for financing such persons from state educational scholarships and state educational scholarships for Master's Programmes shall be determined by the Government of Georgia upon the recommendation of the Ministry of Education and Science of Georgia.

*Law of Georgia No 1882 of 26 December 2013 - website, 27.12.2013*

#### **Article 89<sup>8</sup> – Measures to be implemented for the fulfilment of obligations determined by the international agreements of Georgia ratified by the Parliament of Georgia**

1. For the fulfilment of the obligations determined by the Millennium Challenge Agreement ('Compact') ratified by resolution of 4 October 2013 of the Parliament of Georgia on the Ratification of the Millennium Challenge Agreement ('Compact') between the United States of America, acting on behalf of the Millennium Challenge Corporation, and Georgia, the Government of Georgia shall be authorised to determine:

a) the procedures and conditions, other than those determined by the legislation of Georgia, for carrying out higher education programmes as a result of cooperation between a higher education institution of Georgia and San Diego State University;

b) the procedures and conditions, other than those determined by the legislation of Georgia, for the admission to higher educational programmes to be implemented as a result of cooperation between a higher education institution of Georgia and San Diego State University;

c) the procedures and conditions, other than those determined by the legislation of Georgia, for financing students admitted to higher educational programmes to be implemented as a result of cooperation between a higher education institution of Georgia and San Diego State University;

d) the procedures and conditions, other than determined by the legislation of Georgia, for granting qualifications to students and issuing and recognising documents certifying qualification after the completion of higher educational programmes implemented as a result of cooperation between a Georgian higher education institution and San Diego State University.



2. The educational programmes to be implemented as a result of cooperation between a higher education institution of Georgia and San Diego State University as provided for by paragraph 1 of this article, shall be considered as accredited for the term for which they are deemed as recognised / accredited under the legislation of the United States of America.

*Law of Georgia No 2992 of 26 December 2014 - website, 31.12.2014*

**Article 89<sup>9</sup> – Recognition of the education acquired at a higher education institution of the Georgian Apostolic Autocephalous Orthodox Church which was liquidated or whose educational activities were terminated**

1. The Patriarchate of Georgia shall, according to the procedure established by the Catholicos-Patriarch of all Georgia, recognise the education of persons that acquired education at an institution of the Georgian Apostolic Autocephalous Orthodox Church which was liquidated or whose educational activities were terminated before 2005, and that are not able to certify their education or qualification.

2. The Patriarchate of Georgia is authorised to issue a document certifying education under paragraph 1 of this article – a diploma/a copy of diploma according to the procedure established by the Catholicos-Patriarch of all Georgia.

3. A person who studied at a higher education institution of the Georgian Apostolic Autocephalous Orthodox Church which was liquidated or whose educational activities were terminated before 1 January 2013 shall have the right to obtain the status of a student under the procedure established by the legislation of Georgia.

4. An Orthodox theological higher education institution is authorised to recognise, according to the procedure established by the Catholicos-Patriarch of all Georgia, the education acquired by a person defined in paragraph 3 of this article before he/she obtained the status of a student.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

**Article 89<sup>10</sup> – Requirements for a Professor**

Until the authorisation of a higher education institution expires, a Professor shall be a person with a Doctor's or an equivalent academic degree who has at least six-years of experience in scientific and pedagogical field.

Additional conditions may be established by the Statute of a higher education institution. A person with a Doctor's or an equivalent academic degree, who has at least eight years of experience in a scientific and pedagogical field and/or art (creative activity), may be elected to the position of a Professor of art (creative activity) (except for theoretical fields) at an art and creative higher education institution for at least a four-year term. If a person is elected to the position of a Professor for a third consecutive term, he/she shall, by decision of an appropriate academic board, hold this position until he/she reaches the age of retirement or the maximum age determined by the higher education institution. Additional conditions may be established by the Statute of an art and creative higher education institution.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

**Article 89<sup>11</sup> – (Deleted)**

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

**Article 89<sup>12</sup> – Education of a teacher (education programmes that expire soon)**

1. A higher education institution is authorised to admit applicants to a teacher Bachelor's higher education training programme through 2017.

2. A higher education institution is authorised to carry out a teacher Bachelor's higher education training programme before commencement of the 2022–2023 academic year.

3. A higher education institution shall, starting from the 2022–2023 academic year, ensure that the students enrolled for a teacher Bachelor's higher education training programme through 2017, who will not be granted qualification after completing a teacher Bachelor's higher education training programme until the 2022–2023 academic year, are transferred to an integrated teacher Bachelor's and Master's education training programme.

*Law of Georgia No 4582 of 27 November 2015 - website, 10.12.2015*

*Law of Georgia No 105 of 16 December 2016 - website, 5.1.2016*

**Chapter XVI – Final Provisions**

**Article 90 – Entry of the Law into force**



1. The age limit for the academic positions determined by Article 36(2), also Articles 38(e) and 39(2-3) of this Law shall enter into force from the beginning of the academic year 2009-2010.

2. Article 81(1) of this Law shall enter into force from the beginning of the academic year 2008-2009.

2<sup>1</sup>. Articles 6(1)(c<sup>1</sup>) and 7(1)(m<sup>2</sup>) of this Law shall enter into force upon approval of the procedure under Articles 7(1)(m<sup>1</sup>) and 54<sup>2</sup> of this Law.

2<sup>2</sup>. The admission of students to higher education institutions by passing the general aptitude tests of the Unified National Examinations only in the Azerbaijani, Armenian, Abkhazian and Ossetian languages is a temporary measure aimed at the civil integration of non-Georgian speaking citizens of Georgia, and shall apply in the academic year 2018-2019 inclusive.

2<sup>3</sup>. From the beginning of the academic year 2015-2016, the Ministry of Education and Science of Georgia shall ensure admission of citizens of Georgia to higher education institutions by passing the general aptitude tests only in the Abkhazian and Ossetian languages in accordance with the procedures established by this Law.

2<sup>4</sup>. Before the fulfilment of obligations determined by paragraph 2<sup>3</sup> of this article, the Abkhazian speaking citizens of Georgia may take only the general aptitude tests in the Russian and Abkhazian languages, as a result of which they shall be subject to the legal regime determined for taking only the general aptitude tests in the Abkhazian language.

3. This Law shall enter into force upon its promulgation.

*Law of Georgia No 1611 of 10 August 2009 - LHG I, No 25, 20.8.2009, Art. 148*

*Law of Georgia No 2078 of 17 November 2009 - LHG I, No 38, 1.12.2009, Art. 281*

*Law of Georgia No 3528 of 21 July 2010 - LHG I, No 47, 5.8.2010, Art. 299*

*Law of Georgia No 4792 of 17 June 2011 - website, 6.7.2011*

*Law of Georgia No 5718 of 28 February 2012 - website, 9.3.2012*

**President of Georgia**

**M. Saakashvili**

**Tbilisi**

**21 December 2004**

**№688-ES**

