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LAW

of 11 September 2018

on quality assurance in higher education and amending Act No. 343/2015 Coll. on public procurement and amending certain acts, as amended

The National Council of the Slovak Republic has decided on the following Act:

Art. I

PART ONE

ESSENTIAL PROVISIONS

§ 1

Subject of the law

This Act governs the internal system of quality assurance of higher education and educational programmes leading to micro-certificates¹ (hereinafter referred to as 'the internal system') and its verification, the establishment and status of the Slovak Accreditation Agency for Higher Education (hereinafter referred to as 'the Agency') and its proceedings, the granting of study programme accreditation, the granting of accreditation of the habilitation procedure and the granting of accreditation of the procedure for the appointment of professors (hereinafter referred to as 'the inauguration procedure').

§ 2

Definitions

For the purposes of this Act, the following definitions shall apply:

- a) the standards for the internal system, the set of requirements for the internal system and the way in which it is implemented;
- b) standards for the study programme a set of requirements, the fulfilment of which is conditional on granting the accreditation of the study programme,
- c) standards for the habilitation procedure and the inauguration procedure, a set of requirements, the fulfilment of which is conditional on granting the accreditation of the habilitation procedure or the accreditation of the inauguration procedure,
- d) by means of a methodology for evaluating standards, a set of procedures, criteria and indicators to be used by the review panels of the Executive Board of the Agency (hereinafter referred to as 'the review panel') and the staff of the Agency to assess compliance with the standards and measures to ensure that the internal system or its implementation complies with the internal system standards (hereinafter referred to as 'corrective action');
- e) by accrediting the study programme, the authority to conduct the study programme and to grant its graduates the corresponding academic degree,
- f) by accreditation of the habilitation procedure, the authority to carry out the habilitation procedure in the field of habilitation procedure and inauguration procedure,
- g) by accreditation of the inauguration procedure, the authority to conduct the inauguration procedure in the field of habilitation procedure and inauguration procedure,
- h) modification of the study programme, addition or deletion of compulsory subjects or compulsory elective subjects, change of conditions for the proper completion of studies or modification of the information sheet of the compulsory subject or compulsory elective subject, except
 1. update from the teacher,
 2. recommended literature and
 3. the type, scope and methods of the training activities.

§ 3

Internal system

- (1) The university ensures the quality of the provided higher education and educational programs leading to obtaining a micro-certificate by implementing its internal system and its continuous development.
- (2) The internal system regulates the way in which the mission of the university in the field of higher education is fulfilled through
 - a) strategies for ensuring the quality of higher education and the quality of the higher education institution's research, development, artistic or other creative activities (hereinafter referred to as "creative activities");
 - b) quality assurance processes of higher education, quality assurance processes of educational programmes leading to micro-certification and quality of creative work;

c) links between creative activity and higher education of the university in the relevant field of study.

(3) The internal system regulates the rules

a) the creation, approval, implementation and modification of each study programme, which

1. ensures that the field of knowledge is taken into account according to the relevant field of study or combination of fields of study in which the graduates obtain a university degree,

2. regulates the competences of the bodies of the university or its faculty when approving the study programme,

3. ensures the participation of representatives of students, employers from the relevant economic sector and other interested persons in the creation and modification of the study programme,

4. ensure the definition of the knowledge, skills and competences to be acquired by graduates as part of their studies ('higher education outcomes') corresponding to the relevant level of the national qualifications framework;

5. ensures that the standards for the study programme are met,

b) selection of teachers of individual subjects of study programmes,

c) the admission procedure,

d) approval of final thesis supervisors and final thesis trainers,

e) evaluation of students so as not to create unjustified differences in similar cases;

f) monitoring and periodic evaluation of study programmes involving students, employers from the economic sector concerned and other stakeholders; this monitoring and evaluation shall take into account:

1. application of the latest knowledge in the content of study programmes,

2. the effectiveness of student assessment criteria and rules;

3. achievements of higher education;

4. student questionnaires on the quality of teaching and questionnaires on teachers,

5. applicability of graduates;

g) examination of complaints by which

1. the student seeks the protection of his or her rights or legally protected interests which he or she considers having been violated by the activity or inactivity of the higher education institution, a part of the higher education institution or the staff of the higher education institution; or

2. the student points out specific shortcomings in the activities or inactivity of the higher education institution, a part of the higher education institution or the staff of the higher

education institution, in particular a violation of legal regulations or a violation of the internal regulations of the higher education institution or its part,

h) the implementation of the creative activity of the university and the participation of students in it and the requirements for the level and scope of the creative activity of the university with regard to its mission,

i) cooperation with specialized teaching facilities for practical teaching and the method of verifying their fulfillment,

j) cooperation with external educational institutions involved in the implementation of the third-level study programme, if the higher education institution carries out the third-level study programme in cooperation with an external educational institution or is interested in carrying it out in cooperation with an external educational institution,

k) determining the requirements for the selection of university teachers, in addition to the general criteria for filling posts of professors and associate professors, and the specific conditions for filling posts of professors;

l) ensuring the professional development of university teachers, researchers and artistic staff;

m) verification of sufficient spatial, material, technical, information and personnel security for the implementation of study programmes,

n) the collection, analysis and use of information necessary for the effective implementation of the study programme;

o) regular publication of up-to-date, adequate and qualitative information on study programmes and their graduates,

p) according to the needs of the university, in addition to the rules referred to in points a) to o),

q) the creation, approval, implementation and modification of any training programme leading to a micro-certificate which:

1. regulates the competence of the bodies of the university or its faculty in approving the educational programme leading to obtaining a micro-certificate,

2. regulates the procedure for establishing and modifying the educational programme leading to obtaining a micro-certificate,

3. ensures the fulfilment of standards for the internal system within the implementation of the educational program leading to obtaining a micro-certificate.

PART TWO THE AGENCY

§ 4

(1) The Agency shall be established as an independent public institution carrying out external quality assurance activities in higher education. The Agency is a legal entity with its registered office in Bratislava.

(2) The Agency

a) decides on

1. compliance of the internal system and its implementation with the standards for the internal system,
2. the accreditation of the study programme or its non-accreditation,
3. the granting of accreditation of the habilitation procedure and its non-granting or withdrawal,
4. the granting of accreditation in the inauguration procedure and its non-granting or withdrawal,
5. the imposition of a corrective measure;
6. the suspension of the procedure for the application for authorisation to operate as a private higher education institution (hereinafter referred to as 'State authorisation');

b) provided to the Ministry of Education, Research, Development and Youth of the Slovak Republic (hereinafter referred to as the "Ministry of Education")

1. a statement on the application for state consent,
2. incentives to adjust standards,
3. comments on proposals concerning higher education,
4. information on facts indicating academic fraud or participation in academic fraud,^{1aa)}

c) maintain a list of reviewers from which the Executive Board of the Agency (hereinafter referred to as the "Executive Board") shall form review panels;

d) supervises compliance with the standards;

e) issuing

1. the standards,
2. Methodology for evaluating standards;
3. the principles for inclusion on the list of reviewers, which govern in particular the procedure for inclusion on the list of reviewers and the requirements for inclusion on the list of reviewers;

f) makes an entry in the register of study fields and the register of study programmes,

g) prepares

1. a proposal for a fee schedule for agency activities (hereinafter referred to as "the fee schedule") and a proposal for its amendment;
2. an analysis of the development of the higher education system in the Slovak Republic, including surveys of students, university staff, employers and other entities concerned and an analysis of internal evaluation reports relating to internal systems;

3. an annual report on the Agency's activities and management;

h) published on its website

1. standards and methodology for evaluating standards,

2. the Agency's internal rules;

3. the schedule of fees,

4. models of applications pursuant to Section 21(1)(a) and (b) and the internal assessment report, including the form and method of their delivery,

5. information on the opening of proceedings pursuant to Section 21(1),

6. applications pursuant to Section 21(1)(a) and (b),

7. the evaluation reports of the review panels, after discussion in the Executive Board;

8. the basis for the decision or for the opinion of the Agency and for the opinion of the Agency's Opposition Assessment Board ('Board of Appeal');

9. decisions of the Agency and comments of the Agency on applications pursuant to Section 21(1)(b),

10. the statement of the Board of Appeal pursuant to Section 22(2),

11. the resolutions of the bodies of the Agency,

i) carries out business activities pursuant to Section 20 (7) .

(3) The Agency is obliged to

a) request a review of its activities by the European Association for Quality Assurance in Higher Education at least once every five years;

b) ensure the demonstrable professional development of its staff, members of its bodies and reviewers within the scope of the Agency's competences;

c) publish the draft principles for inclusion in the list of reviewers, removal from this list and creation of review panels on its website for at least 30 days, evaluate the comments received during this period and publish their evaluation together with the approved text of the principles,

d) publish the draft schedule of fees and the proposal for its amendment on its website for at least 30 days, evaluate the comments received during this period and evaluate them together with the proposal to submit to the Ministry of Education,

e) inform without delay the Ministry of Education and the bodies representing higher education institutions of any proposal published on its website;

f) to deposit the annual accounts and the annual activity and management report of the Agency in the public part of the Register of Financial Statements; financial statements within the time limit laid down in a special regulation,^{1a)} the annual report on the Agency's activities and management by 30 June.

§ 5

Bodies of the Agency

The bodies of the Agency shall be:

- a) the Chairman of the Executive Board;
- b) Vice-Chairman of the Executive Board,
- c) the Executive Board;
- d) the Board of Appeal,
- e) the Auditor,
- f) the Head of the Office.

§ 6

Chairman of the Executive Board and Vice-Chairman of the Executive Board

(1) The Chairman of the Executive Board shall be the statutory body of the Agency. The Chairman of the Executive Board shall manage the Agency, act on its behalf and represent it externally. The Chairman of the Executive Board shall be represented in his or her absence by the Vice-Chairman of the Executive Board.

(2) The Chairman of the Executive Board and the Vice-Chairman of the Executive Board shall be appointed and dismissed by the Minister of Education, Science, Research and Sport of the Slovak Republic (hereinafter referred to as the "Minister of Education"). The Chairman of the Executive Board shall be appointed by the Minister of Education on the basis of the results of the selection procedure. The Vice-Chair of the Executive Board shall be appointed by the Minister of Education, on a proposal from the Chair of the Executive Board, from among the members of the Executive Board. The Minister of Education shall appoint the Chairman of the Executive Board within 30 days of the publication of the results of the selection procedure.

(3) An applicant for the office of Chairman of the Executive Board shall meet the requirements of Section 7 (5) .

(4) If the Chairman of the Executive Board ceases to hold office before the expiry of his or her term of office as a member of the Executive Board, the Vice-Chairman of the Executive Board shall perform the functions of the Chairman of the Executive Board in full until the appointment of a new Chairman of the Executive Board.

(5) If the Vice-Chairman of the Executive Board ceases to hold office before the expiry of his term of office as a member of the Executive Board and the function of the Chairman of the Executive Board is not filled, until the expiry of the original term of office of the Vice-Chairman of the Executive Board, the functions of the Chairman of the Executive Board shall be fully performed by the member of the Executive Board authorised by the Minister of Education.

(6) The Vice-Chairman of the Executive Board may resign from this office even without resigning from the Executive Board. The resignation of the Chairman of the Executive Board shall also constitute a resignation from the Executive Board.

Executive Board

§ 7

(1) The Executive Board shall consist of nine members, including the Chairman of the Executive Board and the Vice-Chairman of the Executive Board. The members of the Executive Board are appointed and dismissed by the Minister of Education. The Minister of Education appoints two members on the proposal of the Council of Universities and two members on the proposal of the Slovak Rectors' Conference from persons who are internationally recognized experts in their field of activity, two members on the proposal of the Students' Council of Universities and two members on the proposal of representatives of employers; the ninth member shall be the Chairman of the Executive Board.

(2) The Council of Universities, the Slovak Rectors' Conference and the Students' Council of Universities shall submit each two proposals with a justification. The Ministry of Education shall publish the statement of reasons on its website.

(3) A proposal submitted by the Council of Universities or a proposal submitted by the Slovak Rectors' Conference may be rejected by the Minister of Education and requested to submit a new proposal only if the proposed candidate does not meet the conditions under paragraph 5. A proposal submitted by the Student Council of Higher Education may be rejected by the Minister of Education and a new proposal may be submitted only if the proposed candidate does not meet the conditions under paragraph 6.

(4) Proposals for members of the Executive Board as representatives of employers shall be submitted by

- a) representative employers' associations,²⁾
- b) professional organisations established by law;
- c) Slovak Academy of Sciences,
- d) legal entities to which the Ministry of Education has issued a certificate of competence to carry out research and development³⁾ except universities and organizations of the Slovak Academy of Sciences,
- e) state-recognised churches and religious societies.

(5) A natural person may be appointed as a member of the Executive Board appointed on a proposal from the Council of Universities, the Slovak Rectors' Conference and representatives of employers.

- a) is of good repute;
- b) has full legal capacity;
- c) has a third-level university degree; and

d) at the time of the submission of the proposal for appointment, is working or has worked during the previous 15 years for at least;

1. five years in the position of professor at a university with its seat in the territory of the Slovak Republic,
2. five years in the position of professor or in a similar position at a university with its seat outside the territory of the Slovak Republic,
3. five years as a researcher with the rank of "Doctor of Sciences";
4. five years as a senior researcher at a professional, scientific or artistic institution abroad;
5. ten years as an independent artistic worker in a professional, scientific or artistic institution abroad,
6. ten years as an academic employee of a higher education institution established outside the territory of the Slovak Republic, or
7. ten years in management in a legal entity.

(6) A natural person who fulfils the conditions under paragraph 5 may be appointed as one member of the Executive Board appointed on a proposal from the Student Council of Universities. A natural person may be appointed as the second member appointed on the proposal of the Student Council of Universities, who

- a) is of good repute;
- b) has full legal capacity; and
- c) has a first-degree university degree.

(7) Proposals for candidates for members of the Executive Board, other than a candidate for the Chairman of the Executive Board, shall be submitted to the Minister of Education within a period specified by him, which may not be less than 45 days from the publication of the call for proposals on the website of the Ministry of Education. The Minister of Education shall appoint the members of the Executive Board within 30 days of the expiry of that period.

(8) If a sufficient number of proposals are not submitted or if, for objective reasons, it is not possible to appoint a member of the Executive Board, in particular if the proposed candidate does not meet the conditions under paragraph 5 or paragraph 6, the Minister of Education shall invite the entities concerned to additionally submit proposals within 10 days from the publication of the call on the website of the Ministry of Education. If there is not a sufficient number of proposals or if, for objective reasons, it is still not possible to appoint a member of the Executive Board after the expiry of that period, the Minister for Education shall appoint the relevant number of members of the Executive Board even without proposals from persons fulfilling the conditions under paragraph 5.

(9) The term of office for a member of the Executive Board shall be six years. The same person may serve a maximum of two terms as a member of the Executive Board. A member of the Executive Board may not be appointed as a member of the Appeals Board within the following four years after he ceases to hold that office. After the termination of the membership in the

Executive Board, the Minister of Education shall be proposed for the appointment of a new member by the one on whose proposal the current member of the Executive Board was or should have been appointed; this shall not apply in the case of the Chairman of the Executive Board.

(10) The Executive Board

- a) takes decisions pursuant to Section 4 (2) (a),
- b) accepts statements pursuant to Section 4 (2) (b),
- c) Approves the proposal
 1. the standards and a proposal for their amendment submitted by the Chairman of the Executive Board;
 2. the methodology for evaluating the standards and the proposal for its amendment submitted by the Chairman of the Executive Board;
 3. the schedule of fees and a proposal for its amendment before its submission for approval to the Ministry of Education,
 4. the Agency's budget,
 5. financial statements,
 6. the distribution of profit or loss or the settlement of profit or loss;
 7. the Agency's 7th Annual Activity and Management Report;
- d) adopt the Agency's internal rules and amendments thereto, except for the rules of procedure of the Appeals Board, including:
 1. the Statutes of the Agency, on a proposal from the Chairman of the Executive Board;
 2. the Agency's establishment plan;
 3. the rules of procedure of the Executive Board;
 4. arrangements for conflicts of interest of members of the Agency's collective bodies, members of review panels and staff of the Agency;
 5. an internal quality assurance system for the Agency's activities;
 6. the principles for inclusion on the list of reviewers, removal from that list and the creation of review panels;
 7. the Agency's management rules and rules for the conduct of business;
- e) includes persons on the list of reviewers and removes them from the list;
- f) oversee compliance with the Agency's internal quality assurance system for its activities;
- g) methodologically guides, directs and coordinates the work of the review panels,

- h) may establish permanent or temporary advisory bodies;
- i) perform other tasks under this Act or the Agency's internal regulations.

§ 8

(1) The Executive Board shall, for the purpose of considering a specific application, form review panels from persons included in the list of reviewers, except in the case referred to in Article 24 (6); the Chair and the members of the review panel shall be appointed and dismissed by the Chair of the Executive Board with the prior approval of the Executive Board. The Executive Board may also set up a review panel to examine the initiative of the Agency or to verify measures taken by a higher education institution where such examination or verification by a member of staff of the Agency is not sufficient.

(2) The Chairman of the Executive Board shall appoint at least one student to each review panel; this shall not apply to the granting or withdrawal of accreditation of the habilitation procedure and the granting or withdrawal of accreditation of the inauguration procedure. If a member of a review panel ceases to be a student and it is a review panel of which only that person has been appointed as a student, the Chairman of the Executive Board

- a) appoint another student to the review panel without delay;
- b) may remove the member of the review panel concerned, on a proposal from the Chairman of the review panel concerned, even without the agreement of the Executive Board; and
- c) notify the university of changes in the composition of the review panel referred to in points (a) and (b).

(3) The type of proceedings shall be taken into account in the establishment of the review panel. If the Agency assesses the internal system, the study fields in which the higher education institution carries out study programmes shall be taken into account when setting up the review panel. Where the Agency decides on the accreditation of a study programme, the relevant study programme shall be taken into account when setting up the review panel. Where the Agency decides on the accreditation of the habilitation procedure or on the accreditation of the inauguration procedure, the study field referred to in the application for accreditation of the habilitation procedure and the accreditation of the inauguration procedure shall also be taken into account in the establishment of the review panel. Where the Agency decides on the accreditation of a third-level study programme or on the accreditation of a habilitation procedure or on the accreditation of an inauguration procedure, the Chairman of the Executive Board shall also appoint at least one foreign reviewer to the review panel.

(4) The proposal for the composition of the review panel shall be communicated by the Chairman of the Executive Board to the participant in the proceedings. A participant in the proceedings may, within five working days of being notified of the composition of the review panel, submit a written reasoned objection of bias against a member of the review panel, together with supporting documents; this shall not apply in the case of an additionally appointed member of a review panel. If the Executive Board considers an objection of bias against a review panel member to be justified, the Chairman of the Executive Board shall remove that review panel member and appoint a new review panel member to his or her place without delay.

(5) A person may be entered on the list of reviewers for a period of six years with his written consent, even repeatedly. A reviewer may be removed from the list of reviewers before the

expiry of the time for which he or she has been registered, at his or her request or on the initiative of the Agency.

(6) A member of the Executive Board, a member of the Board of Appeal, the Auditor and the Head of Office may not be included in the list of reviewers. The Agency shall remove from the list of reviewers a reviewer who has been appointed as a member of the Executive Board, a member of the Appeals Board, an Auditor or a head of office.

§ 9

Board of Appeal

(1) The Appeals Board shall review the proceedings of the Executive Board and of the review panels on the basis of objections submitted by a participant in the proceedings to the decisions or statements of the Executive Board.

(2) The Board of Appeal shall have five members and two alternates appointed and dismissed by the Minister of Education. The members of the Board of Appeal shall be appointed by the Minister for Education on the basis of the results of the selection procedure; appoint as alternates, in the order of the first two unsuccessful candidates who have satisfied the requirements and criteria for appointment to the Board of Appeal referred to in paragraph 6. The Minister of Education shall appoint the members of the Appeals Board within 60 days of the publication of the results of the selection procedure.

(3) The term of office of a member of the Board of Appeal shall be four years. The same person may serve a maximum of two terms as a member of the Board of Appeal.

(4) A natural person who is of good repute and has full legal capacity may be appointed as a member of the Appeals Board.

(5) In the case of three members of the Board of Appeal, in addition to the conditions under paragraph 4, the appointment shall also be a condition of

a) secondary education in the field of study law; if he/she has obtained a university degree at first and then at second level, he/she is required to have obtained a law degree at both levels; and

b) at least five years' professional experience in the field of law.

(6) In the case of two other members of the Appeals Board and alternates, in addition to the conditions under paragraph 4, the appointment shall be subject to a term of office of at least five years.

a) as a professor or associate professor at a university with its seat in the territory of the Slovak Republic, or

b) as a professor or associate professor at a university established outside the territory of the Slovak Republic or in a similar function.

(7) A member of the Board of Appeal shall be replaced by an alternate if he or she has been disqualified from hearing the case on the grounds of bias or on any other ground provided for in

the Statutes of the Agency; the alternate shall have the status of a full member of the Board of Appeal.

(8) The rules of procedure of the Appeals Board shall be approved by the Appeals Board after a prior opinion of the Executive Board.

§ 10

Auditor

(1) The Auditor shall be appointed on the basis of the results of the selection procedure and dismissed by the Minister of Education.

(2) The Auditor

a) control the management of the Agency;

b) comment on the Agency's annual activity and management report before it is submitted to the Executive Board; if the Auditor does not comment on the draft annual activity and management report of the Agency within the period laid down in the Agency's Statutes, the Executive Board may approve it without the Auditor's statement;

c) comment on the accounts before they are submitted to the Executive Board; if the Auditor does not express an opinion on the draft accounts within the time limit laid down in the Agency's Statutes, the Executive Board may approve them without the Auditor's opinion;

d) make proposals to the Chairman of the Executive Board to remedy the deficiencies identified;

e) perform other tasks under this Act or the Agency's internal regulations.

(3) A natural person may be appointed as a Auditor who:

a) is of good repute;

b) has full legal capacity;

c) has at least a second-degree university degree; and

d) have at least five years of management experience in a legal person.

(4) The term of office of the Auditor shall be four years. The same person may be appointed as Auditor for a maximum of two consecutive terms of office.

(5) The Auditor has the right to

a) request information and explanations from the members of the Executive Board, the Head of the Office and Agency staff on all matters of the Agency other than the Agency's proceedings pursuant to Sections 21 to 33; and

b) inspect all accounting records and other documents of the Agency.

§ 11

Head of Office

(1) The Head of Office shall be appointed and dismissed by the Chairman of the Executive Board. The Head of the Registry shall be appointed by the Chair of the Executive Board, on the basis of the results of the selection procedure, within 30 days of their publication.

(2) Head of Office

a) ensures the proper functioning of the Agency, including administrative, technical, spatial and staffing arrangements;

b) manages the Agency's office to the extent determined by the Chairman of the Executive Board;

c) makes a proposal to the Executive Board

1. the budget of the Agency,

2. the distribution of profit or loss or the settlement of profit or loss;

d) submits to the Auditor and the Executive Board the draft financial statements and the draft annual activity and management report of the Agency; submit it for discussion by the Executive Board with the opinion of the Auditor;

e) carries out other tasks assigned to it by the Agency's statutes or by any other internal regulation of the Agency.

(3) A natural person may be appointed as the head of the office who:

a) is of good repute;

b) has full legal capacity;

c) has at least a second-degree university degree; and

d) has at least five years of management experience in a legal person.

(4) If the Agency does not have a Head of Office, the powers of the Head of Office shall be exercised, until the appointment of a new Head of Office, by a staff member of the Agency authorised by the Chairman of the Executive Board.

Common provisions on the bodies of the Agency and the review panel

§ 12

(1) The Executive Board and the Appeals Board shall adopt their conclusions in the form of resolutions only at their meetings; where a review panel is to be set up, a resolution may be adopted outside the meeting. The meeting may also be held by videoconference or other means of information and communication technology without the physical presence of the members of the Executive Board or the Appeals Board. A resolution of the Executive Board shall be adopted if at least seven members of the Executive Board vote in favour. The decision of the Board of

Appeal shall be adopted if more than half of all members of the Board of Appeal vote in favour. If the Executive Board does not adopt a resolution in the accreditation procedure, this means that the relevant accreditation has not been granted. If the Board of Appeal does not adopt a resolution, this means confirmation of the decision or confirmation of the Agency's statement.

(2) A member of the Executive Board, a member of the Appeals Board, a Auditor and a member of the review panel shall act independently in the proceedings and shall not be bound by the orders of the person who proposed him or her for appointment or of the person who appointed him or her.

§ 13

(1) The function of a member of the Executive Board, the function of a member of the Appeals Board, the function of Auditor and the function of head of office shall be incompatible with the function of

- a) Rector and Vice-Rector; this also applies in the case of a person entrusted with the performance of the function of rector,
- b) the statutory body of a private higher education institution,
- c) a member of the board of directors of a public higher education institution or a member of the board of directors of a private higher education institution;
- d) a member of the scientific board of a higher education institution, the artistic board of a higher education institution or the scientific and artistic board of a higher education institution (hereinafter referred to as "the scientific board of a higher education institution") or the collegiate body of the faculty responsible for the habilitation procedure;
- e) the Dean; this shall also apply in the case of a person entrusted with the office of dean;
- f) the head of the university,
- g) the Quaestor,
- h) the head of the university employee, the head of the faculty employee,
- i) the President of the Slovak Republic,
- j) a member of the National Council of the Slovak Republic, a member of the European Parliament, a member of a self-governing region council, a member of a municipality council or a member of a local council,
- k) a member of the Government of the Slovak Republic (hereinafter referred to as "the Government"),
- l) State Secretary,
- m) the Secretary-General of the Service Office;
- n) the president of a self-governing region, the mayor of a municipality or the mayor of a city district,

o) the president, head or director of a central state administration body or a state administration body,

p) a prosecutor, judge or judge of the Constitutional Court of the Slovak Republic; or

q) the President of the Slovak Academy of Sciences or a member of its bureau.

(2) The function of the Chairman of the Executive Board, the function of the Vice-Chairman of the Executive Board, the function of a member of the Appeals Board pursuant to Article 9, paragraph 5, and the function of the Head of the Office shall be incompatible with the employment relationship with a university established in the territory of the Slovak Republic or with any other employment relationship with a university established in the territory of the Slovak Republic.

(3) The office of a member of the Executive Board shall be incompatible with that of a member of the Appeals Board, with that of a Auditor and with that of a head of office. The duties of a member of the Board of Appeal shall be incompatible with those of Auditor and Head of Office. The position of head of office is incompatible with that of Auditor.

(4) If a natural person is to become a member of the Executive Board, a member of the Appeals Board, a Auditor or a head of office and performs a function or activity that is incompatible with that function, he shall be obliged to terminate the performance of such function or activity at the latest on the date of appointment. A member of the Executive Board, a member of the Appeals Board, the Auditor and the Head of Office shall, within 30 days of his or her appointment, declare in writing that he or she meets the conditions governing the incompatibility of his or her duties. A member of the Executive Board, a member of the Appeals Board and the Auditor shall deliver a written notification to the Minister of Education, the Head of Office, to the Chairman of the Executive Board.

§ 14

(1) A special regulation shall apply to the selection procedure for filling the office of the Chairman of the Executive Board, the office of the Auditor, the office of the Head of the Office and the office of the member of the Appeals Board,⁴⁾ subject to paragraphs 2 to 8 and Articles 9 and 11.

(2) Selection procedure for filling the post

a) the Chairman of the Executive Board shall be announced by the Ministry of Education not later than 90 days before the expiry of the term of office of the Chairman of the Executive Board;

b) the member of the Appeals Board shall be announced by the Ministry of Education not later than 90 days before the expiry of the term of office of the member of the Appeals Board,

c) the Auditor is announced by the Ministry of Education no later than 90 days before the expiry of the Auditor's term of office,

d) The Head of Office shall be promulgated by the Chair of the Executive Board no later than one month after the Head of Office ceases to hold office.

(3) If the term of office of the Chairman of the Executive Board, the Auditor or a member of the Appeal Board expires before the expiry of his term of office, the selection procedure shall be announced within 30 days of the termination of the term of office.

(4) Selection Committee for the selection procedure for filling the post

a) the Chairman of the Executive Board shall be appointed by the Minister for Education; one member on a proposal from the Council of Universities, one member on a proposal from the Slovak Rectors' Conference, one member on a proposal from the Students' Council of Universities, one member on a proposal from the representative employers' association and one member without a proposal,

b) a member of the Board of Appeal shall be appointed by the Minister for Education; one member on a proposal from the Council of Universities, one member on a proposal from the Slovak Rectors' Conference and one member on a proposal from the Students' Council of Universities,

c) the Auditor shall be appointed by the Minister of Education; one member on a proposal from the Council of Universities, one member on a proposal from the Slovak Rectors' Conference and one member on a proposal from the Students' Council of Universities,

d) The Head of Office shall be appointed by the Chairman of the Executive Board.

(5) A proposal for the appointment of a natural person as a member of the Executive Board or as a member of the Appeals Board may be made only with his or her prior written consent.

(6) To the application for the selection procedure for the post of the Chairman of the Executive Board, the function of the Auditor, the function of the Head of the Office or the function of a member of the Appeals Board, the candidate shall enclose

a) a structured curriculum vitae;

b) a document proving that the required university education has been obtained;

c) a solemn declaration that the condition of professional experience has been met, specifying the person with whom the experience was exercised;

d) a sworn statement of compliance with the conditions pursuant to Section 13 (1) to (3),

e) the management and development project of the Agency in the case of a candidate for the position of Chairman of the Executive Board;

f) other documents specified in the notice of invitation to tender.

(7) The selection procedure for the appointment of the Chairman of the Executive Board shall include a public hearing of the candidates, in which the candidate presents a project for the management and development of the Agency. A candidate who meets the requirements of Section 7(5) and whose application contains the annexes referred to in paragraph 6 shall be invited by the Ministry of Education to attend a public hearing at least seven days before it begins, indicating the date, place and time of the public hearing.

(8) The result of the selection procedure shall be published on its website within ten days of the end of the selection procedure.

a) the Ministry of Education, in the case of the Chairman of the Executive Board, the Auditor and a member of the Appeals Board;

b) the Agency, in the case of the Head of Office.

§ 15

(1) A member of the Executive Board and the Head of the Office shall be employed by the Agency; the Chairman of the Executive Board, the Vice-Chairman of the Executive Board and the Head of the Office may also agree on part-time working arrangements with the other members of the Executive Board in the employment contract.

(2) The employment relationship of a member of the Executive Board and the Head of Office with the Agency shall commence on the date determined as the date of taking up his duties, if he was not a member of the staff of the Agency at the time of his appointment.

§ 16

(1) The office of a member of the Executive Board, the office of a member of the Appeals Board, the office of the Auditor and the office of the Head of the Office shall be terminated.

a) the expiry of the term of office; this shall not apply in the case of the Chairman of the Executive Board who, on expiry of his or her term of office, performs that function until the appointment of a new Chairman of the Executive Board or Head of Office;

b) upon expiry of the calendar month in which written notice of resignation from office was delivered to the Minister of Education or, in the case of a Head of Office, to the Chairman of the Executive Board, unless the notice states a later date for resignation; the Minister of Education shall immediately notify the Executive Board thereof;

c) on the day of the appeal,

d) by appointment to a post which is incompatible with the post in question;

e) loss of integrity;

f) by the force of res judicata of a court decision limiting the capacity for legal acts that are necessary for the performance of the relevant function, or

g) death or declaration of death.

(2) The Minister of Education may dismiss a member of the Executive Board at the proposal of the Executive Board or the Auditor if the competent authority finds that the member of the Executive Board has violated the legislation or internal regulations of the Agency in connection with the performance of his/her duties. The Executive Board may dismiss the Head of Office if it finds that, in connection with the performance of his or her duties, he or she has breached the law or the internal rules of the Agency. The Minister of Education may dismiss a member of the Appeals Board or the Auditor if he finds that, in connection with the performance of his duties, he has violated the laws or internal regulations of the Agency.

(3) If the term of office of a member of the Executive Board, a member of the Appeals Board or the Auditor ends before its ordinary expiry, the term of office of the newly appointed member or

Auditor shall end on the date on which the term of office of the previous member or Auditor should have ended; this shall not apply in the case of the Chairman of the Executive Board.

(4) For the purposes of this Act, a person who has not been convicted by a final judgment of an intentional criminal offence and a person whose conviction has been expunged shall be deemed to be innocent.

(5) Integrity is proven by an extract from the criminal record. A person who has resided for more than 90 days during six consecutive months outside the territory of the Member States of the European Union in the last three years shall also file an extract from the criminal record of the State in which he has resided during that period. Where the competent authorities of third countries do not issue such a document, the extract from the criminal record of that State shall be replaced by a similar document issued by the competent authority not older than three months.

(6) In order to prove good repute, a candidate for appointment as a member of the Executive Board, a candidate in a selection procedure for filling the position of Chairman of the Executive Board, a candidate in a selection procedure for filling the position of a member of the Appeals Board or a candidate in a selection procedure for filling the position of Auditor shall provide the data necessary to request an extract from the criminal record⁵⁾ to the Ministry of Education; a candidate in a selection procedure for the post of Head of Office shall provide this data to the Agency. The information referred to in the first sentence shall be sent without delay by the Ministry of Education or the Agency in electronic form via electronic communication to the Prosecutor General's Office of the Slovak Republic for the issue of an extract from the criminal record.

(7) A member of the Executive Board, a member of the Appeals Board, the Auditor and the Head of Office shall be obliged to notify the Chairman of the Executive Board without delay of the facts referred to in paragraph 1(d) to (f); the Chairman of the Executive Board is obliged to notify them to the Minister of Education without delay.

§ 17

(1) The Chairman of the Executive Board shall be entitled to a monthly salary equal to 4 times the average monthly salary in the economy of the Slovak Republic determined by the Statistical Office of the Slovak Republic for the previous calendar year, the Vice-Chairman of the Executive Board equal to 3 times such salary and the Head of the Office equal to 2.5 times such salary; wages shall be rounded up to the nearest euro. The salary adjustment shall be made once a year with effect from 1 April of the calendar year.

(2) A member of the Executive Board shall be entitled to a monthly salary in accordance with the internal regulation of the Agency.

(3) A member of the review panel shall be entitled to remuneration for the preparation of an evaluation report for the purposes of the Agency's proceedings. A member of the Board of Appeal shall be entitled to remuneration for the consideration of a participant in the proceedings objections. The amount of the remuneration of a member of the review panel and a member of the Board of Appeal shall be determined by an internal regulation of the Agency.

(4) The Auditor shall be entitled to a monthly remuneration equal to one half of the average monthly salary of an employee in the economy of the Slovak Republic established by the Statistical Office of the Slovak Republic for the previous calendar year.

(5) The performance of the function of a member of the Executive Board other than the Chairman of the Executive Board and the Vice-Chairman of the Executive Board and the performance of the function of a member of the review panel is another act in the general interest.

§ 18

(1) In order to carry out its activities, the Agency shall process the members of the Executive Board, the members of the Appeals Board, the Auditor and the reviewers

- a) name and surname,
- b) academic title, scientific-pedagogical title, artistic-pedagogical title or scientific rank;
- c) date of birth;
- d) the place of permanent residence or, in the case of a foreigner, the place of residence in the Slovak Republic,
- e) telephone number and e-mail address,
- f) the beginning and end of the term of office or of the period of inclusion on the list of reviewers;
- g) the designation, at the proposal of whom he was appointed,
- h) the name of the field of study in which he/she works pedagogically, scientifically or artistically,
- i) the name of the field of study in which he obtained his university degree; if he/she has completed the habilitation procedure or inauguration procedure, also the name of the department of habilitation procedure and inauguration procedure in which the procedure took place;
- j) identification data of the employer;
- k) identification data of the university of which he is a student, if it is a student,
- l) the name of the field of study in which the study programme for which the student is enrolled is carried out, in the case of a student;
- m) information about the membership of the review panel, if it is an reviewer, with a link to the published submitted application, which is being considered or considered, and to the evaluation report, in the preparation of which he was involved,
- n) information on the training of the reviewer undertaken in the framework of professional development.

(2) The Agency shall publish the data referred to in points (a), (b) and (f) to (m) of paragraph 1 on its website.

(3) In order to carry out the activities of the Agency, a member of the Executive Board, a member of the Appeals Board, a member of the review panel and the Chairman of the Executive Board, a specifically authorised employee of the Agency shall have the right to enter the academic field, to acquaint himself, to the extent necessary, with the files of students, university teachers, researchers and artistic staff, to be present at the educational activities of the University and to process personal data contained in the documents for the decision.

(4) For the purposes of supervising compliance with the standards, specifically authorised Agency staff shall be entitled to process data from the Central Register of Students, the Register of University Staff, the Central Register of Final Thesis, Rigorous Thesis and Habilitation Thesis, the Central Register of Publication Activity, the Central Register of Artistic Activity and the Register of Study Programmes in their entirety and to make them available to the members of the Executive Board, the review panel and the Appeals Board to the extent necessary.

(5) For the purposes of Section 4(2)(g), second subparagraph, the Agency's specifically authorised employees shall be entitled to process data from registers pursuant to paragraph 4 and the Agency shall be entitled to publish them as statistical data in anonymized form.

§ 19

Financing of the Agency

(1) The funds of the Agency shall be held in accounts with the State Treasury. Funds relating to business activities shall be kept by the Agency in a separate account.

(2) The Agency shall keep accounts in accordance with a special regulation.⁶⁾

(3) The revenue of the Agency shall be, in particular,

a) fees for the Agency's activities;

b) funds from the state budget from the chapter of the Ministry of Education according to the Act on the state budget for the relevant financial year to ensure its activities,

c) income from business activities,

d) other income.

(4) The fee schedule and its amendments shall be approved by the Ministry of Education, taking into account the Agency's estimated costs associated with the Agency's activities. If the evaluation report is drawn up in accordance with Section 24(6), the amount of the fee for examining the application shall take account of the fact that the evaluation report was not drawn up by the review panel.

(5) The Ministry of Education shall provide the Agency with funds pursuant to paragraph 3 (b) on the basis of a written contract for the provision of funds. In addition to the identification data of the parties, the contract includes in particular:

a) the purpose for which the funds are provided and other conditions for their use;

- b) the amount of the funds;
- c) the time and manner of provision of funds;
- d) the date by which the Agency shall submit the financial statement to the Ministry of Education.

§ 20

Management of the Agency

(1) The Agency shall manage the revenue and expenditure budget established and approved for the calendar year in question.

(2) The Agency is obliged to use its property for the performance of its duties, to maintain the property in proper condition, to use legal means to protect it and to ensure that it is not destroyed, damaged, lost or misused.

(3) The Agency shall not

- a) grant loans or credits;
- b) guarantee the payment of the bill of exchange, issue, acquire and receive bills of exchange;
- c) issue bonds,
- d) enter into credit, loan or other relationships as a guarantor;
- e) make cash deposits or non-cash deposits into a legal entity other than the State Treasury,
- f) lease the property of the Agency for a period exceeding four years;
- g) secure its obligations by creating a lien; and
- h) participate in the formation of a commercial company or to set up a commercial company itself.

(4) The disposal of the Agency's property shall be governed by a separate regulation,⁷⁾ unless paragraph 3 provides otherwise. The role of the self-governing body in the disposal of the Agency's assets shall be fulfilled by the Executive Board.

(5) Control of the Agency's management pursuant to a special regulation⁸⁾ is carried out by the Ministry of Education. The Ministry of Finance of the Slovak Republic and the Government Audit Office may carry out a government audit of the Agency.

(6) The chairman of the Executive Board shall be responsible for the efficient and effective use of funds pursuant to Article 19, paragraph 3, letter b) and their settlement with the state budget and for the management of the Agency's assets.

(7) The Agency is entitled to perform only such business activities that are related to ensuring the quality of higher education, in particular in relation to higher education institutions located outside the territory of the Slovak Republic. The Agency may not provide a public higher education institution, a state higher education institution, a private higher education institution or

an applicant for state approval, upon request, with a direct or intermediated advisory or professional service or assistance in return for payment or other consideration. The costs of the business activity must be covered by the proceeds from it. The Agency shall keep in its accounts the income and expenses relating to its business activities separately from the income and expenses relating to the exercise of its functions in accordance with Section 4.

(8) The Agency's annual activity and management report shall include in particular:

- a) an overview of the activities carried out in the previous calendar year in connection with the exercise of the Agency's competences;
- b) changes in the internal rules of the Agency and changes in the bodies of the Agency which occurred during the previous calendar year;
- c) an evaluation of the basic data contained in the financial statements;
- d) an analysis of revenues and costs with the allocation of revenues and costs from the business activity,
- e) the status and movement of the property;
- f) analysis of financial flows;
- g) recapitulation of accounts with the state budget,
- h) a proposal for the distribution of profit or loss or the settlement of profit or loss;
- i) other data to be determined by the Executive Board.

PART THREE

PERFORMANCE OF THE AGENCY

§ 21

(1) The Agency shall initiate proceedings to:

a) The university's request for

1. a periodic assessment of the compliance of the internal system and its implementation with the internal system standards (hereinafter referred to as the 'internal system assessment');
2. accreditation of the study programme or
3. granting of accreditation of habilitation procedure and inauguration procedure,

b) the applicant's request for state consent,

c) the Agency's own initiative in the case of an extraordinary assessment of the internal system, a procedure for the withdrawal of accreditation of the habilitation procedure or a procedure for the withdrawal of accreditation of the inauguration procedure.

(2) The participant in the proceedings is

a) public higher education institution,

- b) state university,
- c) private university,
- d) the applicant for the granting of state consent,
- e) a university with its seat outside the territory of the Slovak Republic.

(3) Proceedings of the Agency which are initiated on the basis of an application shall commence on the date of receipt of the complete application by the Agency, including payment of the fee. If the application is incomplete, the Agency shall set a time limit of at least 30 days for completing the application, after which the Agency shall reject the application by decision in vain. The Agency's action on its initiative shall begin on the date of the Agency's first action against the higher education institution.

(4) If a participant in the proceedings fails to pay the fee for an act of the Agency at the latest together with the submission of the application, the Agency shall invite the participants in the proceedings to pay it within 60 days of the receipt of the invitation. If a participant in the proceedings fails to pay within that period, the Agency shall reject the request by decision.

(5) The review panel shall draw up an evaluation report on the application or initiative on the basis of which the Executive Board shall decide or express its views. In preparing the evaluation report, the review panel draws on an expert assessment of evidence, information obtained through a university visit, available data and stakeholder consultations. In the evaluation report, the review panel shall also set out the facts on which its conclusions were based, the procedure for evaluating those documents, the evaluation of the level of compliance with each standard, the shortcomings identified, the recommendations made to the participant in the proceedings, the draft decision or statement of the Agency and the names and surnames of the members of the review panel.

(6) A participant in the proceedings shall have the right to submit an opinion on the evaluation report within a period specified by the Agency, which shall not be less than 15 working days from the date of delivery of the evaluation report to the participant in the proceedings.

(7) The Agency shall take a decision or make a statement within one year of the date on which the procedure is initiated; the Agency may extend that period once by 30 days and shall notify the participant in the proceedings thereof. The time limit does not run between the submission of an objection to the composition of the review panel and its evaluation and the time limit for the parties to take a position on the review panel's evaluation report.

(8) The Agency shall state in the decision or statement the reasons which led it to take the decision or statement and the deficiencies identified. A statement of reasons is not necessary if the Agency fully grants the participant in the proceedings.

§ 22

(1) A participant in the proceedings shall have the right to object to the decision or statement of the Agency within 15 working days of the date on which the decision or statement was served on the participant in the proceedings, of which the Agency shall inform the participant in the proceedings in the decision or statement. The Board of Appeal shall respond to the objections of the participant in the proceedings within 90 days of their receipt by the Agency.

(2) If the Appeals Board, when reviewing a decision or statement of the Agency, finds that the internal rules of the Agency governing the procedure of the Executive Board, its review panels or this Act have not been complied with, it shall refer the decision or statement back to the Executive Board for a new procedure, otherwise it shall confirm the decision or statement of the Agency. If the Appeals Board returns the decision or statement to the Executive Board for re-examination, a new time limit shall start to run pursuant to Section 21(7) .

(3) In the discussion of objections by the Appeals Board, in addition to voting, a member of the Executive Board, the chairman of the relevant review panel or a member authorised by him and one or two representatives of a participant in the proceedings shall be entitled to be present at its meeting; the Appeals Board shall notify them of the place, date and time at which the objections are to be heard at least ten working days in advance. The Appeals Board may invite other persons to attend its meetings as necessary. If the person entitled fails to attend the meeting of the Board of Appeal, the Board of Appeal shall hear the case even in its absence.

(4) The decision of the Agency shall become final on the date of the vain expiry of the period for filing an objection or on the date on which the participant in the proceedings delivers to the Agency a written notice renouncing the filing of an objection. Where a participant in the proceedings has challenged a decision of the Agency in good time, the decision of the Agency shall become final on the date on which the response of the Board of Appeal is served on the participant in the proceedings confirming the decision of the Agency. In the case of a decision in the procedure for granting the accreditation of a study programme and the applicant for state approval is a participant in the proceedings, the decision on granting the accreditation of the study programme shall take effect at the earliest on the date of granting the state approval.

(5) The opinion of the Agency on the application for state approval is the final date of the futile expiry of the period for filing an objection or the date on which the participant in the proceedings delivers a written notice to the Agency, in which he renounces the filing of objections. Where a participant in the proceedings lodges an objection to that statement of the Agency in good time, the statement of the Agency shall become the final date of service on the participant in the proceedings of the statement of the Board of Appeal endorsing the statement of the Agency.

§ 23

Standards

(1) The Agency shall publish the draft standards and the draft amendment thereto on its website for at least 30 days, during which the public may submit comments on the draft to the Agency. The Agency shall immediately notify the representative bodies of higher education institutions and ministries of the publication of the proposal.

(2) The Agency shall evaluate the comments received and make that evaluation public. Before submitting the draft standards for approval to the Executive Board, the Agency shall submit a modified draft for opinion to the Ministry of Education; if, at the time of its submission, the evaluation of the comments referred to in the first sentence is not made public, the Agency shall submit it to the Ministry of Education together with an amended proposal. If the Ministry of Education identifies shortcomings in the amended draft standards, it shall return them to the Agency for revision, indicating the specific shortcomings; if the Ministry of Education finds that there are no deficiencies in the amended draft standards, it shall notify the Agency thereof without delay.

(3) The standards shall enter into force on the date of their approval by the Executive Board and shall enter into force on the date of their publication on the Agency's website, unless a later date is specified in the standards.

(4) The standards for the internal system shall, taking into account the mission of the university, focus in particular on the requirements of the internal system pursuant to Article 3 and its implementation by the university and its components.

(5) The standards for the study programme, taking into account the mission of the university, are mainly focused on the level of

- a) spatial, material, technical, information and personnel provision of the implementation of study programmes,
- b) creative activities of the university in the relevant field of study,
- c) taking into account the latest knowledge from the relevant field of study,
- d) requirements for successful completion of studies according to the study programme,
- e) graduates, in particular through higher education attainment and compliance with the required level of the national qualifications framework;
- f) requirements for filling posts of university teachers.

(6) Standards for the study programme may regulate particularities for

- a) individual fields of study,
- b) professionally oriented study programmes,
- c) joint study programmes;
- d) teacher study programmes;
- e) study programmes aimed at educating and non-formal education of children and pupils,
- f) translation combination study programmes,
- g) interdisciplinary studies.

(7) Standards for habilitation procedure and inauguration procedure with possible specificities for individual fields of study focus mainly on the level of

- a) the content related to the field of habilitation procedure and inauguration procedure and the field of study to which the field of habilitation procedure and inauguration procedure is to be assigned,
- b) creative activities of the university in the field of study to which the field of habilitation procedure and inauguration procedure is assigned,
- c) the criteria of the university concerned for evaluating the fulfilment of the conditions for obtaining the scientific-pedagogical degree or the artistic-pedagogical title "docent";

d) the criteria used by the higher education institution concerned to assess whether the conditions for obtaining a scientific and pedagogical degree or an artistic and pedagogical degree as a "professor" have been met;

e) requirements for selection of opponents,⁹⁾ members of the habilitation committee, members of the inauguration committee and compliance with these requirements.

(8) The university is obliged to harmonize its internal system, the study programmes carried out, the rules for conducting the habilitation procedure and the rules for conducting the inauguration procedure within 12 months from the date of entry into force of the amendment of the relevant standards. Proceedings initiated before the entry into force of the amendment shall be completed according to the standards in the version prior to the entry into force of the amendment, if this is more favourable to the higher education institution.

(9) The procedure under paragraphs 1 to 3 shall also apply to the amendment of standards.

Assessment of the internal system

§ 24

(1) A university is obliged to ask the Agency for an assessment of its internal system at least once every six years. For the first time, the university shall apply for an assessment of the internal system not earlier than four years and not later than six years from its establishment or from the granting of state approval.

(2) The Agency shall exercise ongoing supervision of compliance with the standards for the internal system at least once every two years on the basis of data from:

a) evaluation of the level of the university in educational activities and in the field of science, technology or art discussed by the Scientific Council of the university,

b) evaluation of the level of the faculty in educational activities and in the field of science, technology or art discussed by the faculty body determined by the statute of the relevant university,

c) the registers referred to in Section 18 (4),

d) analyses pursuant to Section 4 (2) (g) second point,

e) publicly available documents and data of the university.

(3) The Agency may, on its own initiative, initiate an extraordinary assessment procedure of the internal system as part of its supervision of compliance with the standards. As part of the exceptional assessment of the internal system, the Executive Board shall determine in a decision whether it can replace the assessment of the internal system referred to in paragraph 1.

(4) The assessment of the internal system shall be based on:

a) the internal system; if the university has drawn up internal regulations governing the internal systems of the faculty, these are also the basis,

b) an internal evaluation report on the implementation of the internal system drawn up by the university;

c) the evaluation report of the review panel;

d) the opinion of the university on the evaluation report of the review panel,

e) publicly available documents and data of the university.

(5) Documents pursuant to paragraph 4 (a), (b) and (d) shall be submitted electronically by the university to the Agency. In the case of an extraordinary assessment of the internal system, the higher education institution shall submit the documents referred to in paragraph 4(a), (b) and (d) within the time limit set by the Agency, which shall be at least 30 days; if it is an internal evaluation report, the Agency may also determine its scope and content. If the university fails to deliver the documents referred to in paragraph 4(a), (b) and (d) within the specified time limit, the procedure referred to in paragraph 7 shall be followed.

(6) A university may request an evaluation report to assess whether its internal system and its implementation comply with the standards for the internal system, as well as a legal entity that is a member of the European Association for Quality Assurance in Higher Education or registered in the European Quality Assurance Register for Higher Education; it shall indicate this fact in the request referred to in paragraph 1. The legal person referred to in the first sentence shall draw up an evaluation report in accordance with the requirements laid down in Section 21(5) and shall also take into account compliance with the standards for the study programme when drawing it up. The evaluation report thus produced shall replace the evaluation report of the review panel. The deadline for the delivery of this evaluation report shall be determined by the Agency in agreement with the university and the legal entity concerned; this period shall be at least 120 days. Pending receipt of the assessment report, the Agency shall suspend the procedure.

(7) If a higher education institution does not request the Agency to assess the internal system within the period referred to in paragraph 1, the Agency shall notify the higher education institution of this fact. The university is obliged to submit the application pursuant to paragraph 1 within 60 days from the date of receipt of the notice; if it fails to do so, the Agency shall decide to cancel all university study programmes.

(8) If a higher education institution has requested the Agency to assess the internal system within the period referred to in paragraph 1, the Agency shall, pursuant to Article 21(3) or (4), by decision reject the application of the higher education institution for assessment of the internal system and the period referred to in paragraph 1 shall have expired before the decision rejecting the application of the higher education institution became final, the Agency shall decide on the cancellation of all study programmes of the higher education institution.

(9) When assessing the internal system, the Agency shall also take into account compliance with the standards for the study programme and, if the university has been granted accreditation of the habilitation procedure or accreditation of the inauguration procedure, the Agency shall also take into account compliance with the standards for the habilitation procedure and the inauguration procedure.

(1) The Agency shall decide on the basis of the results of the assessment of the internal system, whether or not the internal system and its implementation comply with the internal system standards. The Agency shall specify in the decision the fields of study and the degrees at which the higher education institution is authorised to create, implement and modify study programmes. If the internal system and its implementation are in accordance with the standards for the internal system, the Agency shall mark in the register of study fields the abolition of the restriction to create, implement and modify study programmes in defined study fields and degrees, if the university has this restriction. If the internal system or its implementation does not comply with the standards for the internal system and the participant in the proceedings is a university, the Agency shall also impose corrective measures in the decision.

(2) The corrective measures are:

- a) ordering the elimination of deficiencies which render the internal system or its implementation incompatible with the standards for the internal system;
- b) suspension of the implementation of the study programme;
- c) ordering the cancellation of the study programme,
- d) cancellation of the study programme,
- e) restricting the creation and modification of study programmes.

(3) The Agency may decide to impose several corrective measures at the same time.

(4) If the applicant for state approval is a participant in the proceedings, the Agency shall assess the proposal for the internal system of a private higher education institution by the same procedure as the internal system of the higher education institution, except for the imposition of corrective measures.

(5) In the case of a translation combination study programme, the corrective measure may also be imposed separately in relation to the probation of a language. If the remedial measure is imposed separately in relation to the approbation of a language, it shall apply to all study programmes involving the approbation in question.

§ 26

Ordering the elimination of deficiencies

(1) The Agency shall order the rectification of deficiencies which cause the internal system or its implementation not to comply with the standards for the internal system, if it has not found a negative impact on the results of higher education and their rectification can be ensured within six months from the date of the final decision of the Agency.

(2) The university shall be obligated to remedy the deficiencies identified and to notify the Agency of the measures taken and their results within six months of the date on which the Agency's decision becomes final.

(3) If the university fails to notify the Agency within the time limit pursuant to paragraph 2 of the measures taken and their results or the Agency finds that the deficiency persists, the Agency

shall decide on the imposition of another corrective measure even without fulfilling the conditions pursuant to Section 27 (1), Section 28 (1) or Section 29 (1).

§ 27

Suspension of the implementation of the study programme

(1) The Agency shall suspend the implementation of the study programme if the shortcoming identified is that:

- a) the university proceeded in the creation, approval, modification or implementation of the study programme in violation of its internal system,
- b) the study programme does not meet the standards for the study programme; and
- c) the identified deficiency can be remedied by modifying the study programme.

(2) From the date of entry into force of the decision suspending the implementation of the study programme, the university may not

- a) accept applicants for study in the relevant study programme or to conduct state examinations in the relevant study programme according to the decision of the Agency; if the Agency decides that the university may not take the state examination in the relevant study programme, this state examination as well as the study documents issued to the person concerned are invalid,
- b) modify the relevant study programme otherwise than in accordance with the procedure referred to in paragraph 4; and
- c) create a study programme in the relevant field of study and level.

(3) The university is obliged to submit to the Agency a proposal for modification of the study programme or a notification of its cancellation within the period specified by the Agency in the decision suspending the implementation of the study programme, which is at least three months from the date of the relevant decision.

(4) If the university cancels the relevant study programme, the Agency shall indicate in the register of study fields the cancellation of restrictions pursuant to paragraph 2.

(5) The Agency shall give its consent to the proposed modification of the study programme if the proposed modification creates a precondition for meeting the standards for the study programme. The university shall amend the study programme at the latest from the following academic year, which shall be notified to the Agency without delay. The Agency will verify this fact in the register of study programmes within 30 days of the university's announcement. After confirming the implementation of the change, the Agency shall indicate in the register of study fields and in the register of study programmes the lifting of restrictions pursuant to paragraph 2.

(6) If the proposal for the modification of the study programme does not create a prerequisite for meeting the standards for the study programme, the Agency shall, by decision, request the university to submit a new proposal for the modification of the study programme. In the decision, the Agency shall also indicate those deficiencies which the proposal for modification of the study programme does not remedy, any new deficiencies and shall set a deadline for the university to submit a new proposal, not more than twice.

§ 28

Ordering the cancellation of the study programme and the cancellation of the study programme

- (1) The Agency shall order the cancellation of the study programme if, after the suspension of the implementation of the study programme,
- a) university within a specified period of time
 1. does not propose modifications to the study programme; or
 2. does not notify its cancellation,
 - b) the Agency does not confirm the implementation of the approved modification of the study programme by the university pursuant to Section 27(5); or
 - c) the proposal for the modification of the study programme pursuant to Section 27(6) does not create a precondition for meeting the standards for the study programme for the third time.
- (2) The university is obliged to cancel the suspended study programme within the period specified by the Agency in the decision on the cancellation of the study programme, which is at least three months from the date of the relevant decision.
- (3) Upon the entry into force of a decision of the Agency ordering the cancellation of the study programme, the university is obliged to stop teaching the subjects of this study programme.
- (4) If the university does not cancel the study programme within the specified period, the Agency shall decide on its cancellation and on the cancellation of all study programmes carried out in the relevant study field at all levels and on the cancellation of the university's authorisation to create, implement and modify study programmes in this study field at all levels. The university is obliged to provide students enrolled in the study of the relevant study programme with the opportunity to continue their studies in the study programme carried out in the relevant field of study at another university.
- (5) The university may not conduct state examinations in the study programme cancelled by the Agency. If the university takes the state exam in this study program, this state exam is invalid; Documents issued to the person concerned on completion of their studies are also invalid.

§ 29

Restrictions on creating and modifying study programmes

- (1) The Agency shall decide on the limitation of the creation and modification of study programmes in the field of study and the degree, if the identified deficiency is
- a) the non-compliance of the internal system with the internal system standards; or
 - b) the fact that the way in which the internal system is implemented means that higher education outcomes do not correspond to the appropriate level of the national qualifications framework; and
 1. any study programme is not carried out in accordance with the standards for the study programme; or

2. deficiencies referred to in Section 26(1) shall not be presumed to be capable of being remedied within six months of the date on which the Agency's decision becomes final.

(2) The university may not, without the prior written consent of the Agency, create and modify study programmes carried out at the appropriate level.

a) in the field of study specified in the decision of the Agency,

b) in combination of two fields of study, one of which is specified in the decision,

c) as interdisciplinary studies in which higher education may be obtained in the field of study specified in the decision.

(3) Within 60 days from the date of entry into force of the decision referred to in paragraph 1, the University shall submit to the Agency for approval an action plan setting out, in particular, the measures planned to remedy the deficiencies and their timetable, including the method of securing the necessary resources. If the Agency approves the action plan, it shall monitor its implementation and reassess the internal system after the deadline specified in the action plan. If the Agency does not approve the action plan, it will instruct the university to complete it, even repeatedly. The university is obliged to submit the completed action plan to the Agency within 30 days from the date of receipt of the notification of non-approval of the action plan.

(4) If, in the course of monitoring the implementation of the action plan, the Agency finds that a higher education institution is not implementing the measures to which it has committed itself in the action plan, or the implementation of those measures does not remedy the deficiencies identified, the Agency shall invite the higher education institution to make adjustments to the action plan in cooperation with the Agency within the time limit set by the Agency or within the time limit for the implementation of the relevant measures specified in the action plan.

(5) If a higher education institution fails to submit an action plan within the relevant time limit, fails to make adjustments to it after the Agency's call, or fails to implement the relevant measures after the Agency's call, the Agency shall notify the higher education institution thereof and extend the time limit for submitting it, for making adjustments to it, or for starting to implement the relevant measures by 30 days. If, after notification and extension of the deadline, the higher education institution does not submit an action plan, does not make adjustments to it or does not implement the relevant measures, the Agency shall decide to cancel all study programmes of the higher education institution.

(6) If, after a reassessment of the internal system pursuant to paragraph 3, shortcomings persist pursuant to paragraph 1 in a field of study, the Agency shall decide on the cancellation of all study programmes in the relevant field of study at all levels.

(7) If, after a reassessment of the internal system pursuant to paragraph 3, the Agency does not identify deficiencies pursuant to paragraph 1, it shall indicate in the register of study fields the lifting of the restriction on creating and modifying study programmes.

§ 30

Accreditation of study programme

(1) A university may apply for the accreditation of a study programme in a field of study and a degree in which it is not yet authorised to carry out study programmes. The applicant for state

approval submits an application for the granting of the accreditation of the study programme in the fields of study and degrees at which he wants to start providing higher education. If an external educational institution is involved in the implementation of a third-level study programme, it is required that the external educational institution meets the standards for the study programme within the scope of the activities in which it is involved in the implementation of the study programme.

(2) The application for accreditation of the study programme shall contain:

a) the name of the participant in the proceedings, its registered office and the identification number of the organisation; if the study programme which is the subject of the application is to be carried out by the faculty, the designation of that faculty,

b) the name of the study programme, the form of study and the language or languages in which it is to be carried out;

c) the name of the study field from the system of study fields,

d) degree of university studies,

e) the code of the level of education and the code of the field of education according to the international standard classification of education,

f) the level of the national qualifications framework;

g) awarded academic title,

h) the documentation for the study programme which is the subject of the application relating to

1. spatial, material, technical, information and personnel provision of higher education,

2. the requirements for applicants for study, the method of their selection and the recommended personality requirements,

3. requirements for graduation,

4. creative activities of university staff who are to participate in the implementation of the study programme,

i) a favourable opinion of the legal entity referred to in the description of the field of study, if required according to the description of the field of study,¹⁰⁾

j) a favourable opinion of the competent ministry on the implementation of the proposed study programme, in the case of a state higher education institution;

k) other documentation necessary to evaluate the fulfilment of individual standards for the study programme,

l) an internal evaluation report.

(3) The university shall submit the documents referred to in paragraph 2 electronically to the Agency.

(4) In the case of a translational combination study programme, for the purposes of applying for the accreditation of the study programme, the university shall state in the application at least two approbations together with the requirements for the subjects of the translational basis. An application submitted in this way is considered to be an application for study programme accreditation.

(5) The Agency shall reject by decision the application for the granting of the accreditation of the study programme, if

a) the participant in the proceedings is already entitled to create, implement and modify the study programme in the relevant field of study and degree,

b) the Agency has validly decided on another application for accreditation of the study programme of the relevant university in the same field of study and level during the two years preceding the submission of the relevant application; or

c) the participant in the proceedings has submitted an application for the accreditation of a study programme for a joint study programme, a study programme carried out as interdisciplinary studies or a study programme carried out in a combination of two study fields.

(6) By decision, the Agency shall reject an application for the granting of accreditation of a study programme in the relevant field of study if it is submitted by a higher education institution before the expiry of five years from the date of entry into force of the Agency's decision ordering the cancellation of the study programme in the same field of study.

(7) The Agency shall reject the application if, in its assessment of the application, it finds that:

a) the participant in the proceedings does not meet the standards for the study programme; or

b) there is no presumption that the private university will meet the standards for the study programme and the applicant for state approval is a participant in the proceedings.

(8) The Agency shall decide on the granting of the accreditation of the study programme if, during the examination of the application, it finds that:

a) the participant in the proceedings meets the standards for the study programme, or

b) it is assumed that the private university will meet the standards for the study programme and the applicant for state approval is a participant in the proceedings.

(9) The university is not entitled to modify the relevant study programme without the prior consent of the Agency and is not entitled to create new study programmes in the relevant field and level; this shall be indicated by the Agency in the register of study fields and in the register of study programmes.

(10) The Agency continuously monitors the compliance of the implementation of the relevant study programme with the submitted application for accreditation of the study programme and the standards for the study programme.

(11) The Agency shall assess the compliance of the implementation of the relevant study programme with the standards for the study programme after the expiry of two years from the date of the regular completion of the study of the first student of the relevant study programme,

but not earlier than after the expiry of the standard length of study of this study programme from the entry into force of the decision granting the accreditation of the study programme.

(12) When carrying out the assessment referred to in paragraph 11, the Agency shall focus on the consistency of the higher education outcomes of the graduates of the relevant study programme with the higher education outcomes specified in the application for study programme accreditation.

(13) The Agency shall indicate in the register of study fields the lifting of the restriction to create study programmes in the relevant study field and level, and in the register of study programmes the lifting of the restriction to modify the relevant study programme after confirmation of compliance pursuant to paragraph 11. If a participant in the proceedings has simultaneously applied for the accreditation of a study programme for several study programmes in the same field of study and degree, the cancellation shall be marked only after confirmation of compliance for all these study programmes.

(14) If, as part of the assessment under paragraph 11, the Agency finds that the implementation of the relevant study programme does not comply with the standards for the study programme, an extraordinary assessment procedure of the internal system shall be initiated.

(15) If, as part of the extraordinary assessment of the internal system, the Agency does not order the cancellation of the study programme which was the subject of the assessment under paragraph 11, it shall set a deadline by which it shall reassess the compliance of the implementation of the study programme with the standards for the study programme.

§ 30a

Accreditation of a cross-border joint study programme

(1) A higher education institution established in the Slovak Republic may, in addition to the procedure in accordance with the decision of the Agency pursuant to Section 25 (1), when establishing a joint study programme pursuant to a special regulation^{10a}) provided in cooperation with a higher education institution established outside the territory of the Slovak Republic .

a) apply for accreditation to the Agency;

b) apply for accreditation to another legal entity that is registered in the European Quality Assurance Register for Higher Education; or

c) create an accredited cross-border joint study programme, if

1. a university has, pursuant to Section 25(1), the right to create, implement and modify study programmes in a given field of study and level of study; and

2. all higher education institutions participating in the implementation of the relevant cross-border joint study programme shall be entitled, on the basis of their internal quality assurance systems under the legislation of the State in which they are established, to independently create study programmes.

(2) A university established outside the territory of the Slovak Republic may apply to the Agency for accreditation when creating a cross-border joint study programme provided in cooperation with a university established outside the territory of the Slovak Republic.

(3) An application for accreditation of a cross-border joint study programme pursuant to paragraph 1(a) and (b) and paragraph 2 shall be submitted jointly by all the higher education institutions involved in its implementation.

(4) The procedures referred to in paragraphs 1 and 2 shall be governed by the documents governing the procedures and standards of the European approach to quality assurance for joint study programmes adopted within the European Higher Education Area and published on the website of the European Quality Assurance Register for Higher Education. The evaluation report shall also be published in English.

(5) The third part, with the exception of Section 30 (5) (a) and (c), shall apply mutatis mutandis to the Agency's procedure .

(6) The decision of the legal entity referred to in paragraph 1(b) in the procedure for granting the accreditation of a cross-border joint study programme shall be equivalent to the decision of the Agency. Accreditation shall be carried out in accordance with the legislation of the State in which the legal person is established.

(7) A university established in the territory of the Slovak Republic shall notify the Agency of the creation of a new cross-border joint study programme pursuant to paragraph 1(b) and (c) and the Agency shall enter the relevant study programme in the register of study programmes. Within the framework of ongoing supervision pursuant to Section 24(2), the Agency shall be entitled to verify compliance with the procedures referred to in paragraph 4.

§ 31

Procedure for granting accreditation of the habilitation procedure and accreditation of the inauguration procedure

(1) A university that is entitled to create study programmes may apply for accreditation of the habilitation procedure and inauguration procedure in the field of habilitation procedure and inauguration procedure. An application may be submitted if the university carries out a third-level study programme in the field of study or fields of study referred to in paragraph 2(c).

(2) The application for accreditation of the habilitation procedure and accreditation of the inauguration procedure shall contain:

a) the name of the higher education institution, its location and the identification number of the organisation; if the habilitation procedure and the inauguration procedure are to be carried out by the faculty, the designation of that faculty,

b) the name of the department of habilitation procedure and inauguration procedure proposed by the university and its content definition; if the application relates only to the accreditation of the habilitation procedure or only to the accreditation of the inauguration procedure, this shall be indicated;

c) the name of up to two fields of study to which the field of habilitation and inauguration procedures is to be assigned; it is required that the content definition of the field of habilitation procedure and inauguration procedure be as close as possible to these fields of study,

d) the criteria of the higher education institution concerned for evaluating the fulfilment of the conditions for obtaining a scientific-pedagogical degree or an artistic-pedagogical degree "docent";

e) the criteria used by the higher education institution concerned to assess whether the conditions for obtaining a scientific and pedagogical degree or an artistic and pedagogical degree as a "professor" have been met;

f) the results of the periodic evaluation of the creative activity of the university pursuant to a special regulation,¹¹⁾

g) other documentation necessary to evaluate the fulfilment of individual standards for habilitation procedure and inauguration procedure.

(3) The name of the field of habilitation procedure and inauguration procedure may be identical to the name of the study field from the system of study fields. In the case of a field of study, it is not possible to indicate a field of study in which only first-level study programmes can be carried out.

(4) The documents referred to in paragraph 2 shall be submitted electronically by the university to the Agency.

(5) The Agency shall, by decision, reject an application from a higher education institution if:

a) the conditions set out in paragraph 1 are not met; or

b) the university has submitted an application in the course of

1. one year from the date of the final decision rejecting the application for accreditation of the habilitation procedure and accreditation of the inauguration procedure in the field of habilitation procedure and inauguration procedure, which in the application referred to in paragraph 2(c) has the same field of study as that specified in the rejected application, or

2. five years from the date on which the decision to withdraw the accreditation of the habilitation procedure or the decision to withdraw the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure becomes final and the application contains the same faculty as the application that applied for the withdrawn accreditation.

(6) The Agency shall decide on the granting of the accreditation of the habilitation procedure or the accreditation of the inauguration procedure if, during the assessment of the application, it finds that the university meets the relevant standards for the habilitation procedure and the inauguration procedure, otherwise it shall decide on the rejection of the application. If the Agency decides to grant the accreditation of the inauguration procedure, it shall at the same time decide to grant the accreditation of the habilitation procedure.

§ 32

Withdrawal of accreditation of the habilitation procedure and withdrawal of accreditation of the inauguration procedure

(1) The Agency shall initiate the procedure for the withdrawal of the accreditation of the habilitation procedure or the withdrawal of the accreditation of the inauguration procedure if it finds facts indicating that the university does not meet the relevant standards for the habilitation procedure and the inauguration procedure.

(2) The commencement of the procedure for the withdrawal of the accreditation of the habilitation procedure or the withdrawal of the accreditation of the inauguration procedure shall suspend the relevant accreditation of the university and the Agency shall indicate this restriction in the register of study fields. Suspension of the relevant accreditation shall suspend any pending habilitation procedures or inauguration procedures in the relevant field of the habilitation procedure and inauguration procedure; this shall not apply if the proposal for the appointment of a professor has been approved by the Scientific Council of the higher education institution.

(3) If, in the course of the procedure for the withdrawal of the accreditation of the habilitation procedure or the withdrawal of the accreditation of the inauguration procedure, the Agency finds that the university meets the relevant standards for the habilitation procedure and the inauguration procedure, it shall mark the lifting of the suspension of the relevant accreditation in the register of study fields and the suspension of the habilitation procedure and the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure shall be terminated.

(4) The Agency shall decide on the withdrawal of the accreditation of the habilitation procedure or on the withdrawal of the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure if the facts pursuant to paragraph 1 are proven. Together with the withdrawal of the accreditation of the habilitation procedure, the Agency shall also decide on the withdrawal of the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure.

(5) Upon the entry into force of the decision to withdraw the accreditation of the habilitation procedure, all unfinished habilitation procedures at the relevant university in the relevant field of habilitation procedure and inauguration procedure shall be discontinued.

(6) Upon the entry into force of the decision to withdraw the accreditation of the inauguration procedure, all pending inauguration procedures at the relevant university in the relevant field of the habilitation procedure and inauguration procedure shall be discontinued; this shall not apply if the proposal for the appointment of a professor has been approved by the Scientific Council of the higher education institution.

§ 32a

Withdrawal of accreditation of the habilitation procedure and withdrawal of accreditation of the inauguration procedure

(1) The Agency shall decide on the withdrawal of the accreditation of the habilitation procedure on the basis of the university's request for the withdrawal of the accreditation of the habilitation procedure in the field of the habilitation procedure and the inauguration procedure specified in the relevant university's request. Together with the revocation of the accreditation of the habilitation procedure, the Agency shall also decide on the revocation of the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure.

(2) The Agency shall decide on the revocation of the accreditation of the inauguration procedure on the basis of the university's request for revocation of the accreditation of the inauguration procedure in the field of the habilitation procedure and the inauguration procedure specified in the relevant university's request.

(3) Upon the entry into force of the Agency's decision to revoke the accreditation of the habilitation procedure, all unfinished habilitation procedures at the relevant university in the relevant field of habilitation procedure and inauguration procedure shall be discontinued.

(4) Upon the entry into force of the Agency's decision to revoke the accreditation of the inauguration procedure, all unfinished inauguration procedures at the relevant university in the relevant field of habilitation procedure and inauguration procedure shall be discontinued; this shall not apply if the proposal for the appointment of a professor has been approved by the Scientific Council of the higher education institution.

§ 33

Granting of State Consent

(1) An application for state approval shall be submitted to the Agency by a legal entity wishing to operate as a private university.

(2) The application for state consent shall contain:

a) identification data of the applicant for state approval in the scope of the name, registered office, identification number of the organization and the name and surname of the statutory body or members of the statutory body,

b) the name of the private higher education institution;

c) the long-term intention of the private higher education institution,

d) application for the granting of the accreditation of the study programme,

e) draft statute, draft internal system, draft study rules and draft principles of the selection procedure for filling posts of university teachers, researchers and posts of professors and associate professors;

f) the method of financial security for the activities of a private higher education institution,

g) personnel, space, material, technical and information provision of higher education,

h) evidence of the scientific and pedagogical qualifications of university teachers and of researchers or artistic staff who will be employed in a private higher education institution;

i) documents proving the facts referred to in points (a), (f) and (g).

(3) The Agency shall terminate the proceedings in addition to the grounds stated in the Administrative Code, even if

a) decide that the design of the internal system of a private higher education institution does not comply with the standards for the internal system;

b) validly decides to reject all applications for the granting of the accreditation of the study programme, which were part of the application for the granting of state approval, or

c) the period referred to in paragraph 9 has not expired.

(4) A decision to discontinue proceedings pursuant to paragraph 3(a) or (b) may not be appealed.

(5) If the Agency decides on all applications for the granting of the accreditation of the study programme, decisions not to grant the accreditation of the study programme become final and the Agency does not stop the procedure, it shall submit a request to the Ministry of Education for the granting of state approval with a statement recommending state approval to grant or not to grant. The Agency shall give its opinion on the granting or non-granting of state consent on the basis of a comprehensive assessment of the application.

(6) If the draft internal regulations do not comply with the legislation or the name of the higher education institution does not comply with the special regulation,¹²⁾ the Ministry of Education shall call upon the applicant for rectification and shall set him a reasonable time limit for doing so; At the same time, he will instruct him that otherwise he will stop the proceedings.

(7) The Ministry of Education shall discontinue proceedings in addition to the grounds under the Administrative Code, even if the applicant

a) fails to eliminate the inconsistency of the draft internal regulations with the legislation within the time limit set by the Ministry of Education, or

b) failed to eliminate the conflict between the name of the higher education institution and the requirements under special legislation¹²⁾ within the time limit set by the Ministry of Education.

(8) The proposal to grant state approval or not to grant state approval shall be submitted to the Government by the Ministry of Education within five months of receipt of the Agency's statement to the Ministry of Education. If the Agency does not recommend granting state approval in its statement, the Ministry of Education will submit a proposal to the Government not to grant state approval. The Ministry of Education shall also submit to the Government a proposal not to grant state approval if the Agency recommends in its statement the granting of state approval, but the Ministry of Education shall conclude that the granting of state approval is not in the public interest and shall justify the proposal.

(9) A legal person may apply for state approval again at the earliest one year after the entry into force of the Agency's decision to discontinue proceedings or the Ministry of Education's decision to discontinue proceedings, or one year after the Government's decision not to grant state approval.

(10) If the government grants state approval, the Ministry of Education decides on the registration of the status of private higher education institution. After granting state approval, the applicant shall immediately align its name with the name under which it is to operate as a private higher education institution.

(11) The provisions of this section shall also apply to branches of higher education institutions established outside the territory of the Slovak Republic which do not operate in the territory of the Slovak Republic on the basis of an authorisation issued pursuant to a special regulation.¹³⁾

PART FOUR
COMMON AND TRANSITIONAL PROVISIONS

§ 34

Common provisions

- (1) The Code of Administrative Procedure shall not apply to proceedings under this Act, subject to paragraphs 2 and 3.
- (2) The rules of administrative procedure shall apply to the decision-making of the
- a) the suspension of the procedure for granting state consent pursuant to Section 33; and
 - b) the suspension of the procedure for granting state consent pursuant to Section 33.
- (3) The provisions of the Administrative Code shall apply to proceedings under this Act other than proceedings for the granting of state consent pursuant to Section 33.
- a) the exclusion of employees or members of the administrative body pursuant to Sections 9 to 13 of the Administrative Code,
 - b) delivered in person in accordance with Sections 24 and 25 of the Code of Administrative Procedure; and
 - c) time limits pursuant to § 27 and 28 of the Administrative Code.
- (4) The Ministry of Education shall act as an appeal body against the Agency's decision in the proceedings referred to in paragraph 2.
- (5) The Ministry of Education checks compliance with legislation by the Agency; this shall not apply in the case of agency proceedings pursuant to Sections 21 to 33.

Transitional provisions

§ 35

- (1) The right to grant graduates of the study programme the corresponding academic degree according to the regulations in force until 31 October 2018 shall be considered as an accreditation of the study programme according to this Act from 1 November 2018; if it has been granted by a decision pursuant to Section 37(2), it shall be deemed to have been granted from the date of its issue. In the case of a right without a time limit, it shall be deemed to be an accreditation of the study programme after confirmation of compliance pursuant to Section 30(11); this shall be without prejudice to Section 36(1).
- (2) The right of a higher education institution to establish a teacher's study programme consisting of a combination of two subjects and to award the corresponding academic degree to its graduates in accordance with the regulations in force until 31 October 2018 shall, from 1 November 2018, be considered as an accreditation of a teacher's combination study programme in accordance with the regulations in force from 1 November 2018; if it has been granted by a decision pursuant to Section 37(2), it shall be deemed to have been granted from the date of its issue. In the case of a right without a time limit, it shall be deemed to be an accreditation of a

teacher's combined study programme after confirmation of compliance pursuant to Section 30(11); this shall be without prejudice to Section 36(1).

(3) The right of a university to establish a study programme in the field of translation and interpretation consisting of a combination of two languages and to award its graduates the corresponding academic degree in accordance with the regulations in force until 31 October 2018 shall be considered as an accreditation of a translation combination study programme from 1 November 2018 in accordance with the regulations in force since 1 November 2018; if it has been granted by a decision pursuant to Section 37(2), it shall be deemed to have been granted from the date of its issue. In the case of a right without a time limit, it shall be deemed to be an accreditation of a translation combination study programme after confirmation of compliance pursuant to Section 30(11); this shall be without prejudice to Section 36(1).

(4) The right to conduct the habilitation procedure and the procedure for appointing professors in the field of study according to the regulations in force until 31 October 2018 shall be considered as an accreditation of the habilitation procedure and the inauguration procedure for the field of habilitation procedure and inauguration procedure according to this Act from 1 November 2018; if it has been granted by a decision pursuant to Section 37(2), it shall be deemed to have been granted from the date of its issue.

(5) If a university is granted any right under paragraphs 1 to 3 with a time limit due to the fact that it was a new study programme, the time limit for this right shall be abolished from 1 November 2018 and the Ministry of Education shall mark this fact by 30 November 2018 in the register of study programmes. In the case of a procedure pursuant to Section 37(2) and the right is to be granted with a time limit on the ground that it is a new study programme, it shall be granted without a time limit and, from the date of issue of the relevant decision, shall be regarded as an accreditation of the study programme prior to confirmation of compliance pursuant to Section 30(11).

(6) If, in accordance with the regulations in force until 31 October 2018, the university was obliged to submit to the Ministry of Education a report on the outcome of the measures taken to remedy the shortcomings stated in the statement of the Accreditation Commission when assessing the university's competence to carry out the relevant study programme or the habilitation procedure and inauguration procedure in the relevant study field, this obligation shall be maintained. If the higher education institution fails to submit the report referred to in the first sentence within the time limit laid down in the decision granting the right in question or within one year of notification of the decision suspending the right granted, the Minister for Education shall withdraw the right granted. If the higher education institution submits the report referred to in the first sentence in time, the Ministry of Education shall request verification of the outcome of the measures taken by 31 December 2019 to the Accreditation Commission and, from 1 January 2020, to the Agency; if the Accreditation Commission does not respond by 31 December 2019, the acts of the Accreditation Commission, the Ministry of Education and the Minister of Education shall be carried out by the Agency. The result of the measures taken shall be verified in accordance with the criteria laid down in the rules in force until 31 October 2018.

(7) If the Accreditation Commission expresses its opinion on the outcome of the measures taken pursuant to paragraph 6 by 31 December 2019, the rules in force until 31 October 2018 shall be followed. If the Minister of Education decides, pursuant to the first sentence, to grant a right with a time limit, to renew a right with a time limit or to suspend a recognised right, the higher education institution shall not report to the Ministry of Education on the outcome of the measures taken to remedy the deficiencies; instead of this report, the university shall be obliged

to submit to the Agency a proposal for modification of the study programme or notification of its cancellation pursuant to Section 27(4) by the date specified as a time limit in the decision of the Minister of Education and the Agency shall proceed pursuant to Section 27(5) to (7).

(8) If the result of the measures taken pursuant to paragraph 6 is verified by the Agency and finds that the university after taking the measures

a) meets the criteria and the obligation to report on the outcome of the measures taken to remedy the deficiencies arose due to

1. time limit, the Agency shall mark the cancellation of the time limit in the register of study programmes, if it is a study programme, or in the register of study fields, if it is a habilitation procedure and inauguration procedure,

2. suspension of the granted right, the Agency shall reinstate the granted right,

b) does not meet the criteria, the Agency shall suspend the implementation of the study programme pursuant to Section 27, in the case of a study programme, or withdraw the granted right in the case of a habilitation procedure and an inauguration procedure.

(9) If the university has suspended the right to grant graduates of any study programme the corresponding academic degree according to the regulations in force until 31 October 2018 and the validity of this right has not been renewed pursuant to paragraph 7 or pursuant to paragraph 8(a) second point, the university is obliged to cancel this study programme until the time corresponding to its standard length of study extended by one academic year; that period shall start on 1 September 2020.

(10) If the university has suspended the right to grant graduates of the study programme the corresponding academic degree according to the regulations in force until 31 October 2018, it is a study programme that the university had accredited on the basis of an application submitted until 31 December 2012 and the suspension of this right was only marked in the register of study programmes, the deadline for cancellation of this study programme according to the regulations in force until 31 October 2018 shall be maintained.

(11) If the university has suspended the right to conduct the habilitation procedure and the procedure for appointing professors in the field of study in accordance with the regulations in force until 31 October 2018, the university may not accept new applications for the start of the habilitation procedure and applications for the start of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure until the entry into force of the decision granting the accreditation of the habilitation procedure and the inauguration procedure under this Act in the field of habilitation procedure and inauguration procedure, the name of which is identical to the name of the relevant field of study or with the prior written consent of the Agency also in another field of the habilitation procedure and inauguration procedure.

(12) The decision to withdraw the right to conduct the habilitation procedure and the procedure for the appointment of professors in the field of study in accordance with the regulations in force until 31 October 2018 shall be considered as a decision to withdraw the accreditation of the habilitation procedure and the inauguration procedure under this Act from 1 November 2018; in the case of a procedure pursuant to Section 37(2), a decision to withdraw the accreditation of the habilitation procedure and the inauguration procedure pursuant to this Act from the date of its issue shall be deemed to be a decision withdrawing the accreditation of the habilitation procedure and the inauguration procedure pursuant to this Act.

(13) All rights of non-university institutions to participate in the implementation of the doctoral study programme for the relevant field of study expire on 1 November 2018. Contracts between higher education institutions and external educational institutions governing participation in the implementation of third-level study programmes shall be maintained.

(14) The Agency may initiate proceedings on its own initiative in the period up to the submission of the information by the higher education institution that it has brought the internal system into line with the standards for the internal system if it has reasonable grounds to suspect that the higher education institution is not complying with the legislation or its internal rules. If, in the course of the procedure, the Agency identifies deficiencies,

a) suspend the execution of the study programme; or

b) withdraw the accreditation of the habilitation procedure and the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure.

§ 36

(1) From 1 November 2018 until the entry into force of the Agency's decision pursuant to Article 25, paragraph 1, no higher education institution shall have the right to independently create study programmes in any field of study and degree; this does not apply in the case of an application for the granting of an accreditation of a study programme pursuant to Section 30. The restriction referred to in the first sentence shall be indicated by the Ministry of Education in the register of fields of study by 31 December 2018.

(2) The university is entitled from 1 November 2018 until the entry into force of the decision pursuant to Section 25 (1) to create a study programme in the field of study and the degree in which it is entitled to carry out study programmes on 31 October 2018, even before the assessment of the internal system, in the procedure pursuant to Section 30. By 31 March 2021, the Agency shall not reject an application for study programme accreditation on the grounds set out in Section 30(5)(a); This is without prejudice to Section 38(6).

§ 37

(1) The university is obliged to bring its internal system into conformity with this Act and the standards for the internal system within 24 months of their entry into force; it shall inform the Agency thereof without delay. The higher education institution is obliged to ask the Agency for a first assessment of the internal system by 31 December 2022 and for a second assessment of the internal system by 31 December 2030; if the university does not ask the Agency to assess the internal system by the end of this period, Section 24(7) shall apply. The university may ask the Agency for a first assessment of the internal system at the earliest after it has been brought into line with the regulations in force since 1 November 2018 and the standards for the internal system.

(2) Proceedings on the university's ability to carry out the study programme entitling its graduates to the corresponding academic degree and proceedings on the university's ability to carry out the habilitation procedure and the procedure for the appointment of professors not completed by 31 October 2018 shall be completed from 1 November 2018 according to the regulations in force until 31 October 2018 and according to the criteria issued according to the regulations in force until 31 October 2018; this also applies to applications submitted in the

framework of a comprehensive accreditation of the activities of a higher education institution which has not been completed by 31 October 2018. The provisions of the first sentence shall also apply to proceedings initiated on the basis of a request submitted to the Accreditation Commission between 1 November 2018 and 15 June 2019. If the proceedings are not completed by 31 December 2019, the acts of the Accreditation Commission, the Ministry of Education and the Minister of Education shall be carried out by the Agency.

(3) If, by 31 October 2018, the Ministry of Education has requested the Accreditation Commission to comment on the application for state approval and the Accreditation Commission has not commented by 31 December 2019, the Ministry of Education shall forward the application to the Agency. Proposals for study programmes containing an application pursuant to the first sentence shall be assessed by the Agency according to the criteria issued pursuant to the regulations in force until 31 October 2018; the Agency shall comment on the application or discontinue the procedure without considering the design of the internal system of the private higher education institution.

(4) The Accreditation Commission shall give its opinion on a proposal for the inclusion of a new study field into the system of study fields or on a proposal for another change in the system of study fields, which shall enter into force by 30 April 2019, in accordance with the regulations in force until 31 October 2018.

(5) Proceedings under paragraphs 2 and 3 initiated and not finally concluded by 31 December 2019 shall be stayed from 1 January 2020 until 31 January 2020 at the latest.

(6) As of 1 November 2018, legally unfinished proceedings on the eligibility of a non-university institution to participate in the implementation of a doctoral study programme are discontinued.

(7) If a higher education institution has been deprived of the right to grant graduates of any study programme the corresponding academic degree, or if it has been refused the right to grant such a right under the regulations in force until 31 October 2018, the restriction to submit applications to the Accreditation Commission relating to the relevant study field under the regulations in force until 31 October 2018 shall be maintained; in the case of a study programme carried out at a faculty, this limitation shall apply only to the application relating to the study programmes carried out at the faculty concerned.

(8) As of 16 June 2019, it is not possible to submit applications to the Accreditation Commission; an application submitted after 15 June 2019 shall be rejected by the Accreditation Commission. Applications submitted to the Accreditation Commission between 1 November 2018 and 15 June 2019 shall be dealt with in accordance with paragraph 2.

(9) If, by 31 December 2019, the Accreditation Commission proposes in its statement to grant a military university, police university or medical university the right to grant graduates of the study programme the corresponding academic degree or the right to conduct the habilitation procedure and the procedure for appointing professors in the field of study, the competent minister shall notify the Minister of Education within 30 days of the Accreditation Commission's statement of consent to grant such a right.

(1) The Accreditation Commission established under the Regulation in force until 31 October 2018 shall be considered the Accreditation Commission under this Act and shall carry out its activities until 31 December 2019 under the Regulation in force until 31 October 2018. A member of the Accreditation Commission established under the Regulation in force until 31 October 2018 shall be considered a member of the Accreditation Commission under this Act. As of 1 January 2020, the Accreditation Commission shall be dissolved. If a member of the Accreditation Commission ceases to be a member by 31 December 2019, the Ministry of Education and the Government shall ensure that the number of members of the Accreditation Commission is increased in accordance with the regulations in force until 31 October 2018; A member of the Accreditation Commission may also be appointed after 1 November 2018 for two consecutive terms.

(2) From 1 November 2018 to 31 December 2019, the Ministry of Education shall provide material and financial support for the activities of the Accreditation Commission in accordance with the regulations in force until 31 October 2018. Universities are obliged to provide cooperation to the Accreditation Commission from 1 November 2018 in the scope of the regulations in force until 31 October 2018. Until 31 December 2019, the Accreditation Commission is authorised to use data from the Register of University Staff within the scope of the regulations in force until 31 October 2018.

(3) The activities of the Agency from 1 November 2018 to 31 March 2019 are materially provided by the Ministry of Education. For the purpose of locating staff and ensuring the Agency's operations, the Ministry of Education is authorised to transfer the State's property to the Agency on the basis of a loan agreement until 31 March 2019; for this purpose, the Agency shall be entitled to manage the property of the State until 31 March 2019.¹⁴⁾ Movable property of the State materially securing the Agency's activities pursuant to the first sentence, as defined in the protocol between the Ministry of Education and the Agency, shall become the property of the Agency as of 1 April 2019.

(4) Transferred to the Agency as of 1 January 2020

a) rights and obligations binding the Accreditation Commission on 31 December 2019;

b) the registry records of the Accreditation Commission and the administration of its registry,

c) ownership and management of the website of the Accreditation Commission and the Accreditation Commission's agenda information system; the Agency shall maintain the website and the agenda information system for at least seven years.

(5) The Agency shall publish the draft standards on its website by 31 October 2019. The approval of the standards shall be communicated by the Agency to all public higher education institutions, state higher education institutions and private higher education institutions without delay after their publication on its website.

(6) From 1 November 2018 until the entry into force of the Standards, it is not possible to submit an application to the Agency under this Act; an application submitted before their entry into force shall be rejected by the Agency.

(7) From 1 November 2018 until the completion of the first periodic evaluation of the research, development, art and other creative activities of the university pursuant to special legislation¹¹⁾, the Agency shall take into account the evaluation of the research, development, art

and other creative activities of the university in the procedure for granting accreditation of the habilitation procedure and inauguration procedure instead of this evaluation within the last comprehensive accreditation of the university's activities carried out pursuant to the regulations in force until 31 October 2018.

(8) The Ministry of Education shall announce the first selection procedure for the post of Chairman of the Executive Board by 31 December 2018. The Minister of Education shall appoint the first Chair of the Executive Board within 14 days of the publication of the outcome of the selection procedure in which the selection panel selected the candidate for the position of Chair of the Executive Board; the members of the Executive Board may be appointed only after the appointment of the Chairman of the Executive Board.

(9) The Council of Universities, the Slovak Rectors' Conference, the Students' Council of Universities and representatives of employers pursuant to Section 7(4) shall propose members of the Executive Council to the Ministry of Education by 1 February 2019. The Minister of Education shall appoint the first members of the Executive Board other than the Chair of the Executive Board by 28 February 2019. The Chair of the Executive Board shall propose them to the Minister of Education for the appointment of the Vice-Chair of the Executive Board by 31 March 2019 and the Minister of Education shall appoint him by 15 April 2019. The term of office of the first Chair of the Executive Board and of the first Vice-Chair of the Executive Board shall be six years. Following the first appointment of the members of the Executive Board, two members whose term of office shall be two years and two members whose term of office shall be four years shall be selected by lot from among the other members of the Executive Board; the term of office of the remaining members of the Executive Board shall be six years.

(10) Until 1 December 2018, the Minister of Education shall appoint a natural person who, until the appointment of the first Chairman of the Executive Board, is the statutory body of the Agency, exercises the powers of the Chairman of the Executive Board and, until the appointment of the first Head of Office, exercises the powers of the Head of Office; only those who meet the requirements for membership of the Executive Board or Head of Office may be appointed.

(11) The first selection procedure for the post of Head of Office, the first selection procedure for the posts of members of the Appeals Board and the first selection procedure for the post of Auditor shall be announced by the competent authority by 15 June 2019.

(12) The first rules of procedure of the Appeals Board shall be proposed and approved by the Executive Board.

(13) Until 31 December 2018, in order to prove good repute, a candidate in a competition for the post of Chairman of the Executive Board, a candidate in a competition for the post of member of the Appeals Board or a candidate in a competition for the post of Auditor shall submit to the Ministry of Education, instead of the data required to request an extract from the criminal record, an extract from the criminal record not older than three months with an application for the competition; a candidate in a selection procedure for the post of Head of Office shall submit it to the Agency. In the case of a candidate for appointment as a member of the Executive Board, an extract from the criminal record shall be submitted to the Ministry of Education together with a proposal for his/her appointment.

(14) By 31 December 2022, the Agency is required to request:

- a) membership of the European Association for Quality Assurance in Higher Education; and
- b) Registration in the European Quality Assurance Register for Higher Education.

§ 39

Transitional provisions for the amendments effective from 1 January 2022

(1) If proceedings pursuant to Article 21(1) have been initiated and have not been completed by 31 December 2021, the Agency shall proceed in accordance with Article 21(7) in the version in force until 31 December 2021.

(2) The Agency shall be entitled, at the request of the higher education institution, at the time of submission of the first information by the higher education institution pursuant to Article 37, paragraph 1, that it has aligned its internal system with the standards for the internal system, but no later than 31 August 2022, to enter in the register of study programmes changes to data on study programmes, if these changes result from the need to align study programmes with the standards for the study programme; the Agency shall be entitled to record the following changes to the details of study programmes:

- a) a change in the field of study or a combination of two fields of study in which the completion of the study programme will result in higher education, if this change is justified in connection with the transformation of the system of study fields,
- b) change of the place of provision of the study programme from a place in a seat other than the seat of the university or faculty to a place in the seat of the university or faculty,
- c) change the name of the university or faculty at which the study programme takes place,
- d) change the title of the study programme if the new title better reflects the content of the education.

§ 40

Transitional provisions for the amendments effective from 25 April 2022

(1) The university is entitled to modify the study programme of the first degree, the study programme of the second degree and the study programme combining the first degree and the second degree without the consent of the Agency, if it is a study programme in an external form of study and the modification results from a change in the standard length of study according to the regulations in force from 25 April 2022. The university shall notify the Agency of the modification within one month of its implementation.

(2) The accreditation of the teacher combination study programme under the regulations in force until 24 April 2022 shall be maintained. A remedial measure may also be imposed separately for a teacher's combined study programme in relation to the probation of a subject after 25 April 2022.

(3) The accreditation of the habilitation procedure and the inauguration procedure granted pursuant to the regulations in force until 24 April 2022 shall be considered as the accreditation of the habilitation procedure and the accreditation of the inauguration procedure pursuant to the regulations in force since 25 April 2022.

(4) An application for accreditation of the habilitation procedure and inauguration procedure submitted until 24 April 2022 shall be considered as an application for accreditation of the habilitation procedure and accreditation of the inauguration procedure pursuant to the regulations in force since 25 April 2022.

(5) The right to conduct the habilitation procedure and the inauguration procedure for higher education institutions that have been granted accreditation pursuant to paragraph 3 shall be maintained until 31 August 2026, unless the Agency decides to withdraw the relevant accreditation before the expiry of that period. If, by 31 August 2026, a higher education institution obtains the accreditation of the habilitation procedure or the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure granted under the legislation in force since 25 April 2022, the habilitation procedures and the inauguration procedures in the relevant field of the habilitation procedure and the inauguration procedure initiated before the granting of the relevant accreditation shall be completed under the legislation in force until 24 April 2022. If, by 31 August 2026, a higher education institution has not obtained the accreditation of the habilitation procedure or the accreditation of the inauguration procedure in the relevant field of the habilitation procedure and the inauguration procedure granted under the legislation in force since 25 April 2022, the unfinished habilitation procedures and the inauguration procedures in the relevant field of the habilitation procedure and the inauguration procedure shall be discontinued as from 1 September 2026.

§ 41

Transitional provision for the amendments effective from 1 August 2024

From 1 August 2024 until the decision under Section 25(1) becomes final, the university is entitled to create a study programme, even before the first assessment of the internal system, in accordance with the procedure under Section 30. From 1 August 2024 until the entry into force of a decision pursuant to Section 25(1) by which the Agency decides that the internal system and its implementation comply with the standards for the internal system, the Agency shall not reject an application for accreditation of a study programme on the grounds pursuant to Section 30(5).

§ 42

Transitional provisions for the amendments effective from 1 January 2025

(1) By 31 January 2025, the Agency shall publish a proposal to amend the standards for the internal system in the field of rules for the creation, approval, implementation and modification of any training programme leading to a micro-certificate.

(2) From 1 January 2025 until its alignment with the standards for the internal system as amended pursuant to paragraph 1, the internal system shall not comply with the standards for the internal system for the purpose of providing a training programme leading to a micro-certificate.

Art. II

Act No 343/2015 on public procurement and amending certain acts, as amended by Act No 438/2015, Act No 315/2016, Act No 93/2017, Act No 248/2017, Act No 264/2017 and Act No 112/2018, is amended as follows:

1. In Section 8, paragraphs 2 and 4 are deleted.
The existing paragraphs 3 and 5 shall become paragraphs 2 and 3.
2. In Section 8(2), the words ‘paragraphs 1 and 2’ are replaced by the words ‘paragraph 1’.
3. The following Section 187d, including the heading, is inserted after Section 187c:

‘§ 187d

Transitional provisions for modifications effective from the date of declaration

(1) A person pursuant to Section 8(2) pursuant to regulations in force before the date of entry into force of this Act shall be entitled to cancel a contract award procedure in which a call for tenders was sent for publication before the date of entry into force of this Act or a contract award procedure which demonstrably began before the date of entry into force of this Act; this shall not apply if the successful tenderer or tenderers have been notified that their tender or tenders are being accepted. The provisions of Section 57 are not affected by this.

(2) Proceedings relating to a person and public procurement pursuant to paragraph 1 shall be discontinued by the Office.’

Art. III

This Act shall enter into force on the date of its promulgation, with the exception of Article I, which shall enter into force on 1 November 2018.

Andrej Danko v. r.

Peter Pellegrini v. r.

- 1) Section 8 of Act No 292/2024 on adult education and amending certain acts.
- (1a) Section 23a of Act No 431/2002 on accounting, as amended.
- (1aa) Sections 62b and 108lof Act No 131/2002 on higher education institutions and amending certain acts, as amended by Act No 137/2022.
- 2) Section 3(2) of Act No 103/2007 on tripartite consultations at national level and amending certain acts (the Tripartite Act).
- 3) Section 26aof Act No 172/2005 on the organisation of state support for research and development and amending Act No 575/2001 on the organisation of government activities and the organisation of central state administration, as amended.
- 4) Section 5 of Act No 552/2003 Coll.on the performance of work in the public interest, as amended.
- 5) Section 10(4)(a) of Act No 330/2007 on criminal records and amending certain acts, as amended by Act No 91/2016.
- 6) Act No. 431/2002 Coll., as amended.
- 7) Act No 176/2004 on the management of the property of public institutions and amending Act of the National Council of the Slovak Republic No 259/1993 on the Slovak Forestry Chamber, as amended by Act No 464/2002, as amended.

- 8) Act No. 357/2015 Coll. on Financial Control and Auditing and on Amendments and Supplements to Certain Acts.
- 9) Section 76(10) of Act No 131/2002 on higher education institutions and amending certain acts, as amended.
- 10) Section 50(4)(g) of Act No 131/2002, as amended by Act No 270/2018.
- 10a) Section 54a of Act No 131/2002, as amended.
- 11) Section 88a of Act No 131/2002, as amended by Act No 270/2018.
- 12) Section 47(9) of Act No 131/2002, as amended by Act No 270/2018.
- 13) Section 49a of Act No 131/2002, as amended.
- 14) Section 1(1)(c) of Act of the National Council of the Slovak Republic No 278/1993 on the administration of state property, as amended.