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269/2018 Coll.

Time version of the regulation effective from 01.03.2026

LAW

of 11 September 2018

**on quality assurance of higher education and on
amendments to Act No 343/2015 on public procurement and amending
and supplements to certain acts, as amended**

The National Council of the Slovak Republic has adopted the following Act:

Art. I

FIRST PART BASIC PROVISIONS

§ 1

Subject matter of the law

This Act governs the internal quality assurance system for higher education and educational programmes leading to microcredentials¹⁾ and short study programmes pursuant to special legislation^{1aaa)} (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 the accreditation of the study programme, the granting of the accreditation of the habilitation proceedings and the granting of the accreditation of the procedure for the appointment of professors (hereinafter referred to as the 'inauguration proceedings').

§ 2

Definitions

For the purposes of this Act:

- a) standards for the internal system a set of requirements for the internal system and its implementation,

b) the standards for the study programme a set of requirements, the fulfilment of which is conditional on the granting of the accreditation of the study programme and the decision of the Agency on the authorisation of the higher education institution to create, implement and modify study programmes in the relevant field of study and level,

c) the standards for the habilitation proceedings and the inauguration proceedings a set of requirements, the fulfilment of which is conditional on the granting of the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings;

d) methodology for the evaluation of the standards, a set of procedures, criteria and indicators through which the review panel of the Executive Board of the Agency (the 'review panel') and the staff of the Agency evaluate the implementation of the standards and measures to ensure the compliance of the internal system or its implementation with the standards for the internal system (the 'corrective measure');

e) supervising the activities of the Agency, which ensure control of compliance with the standards, in particular the continuous collection and evaluation of information and documentation;

f) meeting the standards of compliance of the internal system and its implementation with the standards for the internal system and compliance of the internal system by the higher education institution,

g) by accrediting the study programme, the authority to carry out the study programme and to award its graduates the corresponding academic degree,

h) by accreditation of the habilitation proceedings, authorisation to conduct habilitation proceedings in the field of habilitation proceedings and inauguration proceedings,

i) by accrediting the inauguration proceedings, the authority to conduct the inauguration proceedings in the field of habilitation proceedings and inauguration proceedings;

j) by modifying the study programme, adding or removing compulsory subjects or compulsory elective subjects, modifying the learning outcomes of the study programme, changing the conditions for the proper completion of studies or modifying the information sheet of a compulsory subject or compulsory elective subject, except for

1. updating the teacher,

2. recommended literature and

3. the type and extent of educational activities.

§ 3

Internal system

(1) The higher education institution ensures the quality of the higher education provided, the educational programmes leading to microcredentials and short study programmes by implementing its internal system and its continuous development.

(2) The internal system regulates the way of fulfilling the mission of a higher education institution in the field of higher education through

a) strategies for ensuring the quality of higher education and the quality of research, development, artistic or other creative activity (hereinafter referred to as "creative activity") of a higher education institution;

b) the quality assurance processes of higher education, the quality assurance processes of educational programmes leading to microcredentials and the quality of creative activity;

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

(3) The internal system governs the rules of

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

1. ensure that the field of knowledge is taken into account according to the relevant field of study or combination of fields of study in which graduates obtain higher education;

2. regulate the competence of the bodies of the higher education institution or its faculty when approving the study programme,

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

4. ensure the definition of the knowledge, skills and competences to be acquired by the graduate in the course of his/her studies ('learning outcomes') corresponding to the relevant level of the national qualifications framework;

5. ensure that learning outcomes in the curriculum take into account the needs of the labour market and are defined in cooperation with employers from the relevant economic sector and other stakeholders;

6. ensure the fulfilment of standards for the study programme,

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

c) the admission procedure,

d) approval of final work managers and final work trainers,

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

monitoring and periodic evaluation of study programmes, involving students, employers from the economic sector concerned and other interested persons; 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. learning outcomes achieved;

4. Student questionnaires on the quality of teaching and questionnaires on teachers;

5. the 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 to have been violated by the activity or inactivity of a higher education institution, a part of a higher education institution or a member of the staff of a higher education institution; or

2. the student refers to specific shortcomings in the activity 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 the law or a violation of the internal regulations of the higher education institution or a part of it;

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

i) cooperation with specialized teaching facilities on practical teaching and how to verify their fulfilment;

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 wishes to carry it out in cooperation with an external educational institution;

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

l) ensuring the professional development of higher education institution teachers, researchers and art staff;

m) verification of sufficient spatial, material, technical, information and personnel provision 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 higher education institution, except for the rules referred to in points (a) to (o);

q) the establishment, approval, implementation and modification of any educational programme leading to the acquisition of a microcredential which:

1. regulate the competence of the bodies of the higher education institution or its faculty when approving the educational programme leading to the acquisition of a microcredential,

2. regulate the procedure for creating and modifying the educational programme leading to the acquisition of a microcredential;

3. ensure the fulfilment of the standards for the internal system within the implementation of the educational programme leading to the acquisition of a microcredential,

r) the establishment, approval, implementation, modification and quality assurance processes of each short study programme, if the higher education institution carries out short study programmes which

1. regulate the competence of the bodies of the higher education institution or its faculty when approving a short study programme,

2. regulate the procedure for creating and modifying a short study programme;

3. ensure the fulfilment of the standards for the internal system within the implementation of the short study programme.

SECOND PART AGENCY

§ 4

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

(2) The Agency

a) Decides on

1. the compliance of the internal system and its implementation with the standards for the internal system,

2. the granting of the accreditation of the study programme or its non-granting,

3. granting the accreditation of the habilitation proceedings and not granting or withdrawing it,

4. the granting of the accreditation of the inauguration proceedings and its refusal or withdrawal;

5. the imposition of a corrective measure;

6. the suspension of the procedure for applying for consent to act as a private higher education institution (hereinafter referred to as 'State approval');

b) provided to the Ministry of Education, Research, Development and Youth of the Slovak Republic (the 'Ministry of Education')

1. comment on the application for state approval,

2. incentives to adjust standards,

3. comment on proposals concerning higher education;

4. information on facts indicating academic fraud or participation in academic fraud,^{1aa)}

maintain a list of reviewers from which the Executive Board of the Agency (the 'Executive Board') shall establish review panels;

supervising compliance with the standards;

e) Issues

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 enrolment in the register of study fields and the register of study programmes,

g) develops

1. a draft fee schedule for acts of the Agency (hereinafter referred to as 'fee schedule') and a proposal to amend it;
2. analysis of the development of the higher education system in the Slovak Republic, including surveys among students, higher education institution staff, employers and other entities concerned, and analysis of internal evaluation reports concerning internal systems;
3. an annual report on the Agency's activities and management;

h) publishes on its website

1. standards and methodology for evaluating standards;
2. the Agency's internal rules;
3. fee schedule,
4. templates for applications pursuant to [Section 21\(1\)\(a\) and \(b\)](#) and the internal evaluation report, including the form and method of their delivery;
5. information on the opening of proceedings pursuant to [Section 21\(1\)](#);
6. an application 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 panel (the 'Board of Appeal');
9. decisions of the Agency and observations 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. resolutions of the bodies of the Agency,

12. schedule pursuant to [Section 24\(1\)](#),
- i) conducts business activities in accordance with [Section 20\(7\)](#).
- (3) The Agency is obligated to
- a) request an assessment of its activities by the European Association for Quality Assurance in Higher Education at least every five years;
- b) ensure demonstrably professional development of its staff, members of its bodies and reviewers within the scope of the Agency's competences;
- c) to publish the draft principles for inclusion on, removal from and creation of review panels on its website for at least 30 days, to evaluate the comments received during that period and to publish their evaluation together with the agreed text of the principles; the principles also allow for the registration of foreign nationals from different countries and take into account the experience of reviewers from different professional backgrounds;
- d) publish the draft fee schedule and the proposal to amend it on its website for at least 30 days, evaluate the comments received during this period and evaluate them together with the proposal to submit them to the Ministry of Education,
- e) inform without delay the Ministry of Education and the bodies representing universities of any proposal that it publishes on its website;
- f) deposit the annual accounts and the annual activity and management report of the Agency in the public part of the Register of Financial Statements; 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) Chairman of the Executive Board,
- b) Vice-Chairman of the Executive Board,
- c) Executive Board,
- d) Board of Appeal,
- e) Auditor,
- f) Head of 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 direct the Agency, act on its behalf and represent it externally. The

Chairman of the Executive Board shall be represented during 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 are appointed and dismissed by the Minister of Education, Science, Research and Sport of the Slovak Republic ('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-Chairman of the Executive Board shall be appointed by the Minister of Education on a proposal from the Chairman 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) A candidate for the position of Chairman of the Executive Board must 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 tasks of the Chairman of the Executive Board in full until the appointment of the new Chairman of the Executive Board.

(5) If the Vice-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 and the position 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 member of the Executive Board authorised by the Minister of Education shall perform the tasks of the Chairman of the Executive Board in full.

(6) The Vice-Chairman of the Executive Board may resign 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 have nine members, including the Chairman of the Executive Board and the Vice-Chairman of the Executive Board. The members of the Executive Board shall be appointed and dismissed by the Minister of Education. The Minister for Education shall appoint the members of the Executive Board in accordance with the results of the selection procedure in such a way that:

- a) two members of the Executive Board are not employed by any higher education institution, including those established abroad;
- b) four members act or have acted as higher education institution teachers, researchers or art workers at a higher education institution based in the Slovak Republic or at a higher education institution based abroad;
- c) two members are students of a higher education institution based in the Slovak Republic.

(2) A natural person may be appointed as a member of the Executive Board who:

- a) is of good repute; and

b) has full legal capacity.

(3) A natural person may be appointed as a member of the Executive Board pursuant to paragraph 1 (a) who

a) has a second-level degree from a higher education institution,

b) has worked for at least five years in a legal entity other than a higher education institution during the previous ten years; and

c) has experience in quality assurance and management.

(4) A natural person may be appointed as a member of the Executive Board under paragraph 1(b) who

a) has a third-level degree from a higher education institution,

b) has been a higher education institution teacher, researcher or artist for at least five years during the previous fifteen years; and

c) has experience in quality assurance in higher education.

(5) Only a natural person may be appointed as Chairman of the Executive Board who:

a) has a third-level degree from a higher education institution,

b) has been in management for at least 5 years during the previous 10 years;

c) has been a higher education institution teacher for at least 5 years during the previous 15 years; and

d) has experience in quality assurance in higher education.

(6) The term of office of a member of the Executive Board shall be six years, except for a member appointed pursuant to paragraph 1(c), whose term of office shall be three years. If a member of the Executive Board under paragraph 1(c) ceases to be a student, he/she shall continue to perform his/her duties until his/her demise. The same person may serve as a member of the Executive Board for a maximum of two terms. A member of the Executive Board may not be appointed as a member of the Board of Appeal within the following four years after he or she has ceased to hold office. If a member of the Executive Board under paragraph 1(c) ceases to be a student, his or her membership of the Executive Board shall not cease.

(7) Executive Board

a) take decisions pursuant to [Section 4\(2\)\(a\)](#);

b) approves statements pursuant to [Section 4\(2\)\(b\)](#);

c) approves

1. the draft standards and the draft amendments thereto submitted by the Chairman of the Executive Board;

2. a draft methodology for the evaluation of the standards and a proposal for its amendment submitted by the Chairman of the Executive Board;
 3. a draft fee schedule and a proposal for its amendments before its submission for approval to the Ministry of Education,
 4. the budget of the Agency;
 5. the financial statements,
 6. distribution of profit or loss or settlement of profit or loss;
 7. the Annual Activity and Management Report of the Agency;
- d) approves the Agency's internal rules and amendments thereto, except for the rules of procedure of the Board of Appeal, including:
1. the Statutes of the Agency, on a proposal from the Chairman of the Executive Board;
 2. the Agency's organisational rules;
 3. the rules of procedure of the Executive Board;
 4. the regulation of conflicts of interest of members of the Agency's collective bodies, members of review panels and staff of the Agency;
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 and conduct of business rules;
 8. the rules for the organisation of the selection procedure for the Chairman of the Executive Board and the member of the Executive Board;
- e) puts persons on the list of reviewers and removes them from the list;
- f) oversees compliance with the Agency's internal quality assurance system;
- g) methodically 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 rules.

§ 8

(1) The Executive Board shall, for the purpose of assessing a specific application, establish review panels of persons included in the list of reviewers, except in the case referred to [in Section 24\(5\)](#); the chairperson and the members of the review panel shall be appointed and dismissed by the Chairman of the Executive Board with the prior approval of the Executive Board. The Executive Board may also set up a review panel to examine an initiative of the Agency or to verify measures

taken by a higher education institution where such examination or verification by an Agency staff member is not sufficient.

(2) At least one student shall be appointed to each review panel by the Chairman of the Executive Board; this shall not apply in the case of granting or withdrawing the accreditation of the habilitation proceedings and granting or withdrawing the accreditation of the inauguration proceedings. If a member of a review panel ceases to be a student, he or she may continue to be a member of the review panel until the end of the relevant proceedings.

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

(4) The Chairman of the Executive Board shall communicate the draft composition of the review panel to the party. A party to the proceedings may, within five working days of being notified of the composition of the review panel, lodge a reasoned objection of bias against a member of the review panel in writing, together with supporting documents; this shall not apply in the case of an additionally appointed member of the review panel. Where the Executive Board considers that an objection of bias against a member of the review panel is well founded, the Chairman of the Executive Board shall dismiss that member of the review panel and appoint a new member of the review panel to his or her place without delay.

(5) A person may be entered on the list of reviewers for six years with his/her 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, an Auditor and a Head of the Office may not be entered on 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 Board of Appeal, an Auditor or a Head of Office.

§ 9

The Board of Appeal

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

(2) The Board of Appeal shall have five members and two alternates, who shall be 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 order of precedence, the first two unsuccessful candidates who have met the requirements and criteria for being a member of the Board of Appeal referred to in paragraph 6. The Minister of Education shall appoint the members of the Board of Appeal 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 as a member of the Board of Appeal for a maximum of two terms.

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

(5) In the case of three members of the Board of Appeal, in addition to the conditions referred to in paragraph 4, the appointment shall be subject to

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

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

(6) In the case of two other members of the Board of Appeal and alternates, in addition to the conditions laid down in 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 higher education institution based in the territory of the Slovak Republic, or

b) as a professor or associate professor at a higher education institution based outside the territory of the Slovak Republic or in a similar position.

(7) If a member's seat is vacant, if a member has been disqualified from hearing the case because of bias, or if the member is unable to perform his or her duties, an alternate who has the status of a full member of the Board of Appeal shall take his or her seat.

(8) The rules of procedure of the Board of Appeal shall be approved by the Board of Appeal 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) oversees the Agency's financial management;

b) comments on the Agency's annual activity and management report before submitting it to the Executive Board; if the Auditor has not commented on the draft annual activity and management report of the Agency within the time limit laid down in the Statutes of the Agency, the Executive Board may approve it without the Auditor's comment;

c) comments on the financial statements before submitting them to the Executive Board; if the Auditor does not reply to the draft accounts within the time limit laid down in the Statutes of the Agency, the Executive Board may approve them without the Auditor's comment,

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

e) performs other tasks under this Act or the Agency's internal rules.

(3) A natural person may be appointed as an auditor who:

a) is of impeccable character,

b) has full legal capacity,

c) have at least a second-degree higher education institution degree; and

d) has at least five years' management experience in a legal entity.

(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.

(5) The auditor has the right to

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

b) consult all the Agency's accounting records and other documents.

§ 11

Head of Office

(1) The head of the office shall be appointed and dismissed by the Chairman of the Executive Board. The Head of Office shall be appointed by the Chairman 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) ensure the proper functioning of the Agency, including administrative, technical, spatial and human resources;

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

c) submit a proposal to the Executive Board

1. the budget of the Agency;

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

d) submit the draft accounts and the draft annual activity and management report of the Agency to the Auditor and the Executive Board; it shall be submitted for discussion by the Executive Board with the opinion of the Auditor;

e) carry out other tasks assigned to it by the statute of the Agency or by any other internal regulation of the Agency.

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

- a) is of impeccable character,
- b) has full legal capacity,
- c) have at least a second-degree higher education institution degree; and
- d) has at least five years' management experience in a legal entity.

(4) If the Agency does not have a Head of Office, its powers shall be exercised until a new Head of Office is appointed by a member of the Agency's staff designated 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 Board of Appeal shall adopt their conclusions in the form of resolutions only at their meetings; in the case of the creation of a review panel, the resolution may also be adopted outside the meeting. A meeting may also be held by video conference or other means of information and communication technology without the physical presence of the members of the Executive Board or the Board of Appeal. A resolution of the Executive Board shall be adopted if at least a two-thirds majority of all members of the Executive Board vote in favour. A decision of the Board of Appeal shall be adopted if more than half of the members of the Board of Appeal vote in favour. Failure by the Board of Appeal to adopt a resolution shall constitute confirmation of the decision or confirmation of the Agency's statement.

(2) A member of the Executive Board, a member of the Board of Appeal, the 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 to office or of the person who appointed him or her to office.

§ 13

(1) The function of a member of the Executive Board, the function of a member of the Board of Appeal, the function of the Auditor and the function of the Head of Office is incompatible with the function of

- a) the Rector and Vice-Rector; this shall also apply in the case of a person entrusted with the office of Rector;
- b) the statutory body of a private higher education institution or a foreign higher education institution operating in the territory of the Slovak Republic,
- 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 council of a higher education institution, of the artistic council of a higher education institution or of the scientific and artistic council of a higher education institution (hereinafter referred to as the "scientific council of a higher education institution") or of a collegiate body of the faculty responsible for the habilitation proceedings;

e) the dean; this shall also apply in the case of a person entrusted with the duties of dean;

f) the head of part of the higher education institution,

g) the Bursar,

h) the head of the higher education institution, the head of the faculty,

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 council of a self-governing region, a member of a municipal council or a member of a local council,

k) a member of the Government of the Slovak Republic ('the Government');

l) the Secretary of State,

m) the Secretary-General of the Service Office,

n) the chairman of the self-governing region, the mayor of the municipality or the mayor of the city district,

o) the chairman, head or director of the central state administration body or 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 Presidency.

(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 Executive Board pursuant to [Section 7\(1\)\(a\)](#), the function of a member of the Board of Appeal pursuant to [Section 9\(5\)](#) and the function of the Head of the Office is incompatible with an employment relationship with a higher education institution established in the territory of the Slovak Republic or with another employment relationship with a higher education institution established in the territory of the Slovak Republic.

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

4) If a natural person is to become a member of the Executive Board, a member of the Board of Appeal, an Auditor or a Head of the 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 Board of Appeal, the Auditor and the Head of the Registry shall be required to notify in writing, within

30 days after his or her appointment, that he or she fulfils the conditions of incompatibility of his or her duties. A member of the Executive Board, a member of the Board of Appeal and an Auditor shall deliver a written notification to the Minister of Education, the Head of Office to the Chairman of the Executive Board.

(5) In the event of failure to fulfil an obligation under the first sentence of paragraph 4, membership of the bodies of the Agency, the performance of the duties of the Auditor or the performance of the duties of the Head of the Office shall cease upon expiry of the period referred to in the second sentence of paragraph 4.

§ 14

(1) A special regulation shall apply to the selection procedure for the appointment of the Chairman of the Executive Board, a member of the Executive Board, the function of the Auditor, the function of the Head of the Office and the function of a member of the Board of Appeal,⁴⁾ unless otherwise specified in paragraphs 2 to 8 and [Articles 9](#) and [11](#).

(2) Selection procedure for filling

a) the Chairman of the Executive Board shall be announced by the Agency no later than 90 days before the expiry of the term of office of the Chairman of the Executive Board;

b) a member of the Executive Board is announced by the Agency no later than 90 days before the expiry of the term of office of the member of the Executive Board;

c) a member of the Board of Appeal shall be announced by the Agency not later than 90 days before the expiry of the term of office of the member of the Board of Appeal;

d) the Auditor is announced by the Agency no later than 90 days before the end of the Auditor's term of office;

e) the head of office shall be announced by the Agency no later than one month after the termination of the duties of head of office.

(3) If the performance of the duties of the Chairman of the Executive Board, a member of the Executive Board, an Auditor or a member of the Board of Appeal ends before the expiry of his or her term of office, the selection procedure shall be announced within 30 days after the termination of the performance of those duties.

(4) The Agency shall immediately inform the Ministry of Education of the announcement of the selection procedure pursuant to paragraphs 2 and 3. If the Agency does not launch a selection procedure in accordance with the first sentence, the Ministry of Education shall launch the selection procedure.

(5) Selection board for the selection procedure to fill the post of

a) the Chairman of the Executive Board or a member of the Executive Board shall be appointed by the Chairman of the Executive Board; one member is proposed by the Council of Higher Education, one member is proposed by the Slovak Rectors' Conference, one member is proposed by the Students' Council of Higher Education, one member is proposed by the Council of Deans, one member is proposed by the largest national trade union organization that represents the interests of employees in the field of higher education in the Slovak Republic, one member is

proposed by a representative association of employers and one member is proposed by the Minister of Education,

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

c) the Auditor shall be appointed by the Chairman of the Executive Board; one member on the proposal of the Council of Universities, one member on the proposal of the Slovak Rectors' Conference and one member on the proposal of the Students' Council of Universities,

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

(6) The Chairman of the Executive Board shall be bound by the proposal of the Council of Universities, the Slovak Rectors' Conference, the Students' Council of Universities and the Minister of Education to appoint the members of the selection committee pursuant to paragraph 5.

(7) An application for the appointment of a natural person as a member of the Board of Appeal may be submitted only with his/her prior written consent.

(8) To apply for the selection procedure for the post of Chairman of the Executive Board, member of the Executive Board, function of Auditor, function of Head of Office or function of member of the Board of Appeal, candidates must provide:

a) a structured curriculum vitae;

b) a document proving the completion of the required higher education;

c) a declaration on his honour that the condition of professional experience has been met, specifying the person with whom he has practised it;

d) a declaration on honour on the fulfilment of the conditions pursuant [to Section 13\(1\) to \(3\)](#);

e) a project for the management and development 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 a selection procedure declaration.

(9) The selection procedure for the appointment of the Chairman of the Executive Board and a member of the Executive Board shall include a public hearing of the candidates. In the selection procedure for the Chairman of the Executive Board, during the public hearing, the candidate mainly presents the Agency's management and development project. In the selection procedure for a member of the Executive Board, during the public hearing, the candidate mainly presents his/her own experience and suggestions for improvements in quality assurance in higher education. A candidate who meets the requirements of [Section 7\(2\) to \(5\)](#) and whose application contains the annexes referred to in [paragraph 8](#) shall be invited by the Agency to a public hearing at least seven days before the start of the public hearing, indicating the date, place and time of the public hearing.

(10) The outcome of the selection procedure shall be published by the Agency on its website within ten days of the end of the selection procedure.

(11) The selection procedure is organised by the Agency. If the Chairman of the Executive Board does not appoint the members of the selection committee and the selection procedure does not take place within 30 days from the date of receipt of the last proposal, the members of the selection committee shall be appointed by the Minister of Education and the selection procedure shall be organised by the Ministry of Education.

§ 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 for an established weekly working time; part-time working hours may also be agreed with other members of the Executive Board in an employment contract.

(2) The employment relationship of a member of the Executive Board and the head of the office to the Agency shall commence on the date designated as the day of taking up office, if at the time of appointment he was not an employee of the Agency.

§ 16

(1) The function of a member of the Executive Board, the function of a member of the Board of Appeal, the function of the Auditor and the function of the Head of the Office shall cease to exist upon

a) the expiry of the term of office; this shall not apply in the case of the Chairman of the Executive Board and members of the Executive Board who, after the expiry of their term of office, hold the relevant office until the appointment of the new Chairman of the Executive Board and new members of the Executive Board or the Head of Office;

b) at the end of the calendar month in which the written notification of resignation was received by the Minister of Education or, in the case of the Head of Office, by the Chairman of the Executive Board, unless the notification specifies a later date of resignation; the Minister for Education shall notify the Executive Board without delay;

c) the date of the appeal,

d) appointment to an office that is incompatible with the function in question;

e) loss of good repute;

f) the finality of the court's decision on the limitation of legal capacity necessary for the exercise of the relevant function; or

g) by death or declaration of death.

(2) The Minister of Education may remove a member of the Executive Board on a proposal from the Executive Board or the Auditor if the competent authority finds that a member of the Executive Board, in connection with the performance of his/her duties, has violated the laws or internal regulations of the Agency. The Executive Board or the Auditor shall be obliged to propose the dismissal of a member of the Executive Board without delay after the discovery of breaches of

legislation or internal rules of the Agency to the Minister of Education. The Executive Board may dismiss the Head of Office if it finds that he or she has infringed the law or internal rules of the Agency in the performance of his or her duties. The Minister of Education may dismiss a member of the Board of Appeal or the Auditor if he finds that he has infringed the legislation or internal rules of the Agency in connection with the performance of his duties.

(3) If the term of office of a member of the Executive Board, of a member of the Board of Appeal or of the Auditor expires 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 expired; 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 exterminated shall be deemed to be of good repute.

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

(6) In order to demonstrate good repute, a candidate in a selection procedure for the appointment of a member of the Executive Board, a candidate in a selection procedure for the appointment of the Chairman of the Executive Board, a candidate in a selection procedure for the appointment of a member of the Board of Appeal or a candidate in a selection procedure for the appointment of an Auditor shall provide the data necessary to request an extract from the criminal record^{to} [the Agency](#); the candidate in the selection procedure for the post of Head of Office shall provide this data to the Agency. The Agency shall immediately send the data referred to in the first sentence in electronic form by 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 Board of Appeal, the Auditor and the Head of Office shall 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 the Minister of Education without delay.

§ 17

(1) The Chairman of the Executive Board shall be entitled to a monthly salary in the amount of 4 times the average monthly salary in the economy of the Slovak Republic established by the Statistical Office of the Slovak Republic for the previous calendar year, the Vice-Chairman of the Executive Board in the amount of 3 times such salary and the Head of the Office in the amount of 2.5 times such salary; the salary shall be rounded up to the whole 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 is entitled to a monthly salary in the amount according to the internal regulation of the Agency.

(3) A member of the review panel shall be entitled to remuneration for the preparation of the 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 the opposition of a party to the proceedings. The amount of the remuneration of a member of the review panel and a member of the Board of Appeal shall be governed by the internal rules of the Agency.

(4) The Auditor shall be entitled to a monthly remuneration in the amount of 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 a review panel is another action in the public interest.

§ 18

(1) For the purpose of carrying out its activities, the Agency shall process the members of the Executive Board, the members of the Board of Appeal, the Auditor and the reviewers

a) first name and surname,

b) an academic degree, a scientific-pedagogical degree, an artistic-pedagogical degree or a 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 the period of entry in the list of reviewers;

g) the designation on whose proposal he has been appointed;

h) the name of the field of study in which it operates pedagogically, scientifically or artistically;

i) the name of the field of study in which he/she obtained his/her higher education institution degree; if he or she has undergone habilitation proceedings or inauguration proceedings, the name of the department of habilitation proceedings and inauguration proceedings in which the proceedings took place;

j) identification data of the employer,

k) identification data of the higher education institution of which he is a student, in the case of a student;

l) the name of the field of study in which the study programme for the study of which the student is enrolled is carried out, in the case of a student;

m) information on the membership of the review panel, in the case of a reviewer, with a link to the published submitted application which he/she is considering or has considered and to the evaluation report in which he/she was involved;

n) information on the reviewer's training 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; this shall not apply in the case of data on reviewers.

(3) For the purposes of carrying out the activities of the Agency, a member of the Executive Board, a member of the Board of Appeal, 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 ground, to acquaint himself, to the extent necessary, with the internal regulations and other documents of the Higher education institution, with the files of students, higher education institution teachers, researchers and artistic staff, to be present at the educational activities of the Higher education institution and to process personal data contained in the documents for the decision.

(4) For the purpose of supervising compliance with the standards, specially authorized employees of the Agency are entitled to process data from the Central Register of Students, the Register of Higher education institution Employees, the Central Register of Final Works, Rigorous Works and Habilitation Works, the Central Register of Publication Activities, the Central Register of Artistic Activities and the Register of Study Programmes in full and make them available to the members of the Executive Board, the Review Panel and the Board of Appeal to the extent necessary.

(5) For the purposes of [Section 4\(2\)\(g\), second point, specifically authorised employees of the Agency](#) 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 anonymised form.

§ 19

Financing of the Agency

(1) The Agency's funds shall be kept 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 special legislation.⁶⁾

(3) The Agency's revenue shall consist in particular of:

a) fees for the activities of the Agency,

b) funds from the state budget from the chapter of the Ministry of Education under the State Budget Act 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. Where the evaluation report is drawn up in accordance with [Section 24\(5\), the](#) amount of the fee for examining the application shall take into account the fact that the evaluation report was not drawn up by a review panel.

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

- a) the purpose for which the funds are provided and other conditions for their use;
- b) the amount of funds;
- c) the time and manner in which the funds are provided;
- d) the date by which the Agency shall submit the statement of funds to the Ministry of Education.

§ 20

Management of the Agency

(1) The Agency shall manage the revenue and expenditure budget, which shall be established and approved for the calendar year concerned.

(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 for its protection and to ensure that its destruction, damage, loss or misuse does not occur.

(3) The Agency shall not

- a) to grant loans or credits;
- b) guarantee the payment of bills 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 monetary deposits or non-monetary deposits to another legal entity other than the State Treasury,
- f) rent the Agency's property for a period of more than four years;
- g) to secure its obligations by creating a lien; and
- h) to 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⁾ subject to paragraph 3. The role of the self-governing body in the management of the Agency's property shall be performed by the Executive Board.

(5) The management control of the Agency pursuant to 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 in the Agency.

(6) The Chairman of the Executive Board shall be responsible for the efficient and effective use of funds pursuant to Article 19 (3) (b) and their accounting with the state budget and for the management of the Agency's property.

(7) The Agency is entitled to conduct only such business activities that are related to the quality assurance of higher education, especially in relation to higher education institutions located outside the territory of the Slovak Republic. The Agency shall not, upon request, provide a public college, a state college, a private college or an applicant for State approval with a direct or intermediated advisory or professional service or assistance in return for payment or other consideration. The cost of the business must be covered by the revenue from it. The Agency shall keep in its accounts the income and expenses associated with the business activity separately from the income and expenses associated with the exercise of its functions pursuant to [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 relation to the performance of the Agency's functions;
- 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 assessment of the basic data contained in the financial statements;
- d) an analysis of income and costs, with the allocation of income and costs from business activities;
- e) the status and movement of the property;
- f) analysis of financial flows;
- g) recapitulation of the settlement with the state budget,
- h) a proposal for the distribution of profit or loss or for the settlement of profit or loss;
- i) other data to be determined by the Executive Board.

THIRD PART EXERCISE OF THE AGENCY'S POWERS

§ 21

(1) The Agency shall initiate proceedings in respect of:

- a) the application of the higher education institution for
 1. a periodic assessment of the compliance of the internal system and its implementation with the standards for the internal system ('internal system assessment');
 2. the granting of the accreditation of the study programme; or
 3. granting of accreditation of the habilitation proceedings and the inauguration proceedings,
- b) the request of the applicant for the granting of state approval,
- c) the Agency's own initiative in the case of an extraordinary assessment of the internal system, the imposition of corrective measures, the procedure for withdrawing the accreditation of the habilitation proceedings or the procedure for withdrawing the accreditation of the inauguration proceedings.

(2) The party to the proceedings is

a) public higher education institution,

b) state college,

c) private higher education institution,

d) the applicant for state approval,

e) a higher education institution with its registered office outside the territory of the Slovak Republic.

(3) The proceedings of the Agency, which shall be initiated on the basis of the application, shall begin 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 to complete the application, after which the Agency shall reject the application by decision in vain. Proceedings of the Agency on its initiative shall begin on the date of the first act of the Agency vis-à-vis the higher education institution.

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

(5) The Review Panel shall draw up an evaluation report on the application or on the initiative, on the basis of which the Executive Board shall decide or express its views. The review panel shall base its evaluation report on an expert assessment of the background, information obtained from the higher education institution 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 the various standards, the deficiencies identified, the recommendations to the party, the Agency's draft decision or statements and the names and surnames of the members of the review panel.

(6) A party to the proceedings shall have the right to submit an opinion on the evaluation report within a period specified by the Agency, namely at least 15 working days from the date of receipt of the evaluation report by the party to the proceedings.

(7) The Agency shall decide or express its opinion within one year from the date of the opening of proceedings; the Agency may extend this time limit once by 30 days and shall notify the party thereof. The time limit shall not run between the lodging of an objection of bias against the composition of the review panel and its evaluation and during the time limit for the parties to take a position on the evaluation report of the review panel.

(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 grants the party in full.

§ 22

(1) A party to proceedings shall have the right to object to the decision or statement of the Agency within 15 working days from the date on which the decision or statement was served on the party

to proceedings, of which the Agency shall inform the party in the decision or statement. The Board of Appeal shall decide on the objections within 60 days from the date of their receipt by the Agency and shall issue a decision within that period. If the Board of Appeal does not take a decision on the objections within that period and does not take a decision, it shall be deemed to have upheld the decision or the statement of the Agency.

(2) If the Board of Appeal, when reviewing a decision or opinion 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 opinion to the Executive Board for a new procedure, otherwise it shall confirm the decision or opinion of the Agency. If the Board of Appeal returns the decision or the statement for re-examination to the Executive Board, a new time limit shall start to run pursuant to [Section 21\(7\)](#).

(3) In addition to voting, a member of the Executive Board, the chairperson of the relevant review panel or a member authorised by him or her and one or two representatives of a party to the proceedings shall be entitled to be present at the meeting of the Board of Appeal when the objections are discussed by the Board of Appeal; the Board of Appeal shall notify them at least ten working days in advance of the place, date and time at which the opposition will be discussed. The Board of Appeal may invite other persons to attend its meetings, as appropriate. If the person entitled does not attend the meeting of the Board of Appeal, the Board of Appeal shall hear the case even in the absence of the person entitled.

(4) The decision of the Agency shall become final on the day on which the period for lodging an objection expires in vain or on the day on which a party delivers to the Agency a written notice renouncing the lodging of an objection. If a party has lodged an objection to the Agency's decision in good time, the Agency's decision shall become final on the date on which the statement of the Board of Appeal is served on the party confirming the Agency's decision. If it is a decision in the procedure for granting the accreditation of the study programme and the party to the procedure is the applicant for the granting of the state approval, the decision on granting the accreditation of the study programme shall become final at the earliest on the day of granting the state approval.

(5) The Agency's statement on the application for State approval shall be the final date of the vain expiry of the period for lodging an objection or the date on which a party to the proceedings delivers to the Agency a written notice in which it waives the lodging of an objection. Where a party has lodged an objection to that statement of the Agency in good time, the statement of the Agency shall become the final date on which the statement of the Board of Appeal is served on the party upholding the statement of the Agency.

§ 23

Standards

(1) The Agency shall publish the draft standards and the draft amendments thereto on its website for at least 30 days, during which time the public may send comments on the draft to the Agency. The publication of the proposal shall be notified by the Agency without delay to the bodies representing universities and ministries.

(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 comments 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 published, the Agency shall

submit it to the Ministry of Education together with a modified proposal. If the Ministry of Education identifies shortcomings in the revised draft standards, it shall return them to the Agency for recasting, indicating the specific shortcomings; if the Ministry of Education finds that there are no deficiencies in the revised draft standards, it shall immediately notify the Agency thereof.

(3) 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 higher education institution, focus in particular on the requirements of the internal system pursuant to [Section 3](#) and its implementation by the higher education institution and its components.

(5) Standards for the study programme, taking into account the mission of the higher education institution, focus mainly on the level of

- a) spatial, material, technical, information and personnel provision for the implementation of study programmes,
- b) creative activities of the higher education institution 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 the achievement of learning outcomes and their compliance with the required level of the national qualifications framework;
- f) requirements for the filling of posts of higher education institution teachers.

(6) Standards for the study programme regulate the requirements for

- a) final works, in particular by determining the maximum number of final works conducted at the same time by one trainer,
- b) final traineeships, in particular by setting a maximum number of simultaneous final traineeships by one consultant;
- c) the control stages of the studies, in particular by determining the minimum number of credits that the student must obtain in order to continue the studies.

(7) Standards for the study programme may regulate specificities 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) study programmes of the third level,

h) interdisciplinary studies.

(8) Standards for habilitation and inauguration proceedings, with possible specificities for individual study fields, focus mainly on the level of

a) the content related to the field of habilitation proceedings and inauguration proceedings and the field of study to which the field of habilitation proceedings and inauguration proceedings is to be assigned,

b) the creative activity of the higher education institution in the field of study to which the field of habilitation proceedings and inauguration proceedings is assigned,

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

d) the criteria of the relevant higher education institution for assessing whether the conditions for obtaining a scientific-pedagogical degree or an artistic-pedagogical degree as a "professor" have been met;

e) requirements for the selection of opponents,⁹⁾ [members of the](#) habilitation committee, members of the inaugural committee and compliance with these requirements.

(9) The higher education institution is obliged to harmonise its internal system, the study programmes carried out, the rules for carrying out the habilitation proceedings and the rules for carrying out the inauguration proceedings within 12 months from the date of entry into force of the amendment of the relevant standards and to inform the Agency without delay. 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.

(10) The procedure set out in paragraphs 1 to 3 shall also apply to amendments to standards.

Assessment of the internal system

§ 24

(1) A higher education institution is obliged to ask the Agency for an assessment of its internal system within the time limit set by the timeline for the assessment of internal systems (hereinafter referred to as the 'timeline'). For the first time, a higher education institution shall apply for an assessment of the internal system not earlier than four years and not later than six years after its establishment or the granting of State approval.

(2) The timetable shall be approved by the Executive Board so that the internal system of each higher education institution is reviewed at least once every six years; This is not the case with the first schedule. The timetable shall be made public by the Agency at least one year before the expiry of the deadline for the application of the higher education institution for the assessment of its internal system. The timetable shall take into account the date of the previous decision on the assessment of the internal system, the corrective measures granted and the staffing capacity of the Agency.

(3) The basis for the assessment of the internal system shall be:

- a) the internal system; if the higher education institution has developed 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 prepared by the higher education institution;
- c) the evaluation report of the review panel;
- d) the opinion of the higher education institution on the evaluation report of the review panel;
- e) publicly available higher education institution documents and data.

(4) The documents referred to in paragraph 3(a), (b) and (d) shall be submitted by the higher education institution to the Agency electronically. In the case of an extraordinary assessment of the internal system, the higher education institution shall submit the documents referred to in points (a), (b) and (d) of paragraph 3 within a period specified by the Agency, which shall be at least 30 days; in the case of an internal evaluation report, the Agency may also determine its scope and content orientation. If the higher education institution fails to supply the documents referred to in paragraph 3(a), (b) and (d) within the prescribed period, the procedure referred to in paragraph 6 shall be followed.

(5) A higher education institution 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 and is registered in the European Quality Assurance Register for Higher Education; it shall state that fact in the request referred to in paragraph 1. The legal person referred to in the first sentence shall draw up an assessment report in accordance with [the requirements of Section 21\(5\) and](#) shall take into account the fulfilment of the standards for the study programme when drawing it up. The evaluation report thus drawn up shall replace the review panel's evaluation report. The deadline for receipt of this assessment report shall be set by the Agency in agreement with the higher education institution and the legal person concerned; this period shall be at least 120 days. Pending receipt of the evaluation report, the Agency shall suspend the proceedings.

(6) 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 bring the matter to the attention of the higher education institution. The higher education institution 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 on the cancellation of all higher education institution study programmes.

(7) If a higher education institution has applied to the Agency for an assessment of the internal system within the period referred to in paragraph 1, the Agency has, pursuant to [Section 21\(3\)](#) or [\(4\)](#), by decision rejected the application of the higher education institution for an assessment of the internal system, and the period referred to in paragraph 1 has expired before the decision rejecting the application of the higher education institution has become final, the Agency shall decide on the cancellation of all study programmes of the higher education institution.

(8) When assessing the internal system, the Agency shall also take into account the fulfilment of the standards for the study programme.

§ 24a

(1) The Agency shall supervise compliance with the standards. The College is obliged to provide assistance to the Agency in the exercise of its supervision.

(2) The Agency shall be authorised to carry out on-site inspections in the course of its supervisory activities.

(3) Supervision shall, as a general rule, be carried out by the staff of the Agency under the authority of the Chairman of the Executive Board of the Agency. The Executive Board may set up a review panel for supervisory purposes.

(4) When supervising compliance with the standards, the Agency may, on its own initiative, initiate proceedings for:

a) an extraordinary assessment of the internal system; or

b) the withdrawal of the accreditation of the habilitation or inauguration proceedings department pursuant to [Section 32](#).

(5) If, in the course of its supervision, the Agency does not identify deficiencies, it shall notify the higher education institution thereof.

(6) If, in the course of its supervision, the Agency identifies deficiencies, the Executive Board shall:

a) decide on the imposition of a corrective measure pursuant to [Section 26](#);

b) decide on the imposition of a corrective measure pursuant to [Section 27](#); or

c) initiate the procedure referred to in paragraph 4.

(7) As part of the extraordinary assessment of the internal system, the Executive Board shall determine in a decision whether that assessment can replace the assessment of the internal system pursuant to [Section 24\(1\)](#).

§ 25

(1) The Agency shall decide, on the basis of the results of an assessment of the internal system or an extraordinary assessment of the internal system, whether or not the internal system and its implementation comply with the standards for the internal system. If the Agency decides that the internal system and its implementation comply with the standards for the internal system, it shall indicate in the decision the fields of study and the levels at which the higher education institution is entitled to create, implement and modify study programmes. If the internal system and its implementation comply with the standards for the internal system, the Agency shall indicate 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 higher education institution has this restriction. If the internal system or its implementation does not comply with the standards for the internal system and a higher education institution is a party to the proceedings, the Agency shall also impose corrective measures in the decision.

(2) Corrective measures are:

- a) ordering the elimination of deficiencies;
- b) suspension of the implementation of the study programme;
- c) ordering the cancellation of the study programme,
- d) cancellation of the study programme,
- e) the restriction on the establishment 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 party to the proceedings, the Agency shall assess the proposal for the internal system of a private higher education institution by the same procedure as it assesses the internal system of a higher education institution, except for the imposition of corrective measures.

(5) In the case of a translation combined study programme, the corrective measure may also be imposed separately in relation to the probation of a language. If the corrective measure is imposed separately in relation to the probation of a language, it shall apply to all study programmes of which the respective probation is part.

§ 26

Ordering the removal of deficiencies

(1) The Agency shall order that deficiencies be remedied if it finds that the internal system or the method of its implementation is not in conformity with the standards or that the internal system is not complied with by the higher education institution.

(2) At the same time, the Agency may, in justified cases, decide to suspend the authorisation of a higher education institution to create study programmes in defined study fields and degrees and indicate this fact in the register of study fields; This also applies to short study programmes.

(3) The Higher education institution is obliged to remedy the identified deficiencies and to report the measures taken and their results to the Agency within a reasonable period specified by the Agency.

(4) If the Agency, when verifying the measures taken by the higher education institution, finds that the deficiencies pursuant to paragraph 1 persist, or if the higher education institution fails to communicate the measures taken and their results within the specified period, it shall decide on the imposition of another corrective measure, even if the conditions pursuant to [Section 27\(1\)](#), [Section 28\(1\)](#) or [Section 29\(1\)](#) are not met.

(5) If the Agency, when verifying the measures taken by the higher education institution, finds that the higher education institution has remedied all deficiencies pursuant to paragraph 1, it shall revoke the decision suspending the authorisation to create study programmes in defined study fields and levels, and shall indicate this fact in the register of study fields.

§ 27

Suspension of the implementation of the study programme

(1) The Agency shall decide on the suspension of the implementation of the study programme if it finds that the study programme seriously does not meet the standards for the study programme.

(2) In the decision, the Agency shall state the shortcomings contained in the study programme and shall set a reasonable period of time for the higher education institution to make changes to the study programme.

(3) From the date of the decision suspending the implementation of the study programme, the higher education institution may not

a) to accept candidates for study in the relevant study programme or to conduct state examinations in the relevant study programme according to the decision of the Agency

and

b) establish a study programme in the relevant field of study and level.

(4) If the Agency decides that a higher education institution may not carry out a state examination in the relevant study programme, this state examination and the relevant documents on completion of the study are invalid.

(5) Suspension of the implementation of the study programme shall be indicated by the Agency in the register of study fields and the register of study programmes.

(6) The higher education institution shall make changes to the study programme within the period referred to in paragraph 2, which shall be notified to the Agency. The Agency shall assess that fact within 180 days from the date of receipt of the higher education institution's notification of the implementation of the change.

(7) The Agency shall confirm the change of the study programme if the proposed change ensured that the standards for the study programme were met. Upon confirmation of 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 3.

§ 28

Order of cancellation of the study programme and 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 within the specified period of time,

a) the higher education institution does not make changes to the study programme or does not notify its cancellation; or

b) the Agency does not confirm the implementation of the change to the study programme pursuant to [Section 27\(6\) and \(7\)](#).

(2) A higher education institution shall be obliged to cancel the relevant study programme within a reasonable period specified by the Agency in the decision ordering the cancellation of the study programme.

(3) After the decision of the Agency to order the cancellation of the study programme has become final, the higher education institution is obliged to immediately stop teaching the subjects of this study programme.

(4) If the higher education institution 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 field of study at all levels and on the cancellation of the authorisation of the higher education institution to create, implement and modify study programmes in this field of study at all levels. The higher education institution is obliged to ensure that students enrolled in the relevant study programmes have the opportunity to continue their studies in the study programme carried out in the relevant field of study at another higher education institution.

(5) A higher education institution may not take state examinations in a study programme that has been cancelled by the Agency. If a higher education institution takes a state exam in this study program, this state exam is invalid and the relevant documents on graduation are also invalid.

§ 29

Limitation on establishing and modifying study programmes

(1) The Agency shall decide on the restriction of the establishment and modification of study programmes in the field of study and degree, if, in the course of the assessment of the internal system pursuant to [Section 24](#), it finds a deficiency, there is no presumption of the possibility of its removal within six months from the date of entry into force of the Agency's decision and the identified deficiency is

- a) serious non-compliance of the internal system with the standards for the internal system; or
- b) serious non-compliance of the implementation of the internal system with the standards for the internal system or the standards for the study programme.

(2) A higher education institution may not, without the prior written consent of the Agency, create and modify study programmes carried out in the relevant study fields and degrees. The Agency shall indicate this limitation in the register of courses of study.

(3) Within 60 days from the date on which the decision referred to in paragraph 1 becomes final, the higher education institution 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 how the necessary resources are to be secured. 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 order the higher education institution to complete it, including repeatedly. The higher education institution 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, as part of the monitoring of 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 that 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 period specified by the Agency or within the period 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, to implement modifications in the action plan following a call by the Agency, or to implement the relevant measures following a call by the Agency, the Agency shall notify the higher education institution of this fact and extend the deadline for its submission, for the implementation of modifications or for the implementation of the relevant measures by 30 days. If, after notice and extension of the deadline, the higher education institution still fails to submit, modify or implement the relevant measures, the Agency shall decide on the cancellation of all higher education institution curricula.

(6) If, after a reassessment of the internal system pursuant to paragraph 3, deficiencies pursuant to paragraph 1 persist in a particular 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 re-assessment 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 the establishment and modification of study programmes in the respective study fields and degrees.

§ 30

Accreditation of the study programme

(1) A higher education institution 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. An applicant for state approval shall submit an application for the accreditation of a study programme in the fields of study and degrees at which he/she wishes to start providing higher education. An applicant who is a foreign higher education institution submits an application for the accreditation of a study programme in study fields and degrees in which it is interested in providing higher education in the territory of the Slovak Republic. If an external educational institution participates in the implementation of the third degree study programme, the external educational institution is required to meet the standards for the study programme within the scope of the activities in which it participates in the implementation of the study programme.

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

a) the name of the party, 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 a faculty, the designation of that faculty,

b) the title 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 field of study from the system of fields of study,

d) degree of higher education institution 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) Academic degree awarded;

- h) documentation for the study programme which is the subject of the application, concerning
1. spatial, material, technical, information and personnel provision of higher education;
 2. requirements for applicants for studies, method of their selection and recommended personality requirements,
 3. requirements for graduation,
 4. creative activities of higher education institution staff who are to participate in the implementation of the study programme,
- i) a favourable opinion of the legal person referred to in the description of the field of study, if required by 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) further documentation necessary to evaluate the fulfilment of individual standards for the study programme,
- l) an internal evaluation report.

(3) The documents referred to in paragraph 2 shall be submitted by the higher education institution to the Agency electronically.

(4) In the case of a translation combined study programme, for the purpose of applying for the accreditation of the study programme, the higher education institution shall indicate in the application at least two probations together with the particulars for the subjects of the translational basis. An application submitted in this way shall be deemed to be an application for the accreditation of a study programme.

(5) The application of a foreign higher education institution for the accreditation of a study programme carried out in the territory of the Slovak Republic does not contain the data and documentation referred to in paragraph 2(c), (f), (i) and (j).

(6) The Agency shall, by decision, refuse the application for the accreditation of a study programme if:

- a) the party to the proceedings already has the right to create, implement and modify the study programme in the relevant field of study and level,
- b) the Agency has validly decided on another application for accreditation of the study programme of the relevant higher education institution in the same field of study and level during the two years preceding the submission of the relevant application; or
- c) a party to 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.

(7) The Agency shall, by decision, reject an application for 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.

(8) The Agency shall reject the application if, when examining 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 higher education institution will meet the standards for the study programme and the party to the proceedings is the applicant for state approval.

(9) The Agency shall decide on the granting of the accreditation of the study programme if, when assessing the application, it finds that:

- a) the participant in the proceedings meets the standards for the study programme; or
- b) there is a presumption that the private higher education institution will meet the standards for the study programme and the party to the proceedings is the applicant for state approval.

(10) A higher education institution 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 study field and level; this shall be indicated by the Agency in the register of study fields and in the register of study programmes.

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

(12) The Higher education institution shall request the Agency to 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 proper completion of the studies of the first student of the relevant study programme, but at the earliest after the expiry of the standard duration of the studies of this study programme from the date of the decision granting the accreditation of the study programme.

(13) When assessing an application pursuant to paragraph 12, the Agency shall focus on the consistency of the learning outcomes of graduates of the relevant study programme with the learning outcomes specified in the application for the accreditation of the study programme.

(14) The Agency shall indicate in the register of study fields the lifting of the restriction on the establishment of study programmes in the relevant study field and level and in the register of study programmes the lifting of the restriction on the modification of the relevant study programme after confirmation of compliance pursuant to paragraph 12. If a participant in the proceedings has applied at the same time for the accreditation of a study programme for several study programmes in the same field of study and level, the cancellation shall be marked only after confirmation of compliance for all these study programmes.

(15) If the Agency finds, as part of the examination of the application pursuant to paragraph 12, that the implementation of the relevant study programme does not comply with the standards for the study programme, it shall impose a corrective measure on the higher education institution pursuant to [Section 27](#).

Accreditation of a cross-border joint study programme

(1) A higher education institution with its registered office in the Slovak Republic may, in addition to the procedure in accordance with the decision of the Agency pursuant to [Section 25\(1\)](#), in the establishment of a joint study programme pursuant to special legislation^{10a}) provided in cooperation with a higher education institution with its registered office outside the territory of the Slovak Republic

a) to apply for accreditation to the Agency;

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

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

1. a higher education institution has the right under [Section 25\(1\)](#) 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 develop study programmes.

(2) A higher education institution with its registered office outside the territory of the Slovak Republic may, when creating a cross-border joint study programme provided in cooperation with a higher education institution with its registered office outside the territory of the Slovak Republic, apply for accreditation to the Agency.

(3) The 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 universities involved in its implementation.

(4) The proceedings referred to in paragraphs 1 and 2 shall be conducted in accordance with the documents governing the procedures and standards of the European Approach to Quality Assurance for Joint Curricula 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\(6\)\(a\) 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 law of the State in which the legal person is established.

(7) A higher education institution established in the territory of the Slovak Republic shall notify the Agency of the establishment 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. The Agency shall be [entitled, in the context of ongoing supervision pursuant to Section 24\(2\),](#) to verify compliance with the procedures referred to in paragraph 4.

§ 31

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

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

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

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

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

c) the name of no more than two fields of study to which the field of habilitation and inauguration proceedings is to be assigned; the content definition of the field of habilitation and inauguration proceedings is required to be as close as possible to these fields of study;

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

e) the criteria of the higher education institution concerned for assessing whether the conditions for obtaining a scientific-pedagogical degree or an artistic-pedagogical degree as a "professor" have been met;

f) the results of the periodic evaluation of the creative activities of the higher education institution pursuant to a special regulation,¹⁾

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

(3) The name of the field of habilitation proceedings and inauguration proceedings may be the same as the name of the field of study from the system of study fields. For 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 by the higher education institution to the Agency electronically.

(5) The Agency shall, by decision, refuse the application of a higher education institution if:

a) the conditions under paragraph 1 are not met; or

b) the higher education institution 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 proceedings and accreditation of the inauguration proceedings in the field of habilitation proceedings and inauguration proceedings, which has in the application referred to in paragraph 2(c) the same field of study as that indicated in the rejected application; or

2. five years from the date of validity of the decision to withdraw the accreditation of the habilitation proceedings or the decision to withdraw the accreditation of the inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings, and the application specifies the same faculty as the application that covered the withdrawn accreditation.

(6) The Agency shall decide on granting the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings if, when assessing the application, it finds that the higher education institution meets the relevant standards for the habilitation proceedings and the inauguration proceedings, otherwise it shall decide on the rejection of the application. If the Agency decides to grant accreditation for the inauguration proceedings, it shall at the same time decide to grant accreditation for the habilitation proceedings.

(7) A higher education institution which has been granted the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings must apply for the re-granting of the accreditation at the latest together with the application for the assessment of the internal system within the period determined by the schedule pursuant to [Section 24\(1\)](#).

§ 32

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

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

(2) Initiation of the procedure for withdrawing the accreditation of the habilitation proceedings or for withdrawing the accreditation of the inauguration proceedings shall suspend the relevant accreditation of the higher education institution and the Agency shall indicate this limitation in the register of study fields. Suspension of the relevant accreditation shall suspend all pending habilitation or inauguration procedures in the relevant field of habilitation and inauguration procedures; 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 withdrawing the accreditation of the habilitation proceedings or for withdrawing the accreditation of the inauguration proceedings, the Agency finds that the higher education institution meets the relevant standards for the habilitation proceedings and the inauguration proceedings, it shall mark the lifting of the suspension of the relevant accreditation in the register of study fields and the suspension of the habilitation proceedings and the inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings shall be terminated.

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

(5) Upon the entry into force of the decision to withdraw the accreditation of the habilitation proceedings, all unfinished habilitation proceedings at the relevant higher education institution in the relevant field of the habilitation proceedings and the inauguration proceedings shall be discontinued.

(6) Upon the entry into force of the decision to withdraw the accreditation of the inauguration proceedings, all unfinished inauguration proceedings at the relevant higher education institution in the relevant field of habilitation proceedings and inauguration proceedings 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 proceeding and withdrawal of accreditation of the inauguration proceeding

(1) The Agency shall decide on the withdrawal of the accreditation of the habilitation proceedings on the basis of the request of the higher education institution for the withdrawal of the accreditation of the habilitation proceedings in the field of the habilitation proceedings and the inauguration proceedings specified in the relevant request of the higher education institution. Together with the withdrawal of the accreditation of the habilitation proceedings, the Agency shall also decide on the withdrawal of the accreditation of the inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings.

(2) The Agency shall decide on the withdrawal of the accreditation of the inauguration proceedings on the basis of the request of the higher education institution for the withdrawal of the accreditation of the inauguration proceedings in the field of habilitation proceedings and the inauguration proceedings specified in the relevant request of the higher education institution.

(3) The Agency shall also decide on the withdrawal of accreditation on its own initiative if the higher education institution does not apply for accreditation pursuant to [Section 31\(7\)](#).

(4) Upon the entry into force of the Agency's decision to withdraw the accreditation of the habilitation proceedings, all unfinished habilitation proceedings at the relevant higher education institution in the relevant field of the habilitation proceedings and the inauguration proceedings shall be discontinued.

(5) Upon the entry into force of the Agency's decision to withdraw the accreditation of the inauguration proceedings, all pending inauguration proceedings at the relevant higher education institution in the relevant field of the habilitation proceedings and the inauguration proceedings 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 Approval

(1) An application for state approval shall be submitted to the Agency by a legal entity wishing to act as a private higher education institution.

(2) The application for the grant of state approval shall include:

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 accreditation of the study programme,

e) the draft statute, the draft internal system, the draft curriculum and the draft principles of the selection procedure for the recruitment of higher education institution teachers, researchers and professors and associate professors;

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

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

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

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

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

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

b) take a final decision on the rejection of all applications for 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) shall not be subject to appeal.

(5) If the Agency decides on all applications for the accreditation of the study programme, decisions not to grant the accreditation of the study programme shall become final and the Agency shall not stop the proceedings, it shall submit to the Ministry of Education a request for 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 approval on the basis of a comprehensive assessment of the application.

(6) If the draft internal regulations are not in accordance with the legislation or the name of the higher education institution is not in accordance with a special regulation,¹²⁾ the Ministry of Education shall call upon the applicant to remedy the situation and set a reasonable deadline 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 the proceedings in addition to the grounds under the Code of Administrative Procedure if the applicant

a) has not remedied the non-conformity of the draft internal regulations with the legislation within the period specified by the Ministry of Education; or

b) has not remedied the non-conformity of the name of the higher education institution with the requirements under special legislation¹²⁾ within the period specified 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 by the Ministry of Education. If the Agency does not recommend the granting of state approval in its statement, the Ministry of Education shall submit a proposal to the Government not to grant state approval. The Ministry of Education shall also submit a proposal to the Government not to grant state approval if the Agency recommends state approval in its statement, but the Ministry of Education concludes that it is not in the public interest to grant state approval and justifies the proposal.

(9) A legal person may request the granting of state approval again at the earliest one year after the decision of the Agency to discontinue the proceedings or the decision of the Ministry of Education to discontinue the proceedings has become final, or after one year after the decision of the Government not to grant state approval.

(10) If the government grants state approval, the Ministry of Education will decide on the registration of the status of a private higher education institution. Once the state approval has been granted, 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 paragraph 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, unless paragraphs 2 and 3 provide otherwise.

(2) The Code of Administrative Procedure shall apply to decisions on

a) the suspension of the procedure for granting state approval pursuant to [Section 33](#); and

b) the termination of the procedure for granting State approval pursuant to [Section 33](#).

(3) The provisions of the Code of Administrative Procedure shall apply to proceedings pursuant to this Act, except for proceedings for the granting of state approval pursuant to [Section 33](#).

a) the exclusion of employees or members of the administrative body pursuant to [Sections 9 to 13 of the Code of Administrative Procedure](#);

b) personal service pursuant to [Sections 24 and 25 of the Code of Administrative Procedure](#); and

c) the time-limits laid down in [Sections 27 and 28 of the Code of Administrative Procedure](#).

(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 shall check the Agency's compliance with the law; this shall not apply in the case of acts of the Agency pursuant to [Sections 21 to 33](#).

Transitional provisions

§ 35

(1) The right to award graduates of the study programme the corresponding academic degree according to the regulations in force until 31 October 2018 shall be deemed to be 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 on which it was issued. 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 in accordance with [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 its graduates to award the corresponding academic degree according to the regulations in force until 31 October 2018 shall be considered as accreditation of a teacher's combined study programme according to 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 on which it was issued. 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 in accordance with [Section 30\(11\)](#); this shall be without prejudice to [Section 36\(1\)](#).

(3) The right of a higher education institution to establish a study programme in the field of study of translation and interpretation consisting of a combination of two languages and its graduates to award the corresponding academic degree according to the regulations in force until 31 October 2018 shall, from 1 November 2018, be considered as accreditation of a translation combination study programme according to 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 on which it was issued. In the case of a right without a time limit, it shall be deemed to be an accreditation of a translation combined study programme after confirmation of compliance in accordance with [Section 30\(11\)](#); this shall be without prejudice to [Section 36\(1\)](#).

(4) The right to conduct habilitation proceedings and the procedure for the appointment of professors in the field of study pursuant to the regulations in force until 31 October 2018 shall be deemed to be an accreditation of habilitation proceedings and inauguration proceedings for the

field of habilitation proceedings and inauguration proceedings pursuant 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 on which it was issued.

(5) If a higher education institution has a 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 record this fact in the Register of Study Programmes until 30 November 2018. In the case of a procedure under [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 shall be deemed to be an accreditation of the study programme from the date of issue of the relevant decision prior to the confirmation of compliance under [Section 30\(11\)](#)

;

(6) If, in accordance with the regulations in force until 31 October 2018, the higher education institution was obliged to report to the Ministry of Education on the outcome of the measures taken to remedy the deficiencies identified in the statement of the Accreditation Commission when assessing the ability of the higher education institution to carry out the relevant study programme or habilitation proceedings and the inauguration proceedings in the relevant field of study, this obligation shall be maintained. If the higher education institution fails to submit the report referred to in the first sentence within the period specified in the decision granting the right in question or within one year of receipt of the decision suspending the right granted, the Minister for Education shall withdraw the right granted. If the higher education institution submits the report pursuant to the first sentence in a timely manner, 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 has not expressed its opinion by 31 December 2019, the activities of the Accreditation Commission, the Ministry of Education and the Minister of Education shall be carried out by the Agency. The outcome of the measures taken shall be verified against the criteria issued under the regulations in force until 31 October 2018.

(7) If the Accreditation Commission decides on the outcome of the measures taken pursuant to paragraph 6 by 31 December 2019, the rules in force until 31 October 2018 shall apply. 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 the granted 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 higher education institution is obliged to submit to the Agency, by the date specified as a time limit in the decision of the Minister of Education, a proposal for modifying the study programme or a notification of its cancellation pursuant to [Section 27\(4\)](#), and the Agency shall proceed in accordance with [Section 27\(5\) to \(7\)](#).

(8) If the result of the measures taken pursuant to paragraph 6 is verified by the Agency and it finds that the higher education institution, 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. the time limit, the Agency shall indicate the lifting of the time limit in the register of study programmes, in the case of a study programme, or in the register of study fields, in the case of habilitation proceedings and inauguration proceedings,

2. suspension of an established right, the Agency shall restore the validity of the established 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 habilitation proceedings and inauguration proceedings.

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

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

(11) If a higher education institution has suspended the right to conduct habilitation proceedings and proceedings for the appointment of professors in the field of study according to the regulations in force until 31 October 2018, the higher education institution may not accept new applications for the initiation of habilitation proceedings and applications for the initiation of inauguration proceedings in the relevant field of habilitation proceedings and inauguration proceedings until the decision granting accreditation of habilitation proceedings and inauguration proceedings pursuant to this Act has become final in the field of habilitation proceedings and inauguration proceedings, the title of which is identical to the name of the relevant field of study or, with the prior written consent of the Agency, in another field of habilitation proceedings and inauguration proceedings.

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

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

(14) The Agency may initiate proceedings on its own initiative between the time of the submission by a higher education institution of information that it has brought the internal system into line with the internal system standards 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,

suspend the implementation of the study programme; or

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

§ 36

(1) From 1 November 2018 until the decision of the Agency pursuant to [Section 25\(1\) becomes final, no higher education institution shall have the right](#) to independently create study programmes in any field of study and level; this shall not apply in the case of an application for the 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 study fields by 31 December 2018.

(2) From 1 November 2018 until the decision pursuant to [Section 25\(1\) becomes final, the higher education institution shall be entitled to establish](#) a study programme, in the field of study and at the level at which it is entitled to conduct study programmes on 31 October 2018, even before the assessment of the internal system, in accordance with [the procedure pursuant to Section 30](#). By 31 March 2021, the Agency shall not reject an application for the accreditation of a study programme on the grounds referred to [in Section 30\(5\)\(a\); Section 38\(6\) shall not](#) be affected.

§ 37

(1) A higher education institution shall be obliged to bring its internal system into line with this Act and the standards for the internal system within 24 months of their entry into force; inform the Agency thereof without delay. The College is required to request from the Agency a first assessment of the internal system by 31 December 2022 and a second assessment of the internal system by 31 December 2030; if the higher education institution does not request an assessment of the internal system from the Agency by the end of this period, [Section 24\(7\) shall apply](#). The College may ask the Agency for a first assessment of the internal system at the earliest after its alignment with the regulations in force since 1 November 2018 and the standards for the internal system.

(2) Proceedings on the capacity of a higher education institution to carry out a study programme entitling its graduates to the corresponding academic degree and proceedings on the capacity of a higher education institution to carry out habilitation proceedings 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 context of a comprehensive accreditation of higher education institution activities 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 concluded by 31 December 2019, the Agency shall carry out the activities of the Accreditation Commission, the Ministry of Education and the Minister of Education.

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

(4) A proposal for the inclusion of a new study field in the system of study fields or a proposal for another change of the system of study fields, which is to enter into force by 30 April 2019, shall be expressed by the Accreditation Commission according to the regulations in force until 31 October 2018.

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

(6) As of 1 November 2018, proceedings on the capacity of a non-higher education institution to participate in the implementation of a doctoral study programme which have not been definitively concluded shall be discontinued.

(7) If a higher education institution has been deprived of the right to award a corresponding academic degree to the graduates of a study programme or if it has been refused an application for such a right under the regulations in force until 31 October 2018, the limitation to submit applications to the Accreditation Commission in respect of the relevant field of study 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 applies only to an application relating to study programmes carried out at the relevant faculty.

(8) As of 16 June 2019, it is not possible to submit applications to the Accreditation Commission; a request submitted after 15 June 2019 shall be rejected by the Accreditation Commission. Applications submitted to the Accreditation Commission from 1 November 2018 to 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 college, police college or medical college the right to grant graduates of the study programme an appropriate academic degree or the right to conduct habilitation proceedings and the procedure for the appointment of professors in the field of study, the competent minister shall notify the Minister of Education within 30 days of the statement of the Accreditation Commission of the approval to grant such a right.

§ 38

(1) An Accreditation Commission established pursuant to a regulation in force until 31 October 2018 shall be considered an Accreditation Commission pursuant to this Act and shall carry out its activities until 31 December 2019 pursuant to a regulation in force until 31 October 2018. A member of the Accreditation Commission established under a 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 abolished. 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 completed 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 if he/she has been a member for two consecutive terms of office.

(2) The Ministry of Education from 1 November 2018 to 31 December 2019 provides materially and financially the activities of the Accreditation Commission to the extent according to the regulations in force until 31 October 2018. Universities are obliged to provide cooperation to the Accreditation Commission from 1 November 2018 to the extent required by the regulations in force until 31 October 2018. Until 31 December 2019, the Accreditation Commission is entitled

to use data from the Register of Higher education institution Employees to the extent required by the regulations in force until 31 October 2018.

(3) The activities of the Agency from 1 November 2018 to 31 March 2019 are provided materially by the Ministry of Education. For the purposes of locating staff and securing the Agency's activities, the Ministry of Education is entitled to leave the assets to the State under a loan agreement until 31 March 2019; ¹⁴⁾ [The movable property of the State providing material support for the Agency's activities](#) under the first sentence, as defined in the Protocol between the Ministry of Education and the Agency, shall be transferred to the ownership of the Agency as from 1 April 2019.

(4) As of 1 January 2020, they shall transfer to the Agency

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

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

c) ownership and management of the Accreditation Commission's website 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 notified by the Agency to all public, state 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; a request made 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 higher education institution's research, development, artistic and other creative activities pursuant to special legislation¹¹⁾, the Agency shall take into account instead the evaluation of the higher education institution's research, development, artistic and other creative activities in the procedure for granting accreditation of the habilitation proceedings and the inauguration proceedings within the framework of the last comprehensive accreditation of the higher education institution'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 appointment of the Chairman of the Executive Board by 31 December 2018. The Minister of Education shall appoint the first Chairman of the Executive Board within 14 days of the publication of the outcome of the selection procedure in which the Selection Committee has selected a candidate for the position of Chairman 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 Board of Higher Education Institutions, the Slovak Rectors' Conference, the Students' Council of Higher Education Institutions and representatives of employers pursuant to [Section 7\(4\) shall propose](#) members of the Executive Board to the Ministry of Education by 1 February 2019. The Minister of Education shall appoint the first members of the Executive Board, in addition to the Chairman of the Executive Board, by 28 February 2019. The Chairman of the Executive Board shall propose them to the Minister of Education for the appointment of the Vice-Chairman 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 Chairman of the Executive Board and the

first Vice-Chairman 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 is two years and two members whose term of office is four years shall be appointed 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 designate 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 the Head of Office may be designated.

(11) The first selection procedure for the appointment of the Head of Office, the first selection procedure for the appointment of the members of the Board of Appeal and the first selection procedure for the appointment of the Auditor shall be launched by the competent authority by 15 June 2019.

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

(13) Until 31 December 2018, in order to demonstrate good repute, a candidate in a competition for the appointment of the Chairman of the Executive Board, a candidate in a competition for the appointment of a member of the Board of Appeal or a candidate in a competition for the appointment of an Auditor shall submit to the Ministry of Education, instead of the data necessary 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 to fill the post of Head of Office submits 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 or 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) enrolment in the European Quality Assurance Register for Higher Education.

§ 39

Transitional provisions for the adjustments in force from 1 January 2022

(1) If the proceedings pursuant to [Section 21\(1\) were initiated](#) and not definitively concluded by 31 December 2021, the Agency shall proceed in accordance with [Section 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 [Section 37\(1\)](#) 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 the 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 register the following changes to study programme data:

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

§ 40

Transitional provisions for the amendments in force from 25 April 2022

(1) The Higher education institution 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 and second degree without the consent of the Agency, if the study programme is in the 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 College shall notify the Agency of the modification within one month of its implementation.

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

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

(4) An application for accreditation of the habilitation proceedings and the inauguration procedure submitted by 24 April 2022 shall be considered as an application for accreditation of the habilitation proceedings and accreditation of the inauguration procedure under the regulations in force from 25 April 2022.

(5) The right to act the habilitation proceedings and the inauguration proceedings for universities 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, the higher education institution has obtained the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings granted under the legislation in force since 25 April 2022, the habilitation proceedings and inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings 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, the higher education institution has not obtained the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings granted under the legislation in force since 25 April 2022, the unfinished habilitation proceedings and

inauguration proceedings in the relevant field of the habilitation proceedings and the inauguration proceedings shall be discontinued from 1 September 2026; this shall not apply in the case of habilitation proceedings for which the Scientific Council has decided by 31 August 2026 to award the title of associate professor and inauguration proceedings for which the Scientific Council has decided by 31 August 2026 to approve the proposal for appointment as a professor.

§ 41

Transitional provision for modifications effective from 1 August 2024

From 1 August 2024 until the decision pursuant to [Section 25\(1\) becomes final, the higher education institution shall be entitled to establish](#) a study programme, even before the first assessment of the internal system, by means of the procedure pursuant to [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 ground pursuant to [Section 30\(5\)](#).

§ 42

Transitional provisions for the adjustments in force from 1 January 2025

(1) By 31 January 2025, the Agency shall publish a proposal to amend the standards for the internal system on the rules for the establishment, approval, implementation and modification of each educational programme leading to a microcredential.

(2) From 1 January 2025 until its alignment with the standards for the internal system amended pursuant to paragraph 1, the internal system shall not comply with the standards for the internal system for the purpose of providing an educational programme leading to a microcredential.

§ 43

Transitional provisions for the adjustments effective from 1 March 2026

(1) The Agency shall publish the first timeline by 31 December 2026.

(2) The obligation to request the re-granting of the accreditation of the habilitation proceedings or the accreditation of the inauguration proceedings according to the regulations in force from 1 March 2026 does not arise if it is to be an assessment of the internal system within the first schedule.

(3) By 31 March 2026, the Agency shall publish a proposal to amend the standards for the internal system on the rules for the establishment, approval, implementation, modification and quality assurance processes of short education programmes.

(4) The terms of office of the members of the Executive Board appointed pursuant to this Act in the version in force until 28 February 2026 shall be maintained.

(5) The Agency shall launch a selection procedure for a member of the Executive Board

a) pursuant to [Section 7\(1\)\(a\)](#) in the version in force from 1 March 2026, if the term of office is to expire or if the member nominated on the basis of a proposal from the employers' representatives pursuant to the regulations in force until 28 February 2026 otherwise terminates;

b) pursuant to [Section 7\(1\)\(b\)](#) in the version in force from 1 March 2026, if the term of office is to expire or if the performance of the duties of a member nominated by the Board of Universities or the Slovak Rectors' Conference otherwise ends in accordance with the regulations in force until 28 February 2026,

c) pursuant to [Section 7\(1\)\(c\)](#) in the version in force from 1 March 2026, if the term of office is to expire or if the office of a member nominated by the Students' Council of Higher Education otherwise ends pursuant to the regulations in force until 28 February 2026.

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.
Paragraphs 3 and 5 are renumbered 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 is inserted after Section 187c:

'Paragraph 187d

Transitional provisions for the adaptations in force on the date of declaration

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

(2) The Office shall discontinue the proceedings relating to the person and the procurement procedure referred to in paragraph 1. '

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 108 of Act No 131/2002 on](#) universities and amending certain acts, as amended by Act No [137/2022](#).

1aaa) Section 66 of [Act No 300/2025 on](#) universities and amending certain acts (the Higher Education Act).

2) [Section 3\(2\) of Act No 103/2007 on](#) tripartite consultations at national level and amending certain acts (the Tripartite Act).

3) [Section 26a of 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, as amended.

4) [Section 5](#) of Act No [552/2003 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 disposal 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 [on](#) financial control and auditing and amending 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.