

THE LAW
Of 4 April 2001

which amends Law No. 111/1998 Coll. concerning higher education institutions and a modification and amendment of other laws (the Higher Education Act) as amended by Law No. 210/2000 Coll., and which also amends Law No. 451/1991 Coll. concerning some additional pre-conditions for the performance within certain professional positions in state bodies and organisations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic, as later amended.

Parliament has adopted the following law of the Czech Republic:

Article I.

An Amendment to the Higher Education Act

Law No. 111/1998 Coll. concerning higher education institutions and modification and amendment of other laws (the Higher Education Act), as amended by Law No. 210/2000 Coll., is hereby amended as follows:

1. Section 2, paragraph 4 is worded as follows:
“(4) A higher education institution of a university type may provide all types of study programmes and carry out associated scholarly, research, developmental, artistic or other creative activities.”
2. In Section 2, paragraph 5 the first sentence is worded as follows: “A higher education institution of a non-university type provides Bachelor study programmes and may also provide Master study programmes and carry out associated scholarly, research, developmental, artistic or other creative activities.”
3. In Section 20, paragraph 3 the following words are omitted: “nor make financial or non-financial **investment** in corporations and co-operatives”. The following sentences are added at the end of the paragraph: “A public higher education institution is not authorised to become a partner of a public owned corporation or a complementary to a limited partnership. Moreover, a public higher education institution is not authorised to invest in public owned corporations or cooperatives immovable assets which have been acquired by the HE institution from the state, and it is not authorised to invest the subsidy provided in line with Section 18, par. 3. Financial and non-financial investment in legal entities must be subject to rules laid down in the higher education institution’s internal regulations.
4. Section 45, paragraph 1 is worded as follows:
“(1) A Bachelor study programme aims to prepare the student for the performance of an occupation and for a Master study programme. Modern knowledge and methods are applied on Bachelor study programmes; these programmes also include an essential theoretical background”.
5. Section 46, paragraph 2 is worded as follows:

“(2) A Master study programme follows from a Bachelor study programme. The standard length of this programme is a minimum of one and a maximum of three years. Where the nature of the study programme so requires, accreditation may be granted to a Master study programme which does not follow from a Bachelor study programme. In this case the standard length of the studies ranges from a minimum of four to a maximum of six years”.

6. Section 48, paragraph 1 is worded as follows:

“(1) Admission to a Bachelor and a Master programme is conditioned by the completion of secondary general or secondary vocational education with a „maturita“ examination. In fine arts disciplines admission may also be granted to applicants who have completed post-secondary vocational education provided by conservatoires. A successful applicant for a Master study programme is required to have duly completed his/her studies in a Bachelor study programme.

7. Section 49, paragraph 1 is worded as follows:

“(1) A higher education institution or a faculty may set additional admission requirements concerning particular knowledge, competencies, talents or achievement in secondary education (or in post-secondary technical or higher education). Where admission to a Master study programme following from a Bachelor study programme is concerned, the institution may also set requirements concerning related fields of disciplines or a number of credits acquired in selected types of subject. Credits are understood to mean a quantitative expression of the study load of a particular section of a study programme. In addition to this, the institution may put an intake limit on the number of applicants who meet the relevant requirements. If the number of applicants who fulfil the relevant requirements exceeds the intake limit, admission is based on the sequential ordering of the of the best-performing applicants.

8. In section 50, paragraph 8 the following sentence is added at the end: “The Ministry determines by decree the procedures and requirements concerning the public dissemination of the course of entrance proceedings, including requirements for basic statistical data.

9. Section 58, paragraph 3 is worded as follows:

“(3) Should the student’s enrolment in a Bachelor or Master study programme exceed the standard length of studies by more than one year, the public higher education institution shall set a fee for the studies amounting to at least a quarter of the base for each commenced month of his/her studies. The length of studies also includes previous Bachelor and Master study programmes which were not duly completed in line with Section 45, par. 3 or Section 46, par.3”.

10. Section 60 is worded as follows:

Section 60

Life-Long Learning

(1) As part of its educational provision a higher education institution may deliver, free of charge or for payment of a fee, life-long learning programmes designed either for

occupational training, or leisure activity. Specific requirements concerning life-long learning are set by internal regulations. Participants in life-long learning programmes must be informed about the regulations in advance.

(2) A higher education institution grants certificates to participants who have successfully completed life-long learning programmes. In the event that successful graduates from life-long learning programmes with accreditation become students in line with this law (Sections 48-50), a higher education institution may recognize the credits they have earned in life-long learning programmes up to 60 % credits which are necessary for due completion of the studies.

(3) Participants in life-long learning are not considered to be students in line with this law.

11. In Section 72, paragraph 5, third sentence – the words “from a higher education institution other than the one” are replaced by the words “specialists from a workplace other than a higher education institution”.

12. In Section 74, paragraph 3, second sentence, the words “from a higher education institution other than the one ” are replaced by the words “specialists from a workplace other than a higher education institution”.

13. In Section 87 at the end of sub-paragraph q) a full stop is replaced by a comma and a sub-paragraph r) is added which is worded as follows:

r) Award of material and financial prizes to outstanding students, graduates from study programmes and other individuals for extraordinary achievements in their studies and scholarly, research, developmental, artistic or other creative activities”.

14- Section 95, paragraph 2 is worded as follows:

“(2) Admission of servicemen/women in active military service to studies at military higher education institutions is governed by requirements set by the Ministry of Defence. The course of the service and material provisions for students-servicemen/women in active service are governed by special legal regulations. The number of students who are not in active service normally amounts to one third of military higher education institutions’ capacity and it is defined more accurately every year in relation to the requirement of the Ministry of Defence concerning the training of students-servicemen/women in active service”.

Article II

An amendment to Law No. 451/1991 Coll. concerning some additional pre-conditions for the performance within certain professional positions in state bodies and organisations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic, as later amended.

In Law No. 451/1991 Coll. concerning some additional pre-conditions for the performance of certain positions in state bodies and organisations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic, as amended by Law. 254/1995

Coll. and Law No. 422/2000 Coll., Section 1, paragraph 3 the words “and at public higher education institutions” are added after “At higher institutions”5). At the end of paragraph 3 a full stop after the word “Senate” is omitted and the words “higher education institutions and faculties” are added”.

Note 5) is worded as follows:

“5) Law No. 111/1998 coll. concerning higher education institutions and modification and amendment of other laws (the Higher Education Act) as later amended.

Article III

Interim Provisions

1. This law does not affect accreditation granted to study programmes in line with the existing law on higher education institutions. However, in the case that a rector or a body performing the rector’s function fails by 31 December 2003 to file an application for accreditation, its prolongation or extension in line with Section 79 or Section 80, paragraphs 2 and 3 of the existing law on higher education institutions to the Ministry of Education, Youth and Sports, applicants may be admitted to accredited Master study programmes only prior to this date. Provided that the relevant application has been filed, the existing accreditation remains valid until a relevant decision is made by the Ministry of Education, Youth and Sports.
2. Procedures for granting associate professorship and professorship commenced before the day on which this law comes into effect may be completed in line with the existing law on higher education institutions at the latest by 31 December 2002.

Article IV

The Effect of the Law

This law becomes effective on 1 July 2001.

Signed: Klaus
Havel
Zeman