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THE ACT ON SCIENTIFIC ACTIVITY AND HIGHER EDUCATION

I. GENERAL PROVISIONS

Subject Matter of Stipulation

Article 1 (OG 139/13)

- (1) This Act shall stipulate the systems of scientific activity and higher education.
- (2) For the purpose of this Act, the term scientific activity implies both scientific and developmental research.

Basic Principles of Science and Higher Education

Article 2

(1) Scientific activity and higher education shall represent activities of special interest for the Republic of Croatia, and make an integral part of international, especially European, scientific, artistic and education sector.

(2) Scientific activity shall be based on:

- freedom and autonomy of creation;
- ethics of scientists;
- openness to the public;
- links to the system of education;
- international standards of quality;
- encouraging and respecting specific national content;
- protection of intellectual property.

(3) Higher education shall be based on:

- academic freedom, academic self-governance and university autonomy;
- openness of higher education institutions to the public, citizens and local community;
- integrity of university teaching and scientific research, or artistic endeavour;
- reciprocity and partnership among all members of the academic community;
- European humanistic and democratic tradition, as well as harmonisation with the European higher education system;
- respect and affirmation of human rights;
- unity of professional and educational work aimed at training for specific professional knowledge and skills;
- a concept of life-long learning;
- links to pre-tertiary education; and
- interaction with the community, and obligation of universities, polytechnics, colleges and public scientific institutes to develop social responsibility of students and other members of the academic and scientific community.

Mission of Higher Education Institutions and Public Scientific Institutes

Article 3

(1) The mission of the university shall be scientific, artistic and developmental research, especially the implementation of scientific research programmes of strategic interest to the Republic of Croatia; artistic production and professional work, as well as the undergraduate, graduate and postgraduate education based on them. A university shall accomplish its mission in accordance with the needs of its local community.

(2) The mission of colleges and polytechnics shall be professional higher education, artistic and professional activities in accordance with the needs of their local communities.

(3) The mission of public scientific institutes shall be scientific research. In particular, public scientific institutes shall implement scientific research programmes of strategic interest to the Republic of Croatia, and along with universities, establish

scientific infrastructure of interest to the overall system of scientific activity and higher education. Public scientific institutes shall participate in the process of higher education pursuant to this Act.

Academic Community and Its Freedom

Article 4

(1) The academic community shall include all teachers, associates, students and other participants in the higher education process.

(2) Higher education in the Republic of Croatia shall be based on academic freedom, academic self-governance and university autonomy, pursuant to the Constitution, international agreements, and this Act.

(3) Academic freedom shall belong to all members of the academic community, and shall include freedom of scientific and artistic expression and production, teaching, cooperation and partnerships, pursuant to the Constitution of the Republic of Croatia, international agreements, and this Act.

(4) Academic self-governance at higher education institutions in the Republic of Croatia shall include:

- setting rules for studying and student enrolment,
- appointment of heads of institutions and teachers,
- managing resources available to higher education institutions.

(5) Pursuant to this Act, at all universities in the Republic of Croatia, university autonomy shall include:

- developing internal organisational structure,
- establishing educational, scientific, artistic and professional programmes,
- financial autonomy pursuant to this Act,
- adopting decisions on accepting projects and international cooperation,
- other forms of autonomy, pursuant to this Act.

(6) Academic freedom, academic self-governance and university autonomy shall also include responsibility of the academic community to its local community.

Application of Regulations on Institutions

Article 5

(1) Unless stipulated otherwise by this Act, provisions of the Act on Institutions shall apply to higher education institutions and institutions within the system of scientific activity.

(2) Institutions within the system of scientific activity and higher education may establish associations of institutions, pursuant to the Act on Institutions. Associations established in such a manner shall have rights and obligations with regard to their units, pursuant to the foundation charter and statute.

(3) The association of universities shall be an institution established by two or more universities, entitled to all rights and obligations of a university, pursuant to this Act and the Act on Institutions. Its internal organisational structure shall be determined by a foundation charter and statute.

II. NATIONAL COUNCIL FOR SCIENCE, HIGHER EDUCATION TECHNOLOGICAL DEVELOPMENT

Mission of the National Council for Science, Higher Education and Technological Development

Article 6 (OG 94/13)

(1) The National Council for Science, Higher Education and Technological Development (hereinafter: the National Council) is the highest expert body responsible for the development and quality of all scientific activities and the system of science, higher education and technological development in the Republic of Croatia.

(2) The National Council:

1. discusses issues of importance for the scientific activity, and proposes and encourages the adoption of measures for its advancement;
2. proposes and encourages the adoption of measures for the advancement of higher education;
3. gives consent to the conditions of the Rectors' Conference and the Council of Polytechnics and Colleges for obtaining scientific-teaching, artistic-teaching and teaching grades,

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4. monitors the development and establishes scientific and artistic areas and fields, appoints scientific and artistic councils and field committees,
 5. in a general act, stipulates conditions for obtaining scientific grades pursuant to this Act,
 6. in a general act, stipulates minimum work obligation requirements for scientific, scientific-teaching and artistic-teaching grades, which are reported on pursuant to this Act,
 7. determines conditions to be fulfilled by scientific organisations and higher education institution in the field of arts in order to get authorisation for conducting the procedures of appointment to scientific grades, i.e. artistic component of artistic-teaching grades, pursuant to this Act,
 8. adopts criteria of excellence for the selection of scientists and teachers over 65 years of age, for the purpose of employment contract extension, pursuant to this Act,
 9. prescribes minimum work obligation requirements for the re-appointment to scientific, scientific-teaching, artistic-teaching, teaching and professional positions, pursuant to this Act,
 10. proposes the establishment of scientific centres of excellence and gives opinion on the establishment of science and technology parks and technology collaboration centres,
 11. proposes criteria and allocation of budget for the scientific activity, higher education and technological development,
 12. proposes and encourages participation of other entities and civil society organisations, particularly state administration bodies, local and regional government units and business entities in the system of scientific activity and higher education,
 13. proposes measures and takes activities for the affirmation and advancement of young scientific and teaching staff,
 14. appoints the members of the Science and Higher Education Funding Council,
 15. proposes and encourages measures related to the polycentric system of scientific activity and higher education in the Republic of Croatia, and proposes a strategic document of the network of public higher education institutions and public research institutes to the Croatian Parliament,
 16. discusses issues of importance for the development of the national innovation system, and proposes and encourages the adoption of measures for its advancement and encouragement of technological development,
 17. proposes the members of the Committee for Ethics in Science and Higher Education,
 18. considers and provides opinions on other issues of importance for the development of the system of science and higher education in the Republic of Croatia.

Article 7 (OG 94/13)

Deleted.

Article 8 (OG 94/13)

Deleted.

Composition of the National Council for Science, Higher Education and Technological Development

Article 9 (OG 94/13)

- (1) The National Council shall have a president and 16 members: four scientists appointed to the grade of scientific advisor with tenure employed at scientific research institutes, seven full professors with tenure, two college professors, two members from the economy and two members from the business sector. A representative of trade union in the area of science and higher education shall participate in the work of the Council without a right of vote.
- (2) Members of the National Council appointed as scientific advisors with tenure and full professors with tenure are selected among the ranks of top scientists, in particular, among authors of internationally recognized scientific papers in several scientific fields.
- (3) Members of the National Council who are college professors are proposed by the Council of Polytechnics and Colleges.
- (4) President and members of the National Council for Science, Higher Education and Technological Development shall have a four-year term of office.
- (5) The National Council for Science, Higher Education and Technological Development shall invite the Minister and, if necessary, other members of the Government of the Republic of Croatia to attend their sessions and participate in discussions, without a right of vote.

Article 10 (OG 94/13)

Deleted.

Procedure for Appointing Members of the National Council for Science, Higher Education and Technological Development

Article 11 (OG 94/13)

(1) Members of the National Council for Science, Higher Education and Technological Development and their presidents shall be appointed by the Croatian Parliament, based on the proposal of the Committee for Education, Science and Culture of the Croatian Parliament, taking into consideration the appropriate representation of all areas of science and arts, as well as the regional and industrial representation.

(2) According to Para. 1 of this Article, the Croatian Parliament shall appoint eight members of the National Council every two years, and the president of the said Council shall be appointed every four years.

(3) Candidates for members and president of the National Council for Science, Higher Education and Technological Development are determined by the Government of the Republic of Croatia, based on proposals submitted by scientific institutes, Rectors' Conference, university senates, Council of Polytechnics and Colleges, Croatian Academy of Arts and Sciences, Croatian Chamber of Commerce, associations of employers, unions in the area of science, as well as scientists and members of the academic community, based on a public call for the nomination of candidates.

(4) State officials and heads of scientific organisations, higher education institutions and members of other highest professional authorities responsible for the development and quality of the system of science and higher education cannot be members of the National Council for Science, Higher Education and Technological Development.

Dismissal of Members of the National Council for Science, Higher Education and Technological Development

Article 12 (OG 94/13)

A president or a member of the National Council for Science, Higher Education and Technological Development may be dismissed by the Croatian Parliament before the end of their term of appointment, following the proposal of the Government of the Republic of Croatia and the National Council for Science, Higher Education and Technological Development, if a president or a member:

1. request it of their own accord,
2. accept a duty that is in a conflict with serving in the National Council for Science, Higher Education and Technological Development;
3. fail to comply with their duties;
4. lose the capacity to perform their duties;
5. behave in a manner unbecoming of the position which they hold.

(2) In case of a dismissal laid down in Para. 1. of this Article, following a proposal of the Government of the Republic of Croatia, the Croatian Parliament shall appoint a new president or member for the remaining term of a dismissed president or member. A new president or member shall be nominated based on previously collected proposals, pursuant to Article 11, Para. 3 of this Act.

Operation and Decision-making by the National Council for Science, Higher Education and Technological Development

Article 13 (OG 94/13)

(1) The National Council for Science, Higher Education and Technological Development shall adopt their rules of procedure pursuant to this Act and other regulations.

(2) The National Council for Science, Higher Education and Technological Development may establish their working bodies to discuss certain issues or monitor certain areas. Individuals who are not members of the National Council for Science, Higher Education and Technological Development may participate in the work of such bodies.

(3) In the course of discussing issues under their purview, the National Council for Science, Higher Education and Technological Development may request opinion of relevant ministry or experts.

(4) Members of the National Council for Science, Higher Education and Technological Development, as well as members of their working bodies, shall be excused from decision-making in case of a conflict of interests. The issue of excluding members of the National Council for Science, Higher Education and Technological Development shall be stipulated in more detail by their rules of procedure.

(5) The National Council for Science, Higher Education and Technological Development shall adopt their programmes for the period including their entire term of office, and their annual programmes to be confirmed by the Minister. The National Council for Science, Higher Education and Technological Development shall be responsible to the Croatian Parliament to which they shall submit their annual reports.

(6) In case the National Council for Science, Higher Education and Technological Development proposes to the Minister to pass a general regulation or decision, and the Minister declines their proposal, the National Council for Science, Higher Education and Technological Development shall be required to reconsider their proposal. If the agreement fails to be reached following that procedure, the decision shall be left to the discretion of the Government of the Republic of Croatia.

(7) Administrative and professional support to the work of the National Council for Science, Higher Education and Technological Development shall be provided by the Agency for Science and Higher Education (Article 15 of this Act).

Science and Higher Education Funding Council

Article 14

(1) The Science and Higher Education Funding Council (hereinafter: the Council) shall be an expert body of the National Council for Science, Higher Education and Technological Development. The Council shall comprise 15 members as follows: three members from scientific institutes, six members from universities, two members from polytechnics, two representatives of the union and two representatives appointed by the Minister.

(2) The Council members shall be appointed by the National Council for Science, Higher Education and Technological Development by a simple majority of total votes of both bodies, based on the proposal by the Rectors' Conference, Council of Polytechnics and Colleges, public scientific institutes, universities, polytechnics and colleges, Ministry and the unions. Their terms of office shall be four years.

The Agency for Science and Higher Education

Article 15

Ceased to be in force.

Evaluation of Higher Education Institutions and Scientific Organisations

Article 16

Ceased to be in force.

Evaluation of Study Programmes

Article 17

Ceased to be in force.

Application of Evaluation Results

Article 18

Ceased to be in force.

Scientific and Artistic Area Councils and Field Committees

Article 19 (OG 94/13)

(1) The National Council for Science, Higher Education and Technological Development shall appoint members of councils for areas of science and arts (hereinafter: scientific and artistic area councils) and field committees among the ranks of eminent scientists, artists and professors engaged in a respective profession for a period of four years. Proposals for members of scientific and artistic area councils and field committees shall be submitted by the Rector's Conference, universities, scientific institutes, and members of the academic community and scientists following a public call for nominating candidates for scientific and artistic area councils and field committees.

(2) Scientific and artistic area councils shall be established in order to review issues under jurisdiction of the National Council for Science, Higher Education and Technological Development related to specific areas of science and arts laid down in Article 6, Para. 2 of this Act. Scientific and artistic area councils shall participate in the appointment into scientific or artistic component of artistic-teaching grades in special cases referred to in Article 33, Para. 4 of this Act.

(3) Field committees shall participate in the appointment into scientific, scientific-teaching and artistic-teaching grades, pursuant to this Act and pertaining regulations.

(4) A composition of scientific and artistic area councils and field committees, as well as the manner of their operation, shall be described in more detail by rules of procedure adopted by the National Council for Science, Higher Education and Technological Development, taking into consideration a fair regional representation. Members of the field committees shall be scientists with international reputation.

III. THE SYSTEM OF SCIENTIFIC ACTIVITY

1. GENERAL PROVISIONS ON SCIENTIFIC WORK AND ACTIVITY

Freedom of Scientific Work and Activity

Article 20

(1) Scientific work cannot be subject to any limitations or formal requirements, except to those related to ethics in scientific research, protection of human rights, and personal and general occupational safety.

(2) Formal requirements related to performing scientific activity and engaging in science may not be an obstacle to free pursuit of science, and are provided exclusively for the purpose of exercising certain rights stipulated by this Act and its by-laws.

Scientific Work

Article 21

(1) For the purpose of this Act, scientific work refers to the work performed by scientists at universities, institutes, and other scientific organisations, individuals appointed into associate positions at those organisations, and other scientists that have fulfilled the requirements for performing scientific activity pursuant to this Act.

(2) Students of postgraduate university studies, and individuals appointed into the professional positions pursuant to this Act shall be engaged in scientific work. Other students and individuals participating in research and teaching process may be also engaged in scientific work.

Scientific Activity

Article 22

(1) For the purpose of this Act, scientific activity shall be carried out by universities and their constituents, public scientific institutes, scientific institutes, Croatian Academy of Arts and Sciences, as well as other legal entities and their units entered into the Register of Scientific Organisations (hereinafter: scientific organisations).

(2) The activities of institutions that are of special relevance to the Republic of Croatia (e.g. the Croatian Academy of Sciences and Arts and the Miroslav Krleža Institute of Lexicography) shall also be regulated by a separate law.

(3) Ceased to be in force.

(4) Ceased to be in force.

Register of Scientific Organisations and Register of Scientists

Article 23 (OG 94/13)

(1) The Register of Scientific Organisations and the Register of Scientists are maintained by the Ministry.

(2) Entry into the Register of Scientists shall be made on the basis of a decision on the appointment into scientific, scientific-teaching or artistic-teaching grade, and a request of the interested natural or legal person. Entry into the Register of Scientific Organisations shall be made on the basis of a licence for performing scientific activity.

(3) Ceased to be in force.

(4) Ceased to be in force.

(5) Ceased to be in force.

(6) Ceased to be in force.

(7) The Minister shall stipulate by separate regulations the requirements and procedure for entry into registers from Para. 1 of this Article, removal from said registers, as well as the structure and manner of their keeping, contents of the form for submitting requests for entry, and contents of the form for register certificate.

(8) Organisations and scientists that have not been registered in the register, or that have been removed from it, cannot be financed from the state budget. Exceptionally, foreign organisations and scientists not registered in said register may be financed from the state budget, following a proposal by the National Council for Science, in case they participate in a project of special importance for the Republic of Croatia.

Other Stakeholders in Scientific Activity

Article 24 (OG 94/13)

(1) In addition to natural persons engaged in scientific work and legal persons that conduct scientific activities, other legal entities involved in scientific activity also include the National Council for Science, Higher Education and Technological Development, Ministry, Croatian Academic and Research Network (CARNet), Croatian Science Foundation (hereinafter: the Foundation), as well as, pursuant to this Act and their general acts, teaching bases of faculties of medicine, dental medicine and pharmacy, polytechnics, colleges, scientific associations, museums, archives and other legal entities and their organisational units engaged in activities bearing interest for scientific activity.

(2) The manner of participation of legal entities from Para. 1 of this Article in organisation and implementation of scientific activity shall be stipulated by law, subsidiary legislation and decisions adopted by relevant bodies.

2. SCIENTIFIC INSTITUTES

Establishment of Scientific Institutes

Article 25

(1) Scientific institutes shall be established by national and foreign natural and legal persons, pursuant to provisions of this Act and the Act on Institutions.

(2) In order to implement scientific research programmes of strategic interest for the Republic of Croatia, the Government of the Republic of Croatia shall establish public scientific institutes by a decree.

Basic Provisions on Internal Organisation of

Scientific Institute

Article 26 (OG 94/13)

(1) Provisions of the Act on Institutions shall apply to the internal organisation and management of a public scientific institute and scientific institute (hereinafter: the institute), unless stipulated otherwise by this Act.

(2) The management board of an institute adopts the statute upon the founder's consent. A consent on the public scientific institute's statute shall be also given by the Minister upon proposal by the National Council for Science, Higher Education and Technological Development.

(3) The institute shall have:

- director,
- scientific council,
- management board,
- other bodies stipulated by the statute, or general acts based on the statute.

(4) Pursuant to the statute, the management board shall be composed of members that are appointed and dismissed by the founder, members who are elected by the scientific council of the institute, and one member who represents the employees. The number of the management board members shall be determined by the statute, and limited to a minimum of three and a maximum of nine members. Members appointed by the founder shall have a majority in the management board. The management board shall pursue financial and business policies, decide on managing high-value assets pursuant to the statute, and decide on issues that are not placed

under the jurisdiction of other bodies by the statute.

(5) In the scientific council, scientists and individuals appointed into associate positions or their representatives shall decide on scientific and professional issues. The scientific council shall:

1. identify and implement a science policy of the institute,
2. discuss and decide on scientific and professional issues,
3. carry out part of the procedure for appointment into scientific grades, in case the institute is authorised to conduct this procedure,
4. carry out procedures of appointment into scientific, associate and professional positions,
5. appoint and dismiss some members of the management board, pursuant to the statute,
6. propose to the management board nominees for the committee that elects a director of the institute,
7. submit to the management board a preliminary opinion in the procedure of adopting the statute, and
8. carry out other activities pursuant to the founding charter and the statute of the institute.

(6) The institute may have a scientific committee. Its members shall be renowned public figures and their membership shall not be conditioned by employment status at the institute. The statute shall regulate organisation, jurisdiction and operation of a scientific committee.

Participation of the Institute in Higher Education

Article 27

(1) Scientific institutes shall cooperate with higher education institutions in scientific work and implementation of study programmes, in accordance with the research programme of the institute, as well as the research and study programmes of higher education institutions.

(2) Cooperation from Para. 1 of this Article shall be elaborated by an agreement between a higher education institution and an institute.

(3) Higher education institutions and institutes shall agree on establishing scientific infrastructure of interest for the overall system of scientific activity and higher education.

3. COLLABORATIVE SCIENTIFIC RESEARCH PROGRAMMES, SCIENTIFIC CENTRES OF EXCELLENCE AND SCIENCE-TECHNOLOGY PARKS

Collaborative Scientific Research Programmes

Article 28

- (1) A collaborative scientific research programme is an interdisciplinary research programme implemented by universities and public scientific institutes. It usually includes a large number of scientific research projects dealing with related issues.
- (2) University senate or scientific council of a public scientific institute shall propose a collaborative scientific research programme. The senate or the council shall nominate a programme head.
- (3) A programme head shall propose a draft programme to the National Council for Science, Higher Education and Technological Development.
- (4) If the National Council for Science, Higher Education and Technological Development accepts a draft of the programme, university or institute shall announce a call for project proposals within the programme.
- (5) Principal researchers of selected projects shall determine a final proposal of the programme. University or public scientific institute shall carry out an internal evaluation of the proposal.
- (6) Following the internal evaluation, the National Council for Science, Higher Education and Technological Development shall evaluate a final proposal of the programme by appointing reviewers. A programme shall be defended in public, in front of the members of the National Council for Science, Higher Education and Technological Development and reviewers. Programme implementation shall be evaluated in the same manner as defence of a program proposal.

Scientific Centre of Excellence

Article 29 (OG 94/13)

- (1) A scientific centre of excellence shall be a scientific organisation, part of a scientific organisation or a group of scientists that in terms of their original approach, importance and relevance of their research, qualify among the best organisations or groups in the world in their scientific discipline.
- (2) A scientific organisation, part of scientific organisation or a group of scientists shall be proclaimed as a scientific centre of excellence by the Minister at a proposal of the National Council for Science, Higher Education and Technological Development, with a consent of a nominated scientific organisation or a group of scientists, based on the evaluation procedure in line with the relevant legislation on quality assurance in science and higher education, and the procedure that necessarily includes an international evaluation.
- (3) Minister's decision to proclaim a scientific centre of excellence shall contain all rights and obligations attributed to the respective centre by a proposal from the National Council for Science, Higher Education and Technological Development. A decision shall be valid for a period of five years, and it may be extended for another five-year period based on a new evaluation as per the procedure laid down in Para. 2.

Science-Technology Park

Article 30

- (1) A science-technology park shall be a company established with the aim of commercial use of scientific research results, encouraging cooperation between science and business, and strengthening science-based economy.
- (2) A consent for the use of title of science-technology park shall be granted by the Minister upon a proposal by the National Council for Science, Higher Education and Technological Development.
- (3) A science-technology park shall enjoy tax relief and other benefits as incentive for the implementation of its aims, pursuant to this Act.

4. SCIENTISTS AND ASSOCIATES

Scientists

Article 31

For the purpose of this Act, scientists shall be individuals appointed into a relevant scientific grade and registered in the Register of Scientists, pursuant to this Act.

Scientific grades

Article 32 (OG 94/13)

(1) Scientific grades are: research associate, senior research associate, scientific advisor and scientific advisor with tenure. Scientific grades shall be obtained in the procedure and under conditions stipulated by this Act and its by-laws.

(2) A researcher with a Doctorate of Science degree and scientific publications that establish him/her as a renowned scientist may be appointed into the grade of a research associate.

(3) A researcher with a Doctorate of Science degree and scientific publications that have significantly contributed to science may be appointed into the grade of a senior research associate.

(4) A researcher with a Doctorate of Science degree and scientific publications that have significantly contributed to science, whereby his/her international renown as a scientist and international recognition of his/her scientific work, or his/her importance within the national content, shall particularly be considered, may be appointed into the grade of a scientific advisor and scientific advisor with tenure. In addition, a researcher who has been appointed into the grade of senior research associate for a period of at least five years shall be appointed into the grade of scientific advisor, and a researcher has been appointed into the grade of scientific advisor for a period of at least five years shall be appointed into the grade of scientific advisor with tenure.

(5) Regulations adopted by the National Council for Science, Higher Education and Technological Development, which are published in the Official Gazette of the Republic of Croatia, shall stipulate in more detail the requirements for the appointment into scientific grades (types and number of scientific publications, their evaluation, etc.), pursuant to Para. 2-4 of this Article. Based on those requirements, scientific field committees and committees for the evaluation of scientists' work shall evaluate candidate's overall scientific activity, taking into consideration distinctive characteristics of different fields of science and arts, as well as that of interdisciplinary areas and fields.

(6) In the course of stipulating requirements from Para. 5 of this Article, a due period shall be provided for the application of prior requirements, allowing for a fair re-appointment or advancement of scientists who performed their scientific work according to the prior requirements.

(7) If it is clearly established that the employee meets the criteria for appointment to a higher grade in relation to the grade to which he/she is elected, the applicant may, by a special decision of the Scientific Council and with the employee's consent, be appointed to a higher grade earlier than prescribed within this Article, but not earlier than three years after his/her previous appointment to grade. For the appointment to the grade of scientific advisor with tenure, the procedure cannot be implemented earlier than prescribed by Para. 4 of this Article.

(8) In exceptional cases, if the applicant is a researcher who was not employed in the Republic of Croatia, the scientific field committee may approve the application for appointment to the scientific grade of senior research associate, scientific advisor and scientific advisor with tenure for the candidate who was not previously appointed to a scientific grade, if it established from the application that he/she meets the same requirements for the appointment to the appropriate grade as prescribed by the national regulation, i.e. that he/she has been appointed to the appropriate grade.

Initiating a Procedure for Attaining Grades

Article 33

(1) Attaining a scientific grade shall not depend on a position.

(2) A scientific grade is attained on the basis of a procedure initiated by a request of an individual who considers that he/she fulfils the conditions for the appointment to a specific scientific grade. The procedure may be also initiated by a scientific research organisation that has concluded an employment contract with an applicant.

(3) The request for the appointment to scientific grade shall be submitted to a scientific organisation authorised to carry out a part of the appointment procedure. If the applicant is employed by the scientific organisation authorised to carry out a part of the appointment procedure, the organisation in question is exclusively authorised to carry out a part of the procedure. At a reasoned request by the applicant who initiates the appointment procedure, the National Council for Science, Higher Education and Technological Development may select another authorised scientific organisation to carry out this part of the procedure.

(4) In case that none of the scientific organisations is authorised for conducting those stages of the appointment into a scientific grade in a specific area of science or arts, or an interdisciplinary area of science or arts, and in case that the scientific field committee for that field or interdisciplinary area has not been appointed, the appointment procedure shall be carried out by a relevant scientific or artistic area council. In case that none of the scientific or artistic area councils has been authorised to carry out the procedure, the procedure of appointment shall be carried out by the National Council for Science, Higher Education and Technological Development.

Authorisation for Implementing Part of Procedure of Appointment into Scientific Grade

Article 34 (OG 94/13)

(1) The authorisation for carrying out certain stages of the procedure of appointment to scientific grade is issued by the Minister, based on the proposal of the National Council for Science, Higher Education and Technological Development, and submitted to a scientific organisation that has an adequate number of full-time employees appointed to a scientific grade, i.e. at

least 15 full-time employees appointed to a scientific grade in the appropriate scientific area, and at least 7 in the appropriate scientific field or an appropriate interdisciplinary area, of whom at least 3 appointed into the grade of scientific advisor.

(2) By way of derogation from Para. 1 of this Article, a decision on authorisation for implementing certain stages of the appointment into a scientific grade may be granted to a higher education institution with the status of a scientific research organisation who employs a full-time staff on a part-time work basis, and whose full-time equivalent meets the conditions stipulated in Para. 1 of this Article.

(3) Based on the decision of the competent scientific field committee, the Croatian Academy of Sciences and Arts is authorised for the implementation of certain stages of the procedure of appointment into a scientific grade for its employees in research positions, for all scientific areas and fields, in line with the Act on the Croatian Academy of Sciences and Arts and its Statute.

(4) Based on a decision from Para. 2 of this Article, the authorisation granted to a scientific organisation shall be entered into the Register of Scientific Organisations.

(5) The appointment procedure at a scientific organisation shall be carried out by an expert body that pursuant to the statute has purview over scientific issues. Fulfilment of the conditions referred to in Para. 1 and 2 of this Article shall be reviewed by the Ministry ex officio, and if the institution no longer meets the conditions, the Minister shall issue a decision on removal of authorisation from the Register of Scientific Organisations.

(6) An authorised scientific organisation may regulate stages in the appointment procedure under its purview by internal regulations.

(7) The procedure for obtaining a decision on the authorisation to conduct certain stages of the appointment into artistic-teaching grades shall also be applied in an appropriate manner for the appointment into the artistic component of artistic-teaching grades.

Appointment Procedure

Article 35 (OG 94/13)

(1) The request for the appointment to scientific grade is submitted to an authorised scientific organisation, together with evidence on fulfilment of requirements for the appointment into a specific grade.

(2) An authorised scientific organisation appoints an expert committee within 30 days after receiving the request for appointment into scientific grade. The expert committee shall comprise at least three members with the same or higher scientific grade than the grade requested by the applicant. At least one member of the committee may not be an employee of the scientific organisation in which the applicant is employed.

(3) An expert committee assesses whether the criteria for appointment are met, and issues a recommendation that the applicant is appointed or not appointed into the scientific grade. An expert committee submits its report within 30 days from the date of its appointment.

(4) On the basis of the expert committee's report and the decision of the expert body referred to in Art. 34, Para. 3 of this Act, the organisation issues its opinion and submits its proposal to the competent scientific field committee within 30 days.

(5) The scientific field committee confirms or refuses to confirm the opinion and proposal of the authorised organisation within 60 days. The failure to reach a confirmation decision within that period cannot result in the appointment into a scientific grade.

(6) If the scientific field committee fails to meet the deadline referred to in the previous Para., the applicant may request a decision from the relevant area council. In case the appointment procedure is carried out by the area council, and the deadline is not met, the applicant may contact the National Council for Science, Higher Education and Technological Development.

(7) The scientific field committee shall not accept the opinion and proposal submitted by the authorised scientific organisation if:

1. it considers that they are contradictory to requirements for the appointment,
2. there is disagreement between opinion and proposal and the evidence submitted, or
3. if the appointment procedure has been seriously infringed.

(8) In cases referred to in Para. 7 of this Article, a scientific field committee may either conduct the appointment procedure itself, or request the same authorised scientific organisation to repeat the procedure, or request another authorised scientific organisation to initiate a new appointment procedure. A new appointment procedure shall be completed within 60 days.

(9) The decision brought by a scientific field committee shall be considered an executive decision and an administrative act, whereby stipulations of the General Administrative Procedure Act shall be applied for the procedure of appointment to scientific grade.

(10) The scientific field committee shall submit its appointment decision (either positive or negative) both to the applicant and the scientific organisation that has conducted the appointment procedure within 15 days. A positive decision on the appointment into the scientific grade shall be submitted to the Ministry in order to be entered into the Register of Scientists. A transcript from the Register shall be submitted to the applicant.

(11) In case referred to in Art. 33, Para. 4 of this Act, a request for the appointment into the scientific grade shall be also submitted to the relevant scientific field committee or area council, or the National Council. The procedure shall be completed within 120 days.

(12) The applicant has no right of appeal against the appointment decision, but may initiate an administrative dispute. The administrative dispute shall not result in a decision to appoint the applicant into the scientific grade; it may only result in the annulment of an illegal decision and a decision to initiate a new appointment procedure.

(13) The procedure of appointment to scientific grade is also applied in an appropriate manner for the appointment to the artistic component of the artistic-teaching grade, which is in all respects equated with the scientific grade.

Deadlines in the Appointment Procedure and

Consequences of Missing a Deadline

Article 36

(1) Deadlines in the procedure of appointment to scientific grade referred to in Article 35 of this Act shall not be applied in the period between 15 July and 31 August, and in the period between 20 December and 7 January.

(2) In case the deadline is significantly and unjustifiably exceeded, upon the complaint of the applicant or the scientific organisation in which the applicant is employed, the scientific field committee may take over and complete the process of appointment. In case the scientific field committee unjustifiably breaches the deadline, the Article 35, Para. 6 of this Act shall apply.

(3) Upon the prior opinion of the National Council, the Minister may revoke the authorisation to conduct appointments into scientific grades for a scientific organisation which frequently and unjustifiably fails to comply with the deadlines prescribed in Article 35 of this Act.

(4) In case a scientific field committee frequently fails to comply with the deadlines set out in Article 35 of this Act, at the request of the Minister, the National Council for Science, Higher Education and Technological Development shall initiate a procedure to dismiss the committee chair or members responsible for non-compliance.

Permanence of Grade and its Expiration

Article 37 (OG 94/13)

(1) A scientific grade shall be permanent. It shall cease to have effect with the promotion into a higher grade or with its revocation.

(2) The scientific grade may be revoked:

1. if facts and evidence present themselves testifying that at the time of the appointment into a scientific grade the applicant had not satisfied the requirements for the appointment;
2. if it is established that scientific research papers on the basis of which a researcher was appointed into a scientific grade present a case of plagiarism or the research behind them was falsified, and
3. in cases of serious infringements of the ethical code.

(3) The procedure of revoking a scientific grade may be initiated by a scientific organisation, a scientific field committee, a relevant area council, the National Council for Science, Higher Education and Technological Development or the Ethics Committee. The procedure of revoking a scientific grade shall be conducted with an appropriate application of the provisions of Article 35 of this Act.

(4) The procedure of revoking a scientific or artistic-teaching grade shall be completed by a relevant scientific field committee within a period no longer than 120 days from the day the procedure is initiated.

Honorary Grades

Article 38

(1) Institutes and other scientific organisations may award an honorary scientific grade of a *Scientist Emeritus* to their renowned retired scientific advisors without a public call.

(2) A scientist emeritus may, in accordance with the needs the scientific organisation, participate in scientific research projects and other activities.

(3) The appointment procedure and the rights of scientist emeritus shall be elaborated in detail by the statute of the scientific organisation.

Positions at Scientific Organisations

Article 39 (OG 94/13)

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- (1) Scientific positions at scientific organisations are: research associate, senior research associate, scientific advisor and scientific advisor with tenure.
 - (2) Associate positions at scientific organisations are: assistant and postdoctoral researcher.
 - (3) Professional positions at scientific organisations for employees who participate in the implementation of scientific activity are: professional associate, senior professional associate and professional advisor.

Procedure for Appointment to Positions

Article 40 (OG 94/13)

- (1) The procedure for appointment to scientific, associate and professional positions shall be stipulated by the statute of a scientific organisation, or, in private scientific organisations, a general act regulating employments.
- (2) An appointment to position in public scientific organisations shall be carried out based on a public call published in the Official Gazette of the Republic of Croatia, in daily newspapers, on the official website of the scientific organisation, as well as on the official job portal of the European Research Area. The call shall be open for a minimum of 30 days.
- (3) In case a public call for appointment to scientific position is announced, a procedure of appointment to grade may be conducted within the same procedure, pursuant to Art. 35 of this Act, in case an applicant is not appointed to a corresponding grade. In that case, the appointments into grade shall be conducted for all the applicants who meet the requirements for the grade but have not yet been appointed. Following a procedure of appointment into a scientific grade, within 90 days a scientific organisation shall complete a procedure of appointment into a position by selecting a candidate who best meets the requirements of the public call. In the course of the appointment procedure, a scientific organisation may request an opinion of competent national or international experts.
- (4) A scientific organisation shall be obliged to notify all candidates about the results of the selection procedure within 15 days from the date of the decision.
- (5) In case that a decision on the appointment into the same or higher position is not reached by the end of the term of the candidate's previous appointment in the same scientific organisation, the candidate's employment contract shall be valid until the appointment decision is reached.

Scientific Positions

Article 41

- (1) Scientists in scientific organisations shall be appointed into scientific positions.
- (2) A general requirement for an appointment into scientific positions shall be an entry into the Register of Scientists in the same or higher scientific grade, i.e. an appointment procedure compliant with Article 40, Para. 3 of this Act.
- (3) A person may be appointed into a position of a senior research associate if they have been appointed into the grade and position of a research associate or a scientific-teaching position of an assistant professor for a period of at least five years.
- (4) A person may be appointed into a position of a scientific advisor if they have been appointed into the grade and position of a senior research associate or a scientific-teaching position of an associate professor for a period of at least five years.
- (5) A person may be appointed into a position of a scientific advisor with tenure if they have been appointed into the grade and position of a scientific advisor or a scientific-teaching position of a full professor for a period of at least five years.
- (6) If it is clearly established that the employee meets the criteria for appointment to a higher scientific position in relation to the position to which he/she is being appointed to, following a special decision by a scientific council and with the employee's consent, a public call from Para. 3 and 4 of this Article may be announced earlier than stipulated by these paragraphs, but not earlier than three years from his/her previous appointment to a lower-grade position.
- (7) A scientist appointed into a scientific position does not have the obligation to be appointed into a higher position, but may be appointed into a higher scientific position in accordance with public call criteria.
- (8) In addition to the requirements for appointment into scientific positions stipulated by this Act, a scientific organisation may enact additional requirements by its statute or other general regulations.

Employment Contract

Article 42 (OG 94/13, 139/13, see OG [101/14](#))

- (1) An employment contract for an indefinite period, with the obligation of a re-appointment or promotion into a higher position, is concluded with persons appointed to scientific positions in public scientific institutes.
- (2) The procedure for the re-appointment to grade of scientists appointed to the position of research associate, senior research associate and scientific advisor shall be carried out in a way that a report on the work of the scientist, drafted by the expert committee of the authorised scientific organisation, is submitted every five years to the scientific council of the public scientific institute where the candidate is employed. An expert committee shall consist of 3 members appointed to the same, or

higher scientific grade and an appropriate position, than the one for which the request for re- appointment is submitted. At least one committee member cannot be an employee of the scientific organisation which employs the applicant.

(3) The form of the report and the minimal prescribed work obligations for the scientific position that are the subject of the report from Para. 2 of this Article are stipulated by the National Council for Science, Higher Education and Technological Development. A general act of the public scientific institute prescribes the decision-making procedure of accepting the report, and it may also prescribe additional work obligations for scientific positions that are the subject of the report from Para. 2 of this Article.

(4) If the scientific council of the public scientific institute does not accept the positive work report, i.e. if it accepts the negative work report, in accordance with Para. 3 of this Article, two years upon the adoption of said decision, the procedure of re-appointment shall be repeated, in accordance with Para. 2. and 3 of this Article.

(5) Opinion on the second report from Para. 4 of this Article is issued by the management council of a public scientific institute. If the management council of a public scientific institute does not accept the report, or if its opinion is negative, the director shall initiate the procedure for a regular termination of scientist's employment contract (dismissal due to misconduct), in accordance with general labour regulations and institute's general act.

6) Candidates appointed into scientific, associate and professional grades that are employed on a temporary project may conclude a temporary employment contract, which will be valid until the end of the project or a part thereof that includes the work of the candidate. Consecutive, fixed-term employment contracts for more than 3 years may be concluded with persons working on projects of limited duration, if justified by objective project reasons, i.e. reasons of timely and quality implementation of the project or part thereof on which the person is engaged, whereby the total duration of all consecutive fixed-term employment contracts may not exceed a continuous period of more than 6 years.

(7) The obligation to submit a report on a scientist's work shall cease after his/her appointment into a scientific position of a scientific advisor with tenure.

8) When a scientist at the public scientific research institution reaches the age of 65, his/her employment contract shall be terminated at the end of that calendar year due to retirement. In exceptional cases, when there is a need for the continuation of the work of a scientist, a scientific organisation may conclude a temporary, two-year employment contract, with a possibility for prolongation in two-year terms, with a scientist who meets the criteria of excellence. The criteria of excellence for the purpose of an employment contract with a scientist who is over 65 years of age are established by the National Council for Science, Higher Education and Technological Development, while the public scientific institute may enact additional criteria of excellence.

(9) Based on the report of the expert committee of a competent scientific organisation from Article 34 of this Act, comprising three members with the same or higher scientific grade than the grade requested by the applicant, whereby at least one committee member is not employed by the same organisation that employs the applicant, a decision is issued by the competent scientific field committee on compliance with the criteria of excellence from Para. 8 of this Article.

(10) When the salaries of scientists from Para. 8 of this Article come from funds earmarked for scientific or professional projects, or from own funds, public scientific research institute can extend the scientist's employment contract regardless of constraints from Para. 8 of this Article.

(11) Scientist over 65 years of age whose employment contract was terminated due to retirement can conclude a temporary employment contract in another scientific organisation under conditions described in Para. 8, 9 or 10 of this Article, providing that no suitable candidate applied in a public call of that organisation.

Associate Grades and Positions

Article 43 (OG 94/13)

(1) Associate grades and positions are assistant and postdoctoral researcher. The appointment to a position of assistant or postdoctoral researcher shall be carried out on a basis of a public call.

(2) A scientific institute may appoint a person who has completed a graduate university study to an assistant grade, and conclude with him/her a fixed-term employment contract for a maximum period of five years for the associate position of an assistant. The assistant is obliged to enrol into a postgraduate study programme.

(3) A scientific institute may appoint a person who has completed a postgraduate university study to a postdoctoral researcher grade, on a basis of a public call, and conclude with him/her a fixed-term employment contract for a maximum period of four years for the associate position of a postdoctoral researcher.

(4) If a salary and/or tuition for a postgraduate study for assistant or postdoctoral researcher are not funded from own income of a scientific institute but from the state budget, consent for concluding an employment contract from Para. 2 and 3 of this Article shall be granted by the Minister.

(5) Upon the request by a leader of a scientific or technological project, scientific organisation may employ an assistant or a postdoctoral researcher to work on a project that funds his/her salary for the duration of the project.

Evaluating the Work of Teaching Assistants, Postdoctoral Researchers and Supervisors

Article 43.a (OG 94/13)

- (1) The scientific organisations shall annually evaluate the work of the assistant. The assessment is based on a written report by the supervisor, in which the candidate's scientific or artistic and teaching work is evaluated, as is his/her success in the postgraduate university study.
- (2) At least once every two years, the postdoctoral researcher shall submit to the scientific council a report on his/her work, on the basis of which his/her scientific or artistic and teaching work is evaluated.
- (3) If an assistant or a postdoctoral researcher received two negative assessments, the second assessment is reviewed by the management council of the public scientific institute. If the second negative assessment, which includes the official statement of the assistant or postdoctoral researcher, is approved, the director shall initiate the procedure for a regular termination of employment contract (dismissal due to misconduct).
- (4) The content, criteria and the procedure of adopting the report from Para. 1, 2 and 3 of this Article shall be prescribed by general regulations of the scientific organisation.
- (5) At least once every two years, the scientific organisation shall evaluate the work of the assistant's supervisor on the basis of the work report and the assistant's report and assessment of supervision. A supervisor who has been negatively evaluated twice can no longer be appointed as a supervisor. The procedure, assessment criteria and appointment of supervisor are regulated by a general act of the scientific organisation.

Professional Grades and Positions

Article 44 (OG 139/13)

- (1) Professional grades are professional associate, senior professional associate and professional advisor.
- (2) Individuals with professional grades shall work at appropriate positions performing professional tasks related to scientific research.
- (3) A scientific organisation shall stipulate conditions for appointment into professional grades and the appointment into corresponding positions by its statute, except in the case of employment for a project of limited duration, when the conditions for selection are prescribed by the institution funding the project.

Article 45 (OG 94/13)

Persons employed in scientific and associate positions, which are funded from the state budget, shall have their fixed-term employment contracts extended for the duration of their maternity and/or parental leave, sick leave exceeding three months, public duty or duties, and another justified case provided by law, collective agreement or general act of a scientific organisation.

Work Unrelated to Scientific Organisation

Article 46

- (1) Contractual obligations of an employee of a scientific organisation related to scientific, teaching or professional work for a third party may be limited or conditioned by the consent of his/her scientific organisation, when so provided by the statute or general act of a higher education institution, in case that the scientific, teaching or professional work in question may have a negative impact on the work of his/her scientific organisation, or if the contract implies an organisation that carries out activities which stand in direct competition with the scientific organisation that employs the said individual.
- (2) The work outside of an employer organisation can amount to a maximum of one third of working hours.

IV HIGHER EDUCATION SYSTEM

1. HIGHER EDUCATION INSTITUTIONS

A. ESTABLISHMENT AND START OF OPERATION OF HIGHER EDUCATION INSTITUTIONS

Types of Higher Education Institutions and Their Tasks

Article 47

- (1) Higher education institutions are universities, faculties and academies of arts within universities, polytechnics and colleges.
- (2) Higher education institutions perform their activities as a public service.
- (3) University, faculty and arts academy shall be established in order to carry out activities related to higher education and science, professional and artistic activities, as well as other activities pursuant to the law and their statute. Within the framework of higher education activity, these higher education institutions shall organise and implement university study programmes, and pursuant to this Act, they may also organise and implement professional study programmes.
- (4) Polytechnic and college shall be established in order to carry out higher education activities in the form of organising and implementing professional study programmes. They may also carry out professional, scientific or artistic activities pursuant to this Act and their statute.

Establishment of Higher Education Institutions

Article 48

- (1) Universities, polytechnics and colleges shall be established as institutions.
- (2) University may establish and include faculties, arts academies and departments, as well as other constituents pursuant to the law.
- (3) Polytechnics and colleges cannot establish other higher education institutions.
- (4) The Government of the Republic of Croatia establishes higher education institutions for police and military needs, under conditions provided by this Act or as organisational units of competent ministries.
- (5) When a higher education institution is an organisational unit of a competent ministry, it can implement university study programme in accordance with an agreement with a university that shall deliver the study. The responsibility for delivery of such a study programme is assumed by the university.
- (6) A university or polytechnic and the Government of the Republic of Croatia may, by special agreement, establish special study programmes for the needs of military or police education within a university or polytechnic.
- (7) A decree of the Government of the Republic of Croatia shall regulate the specifics of study programmes referred to in Para. 4 of this Article, particularly their organisation, rights and responsibilities of teachers and students, with respect to their military or police duties.
- (8) The administrative supervision over the legality of work and general acts of higher education institutions referred to in Para. 4 of this Article is the responsibility of the ministry of interior or the ministry of defence, in accordance with the special agreement.

Public and Private Higher Education Institutions

Article 49

- (1) Higher education institutions may be public and private.
- (2) Public higher education institutions referred to in Para. 1 of this Article shall be those founded by the Republic of Croatia. The Republic of Croatia shall found a university by law, whereas a polytechnic and college shall be founded by a decree of the Government of the Republic of Croatia. On behalf of the Republic of Croatia, the Government of the Republic of Croatia or the Ministry shall have founder's rights over higher education institutions, pursuant to the founding act or other relevant regulation.
- (3) A private university, polytechnic or college shall be founded by a decision of the founder in a manner stipulated by provisions of this Act and regulations related to the foundation of institutions.
- (4) Counties, cities and municipalities shall found a college by a decision of their representative body.
- (5) Provisions of this Act related to private higher education institutions shall apply to colleges founded pursuant to Para. 4 of this Article.

Name of Higher Education Institutions

Article 50

(1) The terms university, faculty and art academy, or the word “academy” with a specified field of arts, as well as the terms polytechnic and college, or any names containing one of these terms, shall be used only by higher education institutions founded pursuant to this Act. A court or other competent body shall not grant an entry into the relevant register to a legal entity or its branch that uses any of the aforementioned terms as its name or part of the name, unless that legal entity has been founded pursuant to this Act.

(2) The academy of arts may use in its name a term denoting its artistic field instead of the general term “arts”.

(3) Terms referred to in Para. 1 and 2 of this Article may be used exceptionally by legal entities that have not been founded pursuant to this Act, if a separate law allows it or if the use of the term has been approved by the Minister.

Licence for Performing Activities of Higher Education Institutions and Entry into Register

Article 51

(1) A higher education institution founded pursuant to this Act and regulations related to the foundation of institutions may commence its activities and implementation of study programmes following its entry into the Register of Higher Education Institutions and the Register of Institutions kept by the Commercial Court.

(2) Ceased to be in force.

(3) Ceased to be in force.

(4) Ceased to be in force.

(5) Ceased to be in force.

(6) The Register referred to in Para. 1 of this Article shall be kept by the Ministry. The Minister shall regulate the organisation and the manner of keeping the Register, as well as the procedure of entry by special regulation.

(7) Ceased to be in force.

(8) Ceased to be in force.

(9) Ceased to be in force.

(10) Higher education institutions are responsible to promote physical activity and student sport within their programmes pursuant to separate laws.

(11) Education programs implemented without an accreditation licence shall not be considered as university or professional study programmes according to this Act, and upon their completion no academic or professional titles may be awarded. The organisers of such educational programmes may not issue diplomas or diploma supplements, as provided by this Act. However, they may issue certificates of completed education, which shall explicitly state that the said educational programme is not a university or professional study programme, as provided by this Act, and that no academic or professional titles or academic degrees are awarded upon its completion.

(12) Ceased to be in force.

Religious Higher Education Institutions and Their Studies

Article 52

(1) Religious higher education institutions founded in accordance with general acts of religious communities shall have the same rights and obligations as higher education institutions under this Act, provided they meet the requirements laid down in this Act.

(2) Status of higher education institutions referred to in Para. 1 of this Article, operating as faculties within a public university, shall be stipulated by an agreement between a university and founders of the higher education institution.

(3) Status and operation of Catholic theological faculties within public universities, and other religious education institutions operating within public universities, shall be stipulated respecting valid international agreements and agreements between the founders and the university, with the consent of relevant state and religious authorities.

(4) Religious communities may also found higher education institutions and organise non-religious study programmes, pursuant to the provisions of this Act relating to private higher education institutions.

B. UNIVERSITY

Basic Provisions on University

Article 53

(1) According to their mission referred to in Article 3 of this Act, universities shall be educational institutions that link scientific research, artistic creation, study and instruction in order to develop science, professions and arts; prepare students for carrying out professional activities on the basis of scientific notions and methodology, as well as artistic values; educate young researchers and artists; participate in the implementation of students' social interests; and promote international, especially European co-operation in higher education, science and arts. Universities shall inform the public on the implementation of their mission at least once a year, particularly with regard their contribution to the Croatian national culture.

(2) The university shall integrate all functions of its constituents, especially faculties, academies and departments (hereinafter: functional integration). Its bodies shall ensure a common and harmonised operation according to strategic and development decisions related to academic issues, specialisation of scientific research, integrated and harmonised financial and legal operation, investments, development plans, as well as to approaching external partners in science and higher education. The university shall ensure internal and external mobility of students and teachers, rational use of human and material resources, development of multidisciplinary studies, monitoring and continuous enhancement of quality, and competitiveness in teaching and scientific, artistic and professional work. The university shall develop an integrated information and library system.

Organisation of University and Its Constituents

Article 54

(1) The university shall be an institution that establishes and implements university studies in at least two areas of science and/or arts, and a large number of fields within these areas, as well as interdisciplinary studies. These studies shall be implemented as an autonomous and integrated process, directly by the university or through its faculties, art academies and departments founded pursuant to this Act. The university and its higher education institutions (faculties and art academies) may also implement professional study programmes pursuant to this Act.

(2) University constituents (branches, institutions or legal entities) may be faculties, art academies, departments and institutes, as well as other constituents such as: trusts, foundations, associations, student centres, medical institutions, libraries, technology centres, information technology, cultural and sport units, as well as other constituents (institutions or companies) that serve to meet the needs of the students and the university.

(3) The statute of the university, foundation act and general acts of its constituents shall stipulate the manner of management guaranteeing integrated functions of the university and achieving interests and goals that prompted the university to found the constituent.

(4) Operation of individual constituents, especially the level of their authority in legal and other operation, shall be stipulated by the university statute and its foundation act. The foundation act may stipulate that the founder provides its consent to the statute.

(5) Decisions on the change of status of a university constituent, or the separation of a constituent from the university shall be adopted by the senate by a two-thirds majority of the total number of votes. The university statute shall stipulate in more detail the procedure for changing the constituent's status. In case that the university statute does not stipulate otherwise, there shall be no possibility of appeal against the decision of the senate, but an administrative dispute may be initiated.

(6) The university may found or co-found a company for the purpose of commercial use of scientific results, inventions or patents as well as artistic creations, or for the purpose of encouraging co-operation with the economic sector and enhancing knowledge-based economy. A portion of the profit of a company owned by the university may be used solely for improvement of university activities.

Inviolability of University

Article 55

(1) The premises of the university shall be inviolable.

(2) Competent government bodies may act on the university campus only with the consent of its head, according to a decision of the authorised court, or in case of an immediate danger to life and health of people or assets.

(3) A search of the university premises may be exceptionally ordered by the authorised court, if conditions stipulated by the Act on Criminal Procedure have been met.

(4) A search of a higher education institution may be undertaken without the presence of its head or a person authorised by the head, only if they fail to respond to a summon issued in due time without providing a justified excuse.

University Bodies

Article 56

(1) The university shall have its:

- rector,
- senate, and
- university council.

(2) The university may also have other professional and advisory bodies, whose establishment, composition and authority shall be stipulated by the statute or a general act. In addition, the university may, by its statute, entrust the managing of its operations or parts thereof to a specific body.

Rector

Article 57

(1) The rector of the university shall be elected by secret ballot, by simple majority of all voting members from the ranks of full professors. The university statute shall stipulate the voting members for the rector's election. Rector's term of office shall be four years, with the possibility of one re-election.

(2) The procedure for election and dismissal, as well as the reasons for dismissal of a rector before the end of his/her term of office, shall be stipulated by the university statute.

(3) In his/her work, a rector shall have rights and obligations of the director of an institution, and the mandate and powers provided by this Act and the university statute. The rector shall convene and preside over the sessions of the senate.

(4) The rector may have one or more vice-rectors elected by the senate in a manner stipulated by the university statute.

(5) The rector may warn a dean and other heads of constituents if their planned or adopted decisions are against the law or statute.

(6) The rector may suspend a decision adopted by a dean and other heads of constituents if said decision is against the law or the university statute.

(7) In accordance with the university statute, the rector of the university may, in cases of non-compliance with laws, other regulations, statute or university decisions based on the above documents, suspend a dean or other heads of constituents and appoint an appropriately qualified replacement.

(8) The Senate shall within one month decide on the decisions of the rector referred to in Para. 6 and 7 of this Article. A majority of the total number of senate members is required to confirm the decision of the rector. A head of institution shall be relieved of his/her duty by the senate decision on suspension. In that case, the procedure for the appointment of a new head of institution shall be carried out within 3 months. A dismissed head of institution may not be a candidate for appointment in this procedure.

Salaries of Rector and Vice-Rectors

Article 57.a (OG 94/13, 60/15)

No longer in force.

Senate

Article 58

(1) The senate shall be an elective expert body appointed pursuant to the university statute, in a way that ensures a representation of all scientific-teaching constituents of the university, as well as different areas of science and arts.

(2) Employees appointed into scientific-teaching grades shall make at least 60% of the senate's members. Student representatives, elected by the students in accordance with the university statute, shall make at least 10% of the senate's members from the ranks of undergraduate and graduate students, and at least 5% from the ranks of postgraduate students. Other employees shall be represented in the senate according to the statute.

(3) The rector shall be a member of the senate ex officio. Vice-rectors shall participate in the activities of the senate without a right of vote.

(4) A representative of the union for science and higher education shall also participate in the sessions of the senate, without a right of vote.

Jurisdiction of University Senate

Article 59 (OG 94/13)

(1) The university senate, pursuant to the statute, decides on all academic, professional, scientific and art-related issues, including decision-making regarding scientific, professional and educational activities, appointment of teachers, development and business issues, as well as other issues provided for by this Act.

(2) Within the scope of its competence, the senate:

1. decides on the educational, scientific, art-related and professional activity,
2. decides on academic issues,
3. decides on development and research plans,
4. decides on the institutional capacity and admission policy, defines enrolment quotas, and determines study standards and supervises the compliance thereof,
5. conducts the process of awarding a doctorate degree, or delegates that responsibility to the constituents,
6. awards honorary doctorates,
7. appoints professors emeritus or scientists emeritus,
8. decides on the conditions of study and student standard, pursuant to Article 88 of this Act,
9. coordinates international cooperation,
10. decides on publishing activities,
11. adopts the statute and other university act, unless stipulated otherwise by the university statute,
12. appoints the rector, and appoints vice rectors following the suggestion of the rector,
13. appoints members of other university bodies, as stipulated by the statute or other general act,
14. confirms the appointment of deans of faculties and art academies, as well as the appointment of heads of university departments,
15. appoints heads of other university constituents, unless stipulated otherwise by the university statute, or the establishment act and the statute of the university constituent,
16. appoints teachers and associates, unless stipulated otherwise by the university statute or subsidiary regulation,
17. decides on the founding, the basic structure and dissolution of university constituents, and coordinates their activities and operation,
18. decides on the establishment of science and technology parks and other companies,
19. conducts the financial policy and adopts the university budget, discusses financial reports, approves the final accounts and decides on capital investments,
20. carries out other tasks, as stipulated by the university statute and other general acts.

(3) Adopting decisions on certain issues that are within the purview of the senate may be entrusted to individual university constituents. In order to ensure the integration of teaching and research processes at the level of the university, the university statute may provide for the right of suspensive veto on certain decisions of the competent constituent bodies regarding these issues, but in such a way that their academic freedom and self-government are not violated.

University Council

Article 60

(1) The university council shall be a body responsible for the implementation of university activities, pursuant to the foundation act and the statute. In particular, the university council shall take care of university's development and interaction with the society in which it operates, and discuss and confirm senate's strategic and developmental decisions, in accordance with the university statute.

(2) The university council shall monitor the implementation of university activities in accordance with Articles 3 and 53 of this Act, especially regarding the regularity of work, rational use of human and material resources, and the implementation of decisions adopted by the senate. The university council shall also carry out other tasks in accordance with the foundation act and the statute. The university council cannot be given competencies that would affect the autonomy of the university.

(3) The university council shall have 6 or 12 members, as follows:

- the senate shall appoint half of its members, among which at least one student;
- the founder, the local government body/bodies and the Chamber of Commerce shall appoint one sixth of members each.

(4) Members of the senate and heads of university constituents may not be members of the university council. Members of the university council shall elect a president of the university council among themselves. A procedure for nominating and dismissing the members of the university council, their term of office, a manner of replacing a member whose mandate ended before the end of his/her term of office, and the manner of passing decisions shall be stipulated by the university statute.

(5) The university council shall work at sessions. The rector shall participate in the work of the university council without a right of vote. The university council shall submit a report to the founder at least once a year. The university senate shall be notified on the submitted report. In case of severe irregularities in the work of the university, and especially in case the competent bodies do not remove the identified irregularities, the university council may summon the senate to discuss the said issue. It may also notify the founder on the identified irregularities, and propose the necessary measures, including amendments to the foundation act, statute and other general acts of the university.

Issues of Special Importance for Students

Article 61

The university statute shall stipulate issues of special importance for the students, and student representatives in the senate shall have a right of suspension veto when these issues are decided upon at the senate. Issues of special importance for the students shall particularly include those related to changes of a system of studying, quality assurance, adopting curricula and syllabi, and student standard. Following a suspension veto, the senate shall reconsider the said issue no earlier than 8 days following the session. There shall be no possibility of a suspension veto on the second decision. The university statute shall stipulate a manner of exercising a student suspension veto, and a majority required for the second decision following a suspension veto.

C. UNIVERSITY CONSTITUENTS

Faculties and Art Academies

Article 62

(1) A faculty is a higher education institution that, as a university constituent, organises and conducts university study programmes, and carries out scientific and professional activities in one or multiple fields. A faculty can also carry out professional study programmes, in accordance with this Act.

(2) An art academy is a higher education institution that, as a university constituent, organises and conducts university art study programmes, and develops high-quality artistic production and scientific research in the field of art. An art academy can also carry out professional art study programmes, in accordance with this Act.

(3) Faculties and art academies may have statutes. Their statutes shall be harmonised with the university statute.

(4) Faculties and art academies may use the name of the university and their own name for operational and legal purposes, if so stipulated by the university statute.

Bodies of Faculty and Art Academy

Article 63 (OG 94/13)

(1) A faculty and an art academy shall have:

- a dean,
- a council (faculty council and academy council) and
- other bodies stipulated by the university statute, own institutional statute or other general act.

(2) A dean of the faculty or art academy shall be appointed and dismissed by the council with a mandate, in a manner and through a procedure stipulated by the university statute or other general act, and shall be dismissed by the senate in the case referred to in Article 57, Para. 8 of this Act.

(3) The dean shall represent and act on behalf of the faculty or art academy, and have rights and obligations according to the university statute and the statute of the faculty or art academy. The dean shall be assisted in his/her work by vice-deans and other bodies stipulated by the statute.

(4) The dean is responsible for the legality of institutional operation, and the implementation of the statute and decisions adopted by the faculty or academy bodies.

(5) The council of the faculty and art academy shall be composed of teachers, associates, students, and one representative of employees, as stipulated by the statute of the faculty and art academy. Student representatives in the council, elected by the students according to the statute, shall make at least 15% of the total number of members of the council.

(6) According to the university statute, the council shall:

1. adopt decisions on academic, scientific, artistic and professional issues,

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2. elect and dismiss a dean and vice-deans,
 3. adopt the statute and other general acts,
 4. perform other tasks stipulated by the university statute, the statute of the higher education institution or other general acts.

(7) In cases when a faculty and art academy have their own statute, it shall, in accordance with this Act and the university statute, stipulate issues of special interest for the students, and student representatives in the faculty or academy council shall have a right of suspension veto when these issues are decided upon at the council session, pursuant to Article 61 of this Act.

University Department

Article 64

(1) University department shall be established as a university constituent that participates in the implementation of study programmes and develops scientific, artistic and professional activities in a single scientific field or interdisciplinary field.

(2) University department includes university teachers, researchers and associates from a specific scientific field, interdisciplinary field, or the field of art.

(3) University department has its head, an expert council and other bodies, whose composition, procedure of establishment, remit and authority shall be stipulated by the university statute and general acts of the department. A department head shall be appointed and dismissed by the expert council. His/her term of office, manner and procedure for appointment and dismissal shall be stipulated by the university statute. Provisions from Article 63 of this Act shall apply appropriately to a department head and its expert council.

(4) University departments may use the name of the university and their own name for operational and legal purposes, if so stipulated by the university statute.

University Institute

Article 65

(1) University institute is a university constituent established for performing scientific activity in a single or several related scientific fields, usually related to higher education process at the university. A university institute may perform highly professional work and participate in teaching, according to the general acts of the university.

(2) University institute shall have a director, expert council and other bodies, whose composition, procedure of establishment, remit and authority shall be stipulated by the university statute and general acts of the university institute. A director shall be appointed by the university senate, and his/her term of office, manner and procedure for appointment shall be stipulated by the university statute.

(3) The internal organisation of a university institute, its bodies and their authority, as well as other issues related to the work of a university institute shall be stipulated by the statute and/or general acts of the university institute, including appropriate application of the provisions of this Act related to scientific institutes.

(4) University institutes may use the name of the university and their own name for operational and legal purposes, if so stipulated by the university statute.

Linking Practice, Science, Arts and Higher Education

Article 66

(1) The universities, as well as the faculties and art academies, with the consent of the university, may establish organisations or internal organisational units, which would carry out activities linking practice, science, arts and higher education, and which also include students (engineering bureaus, workshops, legal centres, social work and counselling centres, veterinary and other clinics, university and / or clinical hospitals, teaching bases, production centres, tourist and similar organizations, studios, art groups, galleries, radio and TV stations, etc.)

(2) The profit gained through activities referred to in Para. 1 shall be used exclusively for improving the work of the university, or its components.

(3) In case that a particular activity is regulated by special regulation (e.g. health care, legal aid, etc.), individual organisations from Para. 1 shall be established and their work regulated with the consent of the competent minister.

(4) Pursuant to the statute and their accreditation licence, and based on the agreement with a relevant organisation (hospital, health centre, law firm, engineering bureau, company, specialised institution, state administration body, etc.), the higher education institution may organise a part of instruction at that legal entity, to be supervised by their own teaching staff and with the appropriate participation of experts from that legal entity.

D. POLYTECHNIC AND COLLEGE

Basic Provisions

Article 67

- (1) Polytechnic and college shall be institutions that organise and implement professional study programmes, and perform their activity pursuant to Article 47 of this Act and their statute.
- (2) A polytechnic is an institution of professional higher education that implements at least three different studies in three different fields. A polytechnic cannot have colleges as its organisational units.
- (3) The statute of a polytechnic or a college shall regulate issues pertaining to internal organisation, management and decision-making.
- (4) The statute of a polytechnic or a college shall be adopted by the management board at the proposal of the professional council, and it shall be confirmed by the founder.

Bodies of Polytechnics and Colleges

Article 68 (OG 94/13, 139/13)

- (1) Polytechnics and Colleges shall have:

- a dean,
- a professional council,
- management board,
- other professional and advisory bodies, whose establishment, composition and authority shall be stipulated by the statute or a general act.

(2) A dean of the polytechnic or college shall be appointed and dismissed by the management board. The professional council proposes candidates for the position of a dean to the management board, in a manner and following a procedure stipulated by the statute of the polytechnic or college. The dean shall represent and act on behalf of the polytechnic or college, and in his/her work shall have rights and obligations of the director of an institution. For the academic issues, the dean is responsible for his/her work to the professional council, and for issues regarding the regularity of work, financial administration and rational use of human and material resources, to the management board.

(3) The professional council of the polytechnic or college shall be composed of teachers, associates, students, and one representative of employees, as stipulated by the statute. The professional council, in accordance with the statute, decides on professional and teaching issues. Student representatives shall make at least 15% of the total number of members of the professional council. Student representatives in the professional council shall be elected by the students, in accordance with the statute of the polytechnic or college. The provisions of this Act regarding the suspension veto at the university (Article 61) shall appropriately apply to the student decision-making in the professional council.

(4) The management board of the polytechnic or college shall comprise five members: three shall be appointed by the founder, one by the professional council of the polytechnic or college, and one shall be a representative of the employees. The chair of the management board shall be selected by the board members among themselves. A dean of the polytechnic or college shall participate in the work of the management board without a right of vote.

(5) The management board shall take care of the implementation of activities of the polytechnic or college, in accordance with the founding act and the statute. In particular, it shall take care of the legality of institutional operation, rational use of material and human resources, implementation of decisions adopted by the professional council, provide consent to certain decisions adopted by the dean and the professional council, in accordance with the statute, and perform other tasks stipulated by the statute.

2. STUDY PROGRAMMES AT HIGHER EDUCATION INSTITUTIONS

A. TYPES OF STUDY PROGRAMMES

Types of Study Programmes: University and Professional Study Programmes

Article 69 (OG 94/13)

- (1) Higher education shall be implemented in the form of university and professional study programmes.
- (2) University study programmes shall qualify students for jobs in science, arts and higher education, in business and public sector and society in general, as well as for developing and applying scientific, artistic and professional achievements.

(3) Professional study programmes shall provide students with an appropriate level of knowledge and skills required for professional occupations, as well as qualify them for a direct entry into the labour market.

(4) University and professional studies shall be harmonised with studies in the European education area, taking into consideration positive experiences of other higher education systems.

(5) Study from Para. 1 of this Article shall be harmonised with the European Credit Transfer and Accumulation System (hereinafter: ECTS), whereby one year of study with full workload generally amounts to at least 60 ECTS credits.

(6) ECTS credits are assigned to students' study obligations based on the average total workload needed to acquire the intended learning outcomes within said obligation, whereby one ECTS credit generally represents 30 hours of total average student workload needed for acquiring learning outcomes.

University Study Programme

Article 70 (OG 94/13)

(1) University education shall include:

(1) undergraduate university study programmes,

(2) graduate university study programmes and

(3) postgraduate study programmes.

(2) University studies shall be organised and implemented at the university. Graduate and postgraduate study may be also implemented in cooperation with scientific institutes.

(3) Each level of the university study shall end with acquisition of a certain title or degree.

(4) Study programmes may also be implemented as integrated undergraduate and graduate university study programmes, awarding at least 300 ECTS credits upon the completion.

(5) University may also accredit an integrated undergraduate and graduate university study referred to in Para. 4 of this Article with a prior approval of the National Council.

Undergraduate Study Programme

Article 71

(1) Undergraduate university study programmes usually take three to four years to complete, and carry 180 to 240 ECTS credits. Undergraduate study shall qualify students for graduate study, and enable their employment in particular professional positions.

(2) Unless otherwise stipulated by a separate law, upon the completion of the undergraduate study programme, the academic title of baccalaureus or baccalaurea (*prvostupnik*) is awarded, including an indication of profession.

(3) Following a completion of undergraduate study, the academic title of baccalaureus or baccalaurea shall be used for international operations and in the English translation of the diploma.

Graduate Study Programme

Article 72

(1) Graduate university study programmes usually take one to two years to complete, and carry 60 to 120 ECTS credits. The graduate study programme may last longer, with the approval of the National Council.

(2) A total number of credits earned in undergraduate and graduate study shall be no less than 300 ECTS credits.

(3) Unless otherwise provided by law, the following academic titles shall be awarded upon the completion of graduate university study programme:

1. Doctor of medicine (Dr/MD), for university medical programmes

2. Master's degree (*magistar / magistra struke*; mag.), for other university study programmes, in accordance with the separate law.

(4) The abbreviations of listed academic titles shall be placed after the name and surname.

Postgraduate Study Programmes

Article 73 (OG 94/13)

(1) Postgraduate study programmes shall be postgraduate university study programmes and postgraduate specialist study programmes.

(2) Postgraduate university (doctoral) study programme may be enrolled after the completion of the graduate university study programme.

(3) Postgraduate university study programme shall take no less than three years to complete. Upon the fulfilment of prescribed conditions and a public defence of the doctoral dissertation in scientific fields, the academic degree of Doctor of Science (Dr.Sc.) is awarded. Upon the fulfilment of prescribed conditions in the field of arts, the academic degree of Doctor of Arts (Dr.Art.) is awarded.

(4) In exceptional cases, individuals who have achieved scientific accomplishments whose significance corresponds to the conditions for appointment into scientific grade, may - with an approval of the senate - attain a doctorate of science degree on the basis of a decision of the competent body, as stipulated by the university statute, on fulfilling the prescribed requirements, and producing and publicly defending a doctoral thesis.

(5) In exceptional cases, individuals who have achieved artistic accomplishments whose significance corresponds to the conditions for appointment into artistic-teaching grade, may - with an approval of the senate - attain a doctorate of arts degree on the basis of a decision of the competent body, as stipulated by the university statute, on fulfilling the prescribed requirements, and producing and publicly defending a doctoral thesis.

(6) In exceptional cases, individuals appointed into artistic-teaching grades and artistic-teaching positions, may attain a doctorate of arts degree on account of their artistic production, based on a decision of the competent body, as stipulated by the university statute, on fulfilling the prescribed requirements defined by the university senate.

(7) The abbreviations of academic degree shall be placed before the name and surname.

(8) The university may organise a postgraduate specialist study programme, lasting one to two years and awarding an academic title of a specialist (abbr. *spec.*) in a particular field, in accordance with the separate law. The title of a specialist or its abbreviation shall be added to the academic title form Article 72, Para. 3 of this Act. Upon the completion of a postgraduate specialist study programme, students obtain 60 to 120 ECTS credits.

(9) A separate regulation shall determine the academic title awarded upon the completion of a postgraduate specialist study in cases where specialist training for a particular professional field is prescribed by a separate law.

(10) The university may prescribe that ECTS credits are awarded at a postgraduate university study by a general act.

Professional Study Programmes

Article 74 (OG 94/13)

(1) Professional education shall include:

- short-term professional study programme,
- undergraduate professional study programme,
- specialist graduate study programme.

(2) Professional studies shall be implemented at a polytechnic or a college. In exceptional cases, professional study programmes may be implemented at a university, with the approval of the National Council in accordance with this Act.

(3) Each level of a professional study shall end with acquisition of a certain professional title.

(4) Short-term professional study programmes take two to two and a half years to complete, and carry 120 to 150 ECTS credits. Upon the completion of such a study, the student shall be awarded with a professional title “*stručni prvostupnik/prvostupnica*” with reference to the specialisation, in line with a separate law.

(5) Undergraduate professional study programmes take three years to complete. Exceptionally, following the approval of the National Council, undergraduate professional study may last up to four years, if it corresponds with international standards. Upon the completion of an undergraduate professional study programme, students shall obtain between 180 and 240 ECTS credits, and a professional title “*stručni prvostupnik/prvostupnica*” (baccalaureus/baccalaurea), with reference to the specialisation, in line with a separate law.

(6) The abbreviation of professional title shall be placed after the name and surname.

(7) Specialist graduate study programmes take one to two years to complete, and carry 60 to 120 ECTS credits. Upon the completion of such a study, the student shall be awarded with a professional title “*stručni/a specijalist/ica*” with reference to the specialisation, in line with a separate law.

(8) A total number of credits earned in undergraduate and specialist graduate professional study programmes shall be no less than 300 ECTS credits.

(9) In cases where a specialist graduate study is required for a particular professional field, as prescribed by a separate law, an appropriate professional title shall be determined by an implementing regulation in accordance with a separate law.

Transfer of ECTS credits

Article 75 (OG 94/13)

(1) Transfer of ECTS credits may be carried out between different studies or educational programmes from Article 76.a of this Act.

(2) Criteria and conditions for transferring ECTS credits from Para. 1 of this Article shall be stipulated by general acts of a higher education institution, or an agreement between higher education institutions.

Collaborative and Joint Studies and Cross-Border Cooperation

Article 76 (OG 94/13)

(1) Collaborative study is a study delivered by two or more accredited higher education institutions in the Republic of Croatia, whereby only one higher education institution is the coordinator/holder.

(2) University, polytechnic or college may organise a collaborative study programme with other accredited higher education institutions in the Republic of Croatia on the basis of a jointly developed study programme.

(3) Joint study is a study delivered by two or more higher education institutions, whereby at least one is not from the Republic of Croatia.

(4) Joint studies may be established providing that higher education institutions are accredited in accordance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area, or an equivalent quality standard.

(5) Organisation, delivery and discontinuation of collaborative and joint study programmes shall be determined by an agreement between higher education institutions, and implemented in accordance with the provisions of this Act.

(6) The accreditation procedure of a collaborative or joint study shall be conducted at higher education institutions in the Republic of Croatia that take part in issuing the final certificate or diploma upon the completion of a collaborative or joint study programme, in accordance with provisions of the law regulating quality assurance in science and higher education for the higher education institution in question.

(7) A foreign higher education institution may deliver study programmes in the territory of the Republic of Croatia, providing that: the higher education institution and the studies it delivers are accredited in their home country; that the higher education institution is listed in the Register of Higher Education Institutions maintained by the competent ministry of the Republic of Croatia, as well as the Register of Institutions kept by the Commercial Court in Republic of Croatia; and that the study programme has been accredited by the national accreditation body of the Republic of Croatia, in line with the procedure prescribed by the Minister.

Lifelong Learning, Programmes that are not Considered a Study, and Differential Requirements of Study Programmes

Article 76.a (OG 94/13)

(1) Higher education institutions may deliver various educational programmes that are not considered study programmes, for the purpose of this Act, and are based on the principles of lifelong learning.

(2) General acts of higher education institutions shall determine the manner and form of performing activities that are based on principles of lifelong learning, including the manner and procedures of prescribing differential requirements for students who want to choose another study programme and/or enrol into a study programme, or finish a previously started study, and for the recognition of competencies acquired outside the study programme, which are a prerequisite for the study.

(3) General acts of higher education institutions shall determine the status of students with differential requirements, participants in the educational programmes that are not considered study programmes, and participants in activities that promote principles of lifelong learning.

(4) All programmes and procedures referred to in this Article represent an integral part of internal quality assurance system, and are subject to procedures of external quality assurance in the appropriate manner.

B. ENROLMENT IN STUDY PROGRAMME, ITS ORGANISATION AND IMPLEMENTATION

Conditions for enrolment

Article 77 (OG 94/13)

(1) Enrolment in a study programme shall be carried out on the basis of a public call by a university, polytechnic or college that deliver the programme, at least six months prior to the commencement of instruction. The call for enrolment shall include: conditions for enrolment, enrolment quota, procedure, information on required documents, and closing dates for the call and enrolment.

(2) A university, polytechnic or college shall determine a procedure for selecting candidates in a manner that ensures equity for all candidates, regardless of their race, colour of skin, gender, language, religion, political or other beliefs, national or social origin, assets, birth, social status, disability, sexual orientation and age. A university, polytechnic or college shall determine criteria (success in previous education, type of education completed, success in the entrance or other exam, special knowledge, skills or abilities, etc.). These shall be a base for classification and selection of candidates.

(3) A university, polytechnic or college shall determine types of secondary education that are appropriate prerequisite for enrolment into an undergraduate university study, integrated undergraduate and graduate university study, or professional study referred in Article 74, Para. 1, Subpara. 1 and 2 of this Act.

(4) Graduate university or specialist graduate professional study may be enrolled by an individual who has completed a relevant undergraduate study. A higher education institution shall determine which undergraduate study programmes are relevant for the enrolment in a specific graduate study programme, as well as the conditions for enrolment.

(5) Individuals who have completed undergraduate professional study programme may apply for enrolment in a graduate university study programme if it is stipulated by a general act of the university delivering the study programme, whereby the enrolment may be conditioned by passing an entrance exam and/or differential exams at the beginning of the study programme, for full-time or part-time students.

(6) Postgraduate study programme may be enrolled by an individual who has completed a relevant graduate study programme. A university may stipulate other conditions for enrolment in the postgraduate study programme.

(7) Exceptionally, under conditions stipulated by a higher education institution, candidates without relevant prior education may enrol in a study programme, if they are highly gifted individuals and there are reasons to expect that they will complete their study successfully even without relevant prior education, and providing that the university, polytechnic or college defined the criteria for such an assessment by its general act.

(8) Foreign nationals shall enrol into a study under the same conditions as Croatian nationals. However, in accordance with the decision of the competent state body or higher education institution, they may be required to fully or in part pay the cost of studies. Foreign nationals may be restricted or denied enrolment in study programmes related to military or police education, or other study programmes of interest to the national security.

(9) Universities, polytechnics and colleges shall adopt a general act that shall regulate enrolment criteria for students who completed their studies in accordance with regulations that were in force before the enactment of this Act.

Study programme

Article 78 (OG 94/13)

(1) A study shall be organised according to a study programme adopted by a higher education institution. Study programmes implemented by a university shall be adopted by the university senate.

(2) When defining a study programme, a higher education institution shall take special care that study programme:

- acknowledges the most recent scientific achievements and skills based on these achievements;
- is harmonised with the strategic document of the network of higher education institutions,
- is harmonised with national priorities and needs of the professional sector,
- is comparable to study programmes in the member states of the European Union.

(3) A study programme shall be adopted in accordance with the statute and other general acts of the university, polytechnic or college, and it shall include:

1. professional or academic title and degree acquired upon the completion of study,
2. academic conditions for enrolment into a study programme, a higher semester or trimester, or a higher year of study, as well as the requirements for fulfilling study obligations,
3. intended learning outcomes acquired upon fulfilling individual study obligations, study modules and the entire study programme, as well as the estimated number of hours for each study obligation, which ensures the acquisition of intended learning outcomes,
4. for each study obligation, an appropriate number of ECTS credits is awarded, based on an average workload a student needs to invest in order to acquire the intended learning outcomes for said obligation,
5. modes of instruction and modes of assessment of acquired learning outcomes for each study obligation,
6. list of other study programmes in which a student can acquire ECTS credits,
7. modes of completing a study programme,
8. provisions on whether the students that have discontinued their study or lost the right to study may continue their study, and under what conditions.

(4) ECTS credits do not need be listed for a postgraduate university study programme for which their acquisition is not foreseen.

Syllabus

Article 79 (OG 94/13)

(1) A study programme shall be implemented according to the syllabus adopted by a higher education institution. A syllabus shall be published before the beginning of classes in a current academic year, and it shall be made available to the public. The curriculum shall be published on the higher education institution's official website, including overviews of all lectures and other modes of instruction, as well as texts of lectures and other modes of instruction in exceptional cases when the assigned readings are not available. The syllabus shall define:

1. teachers and associates who will deliver teaching in accordance with the curriculum,
2. location where teaching is delivered,
3. dates of beginning and end of teaching activities, as well as teaching timetables,
4. modes of instruction (lectures, seminars, practicals, consultations, exams, etc.),
5. methods of taking exams,
6. exam periods,
7. reading lists for study and exams,
8. possibilities of teaching delivery in a foreign language and
9. other important facts for proper teaching delivery.

(2) If part-time students are enrolled in the study programme, the syllabus shall define the structure and the manner of teaching delivery for part-time students.

(3) The adoption of a syllabus is a condition for the beginning of teaching activities in that academic year.

(4) The study may be organised through a distance learning system, which shall require a special approval of the National Council for Science, Higher Education and Technological Development.

Academic Year

Article 80 (OG 94/13)

(1) The academic year shall begin on 1st of October of the current year, and end on 30th of September of the following year.

(2) The instruction shall be organised by semesters or trimesters, pursuant to the provisions of the statute of a university, polytechnic or college.

(3) Classes may start before the beginning of the academic year referred to in Para. 1 of this Article, if so prescribed by the syllabus for that academic year, but not before 1st of September.

Grades

Article 81

(1) Student's achievement in the exam or other form of knowledge assessment shall be determined by using the following grading scale: 5 – excellent, 4 – very good, 3 – good, 2 – satisfactory, 1 – unsatisfactory. Passing grades 5, 4, 3 and 2 shall be entered into student's transcript and/or another relevant document and/or student register.

(2) A syllabus may determine that some modes of instruction shall be implemented without grading, or that the grading shall be descriptive.

Other Study-related Issues

Article 82

(1) The statute of a higher education institution or its general act on rules of studying shall define the examination procedure in more detail (written, oral, practical parts of an exam, system of requirements for taking an exam etc.), as well as the academic appeal procedure, a procedure for resitting an exam, content, format and a method of keeping examination records, right of examination being open to public, students' right of access to examination results, as well as other issues, if necessary.

(2) General acts from Para. 1 shall be published in a manner that ensures their availability to the public, especially to students and prospective students.

(3) An academic or professional title or degree shall be revoked if it is determined that it has been attained contrary to the conditions for its attainment, by severe violation of the rules of studying, or on the basis of a doctoral thesis (dissertation) that has proved to be a plagiarism or forgery.

(4) A procedure for revoking an academic or professional title shall be initiated and conducted in accordance with provisions of the statute or other general act of a higher education institution where an academic or professional title has been attained.

C. COMPLETION OF STUDY

Conditions for Completion of Study

Article 83 (OG 94/13)

- (1) An undergraduate study shall be completed upon passing all the exams, and depending on the study programme, producing a final thesis and/or passing a final exam in accordance with the study programme.
- (2) A graduate study shall be completed upon passing all the exams, producing a graduate thesis and passing a graduate exam and/or producing or performing a work of art, in accordance with the study programme.
- (3) An integrated undergraduate and graduate university study shall be completed upon passing all the exams, producing a graduate thesis and passing a graduate exam and/or producing or performing a work of art in accordance with the study programme.
- (4) A postgraduate university study shall be completed upon passing all the exams, producing and publicly defending a scientific or artistic doctoral thesis.
- (5) A postgraduate specialist study shall be completed upon passing all the exams, producing a final thesis and/or passing an appropriate final exam in accordance with the study programme.
- (6) It may be established by the study programme that the postgraduate art study is completed upon passing of all the exams and passing of the final exam before the examination committee and/or producing or performing a work of art.
- (7) A procedure for the application for, assessment and defence of a doctoral dissertation, or production and/or performance of a work of art shall be stipulated by the university statute or general act.
- (8) A short-term professional study programme shall be completed upon passing all the exams. A study programme may also provide for taking the final exam and/or producing the final thesis.
- (9) A specialist graduate professional study shall be completed upon passing all the exams, producing a final thesis and passing a final exam, in accordance with the study programme.
- (10) Upon the completion of study as per the provisions of this Article, a student shall attain a relevant professional or academic title or degree, as well as other rights in accordance with separate regulations.
- (11) Universities and faculties shall permanently publish the final theses of study programmes in the public internet database of the university library, and copy them in the National and University Library public internet database of final theses. Polytechnics and colleges shall copy the final theses of study programmes in the National and University Library public internet database of final theses.
- (12) The higher education institution shall permanently publish doctoral dissertations in the National and University Library public internet database of doctoral dissertations. University is obliged to ensure that one printed copy of a doctoral dissertation is submitted to the National and University Library.
- (13) Final theses of equal level studies of art, which are implemented in a form of artistic achievements, are published in an appropriate manner.

Documents on Study

Article 84 (OG 94/13)

- (1) Upon the completion of a university undergraduate study, a student shall receive a certificate testifying to the completion of a study and to the attaining of an academic title.
- (2) Upon the completion of a graduate university study, integrated undergraduate and graduate university study, postgraduate university study, and postgraduate specialist study, a student shall receive a diploma. A diploma shall confirm that a student has completed his/her study and acquired rights to an academic title and degree.
- (3) Upon the completion of a short-term professional study programme, a student shall be issued a certificate, and upon the completion of an undergraduate professional study programme and specialist graduate study programme, a student shall be issued a diploma testifying to the completion of a study and to the attaining of a professional title.
- (4) Upon the completion of a professional development programme, a participant shall be issued an attestation by the higher education institution, which shall contain a description of participant's obligations, and the number of ECTS credits, in case they are allocated to the workload within the programme.
- (5) In addition to a certificate, diploma or attestation, a student shall also receive a diploma supplement, in Croatian and English and free of charge, listing the exams passed and grades received, and containing other necessary information regarding the attained qualification.
- (6) Diplomas, certificates and attestations issued by higher education institutions shall be public documents.
- (7) The content of a diploma and diploma supplement shall be stipulated by the Minister.

(8) The format of a diploma and diploma supplement, and contents and format of a certificate and attestation, as well as information packages for transfer of ECTS credits, shall be stipulated by a university, polytechnic or college.

Recognition of Foreign Diplomas and Professional Qualifications

Article 85

The procedure of recognition of foreign diplomas and academic and professional qualifications is carried out in accordance with a separate law, or on the basis of bilateral or multilateral agreements binding on the Republic of Croatia.

3. STUDENTS

Attaining Student Status

Article 86 (OG 94/13, 139/13)

(1) A student status shall be attained by enrolment into a university, polytechnic or college, and shall be proved by an appropriate student document, whose content, access to and editing of content, printing, issuing, use and cancelling shall be prescribed by an ordinance of the Minister, and its format determined by a university, polytechnic or college.

(2) Every person who has fulfilled the conditions referred to in Article 77 of this Act has the right to enrol in a higher education institution, within the capacity of a higher education institution. In case the number of individuals fulfilling requirements referred to in Article 77 of this Act exceeds the capacity of a higher education institution, the right to study shall be granted to individuals who have achieved better results in the admission procedure.

(3) Students can have full-time or part-time status.

(4) Full-time students shall be students who study according to a programme based on full teaching load (full time study). Pursuant to general acts of a university, polytechnic or college, costs of full-time study (study programme) may be fully or partially subsidised from the state budget.

(5) Universities, polytechnics and colleges may sign one-year or multi-year agreements with the ministry responsible for higher education on subsidy of participation of full-time students in the costs of study; the agreement shall include the objectives of the subsidy, activities and results for achieving the objectives, monitoring indicators, and frequency of reporting on the agreement implementation.

(6) Part-time students shall be students who attend study programme in addition to work or other activities, which requires specially adjusted terms and manners of programme delivery, in accordance with the syllabus. The costs of part-time study shall be fully or partially borne by the student, in accordance with the general act of a university, polytechnic or college.

Advisor and Supervisor

Article 87

(1) A statute or other general act of a higher education institution may determine that an advisor shall be appointed to a student, to assist the student through study and monitor student's work and achievements.

(2) A supervisor shall be assigned to a postgraduate student, respecting the student's choice if possible.

(3) Elaborate provisions regarding the role of advisor and supervisor shall be provided by higher education institutions in their general acts.

Student Rights and Responsibilities

Article 88 (OG 94/13)

(1) A student has the right to:

1. quality study and educational process, as provided by the study programme,
2. participate in professional and scientific work,
3. consultations and supervision,
4. freedom of opinion and expression of views during teaching and other activities at higher education institutions,
5. complete the study in a shorter period,
6. freely use libraries and other sources of information,
7. enrol in courses from other programmes, in accordance with the statute and pertaining regulations,
8. provide opinion (assess) the quality of teaching and teachers,
9. participate in decision-making, in accordance with the statute of the higher education institution,

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10. lodge a complaint in case of violation of any of his/her rights provided by law or general acts of the higher education institution,
 11. participate in the work of student organisations,
 12. suspension of student obligations during military service, during pregnancy and up to one year of age of the child, during prolonged illness, and in other justified cases of suspension of studies,
 13. appropriate psychological and health care in student policlinics or other appropriate health institutions, and
 14. other rights provided by the statute and other general acts of the higher education institution.

(2) The student has the obligation to follow the study regime and general acts of the higher education institution, and to duly perform his/her obligations with regard to teaching and other activities at the higher education institution. The disciplinary responsibility of students is regulated by general acts of the higher education institution.

(3) Full-time students have health insurance rights in accordance with separate regulations.

(4) Ordinances issued by the Minister shall regulate the conditions and manner of exercising the rights of full-time students, namely: subsidized housing, subsidized meals, transportation of students with disabilities, national scholarships, loans and other forms of financial support, and employment through student centres.

(5) Higher education institutions shall conduct student evaluation of studies through a survey or in another appropriate manner. The results of the evaluation shall be used in planning of teaching and research programme at higher education institutions.

Termination of Student Status

Article 89

A student status shall be terminated:

1. upon the completion of the study;
2. in case of dropping out of the university, polytechnic or college,
3. in case of expulsion, as per the procedure and under conditions determined by the statute or other general act of a higher education institution,
4. in case he/she does not complete his/her studies within the deadline determined by the statute or other general act of a higher education institution, and
5. for other reasons determined by the statute or other general act of a higher education institution.

Records in higher education

Article 90 (OG 94/13)

(1) Higher education institutions shall keep electronic records and data collections and process the collected personal and other data for performing tasks within their competence. The said records can also be kept in printed form.

(2) Higher education institutions shall keep the following records on students' personal data:

1. register of applicants for the enrolment in study programmes and professional development programmes, including the results of the enrolment procedure;
2. register of enrolled students and participants in professional development programmes;
3. personal files of students and participants in professional development programmes;
4. records of exams and other study obligations;
5. records of issued documents on the completion of studies and attained academic and professional titles and academic degrees;
6. other records prescribed by law, implementing acts and general acts of the higher education institution.

(3) Higher education institutions shall keep the following records on personal data of employees:

1. personal file of an employee;
2. records of teaching staff and teaching workload;
3. other records prescribed by law, implementing acts and general acts of the higher education institution.

(4) Higher education institutions and student centres shall keep the following records for the purposes of subsidizing non-academic provision for students:

1. records of applications for subsidized accommodation and users of subsidized accommodation;
2. records of users and level of rights to use subsidized student meals,
3. records of beneficiaries of subsidized study costs.

(5) The procedure of keeping records referred to in Para. 2, 3 and 4 of this Article is an integral part of the internal quality assurance system and is subject to procedures of external quality assurance.

(6) The Ministry shall maintain the following databases on higher education:

1. Register of higher education institutions;
2. Register of study programmes;
3. Records of students;
4. Records of students with disabilities;
5. Records of graduated students;
6. Records of applicants for the enrolment procedure, including the results thereof;
7. Records of applicants and beneficiaries of subsidized accommodation, meals and study costs;
8. Records of employees of higher education institutions;
9. Records of teaching staff and teaching load;
10. Other records and databases prescribed by law and implementing acts, and necessary for the full exercise of legal powers.

(7) Data for data collections referred to in Para. 6 of this Article shall be collected and processed by the Ministry and the Agency for Science and Higher Education, for the purposes of determining students' right of study, and other rights supported by public funding, policy planning and monitoring of higher education, informing the public, planning and monitoring of the network of higher education institutions and study programmes, producing analyses and statistics, conducting research in the field of higher education, implementation of external quality assurance procedures and producing analyses and statistical reports on higher education.

(8) Taking into consideration the prior opinion of the Agency for Science and Higher Education, the Minister shall prescribe by an ordinance the content, manner of keeping and manner of delivery of data from records and data collections referred to in Para. 2, 3, 4 and 6 of this Article.

4. TEACHING STAFF AND ASSOCIATES

Scientific-Teaching, Artistic-Teaching, Teaching, Associate and Professional Grades

Article 91 (OG 94/13)

(1) Scientific-teaching and artistic-teaching grades are assistant professor / docent (Doc. Dr. Sc./Dr. Art.), associate professor (Assoc. Prof. Dr. Sc./Dr. Art.), full professor and full professor with tenure (Prof. Dr. Sc./Dr. Art.). Abbreviations for the names of scientific-teaching and artistic-teaching positions are written in front of the name of a person appointed to a specified position.

(2) Scientific-teaching grades in the scientific component correspond to scientific grades as follows:

1. assistant professor - research associate,
2. associate professor - senior research associate,
3. full professor - scientific advisor,
4. full professor with tenure - scientific advisor with tenure.

(3) Teaching grades are be lecturer, senior lecturer, college professor, language instructor, senior language instructor, artistic associate, senior artistic associate and artistic advisor. Abbreviations of teaching grades in teaching positions are written after the name and surname of a person appointed to the specified teaching position.

4) Associate grades are teaching assistant and postdoctoral researcher.

5) Professional grades are professional associate, senior professional associate and professional advisor.

Academic grades at University and Corresponding Positions

Article 92 (OG 94/13)

(1) Appointments into scientific-teaching, artistic-teaching, associate and teaching grades of a lecturer, senior lecturer, language instructor, senior language instructor, artistic associate, senior artistic associate, as well as appointments into professional grades, pursuant to this Act, shall be carried out at the university, i.e. university constituents, through a public call, and an employment contract shall be concluded with the selected candidate. If a university carries out professional and higher education art studies, for the purpose of these studies it may also carry out the appointment into all teaching grades from Art. 91, Para 3 of this Act.

(2) A person may be appointed into appropriate scientific-teaching, artistic-teaching, associate and teaching grades without concluding an employment contract, if he/she is participating or shall be participating, either partially or fully, in teaching a specific course (so called nominal grade) at a higher education institution, and if he/she meets the conditions for appointment into a relevant grade.

(3) A higher education institution can confer the performance of up to one third of a course to experts without appointments into a scientific-teaching grade (so-called visiting professors or teachers), under the condition that the basic part of the course is delivered by individuals appointed into scientific-teaching, artistic-teaching or teaching grades.

(4) Under the terms stipulated by the university statute, a distinguished foreign professor or a distinguished expert or artist who has not been appointed into the scientific-teaching or artistic-teaching grade according to the Croatian legislation, may be entrusted with delivering a particular course, with a prior approval of the senate.

(5) Postgraduate students may participate in teaching at the level of undergraduate professional or university study and graduate university or specialist graduate professional study, in accordance with the study programme of the postgraduate university study, and general acts of university, polytechnic and college.

Conditions for Appointment into Scientific-Teaching Grades

Article 93 (OG 94/13)

(1) A person may be appointed into a scientific-teaching grade if he/she has been entered into the Register of Scientists referred to in Article 23 of this Act with a scientific grade attained in the relevant field, or if he/she fulfils the conditions for acquiring a respective scientific grade, and conditions in terms of education, teaching and professional work stipulated by the Rectors' Conference, if he/she has the required psychophysical characteristics, as well as other prerequisites stipulated by the university statute. Scientific-teaching grades shall be entered into the Register from Article 23 of this Act.

(2) The candidate may be appointed into the scientific-teaching grade if he/she meets the conditions for appointment into corresponding scientific grade as follows:

- assistant professor: research associate, senior research associate or scientific advisor;
- associate professor: senior research associate or scientific advisor;
- full professor: scientific advisor,
- full professor with tenure: scientific advisor with tenure.

(3) Conditions of the Rectors' Conference from Para. 1 of this Article shall be published in the Official Gazette of the Republic of Croatia. The manner of verifying these conditions and psychophysical characteristics shall be stipulated by the statute and other general acts of the university.

(4) In case that the appointment into the grade of a full professor has been made by a university constituent, a decision shall be confirmed by the senate of the university that initiated the process.

Conditions for Appointment into Artistic-Teaching Grades

Article 94

(1) Teachers of courses in the fields that can be taught only by an artist shall be appointed into artistic-teaching grades and into corresponding positions. An individual may be appointed into artistic-teaching grade if he/she has achieved artistic achievements whose significance corresponds to the conditions for appointment into scientific-teaching positions. Artistic-teaching positions shall in all respects be equivalent to scientific-teaching positions, and stipulations of this Act referring to scientific-teaching positions shall be applied to artistic-teaching positions in the same manner.

(2) The National Council for Science, Higher Education and Technological Development shall determine in more detail conditions for appointment of teachers from Para. 1 of this Article in such a way that publications required for appointment into scientific-teaching positions are appropriately substituted with public performances, exhibitions or other forms of public artistic activity.

Procedure for Appointment into Scientific-Teaching and

Artistic-Teaching Grades and Corresponding Positions

Article 95

(1) The procedure for appointment into scientific-teaching and artistic-teaching grades and corresponding positions shall be conducted by the university or its component, according to the statute, and with appropriate application of Articles 35 and 36 of this Act, based on a public call to be published in the "Official Gazette of the Republic of Croatia", daily newspapers, the official website of the higher education institution and as well as on the official job portal of the European Research Area. The call shall be open for a minimum of 30 days.

(2) The request for initiating the procedure is submitted by the applicant or by the scientific organisation; decision on the procedure is made by the university, i.e. university constituent, in accordance with the general act of the university.

(3) If an applicant does not have the required scientific grade, the appointment to scientific grade shall be carried out during the appointment to the scientific-teaching grade, with the appropriate application of Article 35 of this Act. After the appointment to scientific grade of all applicants who meet the conditions, the university shall, in accordance with its statute and upon considering the conditions of the Rectors' Conference referred to in Article 93, Para. 1 of this Act, within a period of 60 days appoint to the scientific-teaching grade and corresponding position the applicant that best meets the conditions of the public call. All applicants are notified of the results of the public call within 15 days from the date of its completion.

(4) An applicant appointed to the scientific-teaching grade of assistant professor may be appointed to the scientific-teaching position of assistant professor.

(5) An applicant appointed to the scientific-teaching grade of associate professor, who was appointed to the scientific-teaching position of assistant professor or the scientific position of a research associate for a period of at least 5 years, may be appointed to the scientific-teaching position of associate professor.

(6) An applicant appointed to the scientific-teaching grade of full professor who was appointed to the scientific-teaching position of associate professor or the scientific position of a senior research associate for a period of at least 5 years, may be appointed to the scientific-teaching position of full professor.

(7) An applicant appointed to the scientific-teaching grade of full professor with tenure who was appointed to the scientific-teaching position of full professor or the scientific position of scientific advisor for a period of at least 5 years, may be appointed to the scientific-teaching position of full professor with tenure.

(8) If it is clearly established that the employee meets the criteria for appointment to a higher scientific-teaching position in relation to the position to which he/she is being appointed to, following a special decision by a higher education institution's council and with the employee's consent, a public call from Para. 5 and 6 of this Article may be announced earlier than stipulated by these paragraphs, but not earlier than three years from his/her previous appointment to a lower-grade position.

(9) The provisions of this Article shall be appropriately applied to teachers appointed to artistic-teaching grades and artistic-teaching positions.

Honorary Grades

Article 96

(1) Honorary scientific-teaching or artistic-teaching grade shall be Professor Emeritus.

(2) The university shall award the honorary grade of Professor Emeritus without a public call to retired deserving full professors who excelled and achieved international reputation with their scientific or artistic output.

(3) The appointment procedure and the rights of Professor Emeritus shall be elaborated in detail by the university statute.

Associate Grades and Corresponding Positions at the University

Article 97 (OG 94/13)

(1) Associate grades and corresponding positions at the university are teaching assistant and postdoctoral researcher. Teaching assistants and postdoctoral researchers shall be selected among the ranks of excellent students.

(2) Teaching assistants and postdoctoral researchers shall assist in the implementation of part of the teaching process, tests, scientific, artistic and professional activities of the university or its constituent, in accordance with its general acts.

(3) A person who has completed a graduate university study may be appointed to associate grade of a teaching assistant by a university or university constituent, which may conclude with him/her a fixed-term employment contract for a period of six years for the associate position of a teaching assistant. The teaching assistant is required to enrol and regularly attend a postgraduate university study, unless he/she is a teaching assistant in the field of art.

(4) Associates at the university shall be appointed according to the statute of the university or university constituent, under the terms laid down in Article 43 of this Act.

Evaluating the Work of Teaching Assistants, Postdoctoral Researchers and Supervisors

Article 97.a (OG 94/13)

(1) The university, or university constituent, shall annually evaluate the work of the teaching assistant. The assessment is based on a written report by the supervisor, in which the candidate's scientific or artistic and teaching work is evaluated, as is his/her success in the postgraduate university study.

(2) At least once every two years, the postdoctoral researcher shall submit to the expert council a report on his/her work, on the basis of which his/her scientific or artistic and teaching work is evaluated.

(3) If the expert council of the university or university constituent negatively evaluates the work of the teaching assistant or postdoctoral researcher for the second time, the procedure of regular termination of the employment contract is initiated (dismissal on account of employee's misconduct). The content, criteria and procedure for the adoption of the report referred to in Para. 1 and 2 of this Article shall be prescribed by the higher education institution's general act.

(4) At least once every two years, the university or university constituent evaluates the work of the teaching assistant's supervisor on the basis of the work report, and the teaching assistant's report and assessment of supervision. A supervisor who has been negatively evaluated twice can no longer be appointed as a supervisor. The criteria for assessment and appointment of supervisors are determined by the general act of the university or university constituent.

Language Instructors at Higher Education Institutions in the Republic of Croatia and Croatian Language Instructors at Higher Education Institutions Abroad

Article 98 (OG 94/13, 139/13)

(1) Teachers at polytechnics and colleges shall be appointed into teaching grades and corresponding positions. In exceptional cases referred to in Para. 2 of this Article, teachers shall also be appointed into teaching grades at the university. At polytechnics and colleges there are no positions corresponding to scientific-teaching grades, however, teachers appointed into scientific-teaching or nominal grades at the university may teach in their grade at polytechnics and colleges.

(2) At the university, faculty or academy of arts, the appointment into teaching grades shall be conducted in accordance with their statutes, for the purpose of a professional study if they deliver professional study programmes, as well as for the purpose of delivering courses that do not require a scientific approach, or at the academy of arts, for the purpose of rehearsal and other aspects of assistance in the educational process. Teachers are appointed to the teaching grades of language instructor and senior language instructor exclusively for the purpose of the university study of language and literature.

(3) A person who has completed a university graduate study or professional specialist study may be appointed to a teaching grade of lecturer and a corresponding position, if the candidate has fulfilled the conditions stipulated by the Rectors' Conference for the university, or the Council of Polytechnics and Colleges, respectively, if the candidate has at least three years of work experience in his/her profession, if the candidate's inaugural lecture held in front of teachers and students has been graded positively, in case the candidate is being appointed to a teaching position for the first time, and if the candidate has fulfilled conditions stipulated by the statute of the higher education institution.

(4) A person who has completed a graduate study or professional and specialist study may be appointed into a teaching grade of senior lecturer and a corresponding position, if the candidate has fulfilled the necessary conditions stipulated by the Rectors' Conference for the university, or the Council of Polytechnics and Colleges, respectively; if the candidate has published professional papers, if the candidate has at least five years of work experience in his/her profession; if the candidate's inaugural lecture held in front of teachers and students has been graded positively, in case that the candidate is being appointed into a teaching position for the first time, and if the candidate has fulfilled conditions stipulated by the statute of the higher education institution.

(5) A person that holds a doctoral degree can be appointed into a teaching grade of a college professor and a corresponding position at a polytechnics or a college, if the candidate has fulfilled necessary conditions stipulated by the Council of Polytechnics and Colleges, if the candidate has participated in relevant projects and published papers that have significantly contributed to his/her profession, or published new papers after being appointed into the position of senior lecturer, if the candidate has at least eight years of work experience in his/her profession, if his/her inaugural lecture held in front of teachers and students has been graded positively, in case that the candidate is being appointed into a teaching position for the first time, and if the candidate has fulfilled conditions stipulated by the polytechnics or a college.

(6) A person who has completed a graduate study can be appointed into the grade of language instructor and a corresponding position, if the candidate has fulfilled necessary conditions stipulated by the Rectors' Conference or the Council of Polytechnics and Colleges, if the candidate has published professional papers, if the candidate has at least three years of work experience in his/her profession, if the candidate's inaugural lecture held in front of teachers and students has been graded positively within the first appointment into a teaching position, and has fulfilled conditions stipulated by the statute of the higher education institution.

(7) A person who has completed a graduate university study can be appointed into the grade of a senior language instructor and a corresponding position, if the candidate has fulfilled necessary conditions stipulated by the Rectors' Conference or the Council of Polytechnics and Colleges, if the candidate has published professional papers, has at least five years of work experience in his/her profession, if the candidate's inaugural lecture held in front of teachers and students has been graded positively within the first appointment into a teaching position, and has fulfilled conditions stipulated by the statute of the higher education institution.

(8) A person who has completed a graduate study in arts may be appointed into the grade of an artistic associate and a corresponding position, if the candidate has fulfilled necessary conditions stipulated by the Rectors' Conference or the Council of Polytechnics and Colleges, if the candidate's artistic activity is acknowledged, if the candidate has at least five years of work experience in his/her profession and has fulfilled conditions stipulated by the statute of a higher education institution.

(9) A person who has completed a graduate study in arts can be appointed into the grade of a senior artistic associate and a corresponding position, if the candidate has fulfilled necessary conditions stipulated by the Rectors' Conference or the Council of Polytechnics and Colleges, if the candidate's artistic activity is acknowledged, if the candidate has at least ten years of work experience in his/her profession and has fulfilled conditions stipulated by the statute of the higher education institution.

(10) A person who has completed a graduate university study in arts can be appointed into the grade of an artistic advisor and a corresponding position, if the candidate has fulfilled necessary conditions stipulated by the Rectors' Conference or the Council of Polytechnics and Colleges, if the candidate's artistic activity is acknowledged, if the candidate has at least 20 years of work experience in his/her profession and has fulfilled conditions stipulated by the statute of the higher education institution.

Article 98.a (OG 94/13)

(1) On the basis of international agreements and other acts, foreign language instructors may be employed at higher education institutions in the Republic of Croatia, and Croatian language and literature instructors may be employed at foreign higher education institutions with fixed-term employment contracts.

(2) The conditions for the appointment and employment of Croatian language instructors at foreign higher education institutions shall be prescribed by an ordinance issued by the minister competent for higher education.

(3) A language instructor referred to in Para. 2 of this Article who has previously concluded a permanent employment contract within the system of education and science in the Republic of Croatia, has the right to return to the job he/she previously worked on, or to other jobs for which he/she meets the conditions within 30 days from the day of termination of the employment contract as a Croatian language instructor at a foreign higher education institution.

(4) The conditions for the appointment and employment of foreign language instructors at higher education institutions in the Republic of Croatia shall be prescribed by the higher education institution in its statute.

Associate Grade and Corresponding Position at Polytechnics and Colleges

Article 99

(1) The associate grade at polytechnics and colleges is a teaching assistant.

(2) Requirements for the appointment into the associate grade of a teaching assistant and a corresponding position shall be stipulated by the statute of a polytechnic or a college.

Professional Grades and Corresponding Positions at

Higher Education Institutions

Article 100 (OG 139/13)

Appointment into professional grades and corresponding positions at higher education institutions may be carried out for the purpose of implementation of research and professional projects, in accordance with the Article 44 of this Act, under the terms and procedures stipulated by the statute of the higher education institution, except in the case of employment for projects of limited duration, when the conditions for selection are prescribed by the institution funding the project

Procedure of Appointment into Teaching and Professional Grades and Corresponding Positions at Higher Education Institutions

Article 101 (OG 94/13)

(1) The procedure of appointment into teaching and professional grades and corresponding positions shall be conducted by a higher education institution, according to the statute, on the basis of a public call which shall be published in the "Official Gazette", daily newspapers, the official website of the higher education institution and as well as on the official job portal of the European Research Area. The call shall be open for a minimum of 30 days.

(2) A public call for the appointment into the same or higher teaching or professional grade and respective positions shall be announced no later than three months before the expiration of the term of employee's appointment based on a previous call. Following a special decision of the professional council of a higher education institution, and with the employee's consent, the call can be announced earlier than one year before the expiration of employee's appointment, but not earlier than three years following a prior appointment. The call for re-appointment to the grade and the corresponding position of a college professor (with tenure) is announced at the earliest six months before the expiration of the five-year period from the first appointment.

(3) No later than 90 days after the public call deadline, the professional council of a higher education institution shall appoint into a teaching or professional grade and a corresponding position a candidate that best meets the conditions as stipulated in the

public call, and as stipulated by the Rectors' Conference and in Article 98 of this Act. All candidates shall be notified of the results of the public call within 15 days from the date of its completion.

(4) If another person has been selected in the public call process, the employee who has until then been appointed to that position shall be offered another position, or, if another position is not available, his/her employment contract shall be terminated.

(5) If an employee does not apply to a public call from Para. 1 of this Article, or if an employee has not been selected due to not fulfilling the conditions for re-appointment, a procedure of regular, personally conditioned dismissal shall be initiated, with no obligation of offering the employee another position.

Employment Contract for Scientific-Teaching, Artistic-Teaching, Teaching or Professional Position

Article 102 (OG 94/13, see OG [101/14](#))

(1) A permanent employment contract, which shall include an obligation of re-appointment or advancement, shall be concluded with persons appointed into scientific-teaching, artistic-teaching, teaching and professional positions.

(2) A re-appointment of person in scientific-teaching, artistic-teaching, teaching or professional position, other than full professors with tenure, is carried out in a way that an expert committee of a higher education institution at which the person is employed submits a report on the employee's work once every five years to the higher education institution's expert council, in accordance with the general acts of the higher education institution. An expert committee shall consist of 3 members appointed to the same, or higher grade, and an appropriate position, than the one for which the request for re-appointment is submitted. At least one committee member cannot be an employee of the higher education institution which employs the applicant.

(3) The form of the report and the minimal prescribed work obligations on which the report referred to in Para. 2 of this Article is submitted for scientific-teaching, artistic-teaching, teaching and professional position shall be prescribed by the National Council for Science, Higher Education and Technological Development. The higher education institution shall prescribe by a general act the procedure for adopting the report, and may also prescribe additional requirements on which the report referred to in Para. 2 of this Article is submitted.

(4) If the higher education institution's expert council does not accept the work report, i.e. if it accepts the negative work report, in accordance with Para. 3 of this Article, two years after adopting the said decision the re-appointment procedure shall be repeated, in accordance with Para. 2 and 3. of this Article.

(5) If the higher education institution's expert council does not accept the employee's report referred to in Para. 4 of this Article, the head of the higher education institution shall initiate the procedure of regular termination of employment contract (dismissal due to misconduct), in accordance with general labour regulations and higher education institution's general act.

(6) The obligation of submitting the report referred to in this Article shall cease after the employee is appointed to the scientific-teaching position of full professor with tenure.

(7) An employee appointed to a scientific-teaching, artistic-teaching, teaching and professional position at a higher education institution shall have his/her employment contract terminated at the end of the academic year in which he/she reached the age of 65 due to retirement.

(8) By way of derogation from the provision of Para. 7 of this Article, when there is a need at a university or a faculty for the continuation of the work of an employee in a scientific-teaching and/or artistic-teaching position, or, in case of a polytechnic and college, for the continuation of the work of an employee in a teaching position, a university, faculty, polytechnic, or college may conclude a temporary, two-year employment contract, with a possibility of two-year extensions, with an employee who meets the criteria of excellence. The criteria of excellence used for the conclusion of an employment contract with an employee who is over 65 years of age are established by the National Council for Science, Higher Education and Technological Development, while universities, polytechnics and colleges may enact additional criteria of excellence with their general acts.

(9) Based on the report of the expert committee of an authorised scientific organisation referred to in Article 34 of this Act, comprising at least three members with the same or higher scientific grade than the applicant, whereby at least one member of the committee shall not be an employee of the scientific organisation which employs the applicant, the relevant scientific field committee shall adopt a decision on whether the criteria of scientific excellence referred to in Para. 8 of this Article are met. For a candidate in a scientific-teaching and/or artistic-teaching position at a university or faculty, or for a candidate in a teaching position at a polytechnic or college, the expert committee of the university, faculty, polytechnic or college submits a report on meeting the criteria of teaching excellence, which is confirmed by a committee appointed by the National Council for Science, Higher Education and Technological Development.

(10) When the funds for the salary of employee referred to in Para. 8 of this Article are provided from earmarked funds for scientific or professional projects, or from own funds, the higher education institution may extend the employee's employment beyond the limits referred to in Para. 8 of this Article. In this case, employee's scientific contribution and contribution in the education of young scientists and teachers shall particularly be taken into consideration.

(11) Teacher over 65 years of age, whose employment contract was terminated due to retirement, can conclude a temporary employment contract in another higher education institution under conditions described in Para. 8, 9 or 10 of this Article, providing that no other suitable candidates applied in a public call of that higher education institution.

Rights and Duties of Teachers and Associates

Article 103 (OG 94/13)

(1) Teachers and associates shall be obliged to perform their teaching and other duties regularly according to general acts of the higher education institution, as well other duties related to scientific, artistic and professional work carried out at a higher education institution. They shall pay particular attention to their work with students, and motivate their individual work and creativity, as well as their integration into professional, scientific and artistic work.

(2) Contractual relationships of teachers and associates with legal entities other than their employer can be forbidden, restricted or conditioned in cases in which they might negatively impact the work of the higher education institution that employs said teachers and associates, or if they involve a competitor organisation.

(3) A teacher or a researcher may, according to conditions stipulated by the general act of a higher education institution, use paid sabbatical leave for a duration of one year, for the purpose of scientific, artistic or professional work. During the sabbatical leave of a teacher or a researcher, the higher education institution shall organise a continuous instruction, and ensure that all of his/her other obligations are fulfilled.

(4) Upon the decision of the relevant body of a higher education institution, a teacher may be allowed short-term or long-term leaves for the purpose of scientific, artistic or professional training, or some other justified reason. Teacher's benefits and obligations from the employment contract may be suspended or partially continued for the duration of such a leave, in accordance with the decision of the relevant body and/or contract concluded between the teacher and the higher education institution. In this case, a continuous instruction or an adequate replacement shall be ensured.

(5) In case a teacher or a researcher is appointed or elected to public office (e.g. a member of the Croatian Parliament, a public servant appointed by the Parliament, the president of the Republic of Croatia, the Government or the Constitutional Court, župan, vice-župan, the mayor or vice-mayor of Zagreb), for which a work contract has been concluded, he/she can continue teaching and conducting research at a higher education institution or scientific organisation by signing an appropriate contract with the higher education institution or scientific organisation. In accordance with this contract, the teacher or the researcher who is performing public duty has the right to return to the same position he/she worked at before being appointed or elected to a public office, or to another appropriate position.

(6) Provisions of this Article shall also apply in an appropriate manner to researchers in public scientific organisations. The rights from this article may also apply to researchers in private research organisations, if provided by the collective agreement.

Disciplinary Responsibility

Article 104

(1) Teachers and associates may be held liable for the breach of their professional and other obligations arising from or related to their work, as well as for a significant damage to the reputation of the higher education institution, pursuant to its statute.

(2) Disciplinary responsibility can only be applied if an offence has been stipulated by the general act of a higher education institution as a disciplinary offence at the time when it has been committed, and if a specific disciplinary sanction is defined for that offence.

5. RECTORS' CONFERENCE AND COUNCIL OF POLYTECHNICS AND COLLEGES

Rectors' Conference

Article 105 (OG 94/13)

(1) The Rectors' Conference shall include all rectors of public universities in the Republic of Croatia. A representative of the Council of Polytechnics and Colleges shall participate in the work of the Rectors' Conference without a right of vote.

(2) The Rectors' Conference shall decide on matters of common interest for the operation and development of the universities in the Republic of Croatia.

(3) The Rectors' Conference shall adopt its rules of procedure regulating its operation and decision-making.

(4) The Rectors' Conference shall:

-
1. prescribe requirements for the evaluation of teaching and professional activities in the procedure of appointment into scientific-teaching, artistic-teaching and teaching grades or positions, respectively;
 2. nominate members of scientific and artistic area councils, and scientific field committees;
 3. nominate members of the Science and Higher Education Funding Council;
 4. discuss issues related to the operation and development of universities, make recommendations and deliver opinions on said issues, and
 5. perform other activities stipulated by this Act and tasks entrusted to it by universities.

The Council of Polytechnics and Colleges

Article 106

- (1) The Council of Polytechnics and Colleges shall consist of deans of all polytechnics and colleges in the Republic of Croatia. A representative of the Rectors' Conference shall participate in the work of the Council without a right of vote.
- (2) The Council of Polytechnics and Colleges shall decide on issues of common interest for operation and development of polytechnics and colleges.
- (3) The Council of Polytechnics and Colleges shall adopt its rules of procedure.
- (4) The Council of Polytechnics and Colleges shall:
 1. prescribe requirements for the evaluation of teaching and professional activity in the procedure of appointment into teaching grade or position,
 2. nominate members for the Science and Higher Education Funding Council from the ranks of polytechnics and colleges,
 3. discuss issues related to the activities and development of polytechnics and colleges, make recommendations and deliver opinions on said issues, and
 4. perform other activities stipulated by this Act and tasks entrusted to it by higher education institutions.

V FUNDING OF SCIENTIFIC ACTIVITY AND HIGHER EDUCATION

Sources of Funding

Article 107 (OG 94/13)

- (1) Higher education institutions, institutes and other scientific organisations shall be funded from:
 1. founder's funds
 2. national budget of the Republic of Croatia,
 3. budget of a county, city or municipality
 4. tuition fees,
 5. income from scientific, research, artistic and professional projects, scientific and professional studies and expertise,
 6. foundations, donations and contributions,
 7. income from publishing,
 8. income from commercial activity,
 9. income from property or shares in companies, income from legal entities referred to in Article 66 of this Act, and income from investments of natural and legal persons,
 10. other sources.
- (2) Universities, polytechnics, colleges and public scientific institutes may be funded only by sources that do not affect their autonomy and dignity. Their own income may be generated only through activities that do not harm the implementation of fundamental tasks of universities, polytechnics, colleges and public scientific institutes.

Proposal and Allocation of Budgetary Resources

Article 108 (OG 94/13)

- (1) The National Council for Science, Higher Education and Technological Development shall establish the criteria for allocation of budgetary resources for scientific activity and higher education on the basis of a proposal of the Science and Higher Education Funding Council.
- (2) Taking into account the criteria, the Minister shall prepare a budget proposal for funding science and higher education on the basis of collected budget proposals of scientific organisations, universities, polytechnics and colleges, in accordance with the regulation for planning and execution of the national budget. The proposal shall include the total amounts for individual

universities, polytechnics, colleges, scientific institutes and other scientific organisations, for funding research projects, collaborative research programmes, artistic research projects and related conferences, associate positions and the procurement of research equipment, as well as for the operational expenses of the National Council, the Agency, and other bodies.

(3) Funds for the development of the system of science and higher education, scientific and research projects and programmes, scientific, artistic and research infrastructure and equipment, scientific publishing, scientific conferences, as well as scientific and scientific/professional associations are allocated by the Minister, on the basis of a public call and opinions of relevant committees appointed by the Minister. The allocation of funds provided for the same purpose by other state administration bodies and bodies of local or regional government shall be taken into consideration in the allocation of funds.

(4) The minimum wages of stakeholders in science and higher education shall be determined by the collective agreement, pursuant to the legislation.

Financing Higher Education Institutions

Article 109 (OG 94/13)

(1) Public universities, polytechnics and colleges shall be financed from the state budget considering the capacity of individual higher education institutions, the cost of individual study programmes, and the assessment of their quality based on the evaluation from Article 16 of this Act.

(2) Private higher education institutions may be financed from the state budget, based on a previously signed agreement, under the following conditions:

a) if they perform an activity in which the social needs surpass the available potential of the public higher education institutions, or if their services are of a particular national interest,

b) if they comply with the conditions prescribed by the law,

c) if they meet the criteria and priorities determined by the National Council for Science, Higher Education and Technological Development, taking into consideration the available resources and quality of respective institutions.

(3) The funds from the state budget earmarked for universities, polytechnics and colleges shall be allocated in a lump sum, and the users shall use their respective budgets to allocate the resources to specific uses, in accordance with their statutes and other general acts. The university budget shall be adopted by the senate and proposed by the rector, while the budget of a polytechnic or college shall be adopted by the professional council and proposed by the dean.

(4) University constituents shall channel a part of their income from Article 107 Para. 1 of this Act into the university budget for capital investments and development programmes, according to university general acts.

(5) Public higher education institutions shall dispose of funds in accordance with this Act and the regulations pertaining to the execution of the state budget.

(6) With the consent of the contracting parties, a part of the activities of public universities may be financed in accordance with special agreements concluded between the Ministry and public universities.

Financing Public Scientific Institutes

Article 110 (OG 94/13)

(1) Budget of a public scientific institute shall be proposed by the director, following a discussion at the level of the scientific council. Decision on the budget shall be adopted by the management council, following the consent by the Minister.

(2) The operation of public research institutes is financed from the state budget of the Republic of Croatia.

(3) With the consent of the contracting parties, a part of the activities of scientific institutes may be financed in accordance with special agreements concluded between the Ministry and scientific institutes.

Financing Scientific Research Projects, Associate Positions and Scientific Research Equipment

Article 111

Ceased to be in force.

Measures for Stimulating Research and Development

Article 111.a

(1) The total amount of subsidies that the beneficiary thereof may be eligible to use, on all grounds, which is granted as per this Act and other regulations, may be up to 100% of eligible project costs for fundamental research, up to 50% of eligible project costs for applied research, and up to 25% of the amount of eligible project costs for developmental research.

(2) The subsidies for applied and developmental research referred to in Para. 1 of this Article may be increased by 20% of the amount of eligible project costs for small enterprises, and by 10% of eligible project costs for medium enterprises.

(3) The subsidies for technical feasibility studies for the implementation of applied research may be granted in the total amount of up to 75% of eligible study costs for small and medium enterprises, and up to 65% of eligible study costs for large enterprises.

(4) The amount of subsidies for technical feasibility studies for the implementation of developmental research may be granted in the total amount of up to 50% of eligible study costs for small and medium enterprises, and up to 40% of eligible study costs for large enterprises.

Article 111b

(1) For the purpose of this Act, scientific research indicates original and planned research undertaken for the acquisition of new scientific and technical knowledge and understanding, and includes fundamental and applied research.

(2) For the purpose of this Act, fundamental research indicates activities intended for dissemination of scientific and technical knowledge that are not related to industrial and commercial goals.

(3) For the purpose of this Act, applied research indicates planned research or critical testing with the aim of acquiring new knowledge that can be used for the development of new products, production processes or services, or for significant improvements of existing products, production processes or services.

(4) For the purpose of this Act, developmental research indicates developmental research activities intended for converting the results of applied research into plans, designs or models for new, modified or improved products, production processes or services, intended for sale or use, including the development of prototypes that are not commercially usable. Developmental research may, in addition, include conceptual planning and modelling of alternative products, production processes or services and initial demonstration or pilot projects, provided that these projects cannot be adjusted or used for industrial or commercial exploitation. Developmental research does not include routine or regular changes to products, production lines, production processes, existing services and other ongoing operations, even if those changes represent improvements.

Article 111c

(1) Subsidies to corporate profit taxpayers, in accordance with the Profit Tax Act (hereinafter: taxpayers), is granted through additional reductions to tax base for eligible costs of scientific and developmental research projects (hereinafter: research) in the following total amounts:

- 150% of the eligible costs for the fundamental research project,
- 125% of eligible project costs for applied research,
- 100% of the eligible costs for developmental research project.

(2) The amount of the profit tax reductions referred to in Para. 1 of this Article shall be approved up to the amounts prescribed in Article 111.a of this Act.

(3) Taxpayers who use tax base reductions in accordance with Paragraph 1 of this Article are obliged to provide data and clear and credible documents based on which cost data are presented in accordance with the regulations pertaining to taxation.

Article 111.d

(1) For the purpose of this Act, the following costs shall be considered eligible research costs:

1. employee salaries and allowances to persons directly involved in research,
2. material costs for research, namely: consumed raw materials and supplies, including packaging and small inventory; consumed energy; spare parts used or consumed during research; consumed materials and parts for current and investment maintenance of facilities and equipment used directly for research,
3. costs of services used during the research, such as intellectual services related to the research and all other services required for the implementation of the research,
4. costs of real estate depreciation, facilities and equipment in part in which these are used for research by taxpayers who conduct their own research, whereby depreciation expenses are determined in accordance with provisions of Article 12 of the Income Tax Act,
5. depreciation costs of acquired patents and licenses used for specific research, and depreciation expenses are determined in the manner prescribed by Article 12 of the Profit Tax Act,
6. general costs, indicating only those costs that are necessary for the research and that can be allocated to that specific activity on a reasonable and consistent basis, such as insurance premiums for research processes, responsibilities and equipment, as well as rents and membership fees for professional research associations.

(2) The assessment of costs eligibility shall, if necessary, be conducted by the ministry responsible for science.

Article 111.e

The procedure for determining whether the conditions for exercising the right referred to in Article 111c. of this Act have been fulfilled, as well as other issues related to the eligibility for subsidies shall be prescribed by an ordinance of the Minister responsible for science, with the prior opinion of the Minister responsible for finance.

Article 111.f

The Government of the Republic of Croatia shall, if necessary, adopt a programme for stimulating research and development, in accordance with special regulations.

The programme referred to in Para. 1 of this Article shall be proposed to the Government of the Republic of Croatia by the Minister responsible for science, with the consent of the Minister responsible for finance.

VI ETHICS IN SCIENTIFIC ACTIVITY AND HIGHER EDUCATION

Ethics Committee, Code of Ethics and Ethics Committees

Article 112 (OG 94/13)

(1) Following a proposal by the Government, the Croatian Parliament shall appoint the Committee for Ethics in Science and Higher Education (hereinafter: the Committee) composed of nine members; six members shall be appointed from the ranks of eminent scientists and university professors, and three shall be reputable public figures. Committee members shall be appointed for a term of four years. Members of the Committee shall be proposed by the National Council for Science, Higher Education and Technological Development, Croatian Academy of Sciences and Arts, Rectors' Conference, Council of Polytechnics and Colleges, scientific research organisations, universities, Minister and other organisations and individuals according to the announcement inviting proposals for the members of the Committee.

(2) Rectors, vice-rectors, deans, vice-deans, directors and members of the National Council, president, vice-presidents, general secretary and department heads of the Croatian Academy of Sciences and Arts may not be the members of this Committee.

(3) The Committee shall have a president and vice-president and they shall be appointed by the members from their ranks.

The mission of the Committee shall be to promote ethical principles and values in science and higher education, business and public relations, as well as in the application of modern technologies and environmental protection.

(5) The Committee shall adopt a code of ethics determining principles of ethics in higher education, scientific research, publication of results, relations among scientists, teachers and other participants in teaching and research, procedures and activities related to market competition, as well as public and media relations.

(6) The Committee shall adopt rules of procedure.

(7) The Committee shall work at sessions. The Committee shall reach their opinions and official positions on ethical acceptability or unacceptability of reviewed cases in the form of recommendations, proposals, or remarks, by the majority of votes. Members of the Committee may also submit a minority opinion.

(8) The Committee may engage external experts as advisors for individual cases.

(9) The Committee shall have a secretary who is an employee of the Agency for Science and Higher Education with a degree in law, who shall operationally manage the work of the Committee.

(10) The Committee may propose the initiation of the proceedings to revoke a scientific title before the appropriate scientific field committee, and said proceedings shall be initiated and conducted in accordance with Article 37 of this Act.

(11) In the event that a higher education institution or other scientific organisation systematically violates the Code of Ethics, the Committee shall make its opinion public.

(12) The Ethics Committee shall submit a report on its work to the Croatian Parliament at least once a year.

(13) Universities, polytechnics, colleges, research institutes and other scientific organisations may, pursuant to their statutes, establish own ethics committees and adopt own codes of ethics, which shall be harmonised with the Code of Ethics of this Committee. At least one member of an ethics committee at a higher education institution shall be a student

VII MONITORING

Monitoring Legality

Article 113

(1) The Ministry shall monitor legality of operation and general acts of higher education institutions and other scientific organisations.

(2) Monitoring from Para. 1 of this Article shall be conducted in a manner that does not disrupt the university autonomy, nor the regular operation of higher education institutions and other scientific organisations.

(3) Based on the monitoring results, the Ministry may stop the implementation of illegal decisions and activities of higher education institutions and scientific organisations.

VIII PROVISIONS ON OFFENCES

Offences and protective measures

Article 113.a (OG 94/13)

(1) A fine of HRK 30,000 to 100,000 will be imposed on any legal entity that commits one or more of the following offences:

1. performs appointment to scientific, scientific-teaching, artistic-teaching, associate or teaching grades without formal authorisation (Article 34, Para. 1, Article 92, Para. 1 and Article 98, Para. 1 and 2)
2. appoints to scientific, scientific-teaching, artistic-teaching, associate or teaching grade an individual for whom it is learned or has to be known that he/she does not fulfil the requirements for appointment to grade, or conducts the procedure of appointment to grade without following the provisions of this Act (Articles 35, 95 and 98),
3. does not terminate the employment of a person appointed into scientific, scientific-teaching, artistic-teaching, associate or teaching grade and a corresponding appropriate position in cases when this Act stipulates employment termination due to not fulfilling the requirements for re-appointment, a negative work report, or not following the provisions of this Act referring to the retirement of scientists and teachers (Article 42, Para. 5; Article 43.a Para. 3; Article 97.a, Para 3; Article 102, Para 5),
4. conducts appointment to scientific, scientific-teaching, artistic-teaching, associate or teaching grade, or a respective position, without a public call, if it is stipulated by this Act that the appointment shall be based on a public call (Article 40, Para. 2; Article 43, Para. 1 and 3; Article 95, Para. 1 and Article 101, Para. 1),
5. disregarding Article 50 of this Act, uses the terms university, faculty, art academy, or uses the word “academy” with a specified field of arts, as well as the terms polytechnic or college, or any names containing one of these terms,
6. initiates scientific or higher education activities without a licence or conducts these activities without a licence when one is needed pursuant to the legislation regulating quality assurance in science and higher education, or conducts these activities in a way not specified in the licence,
7. does not specify the governing bodies or their composition within its statute, as stipulated by this Act (Articles 26, 54, 62 and 68),
8. enrolls students in a study programme or in a higher level of study without having met the conditions as stipulated by this Act and a general act of the higher education institution (Articles 77 and 86),
9. issues documents of study contrary to the Article 84 of this Act, or does not issue documents of study even though the conditions for that, as stipulated by this Act and the general act of the institution, have been fulfilled,
10. does not maintain a student database (Article 90).

(2) A fine of HRK 5,000 to 10,000 will be imposed on each natural person and responsible person in the legal entity if any of the offences from Para. 1 of this Article are committed.

(3) The authorised person in charge of initiating legal proceedings for the purpose of determining offences from this article is the Minister or a person appointed by the Minister.

(4) The person who commits offences referred to in Para. 1 and 2 of this Article can be prohibited to carry out the profession, activities and duties, for a natural person and a responsible person in the legal entity, or can be prohibited to carry out activities for a period of 3 month up to one year, for a legal entity.

IX TRANSITIONAL AND FINAL PROVISIONS

Organisational Changes

Article 114

(1) The founding rights upon public universities, polytechnics, colleges and other research organisations are retained by the Republic of Croatia, if not otherwise stipulated by the establishing act.

(2) Founding rights upon faculties, art academies and other university constituents are retained by the university.

(3) The statute and other general acts of higher education institutions and research organisations shall be harmonised with this Act by 1 March 2005. After this due date, the organisations and institutions that have failed to harmonise the said documents cannot be financed from the state budget.

(4) Higher education institutions and other research organisations founded under existing regulations shall continue with their operation in accordance with the existing general acts until the harmonisation pursuant to Para. 3 of this Article, and no later than 1 March 2005.

(5) Rectors and vice-rectors of universities and polytechnics, deans and vice-deans of university constituents and colleges, and directors of public scientific institutes appointed to their respective positions before the entry into force of this Act shall remain in office until the expiration of their term of office, and on the day of harmonisation from Para 3. of this Article rectors and vice-rectors of polytechnics shall become deans and vice-deans.

(6) Legal integration of university shall commence on the day of entry into force of this Act, and be completed no later than 31 December 2007.

(7) In the procedure of changing the status of higher education institutions undergoing integration or separation, whereby assets are transferred between higher education institutions, a tax exemption shall apply.

(8) Universities and their constituents (faculties and art academies) may continue with student enrolment in the first year of professional studies until the academic year 2010/2011.

(9) Teacher training colleges that are university constituents on the day of entry into force of this Act shall continue to operate within the university until the harmonisation of their structure and operation as stipulated by this Act, i.e. until their study programmes are adjusted according to the provisions of this Act, and no later than the beginning of the academic year 2010/2011.

Article 115 (OG 94/13)

(1) The first convocation of the National Council for Higher Education and the National Council for Science shall be appointed no later than 31 December 2004.

(2) By way of derogation from the provisions of Article 9, Para. 2, Article 10, Para. 2, and Article 11, Para. 3 of this Act, when appointing the first convocation of the National Council for Science or the National Council for Higher Education, the Croatian Parliament shall appoint all twelve members, whereby a draw shall decide which six members are appointed to a two-year term, with remaining six members being appointed to a four-year term.

(3) Until the appointment from Para. 1 of this Act, the National Council for Higher Education founded pursuant to the Act on Higher Education Institutions, and the National Council for Science founded pursuant to the Act on Scientific Research Activity shall continue with their operation and perform tasks within their purview pursuant to the provisions of these Acts.

(4) Following the appointment of the first convocation of the National Council for Higher Education and the National Science Council, these bodies shall take over all the tasks from Para. 3 of this Article, and the existing National Council for Higher Education and the National Council for Science shall cease to operate.

(5) No later than 1 July 2005, the National Council for Science shall adopt regulations determining scientific areas and fields, set criteria for the appointment into scientific grades, and appoint members of area councils and scientific field committees.

(6) The Government of the Republic of Croatia shall establish the Agency for Science and Higher Education by a decree no later than 31 December 2004. The Agency will start with its operation no later than the 1 March 2005. Until the beginning of the Agency's operation, all the tasks within its competence shall be carried out by the bodies of universities and the Ministry.

(7) All other bodies provided for by this Act shall be established no later than the date set in Para. 5 of this Act. The existing bodies shall continue with their operation until then, according to former regulations.

New Structure of Studies and Continuation of Studies Pursuant to Former Regulations

Article 116

(1) Studies at higher education institutions shall start their restructuring at the day of entry into force of this Act.

(2) Students enrolled into undergraduate and postgraduate master's or doctoral studies before the restructuring of undergraduate and postgraduate studies according to the provisions of this Act shall be entitled to complete their study according to the curriculum and conditions valid at the time of their enrolment into the first year of study programme, and to acquire a relevant academic degree according to regulations valid prior to the time of entry into force of this Act. Students who have received approval of their doctoral dissertation topic without doctoral study according to prior regulations shall be entitled to defend their doctoral dissertation and acquire a doctoral degree according to regulations valid until the time of entry into force of this Act.

(3) A higher education institution may limit duration of rights to complete a study from Para. 2 of this Article to a certain period, but not shorter than a number of years required for the completion the study according to a programme valid at the time of enrolment, increased by two years.

(4) Following the introduction of the studies pursuant to this Act, students from Para. 1 of this Article who do not complete their study according to a former curriculum may continue their study pursuant to this Act and a curriculum based on it, pursuant to general acts of a higher education institution.

(5) Three years after the entry into force of this Act, the Minister may exceptionally approve an accreditation for a new study programme to a higher education institution that does not comply with the requirement laid down in Article 51, Para. 4, Item 2, under the condition that a higher education institution fulfils it in the period not longer than five years.

Existing Grades

Article 117

(1) Individuals appointed into scientific, scientific-teaching, artistic-teaching, teaching and associate grades before the entry into force of this Act shall retain their respective grades, and their scientific grades shall be entered into the Register of Scientists pursuant to Article 23 of this Act.

(2) Re-appointments to grades provided by this Act or previous regulations shall be conducted in accordance with the provisions of this Act, and within the period defined by the relevant regulation according to which the last appointment to grade was conducted.

(3) In exceptional cases, the higher education institution and other research organisation may extend the employment contract for a full professor or scientific advisor who was 63 years of age on 1 January 2004 and was not awarded tenure, pursuant to article 102, Para. 7 and Article 42, Para. 6 of this Act.

Ongoing Appointments into Grades and Corresponding Positions

Article 118

(1) The appointments into scientific-teaching, artistic-teaching, scientific and teaching grades, as well as the appointments into corresponding positions that were initiated in accordance with the regulations valid prior to entry into force of this Act, shall be completed pursuant to those regulations, no later than 1 July 2005.

(2) Calls for appointment into scientific-teaching, artistic-teaching, scientific and teaching grades, as well as appointments into corresponding positions may be announced pursuant to the provisions of the Act on Higher Education Institutions and the Act on Scientific Research Activity, but no later than 31 December 2004.

(3) Provisions laid down in Article 117 of this Act shall apply to individuals appointed pursuant to Para. 1 and 2 of this Article.

Provisions on Associates

Article 119

(1) A new employment contract for the assistant position shall be concluded with individuals appointed to positions of junior researcher, junior assistant and assistant before the entry into force of this Act, in accordance with the first concluded fixed-term or permanent employment contract, no later than 31 December 2004.

(2) By way of derogation from Para. 1 of this Article, individuals who have concluded a permanent employment contract after the entry into force of this Act, shall enter into a new employment contract in accordance with a previously concluded employment contract.

(3) The contract for the appropriate assistant position referred to in Para. 1 of this Article shall be concluded for a period of eight years from the day the first employment contract was concluded.

(4) When concluding an employment contract for a position of postdoctoral researcher with individuals referred to in Para. 1 of this Article, the total duration of the said contract may not exceed eleven years from the day the first employment contract for the position of junior researcher, junior assistant or assistant was concluded. The contract for the position of postdoctoral researcher is concluded in accordance with a previously concluded fixed-term or permanent employment contract.

(5) Individuals who were appointed to the position of postdoctoral researcher before the entry into force of this Act shall retain their existing employment contracts.

Existing Academic Titles and Degrees

Article 120 (OG 94/13)

(1) University and professional studies under the regulations that were valid until the day of entry into force of this Act are equal in rights with corresponding university graduate and professional studies under this Act, and individuals who have completed said studies retain the same rights as individuals who completed study programmes in accordance with this Act, including the right to an academic or professional title from Article 72 and 73 of this Act.

(2) Individuals from Para. 1 may request a certificate from a higher education institution that awarded their academic degree, following a procedure and under conditions provided by general acts of a higher education institution, that would testify that previously attained academic degree corresponds to an academic degree laid down in Articles 71-74 of this Act. Upon receiving such a certificate, they would be able to use the academic or professional title according to this Act. Such certificates do not state ECTS credits. If the higher education institution where the professional title was acquired or its legal success or does not exist, the National Council will designate the higher education institution that will decide on the request. If the higher education institution has determined by a general act that the previously acquired professional title corresponds to one of the academic or professional titles referred to in Articles 71-74 of this Act, the individuals referred to in Para. 1 of this Article shall be able to use the new academic or professional title without a certificate.

(3) A doctorate of science degree attained pursuant to regulations valid prior to the entry into force of this Act shall be equal to a doctorate of science degree attained pursuant to this Act, and their holders shall be entitled to equal rights as individuals who attained a doctorate of science degree pursuant to this Act.

(4) Individuals who have attained a scientific master's degree pursuant to regulations valid prior to the entry into force of this Act may, according to a university general act, attain a doctorate of science degree by defending a doctoral dissertation according to regulations valid at the day of entry into force of this Act, no later than eight years following the entry into force of this Act.

(5) The individuals who have enrolled in a postgraduate scientific master's study programme according to the regulations valid before the entry into force of this Act, but have not completed that study, may be allowed by a higher education institution, if provided by its general act, to complete their study by producing a doctoral dissertation, and to thus attain a doctorate of science degree, provided they submit a request and meet certain requirements (pass the exams and fulfil other obligations).

Adopting Subsidiary and Other Legislation

Article 121

(1) The Minister shall, in cases provided for by this Act, adopt subsidiary legislation and establish the necessary registers no later than 31 December 2004. (2) Other bodies authorised for passing subsidiary legislation or other general acts provided by this Act shall pass them no later than three months following their establishment.

Applying Provisions on Financing

Article 122

(1) Financing science and higher education pursuant to the provisions of this Act shall start on 1 January 2006. Until then, financing shall be performed pursuant to regulations valid before the entry into force of this Act.

(2) Scientific research projects with concluded financing contracts shall keep receiving funding according to the existing contract until its expiration, unless a more favourable mode of financing is identified by a new contract, upon consent of both parties.

Termination of Former Regulations

Article 123

(1) The Act on Scientific Research Activity (Official Gazette of the Republic of Croatia, 59/96) and the Act on Higher Education Institutions (Official Gazette of the Republic of Croatia, 59/96, 14/00 and 26/00, 67/00, 02/99, 94/00, 129/00), as well as their by-laws shall cease to be valid at the time of entry into force of this Act. The exception shall be made for provisions referred to in this Act as applicable until a certain period following the time of entry into force of this Act.

(2) Subsidiary legislation adopted pursuant to the Act on Scientific Research Activity and the Act on Higher Education Institutions shall remain applicable after the termination of said Acts until relevant regulations is passed pursuant to this Act, unless these are in conflict with the provisions of this Act.

Entry into Force of this Act

Article 124

This Act shall enter into force 15 days following its publication in the Official Gazette.

Transitional and Final Provisions from the Act on Amendments to the Act on Scientific Activity and Higher Education, OG 46/07:

Article 24

From the moment of accession of the Republic of Croatia to full membership of the European Union, students who are citizens of European Union countries have the same rights under the Act on Scientific Activity and Higher Education as students who are citizens of the Republic of Croatia, whereby the provision of Article 77, Para. 8 of the Act in the part that reads: "but, in accordance with the decision of the competent state body or higher education institution, they may be required to fully or in part pay the cost of studies." shall cease to apply to them.

Article 25

The Minister responsible for science shall issue the ordinance referred to in Article 23 of this Act within six months from the day this Act enters into force.

Article 26

Appointment to scientific, scientific-teaching and artistic-teaching grades and corresponding positions initiated before the entry into force of this Act, in accordance with the provisions of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04), shall be completed in accordance with the provisions of that Act.

Article 27

This Act shall enter into force on the eighth day following its publication in the Official Gazette.

From the Act on Quality Assurance in Science and Higher Education OG 45/09:

Article 30

With the entry into force of this Act, the provisions of Article 6, Paragraph 2, item 3, Article 7, Paragraph 2, items 2, 4, 5 and 6, Articles 15, 16, 17 and 18, Article 22, Paragraphs 3 and 4, Article 23, Paragraphs 3, 4, 5 and 6 and Article 51, Paragraphs 2, 3, 4, 5, 7, 8, 9 and 12 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia and 46/07) shall cease to be valid.

From the Act on Amendments to the Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia OG 45/09:

Article 11

(1) On the day this Act enters into force, Article 111 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia and 46/07) shall cease to be valid.

Transitional and Final Provisions from OG 94/13

Nomination of members of the National Council for Science, Higher Education and Technological Development and the Committee for Ethics in Science and Higher Education

Article 65

Deleted.

Obligation to adopt implementing and other regulations

Article 66

(1) Ordinances referred to in Article 43 of this Act amending Article 88, Para. 4 of the Act, and ordinances referred to in Article 44 of this Act amending Article 90, Para. 8 of the Act shall be adopted by the Minister within six months of its entry into force.

(2) Implementing regulations adopted on the basis of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09 and 63/11), shall apply until the entry into force of the relevant regulations under this Act, unless they are in conflict with the provisions of this Act.

(3) The National Council for Science, Higher Education and Technological Development shall adopt the acts referred to in Article 1 amending Article 6, Para. 2 of this Act within six months from the beginning of its work.

(4) The National Council for Science, Higher Education and Technological Development shall adopt the conditions for appointment to the grade of scientific advisor with tenure within one year from the beginning of its work.

(5) The Committee for Ethics in Science and Higher Education shall harmonize the regulations within its competence with the provisions of this Act within six months from the beginning of its work.

(6) Higher education institutions and other scientific organisations shall, within six months from the day of entry into force of this Act, harmonize general acts with the provisions of this Act.

Appointments to Scientific and Scientific-teaching, Associate and Professional Grades and to Scientific and Scientific-teaching, Associate and Professional Positions

Article 67

(1) Competitive procedures for appointment to scientific, scientific-teaching, artistic-teaching and teaching grades and to appropriate positions initiated in accordance with the regulations in force before the entry into force of this Act shall be completed in accordance with the regulations in force before its entry into force, and no later than nine months from the date of entry into force of this Act.

(2) Persons appointed to scientific, scientific-teaching, artistic-teaching, teaching, associate and professional grades in accordance with the regulations in force before the entry into force of this Act shall retain the acquired grades.

(3) The re-appointment to the position of scientific advisor (with tenure) or the position of full professor (with tenure) for individuals appointed to the grade and to the position of scientific advisor or full professor before the entry into force of this Act shall be carried out in accordance with the current provisions of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09 and 63/11) and subsidiary regulations adopted pursuant to that Act.

(4) Persons who were appointed to scientific, scientific-teaching, artistic-teaching, teaching and associate positions before the day of entry into force of this Act shall retain the existing employment contracts.

(5) Persons appointed to the scientific grade of scientific advisor in the second appointment (with tenure) shall be considered appointed in accordance with Article 20, Para. 5 of this Act. Persons who have been appointed to the scientific-teaching position of full professor in the second appointment (with tenure) shall be considered appointed in accordance with Article 48, Para. 7 of this Act.

(6) In relation to persons appointed to the associate grade of assistant according to previous regulations, the provisions regarding the appointment to the associate title and postdoctoral researcher position shall enter into force two years from the day this Act enters into force.

Contracts with Persons Over 65 Years of Age

Article 68

Persons over 65 years of age with employment contracts in scientific, scientific-teaching and artistic-teaching positions, concluded in accordance with Articles 42 and 102 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09 and 63/11), have the right to remain in these positions until the expiration of the employment contract.

Professional Specialists

Article 69

Persons who have enrolled in a specialist graduate professional study programme before the day this Act enters into force shall complete the study in accordance with the regulations in force before the enactment of this Act.

Syllabi

Article 70

Syllabi shall be aligned with the provisions of Article 38 of this Act from the academic year 2014/2015.

Information systems and statistics

Article 71

Higher education institutions shall establish records and data collections in accordance with Article 44 of this Act within one year from the day the ordinance referred to in Article 44 of this Act enters into force.

Article 72

Throughout the text of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09 and 63/11), the words: “National Council for Science”, “National Council for Higher Education” and “National Council for Science and / or National Council for Higher Education” are replaced by: “National Council for Science, Higher Education and Technological Development”, and: “senior assistant” are replaced by: “postdoctoral researcher”, in the appropriate case.

Entry into force

Article 73

This Act shall enter into force on the eighth day following its publication in the Official Gazette.

Transitional and Final Provisions from OG 139/13

Article 9

(1) The Government of the Republic of Croatia shall, in accordance with the provisions of this Act, propose candidates for the National Council for Science, Higher Education and Technological Development and the Committee for Ethics in Science and Higher Education within 90 days of its entry into force.

(2) By way of derogation from the provision of Article 11, Para. 2 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09, 63/11 and 94/13), in the appointment of the first convocation of the National Council for Science, Higher Education and Technological Development, the Croatian Parliament will appoint the president and all sixteen members. Following the appointment, members of the National Council for Science, Higher Education and Technological Development will decide by draw which eight members shall have a two-year term, while the remaining eight members will have a four-year term.

(3) Members of the National Council for Science and the National Council for Higher Education whose term of office runs according to the provisions of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09, 63/11 and 94/13) shall continue to operate as one body until the appointment of the first convocation of the National Council for Science, Higher Education and Technological Development, jointly performing the ongoing administrative tasks within their competence, except for the strategic tasks relevant to the system of science and higher education. The members of the said body shall, by a majority vote of all members, elect a chairperson, who shall be in charge of convening the sessions and signing the minutes, decisions, instructions, recommendations, opinions, proposals and conclusions adopted at the sessions.

(4) The members of the National Council for Science and the National Council for Higher Education referred to in Para. 3 of this Article, whose term of office is valid, shall make decisions by a majority vote.

Article 10 (see OG [101/14](#))

(1) Until the adoption of the criteria of excellence of the National Council referred to in Article 42, Para. 8 and Article 102, Para. 8 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174 / 04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09, 63/11 and 94/13), a scientific organisation, i.e. a higher education institution, may conclude a fixed-term employment contract for up to two years with persons appointed to scientific, or scientific-teaching, artistic-teaching and teaching positions who have reached the age of 65, if they meet the following criteria:

a) criteria of scientific excellence for scientific positions (cumulative):

- published at least the minimum number and type of papers required for the appointment to the scientific grade of research associate in the relevant field of science in the last five years, in accordance with the provisions of the ordinance governing the conditions of appointment to scientific grades;

- a leader of or an associate in an active competitive national scientific project financed by the Croatian Science Foundation or the Unity Through Knowledge Fund, or a competitive international scientific project from the European Union framework programmes, or equivalent competitive scientific projects of other international institutions in the last five years,

b) criteria of teaching excellence for scientific-teaching and artistic-teaching positions:

- very good or excellent grades (3.5/5 or more) in the student survey in each year in which the survey was conducted, for the previous five-year period (surveys are attached to the application),

- in addition to the stated criteria of teaching excellence, for scientific-teaching positions a person should also meet the criteria of scientific excellence referred to in item a) of this Paragraph,

c) teaching excellence criteria for teaching positions (cumulative):

- a doctorate of science degree;

- published at least three professional and/or scientific papers in the last five years;

- published a categorised, peer-reviewed teaching material in the last five years for the subject from which he/she teaches, in printed or electronic form;

- very good or excellent grades (3.5 or more) in the student survey in each year in which the survey was conducted, for the previous five-year period (surveys are attached to the application).

(2) The procedure for verifying the conditions referred to in Para. 1 of this Article shall be carried out in accordance with the provisions of Article 42, Para. 9 and Article 102, Para. 9 of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09, 63/11 and 94/13).

Article 11

The president and members of the governing council of a polytechnic or college, appointed or elected in accordance with the provisions of the Act on Scientific Activity and Higher Education (Official Gazette 123/03, 105/04, 174/04, 2/07 - Decision of the Constitutional Court of the Republic of Croatia, 46/07, 45/09, 63/11 and 94/13), shall continue to operate until their appointment or election in accordance with the provisions of Article 4 of this Act.

Article 12

The Minister shall issue the ordinance referred to in Article 5 of this Act within six months from the day this Act enters in to force.

Article 13

This Act shall enter into force on the eighth day following its publication in the Official Gazette.

BY-LAWS

1. Ordinance on the Official Register of Scientific Organisations and the Official Register of Higher Education Institutions (OG [72/04](#), [80/04](#))
2. Ordinance on the Official Register of Scientists (OG [72/04](#), [101/04](#), [82/10](#))
2. Ordinance on the Establishment of the Agency for Science and Higher Education (OG [101/04](#), [08/07](#))
4. Ordinance on Maintaining Records of Students at Higher Education Institutions (OG [09/05](#))
5. Ordinance on the Establishment and Activities of Scientific Area Councils and Scientific Field Committees (OG [76/05](#), [113/05](#), [118/05](#), [53/06](#), [55/09](#), [38/10](#), [40/11](#), [123/12](#), [32/13](#), [34/13](#))
6. Ordinance on the Criteria for Appointment to Scientific Grades (OG [84/05](#), [100/06](#), [138/06](#), [42/07](#), [120/07](#), [71/10](#), [116/10](#), [38/11](#), [26/13](#), [99/13](#))
7. Ordinance on the Form and Implementation of Inaugural Lecture for the Appointment to Teaching Grades (OG [129/05](#))
8. Ordinance on the Establishment and Activities of Field Committees and Implementation of Appointment Procedures (OG [119/05](#), [20/12](#), [85/13](#))
9. Ordinance on the Form and Implementation of Inaugural Lecture for the Appointment to Scientific-Teaching, Artistic-Teaching and Teaching Grades (OG [129/05](#))
10. Decision on the Conditions for Assessment of Teaching and Professional Activity in the Procedure of Appointment to Artistic-Teaching and Teaching Grades in the Field of Arts (OG [106/06](#), [127/06](#), [139/13](#))
11. Decision on the Conditions for Assessment of Teaching and Professional Activity in the Procedure of Appointment to Scientific-Teaching Grades (OG [106/06](#), [139/13](#))
12. Ordinance on Subsidies for Research and Development Projects (OG [116/07](#))
13. Ordinance on the Content of Diplomas and Diploma Supplements (OG [77/08](#), [149/11](#))
14. Ordinance on Scientific and Art Areas, Fields and Branches (OG [118/09](#), [82/12](#), [32/13](#))
15. Ordinance on the Conditions for Appointment and Employment of Croatian Language Instructors at Foreign Higher Education Institutions (OG [02/10](#), [107/10](#), [131/12](#))
16. Ordinance on the Conditions for Appointment to Artistic-Teaching Grades (OG [86/10](#))
17. Decision on the Conditions for Assessment of Teaching and Professional Activity in the Procedure of Appointment to Teaching Grades (OG [13/12](#))
18. Decision on the Conditions for Assessment of Teaching and Professional Activity in the Procedure of Appointment to Teaching Grades (OG [20/12](#), [85/13](#))
19. Decision on Full Subsidy of Participation of Full-time Students in the Costs of Study at Higher Education Institutions in the Republic of Croatia in Academic Years 2012/2013, 2013/2014 and 2014/2015 (OG [90/12](#))
20. Decision on the Earmarked Multi-annual Institutional Funding of Scientific Activities at Public Universities and Public Research Institutes in the Republic of Croatia for 2013, 2014 and 2015 (OG [69/13](#))
21. Decision on Initiating the Procedure for Establishing Special Study Programmes for the Needs of Armed Forces of the Republic of Croatia (OG [91/13](#))
22. Decision on the Salaries of Rectors and Vice-Rectors of Public Universities (OG [108/13](#))
23. Ordinance on the Conditions and Manner of Exercising the Right for Subsidised Student Meals (OG [120/13](#), [08/14](#))
24. Ordinance on the Conditions and Manner of Exercising the Right to a State Scholarship (OG [159/13](#))
25. Ordinance on Student Identity Documentation (OG [90/14](#))