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OF CYPRUS

109 (I) of 2005

**THE PRIVATE UNIVERSITIES
(ESTABLISHMENT, OPERATION AND CONTROL) LAW, 2005**

(English translation)

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**THE PRIVATE UNIVERSITIES (ESTABLISHMENT,
OPERATION AND CONTROL)
LAW, 2005**

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A LAW TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF THE PRIVATE UNIVERSITIES AND FOR OTHER RELATED MATTERS

The House of Representatives enacts as follows:

Short
title.

1. This Law may be cited as the Private Universities (Establishment, Operation and Control) Law, 2005.

PART ONE INTRODUCTORY PROVISIONS

Interpretation.

2. In this Law unless the context otherwise requires –

“applicant” means a body corporate submitting an application for the establishment and operation of a university;

“Charter” means the Charter of the University referred to in section 9;

“Council of Educational Evaluation – Accreditation” means the Council appointed pursuant to section 32 of the Institutions of Tertiary Education Law;
67(I) of 1996
15(I) of 1997
67(I) of 1997
10(I) of 1999
193(I) of 2002
45(I) of 2003
25(I) of 2004
221(I) of 2004.

“evaluated – accredited programme of studies” means a programme of studies which has been educationally evaluated – accredited according to Part V of the Institutions of Tertiary Education Law;

67(I) of 1996
15(I) of 1997
67(I) of 1997
10(I) of 1999
193(I) of 2002
45(I) of 2003
25(I) of 2004
221(I) of 2004.

“Evaluation Committee” means the Committee appointed under section 10;

“Faculty” means a Faculty of the University;

“institution of tertiary education” means an institution established and operating pursuant to the Institutions of Tertiary Education Law;

“Internal Evaluation Committee” means the Committee referred to in section 36;

“internal regulations” means the regulations made under section 45;

“Minister” means the Minister of Education and Culture;

“recognized institution of higher education” means an educational institution of higher education operating in the Republic or abroad and recognised as such by the competent authorities of the country in which it operates;

“regulations” means the regulations made under section 44;

“special teaching staff” means the educational staff that serves in accordance with the provisions of section 34;

“teaching researching staff” means the academic staff referred to in section 32 of the Law;

“university” means a private university established and operating pursuant to this Law.

PART TWO

PURPOSES AND LEGAL STATUS OF THE UNIVERSITY

Purposes of the University.

3.–(1) The purposes of every university shall be—

- (a) the advancement of science, knowledge, learning and education, through teaching and research for the benefit of the society as a whole;
- (b) the cultivation, transmission, implementation and the exchange of knowledge through sciences; and

- (c) the provision of graduate and or postgraduate education of high standards that accepts international recognition.

(2) The above purposes of the university will be achieved by–

- (a) the formation of a self-sufficient administrative and academic entity, that secures free and democratic operation of the academic processes;
- (b) the provision to all the competent state authorities and to all implicated with academic education bearers, of responsible giving account for the contribution of the university;
- (c) the granting of graduate and or postgraduate degrees from a wide spectrum of studies;
- (d) the provision of means and possibilities of education at a university level to persons having the necessary qualifications;
- (e) the advancement of knowledge and of its practical implementations, using teaching, research and other means at high levels of quality;
- (f) the encouragement of studying and research and the provision of facilitation therefore;
- (g) the provision of programmes of further education, as well as of programmes of supplementary education;
- (h) the connection of education with society and economy;
- (i) the active contribution to the fulfilment of general needs of the broader society;
- (j) the international presence and promotion of the university's character and the evolution of the university to an educative pole of attraction to other countries;

- (k) the collaboration with researching and educational centres and the promotion of the european cooperation and understanding through education;
- (l) the provision of advisory services to non university bearers; and
- (m) the securement of academic freedom and of free academic search.

Competence of Minister.

4. Subject to the provisions of this Law and of the regulations made thereunder, the Minister shall be competent for the strict and effective implementation of the provisions of this Law and the regulations made thereunder and for the purposes of exercising its powers, he shall supervise and inspect the operation of every university.

Requirements for the establishment and operation of the university.

5.–(1) Subject to the provisions of any other law related to the provision of higher education, the establishment of a university in the Republic shall be forbidden, unless it is registered in the Register and its founder possesses a certificate of registration pursuant to the provisions of this Law.

(2) A University that has been registered in the Register cannot operate, unless its founder possesses an initial licence of operation or a licence of operation that has been granted in accordance with the provisions of this Law.

Legal status of the University.

6.–(1) From the date of registration in the Register and the issue of the relevant certificate, the university shall have the status of a body corporate with its own title and common seal and shall be deemed to be a private law organisation of speculative or non speculative character, depending on the declaration of its founders contained in the memorandum of association.

(2) The provisions of subsections (3), (4) and (5) hereinbelow, shall be applicable to every university that according to its memorandum of association constitutes an organisation of non speculative character.

(3) For achieving its aims, a university may–

- (a) obtain and dispose of any movable and immovable property;
- (b) enter into agreements;
- (c) accept contributions in money or services or in movable or immovable property, and
- (d) borrow money and invest money when the sums for investment are not necessary for the fulfilment of its immediate needs.

(4) It shall be prohibited for a university to distribute whatever part of its revenues or property to any person, including its founders, unless it is about expenses necessary for achieving its purposes, as such are determined in this Law and in the Charter thereof.

(5) The income of a non speculative character University shall not be subjected to income tax pursuant to the Income Tax Laws.

PART THREE
PROCEDURE FOR THE ESTABLISHMENT AND LICENCE
OF OPERATION OF THE UNIVERSITY

Founder of the University.

7. The founder of a university shall be a body corporate that fulfills the following requirements–

- (a) it is registered in the Republic under the provisions of any law;

- (b) in its memorandum of association and in the Charter thereof there shall be stated that its purpose is the establishment and operation of a university;
- (c) among the members of its Administrative Board a person shall not be included who—
 - (i) he has been convicted for an offence of moral turpitude or for an offence involving lack of honesty or is a non restored bankrupt;
 - (ii) he is a member of the public service or of the public educational service or of a public organisation or of a legal person governed by public law or of a body corporate established under a law or the capital of which is given or guaranteed by the Republic.

Application
for the
establishment of a
University.

8.—(1) For the registration in the Register and the issue of the initial licence of operation and of the licence of operation of the University, there shall be submitted an application from the founder of the university or his legal representative to the Minister, which shall be accompanied by the following—

- (a) a certified copy of the memorandum of association and of the applicants' articles of association and a certified copy of their certificate of registration as a body corporate;
- (b) the suggested Charter of the university;
- (c) the name, attribute, qualifications and address of at least seven persons who are nominated as members of the Temporary Administrative Board of the university, wherein a member of the academic staff is at least included for every suggested faculty;

- (d) description of the immovable property and the premises at which it will operate or which the university will use, including any of its branches, and in case that whichever of those do not constitute university's property, description of the legal arrangements under which the use thereof shall be secured;
- (e) the anticipated total number of students to study at the university, which should not be less than a thousand with a minimum number of two hundred and fifty students for the first year of studies, and the number of students of every Faculty and Department thereof;
- (f) the university's development project, wherein the manner and methods of achieving its purposes are included in detail and a timetable to apply the project for the first four years of its operation;
- (g) description of the assets and a project of economic planning and a viability study of the university and the income-expenses budget for the first four years of its operation;
- (h) the amount of tuition fees suggested for every student in the duration of the programme of his studies, to be prescribed, as well as the maximum limit of increase of those fees, that can be imposed per year and there shall be an obligation of the university to inform the students for the amount of tuition fees to be paid per year through the entire duration of the programme of their studies:

Provided that in case of revision of the tuition fees, those shall be submitted to the Minister for approval, based on substantiated facts to justify the suggested increase;

- (i) details for at least three different Faculties that shall be operating on the commencement of its operation and which shall be covering different scientific sectors;
- (j) the number of teaching, administrative and the rest of the staff which shall be occupied at the university, the system of its salary payment and the duties of each one of them;
- (k) to be provided for to operate, within a ten-year period from the date of the coming into force of this Law, at the university of at least one postgraduate programme at Master's level of twelve months duration;
- (l) a declaration signed by all members of the nominated Temporary Administrative Board of the university, wherein the duties of this Board shall be determined, among which there must be included–
 - (i) the promotion of all the actions, which are deemed necessary for the commencement of operation of the university;
 - (ii) the representation of the university at the contacts with the Evaluation Committee;
 - (iii) the selection of the first appropriate academic staff;
 - (iv) the staffing of the university with the necessary administrative staff and its equipment with the necessary material and technical substructure;
 - (v) the election and the formation before the commencement of operation of the University of the first bodies thereof provided by the Law.

(2) For the evaluation of the application there shall be paid by the applicant the same examination fees which are paid for the examination of the declaration for the establishment and operation of an institution of tertiary education, pursuant to the Institutions of Tertiary Education Law and the relevant regulations.

67(I) of 1996
15(I) of 1997
67(I) of 1997
10(I) of 1999
193(I) of 2002
45(I) of 2003
25(I) of 2004
221(I) of 2004.

(3) After its submission, the application shall be forwarded to the Evaluation Committee for examination in accordance with section 11.

(4) If the above mentioned application is submitted by the owner or the owners of a tertiary education institution and the securing of a licence to operate a university by a tertiary education institution which is already in operation is sought through it, then for the examination of the application it is necessary, in addition to the above, but excluding the condition for a minimum number of two hundred and fifty students, in the first year of studies, that the following requirements are met:

- (a) at least seven hundred students should be attending the tertiary education institution, in educationally evaluated – accredited programmes of studies, on a graduate or/and postgraduate level;
- (b) at least three different faculties of tertiary education at differing scientific fields must function; and
- (c) research activity should be demonstrated.

Charter.

9.–(1) The Charter of the university must conform to the provisions of this Law and include, apart from the details provided for to be included therein under the rest of the provisions of this law, clear and accurate information concerning–

- (a) the university's name and headquarters;
- (b) the university's mission and purposes as prescribed in sections 3 and 4 thereof respectively;
- (c) description of movable and immovable property that the university will use for its purposes, the status of its property and the conditions under which this is owned or by any chance has been donated, transferred or leased;
- (d) the duties, powers and competences of the Council, of the Senate, of the Faculties' Boards and of the Departments' Boards;
- (e) the manner of registration, assessment, advancement and graduating of the students thereof;
- (f) the way of selection and appointment, employment and upgrading of its academic, teaching and researching staff and the classification thereof in grades;
- (g) the duties, rights and obligations of academic, researching and the remaining of its teaching staff;
- (h) the conditions, the manner and the procedures of registration, assessment, advancement and graduation of its students;
- (i) the duties, rights and obligations of the students and the manner of their representation to the various university bodies;
- (j) the forms of student's care, to be provided to them, including any facilitations of accommodation and feeding, as well as any scholarship projects and any other forms of students' aid;
- (k) the collaboration status of the professors emeriti, visiting professors and postgraduates or other associates serving at the university or who will collaborate therewith; and

- (l) any other details that this Law requires to be included in the Charter of the University.

(2) The Charter of the university shall not be accepted, unless it bears the signature of the founder or the founders of the university and the signatures of all the persons nominated as members of the Temporary Administrative Board of the university.

Evaluation
Committee.

10.–(1) The Council of Ministers, upon suggestion by the Minister, shall set up an Evaluation Committee of seven members, on a five year tenure, whose purpose is to examine the submitted applications.

(2) In the Evaluation Committee they are participating –

- (a) the Chairman for the time being of the Educational Evaluation - Accreditation Council, who shall act as Chairman;
- (b) two members of the Educational Evaluation – Accreditation Council appointed by the Minister; and
- (c) four persons appointed by the Minister, holding a position of permanent professor or equivalent, holding chairs in three different countries and having sufficient experience in matters of university administration.

(3) The Evaluation Committee shall determine both the manner of convening its meetings and the procedures followed during the meetings and in general during the performance of its duties and it may appoint groups of experts for the examination of certain matters concerning an application, but the final decision shall be taken by the Evaluation Committee.

(4) There shall be paid to the Chairman and the members of the Evaluation Committee and the groups of experts an allowance and their travelling and accommodation expenses according to the sums approved, from time to time, that are paid in similar cases to the members of the Educational Evaluation - Accreditation Council.

Procedure for the examination of application.

11.–(1) The Evaluation Committee shall examine in detail all particulars of the application and shall proceed for that purpose to the assessment of places, premises and equipment intended for the operation of a university and shall consult with both the applicants as well as with any other individuals or authorities as it may deem necessary.

(2) The Evaluation Committee may assign to a group of experts, comprising of at least three persons who are not coming from the same foundation, body or authority, to proceed with the actions mentioned in subsection (1) and to submit to the Evaluation Committee a memorandum with its remarks and suggestions. During the work assignment, the Evaluation Committee shall determine the conditions of commanding the team of experts.

(3) The Evaluation Committee, after proceeding with the actions referred to in subsection (1) or after receiving the memorandum referred to in subsection (2) shall submit a written report with its ascertainments, remarks and suggestions to the Minister who shall communicate it with any of his remarks and suggestions to the Temporary Administrative Board of the university under construction.

(4) The university's Temporary Administrative Board shall be bound, within three months from the receipt of the aforesaid report, to submit in writing, through the Minister, to the Evaluation Committee, any remarks and suggestions concerning the report.

(5) Upon receipt of the aforementioned remarks or suggestions, the Evaluation Committee shall form and submit to the Minister the final justified suggestions concerning the approval or rejection of the application or the postponement of taking a decision for a certain time period during which the applicants will take the appropriate measures, that shall lead to the approval of the application.

(6) The time period between the submission of the application and the final suggestions of the Evaluation Committee to the Minister, shall not exceed six months.

(7) The Evaluation Committee may postpone taking the related decision, just once and for a certain period to be prescribed and which should not be less than one year and not longer than two years, providing full justification for the postponement and suggestions to the applicants for taking the appropriate measures that will lead to the fulfillment of the requirements for the university's registration in the Register.

Decision on registration in the Register.

12. The Council of Ministers may, within three months at the latest, from the submission of the Evaluation Committee's suggestions—

- (a) reject the application, providing full justification; or
- (b) allow the university's registration in the Register, provided that the Evaluation Committee suggests the same and define the faculties that should be in operation after the granting of the initial licence as well as the date of commencement of their operation.

Procedure in the case of postponement.

13.—(1) In the case that the taking of the aforementioned decision is postponed, pursuant to subsection (7) of section 11, the Temporary Administrative Board, shall be bound to submit to the Minister, four months at least prior to the termination of the period of

postponement prescribed pursuant to this subsection a progress report wherein the specific measures taken by the applicants are mentioned in order to allow the university's registration in the Register. If the progress report is not submitted on time, the application shall be rejected.

(2) Following the receipt of the progress report referred to in subsection (1), the Minister shall forward it to the Evaluation Committee which shall proceed to its examination and to the submission of the final suggestions, according to the procedure provided for in section 11 and within the postponement time limits. Then the Minister shall submit the report to the Council of Ministers that either decides the registration of the university in the Register or rejects the application.

(3) In the case that the application is rejected, the applicant may submit a new application for registration in the Register pursuant to the provisions of this Law, after the lapse of at least one year from the date of its rejection.

Memorandum of progress.

14. Within six months at the latest from the registration of the university in the Register, the Temporary Administrative Board shall be bound to submit a memorandum to the Minister wherein the progress is stated that has been accomplished in order to set the university in operation. If the memorandum is not submitted on time the application shall be rejected.

Decision on initial licence of operation.

15.-(1) After receiving the aforementioned memorandum the Minister shall forward it to the Evaluation Committee which shall evaluate the content of the memorandum and shall submit to the Minister, at the latest within forty-five days, a proposal for granting the initial licence of the university's operation or postponing the taking of a decision so as to meet specific demands stated in full detail in the proposal.

(2) The aforesaid proposal shall be submitted to the Council of Ministers without delay and within three months the Council of Ministers shall decide on—

- (a) granting the initial licence of operation for a period of four years and shall prescribe the date of commencement of the operation of the university and its faculties; or
- (b) postponing the taking of a decision on this matter in order to meet any requirements prescribed by the decision and this shall be forwarded to the Evaluation Committee.

Postponement and re-examination.

16. If the Council of Ministers decides to postpone reaching a decision on granting the initial licence of operation, then it must determine, besides the requirements that it demands to be met, the time limit within which it will re-examine the application and which must not exceed that of one year.

Procedure of re-examination.

17.—(1) In the case that the Council of Ministers postpones reaching a decision so as to re-examine it pursuant to section 16, the Temporary Administrative Board shall be bound to submit to the Minister six months at least prior to the expiration of the period of postponement, a progress report wherein it is stated that all the conditions set for granting the initial licence of the university's operation have been fulfilled. If the aforementioned progress report is not submitted on time, then the application shall be rejected.

(2) Following the receipt of the aforementioned progress report, the Minister shall forward it to the Evaluation Committee which shall proceed to its examination and to the submission to the Minister of its final suggestions. These suggestions shall be submitted from the Minister to the Council of Ministers which shall decide on granting or not the initial licence of operation or on rejecting the application.

Issue of initial licence of operation.

18. Where the Council of Ministers decides to grant the initial licence of operation, it shall also set the date of commencement of the university's operation and thereafter the Minister—

- (a) shall cause for the decision to be published in the Official Gazette of the Republic;
- (b) shall keep the Register up-to-date; and
- (c) shall issue to the founders of the University the initial licence of operation in which the dates of commencement of the operation of the faculties and of the students' registration shall also be defined.

Commencement of operation of the University.

19.—(1) The University's operation shall commence on a date to be fixed for the purpose by the Council of Ministers and during the first three months of its operation, the Temporary Administrative Board shall perform the duties and obligations of the Council of the University as prescribed in this Law and in the Charter of the university.

(2) During the three months period referred to in subsection (1), the Temporary Administrative Board shall be bound to proceed towards the appropriate actions to establish the bodies of the University as prescribed in this Law and the Charter.

(3) The names of the members constituting the university's Council shall be notified to the Minister one month at least prior to the expiration of the three months period referred to in subsection (1).

Obligations during the validity of the initial licence of operation.

20. During the period of validity of the initial licence of operation the university shall be bound to fully apply to the provisions of this Law and of the Charter and shall cause for the educational level of the students, its research work, its material and technical infrastructure,

the management and student's care that it provides to be constantly improved.

Inspection by the Evaluation Committee.

21.–(1) During the period of validity of the initial licence of operation, the Evaluation Committee shall conduct periodical inspections at the university in order to ascertain the progress accomplished in the sectors of education, research, student's care, material and technical infrastructure and management and whether the provisions of this Law and of the university's Charter are applied to and for this purpose the university shall allow the entrance to the Evaluation Committee for inspection purposes.

(2) Based on the findings of the aforesaid inspections, the Evaluation Committee shall submit annual reports to the Minister and, if it deems it expedient, relevant suggestions, on the basis of which the Minister has the power to propose suspension of the university's operation to the Council of Ministers.

Procedure for providing a licence of operation.

22.–(1) After the completion of the first five years of its operation, the university shall submit a report to the Minister wherein the progress accomplished is recorded, both concerning the accomplishment of its aims and mission, as well as its compliance with the Law and the Charter thereof.

(2) The Council of Ministers may, after examining the aforementioned progress report and the annual reports of the Evaluation Committee together with the relevant proposal of the Minister–

- (a) provide a licence of operation to the university; or
 - (b) suspend the initial licence of operation and demand the termination of the works and activities of the university;
- or

- (c) extend for a period not greater than one year the initial licence of the university's operation and impose specific terms with which the university is bound to comply during the prolongation.

(3) The conditions which the Council of Ministers may impose under paragraph (c) of subsection (2), may concern–

- (a) the improvement of the level of studies and the material and technical infrastructure of the university;
- (b) the development of the student's care;
- (c) the reinforcement of academic or administrative staff;
- (d) the application of research programmes; or
- (e) the compliance with specific provisions of this Law or the Charter of the University.

(4) Four months at least prior to the expiration of the prolongation which may be provided under paragraph (c) of subsection (2), the university shall be bound to submit a progress report to the Minister, wherein it states that it has complied with all the terms that have been imposed thereon.

(5) Prior to the expiration of the prolongation that may be decided by the Council of Ministers under paragraph (c) of subsection (2) of this section, the Evaluation Committee shall submit to the Council of Ministers, through the Minister, a progress report wherein it is stated whether the university has complied both with the conditions imposed thereon as well as with the recommendations of the Evaluation Committee.

(6) The Council of Ministers, after having examined the aforementioned progress report as well as the Minister's relevant suggestion, shall decide on either providing the licence of operation

of the University or on issuing a decision for its deletion from the Register and the termination of its activities within a period of time to be prescribed in its decision and the relevant decision shall be duly reasoned.

Judicial order.

23.—(1) If for any reasonable cause the Council of Ministers denies granting a licence of operation to a university, yet it considers that the termination of its operation may harm the public interest, then upon a request submitted by the Attorney-General to the District Court of the District at which the University headquarters is based, may request the issue of an order by which the operation of the existing Council is terminated and the university's administration is assigned to a Temporary Administrative Board consisting of three to five persons of the highest moral and professional standard who shall be nominated by the court.

(2) With the above order the court may give any directions to the Temporary Administrative Board as it may deem necessary or appropriate under the circumstances, including also directions under which the operation of the university may gradually be terminated or continued in a manner that it serves the interests of the persons studying and working thereat.

(3) Upon the issue of the order referred to in subsection (1), the existing University Council shall be bound to hand the management and all of the material and technical infrastructure of the University over to the Temporary Administrative Board together with the information concerning its economic and technical management.

(4) The Temporary Administrative Board appointed under subsection (1), shall exercise all the powers and duties of the University Council and additionally from the date of the coming into operation of the above mentioned order, shall cause for the strict and effective implementation of the Law and of the university's Charter.

Assessment report
on a five-years
basis.

24. Immediately after the lapse of five years since the granting of an operation licence by the Council of Ministers and consecutively on a five-year period, the university shall be placed under an academic assessment by the Academic Evaluation Committee in order to ascertain the progress that has been accomplished during the five-years period both concerning the attainment of its aims and mission, as well as its compliance with the regulations of the Charter thereof.

PART FOUR BODIES OF THE UNIVERSITY

Council of the
University.

25.—(1) The Council shall constitute the supreme administrative body of the university and shall have the administrative responsibility of all matters concerning the University, including economic matters, matters relating to the material and technical infrastructure of the University, the supervision and control of the administrative and other kind of staff, the determination of the number of students to be admitted, the individual administrative cases of students and shall approve the appointments of academic staff operated by the Senate.

(2) The way of forming the Council and the tenure, number, qualifications and attributes of the members thereof shall be determined in the Charter of the University, but it is not possible for a person to participate thereat, who has been convicted for an offence of moral turpitude or an offence involving lack of honesty.

(3) The elected representatives of its academic and administrative staff and one elected representative of the students shall also participate in the Council of the University.

Senate.

26.—(1) There shall be a Senate in every university which shall constitute the supreme academic body of the university and shall be responsible for the academic work in the sectors of teaching, scientific research and any other academic activity. The competences of the

Senate shall be prescribed in detail in the Charter and among them there shall be included–

- (a) the determination of the academic programmes and the level and the manner of selection of the students for admission to the university;
- (b) the determination of systems of grading and students' advancement and the conditions of awarding degrees of studies;
- (c) the submission of proposals to the Council for the establishment or the abolition of Faculties or Departments of Faculties;
- (d) the determination of the procedure for the selection of the academic staff and the supervision thereof:

Provided that the Council of the University shall approve the academic staff appointed by the Senate;

- (e) the submission of proposals to the Council for the development of the material and technical infrastructure of the university;
- (f) the development of relations between the university and other educational institutes and organisations in the Republic and abroad; and
- (g) the exercise of disciplinary control to members of the academic researching and other teaching staff and to students according to the Charter.

(2) In the Senate they are participating–

- (a) the Rector and the Vice-Rector of the University;
- (b) the Dean of every Faculty of the University;

- (c) two representatives of every Faculty elected among the teaching researching staff of the Faculty;
- (d) a students' representative of every Faculty of the University, who is elected by the students of the Faculty;
- (e) the Director of Administration of the university; and
- (f) one member of the special teaching staff of every Faculty, elected by the whole of the said staff, if such exists.

(3) Chairman of the Senate shall be the Rector of the University.

(4) Details about the tenure, the election and the re-election of the members of the Senate shall be prescribed in the Charter.

(5) The representatives of the students who are members of the Senate may be excluded from sessions during the discussion of certain matters prescribed in the Charter.

Rector.

27.–(1) The Rector of the university shall be elected among the professors of the university, at a session especially called for the purpose and wherein the members of Department Boards of all Faculties are participating.

(2) The tenure and competences of the Rector shall be prescribed in the Charter.

(3) The Rector shall be the supreme academic officer of the University, shall cause for the Senate's decisions to be implemented and shall be responsible for the application of the University's educational policy.

Vice-Rector.

28.–(1) In each University there shall be elected among the University's professors one or more Vice-Rectors. The election shall be carried out by the members of the Department Boards during the session in which the Rector shall also be elected.

(2) The tenure and competences of the Vice-Rector/s shall be prescribed in the Charter.

(3) The Vice-Rector shall exercise all the powers and duties of the Rector in case of absence or inability of the Rector.

Deans and Deputy Deans.

29.–(1) In each Faculty of the University there shall be elected among the Faculty’s professors and associate professors a Dean and a Deputy Dean. The election shall be carried out among the members of the Faculty’s Department Boards.

(2) The procedure of their election, the tenure of office of the Dean and Deputy Dean, as well as their duties and competences shall be prescribed in the Charter.

Faculties Boards.

30.–(1) For every Faculty of the University there shall be constituted a Faculty Board which shall consist of–

- (a) the Dean or the Deputy Dean of the Faculty;
- (b) the Chairmen of the Faculty’s Departments;
- (c) two members from each Faculty’s Department elected by the Department Board;
- (d) one member of the special teaching staff of every Department, if such exists; and
- (e) a students’ representative from every Department.

(2) Chairman of the Board of the Faculty shall be the Dean of the Faculty.

(3) The representatives of the students participating in the Department Board shall participate in the discussion of all matters examined thereby, with the exception of certain matters that may be prescribed in the Charter.

(4) The competences of the Faculty's Board shall be prescribed in the Charter and shall be limited to matters of academic nature, corresponding to the matters examined by the Senate, whereas the Board's decisions shall be subjected to the approval by the Senate.

Department
Boards.

31.–(1) In every Faculty's Department there shall be composed a Department Board wherein they are participating–

- (a) all members of the teaching and researching staff of the Department;
- (b) one member of the Department's special teaching staff if such exists; and
- (c) representatives of the students of the Department, corresponding in number to 20% of the rest of the Board members.

(2) The manner of election of the Chairman and the Vice-Chairman of the Department's Board and their competences, shall be prescribed in the Charter.

(3) The competences of the Department's Board shall be prescribed in the Charter and shall be limited to matters of academic nature, corresponding to the matters examined by the Senate.

Teaching
researching staff.

32.–(1) At the university the teaching researching staff is serving at the teaching and researching sector, whose members must possess a doctoral title to a topic relevant with the subject of their teaching and relevant experience.

(2) The qualifications of the members of the teaching researching staff, the manner of their selection and the service and advancement conditions thereof shall be prescribed in the Charter of the university and shall correspond to the international standards and anything applicable at the University of Cyprus.

(3) The members of the teaching researching staff–

- (a) shall be full-time occupied in teaching, research and with other related issues of the academic community;
- (b) shall have as initial competence and main responsibility the application, development and revision of the programmes of studies, the conduct of scientific research and the students' guidance; and
- (c) shall proceed or participate in activities that contribute to society's scientific information.

(4) The teaching researching staff shall be graded hierarchically in professors, substitute professors, assistant professors and lecturers.

Professors emeriti, visiting professors and postgraduate associates.

33.–(1) Professors emeriti, visiting professors and postgraduate associates may also serve at the university on condition that it shall be provided in the Charter, which shall prescribe the qualifications, the manner of selection and the terms of service thereof.

(2) Professors emeriti, visiting professors and postgraduate associates shall belong to the university's teaching researching staff.

Special teaching staff.

34.–(1) At each university's Department a special teaching staff may serve to a percentage not exceeding that of 30% of the Faculty's teaching researching staff.

(2) The qualifications of the members of the special teaching staff, the manner of their selection and the conditions of service thereof shall be prescribed in the Charter.

(3) The members of the special teaching staff may not possess qualifications equivalent to those of the teaching researching staff, however, they must possess the appropriate professional

qualifications and professional experience in matters related to their duties at the university.

Administrative staff. **35.**–(1) For the harmonious operation of each university, the Council shall employ a satisfactory number of administrative officers according to an appropriate administrative structure.

(2) The qualifications, the manner of appointment, the duties and the obligations, the rights and other conditions of service of the administrative staff, as well as the general structure of the administrative staff, shall be prescribed in the Charter of the university.

Internal Evaluation Committee. **36.**–(1) The Council shall cause for an Internal Evaluation Committee to operate at the University, whose work is to control the level of education provided by all university's Faculties and the submission of proposals for its improvement.

(2) The composition, the manner of selection of its members and the conditions of operation of the Internal Evaluation Committee shall be prescribed in the internal regulations of the university.

PART FIVE – STUDENTS

Students' admission to the University. **37.**–(1) The admission of any student to the university shall take place with his registration in the Students' Records, to be kept in accordance with the provisions of section 42.

(2) Subject to the provisions of subsection (3) the registration of any student in the Students' Records, shall be carried out under the criteria determined by the Charter, which are analysed and explained in full detail in the Students' Info Guide of the university.

(3) For the student's registration in the Students' Records of the University for attendance at a graduate level programme the student must possess—

- (a) a leaving certificate of a recognised educational institute of secondary education, of at least six years duration; or
- (b) qualification of an equal or equivalent level to the above certificate, irrespective of whether this has been acquired in the Republic or abroad.

(4) The registration of a student in the Students' Records for attendance at a postgraduate level programme shall be forbidden, unless the student possesses a university degree or any other recognised equivalent qualification.

(5) The university shall be bound to take the appropriate measures to make certain that during a student's registration in the Students' Records the requirements of subsection (3) or (4), as the case may be, are fulfilled and that the qualifications presented by the student are not false or misleading.

(6) The university's students shall proceed with the appropriate actions to compose a corporation by the students under the name "Students' Union".

Assessment of students and graduation.

38.—(1) The manner of assessment and advancement of students as well as the graduation procedure and the award of the appropriate degrees of studies shall be prescribed in the Charter.

(2) The university may assign the work of the examination of some students to persons belonging to the teaching staff of another recognised institution of higher education. In cases of post-graduate students, the examination shall be carried out by an examination

board to which a member of the teaching staff of another recognised institution of higher education will take part.

(3) The university shall cause to be registered in the Students' Records the progress of every student, including the gradings, prizes, scholarships or other aids granted to him and the degrees of the studies awarded to him.

(4) The criteria of providing scholarships, aids, prizes, benefits or students' loans, as well as the details of their part-time employment by the University or financing in exchange to an offer of work shall be prescribed in the Charter.

Students' assessment bodies.

39. For the observation of the academic progress and for the assessment of the students of the university, the Senate shall cause with the Faculties' Boards assistance, for appropriate bodies of one or many members to be formed and operate, subject to the relevant provisions included in the Charter.

PART SIX - GENERAL PROVISIONS

Keeping of Register.

40.—(1) The Minister shall keep a Register under the name “the Register of Universities” wherein shall be entered—

- (a) the name of each university whose registration is permitted by the Council of Ministers, pursuant to the provisions of this Law;
- (b) any information or data for the entry of which the Law provides;
- (c) any other details that the Minister deems expedient to be registered in the Register for the better implementation of the Law.

(2) The Register may be kept under any form or type prescribed by the Minister, including the electronic form.

Misleading advertisements.

41.–(1) Without prejudice to the provisions of this Law, or any other law providing for the regulation of any matters of higher education or of universities, the operation in the Republic of any organisation, institution or body corporate or other than a body corporate, that bears to its name the word “university” without being registered in the Register shall be forbidden.

(2) Any person who contravenes the provisions of subsection (1), shall commit an offence punishable with the sentence of imprisonment not exceeding six months or with a fine not exceeding three thousand pounds or with both such penalties.

Students’ Records.

42.–(1) The university shall keep a Students’ Record wherein every student who has been accepted at the University is registered.

(2) The form of the Students’ Record and the data registered therein shall be prescribed in the Charter.

Modification of the Charter.

43. The modification of the university’s Charter shall be forbidden, unless approved by the Minister after the Council’s relevant request wherein all necessary supporting documents are contained.

Regulations.

44.–(1) The Council of Ministers may make regulations prescribing any matter which under the provisions of the Law is required to be or may be prescribed.

(2) Without prejudice to the generality of subsection (1), regulations made under this section may provide for the regulation of any of the following matters–

- (a) the requirements of registration and attendance of native and foreign students at the university and obligations of providing students’ care to them;
- (b) the employment of foreigners as members of the academic and administrative staff of the university;

- (c) the criminal and administrative penalties that may be imposed for both the contravention of this Law and of the regulations as well as the violations of the university's Charter;
- (d) the university's collaboration with other academic institutions;
- (e) the requirements for the students' occupation at the university in exchange for payment;
- (f) the university's participation in activities, besides those that it may participate according to its Charter;
- (g) the procedure and the requirements that have to be fulfilled for the establishment of any new Faculties or Departments of Faculties or branches of the university; and
- (h) the type of Students' Info Guide that every university is bound to publish and the particulars to be contained therein.

(3) Penal sanctions that may be provided in regulations made under this section, may not exceed two years imprisonment or a fine of five thousand pounds.

Internal regulations.

45.–(1) The Council may, with the cooperation of the Senate in the cases where the matter falls within its competences, issue internal regulations for the regulation of any matter concerning the university's operation, provided that such matter is not regulated by this Law, the regulations made thereunder or the Charter.

(2) Internal regulations issued under this section, shall be notified to the Minister who shall examine the legality of their content.

(3) The application by the university of any internal regulations, considered by the Minister as contrary to the provisions of this Law

or the Charter shall be deemed to be a violation of the provisions of this Law.