

Universities and University Colleges Act

Act of 1 April 2005 no. 15 relating to Universities and University Colleges

Last amended 1 July 2017.

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The name of the Act amended by Act of 12 Dec 2008 no. 105 (in force 1 Jan 2009, pursuant to the Decree of 12 Dec 2008 no. 1340). – Cf. *previous* Act of 12 May 1995 no. 22 relating to Universities and University Colleges, Act of 11 July 1986 no. 53 relating to Private University Colleges.

Part I. Joint provisions

Chapter 1. Objective and scope of the Act

Section 1-1. Objective of the Act

The objective of this Act is to make it possible for universities and university colleges to

- a) provide higher education at a high international level
- b) conduct research and academic and artistic development work at a high international level
- c) disseminate knowledge about their activities and promote an understanding for the principle of academic freedom and the application of scientific and artistic methods and results, both in teaching students, in their other activities and in public administration, cultural life and business and industry.

Amended by Act of 14 Dec 2007 no. 117 (in force 1 Jan 2008 pursuant to the Decree of 14 Dec 2007 no. 1440).

Section 1-2. The scope of the Act – universities and university colleges

(1) The Act applies to universities and university colleges that provide education that is accredited pursuant to this Act or that have been awarded accreditation, cf. section 3-1, as

- a) a university
- b) a specialized university institution or
- c) a university college

(2) The category to which an individual institution belongs shall be decided by the King on the basis of an academic assessment by the Norwegian Agency for Quality Assurance in Education (NOKUT).

(3) The King may on the basis of an academic assessment by NOKUT decide that certain of the provisions of the Act shall apply correspondingly to other institutions.

(4) On the recommendation of the Board, the Ministry may decide that deviations may be made from the provisions of the Act and from regulations laid down pursuant to the Act in connection with time-limited educational or organizational experiments.

(5) The Act applies to universities and university colleges with activities in the Realm. The Act applies to Svalbard and Jan Mayen unless otherwise prescribed by the King. The King may lay down special provisions out of regard for the local conditions.

(6) The Act shall not apply to activities conducted outside the Realm. The King may nevertheless provide that such activities shall wholly or partly be made subject to the provisions of the Act.

(7) By agreement with a foreign state or international organization, the scope of the Act may be extended or restricted within specific areas of responsibility.

Section 1-3. The activities of the institutions

Universities and university colleges shall promote the purpose of the Act by:

- a) providing higher education on the basis of the foremost within research, academic and artistic development work and empirical knowledge
- b) conducting research and academic and artistic development work
- c) efficiently managing resources provided and actively seeking provision of external resources
- d) contributing to the dissemination and communication of results of research and of academic and artistic development work
- e) contributing to innovation and value creation on the basis of results of research and academic and artistic development work
- f) making it possible for the institution's staff and students to participate in the public debate
- g) helping to ensure that Norwegian higher education and research participate in the front line of international research and development of higher education provision
- h) cooperating with other universities, university colleges and corresponding institutions in other countries, local and regional civic and working life, public administration and international organizations
- i) providing continuing and further education within the institution's field of operation

Section 1-4. Special responsibilities of individual institutions

(1) Universities and university colleges have a special responsibility for basic research and organized research training in the fields in which they award doctorates.

(2) The University of Bergen, the University of Oslo, the University of Tromsø (the arctic University of Norway), the Norwegian University of Science and Technology and the University of Stavanger have a special national responsibility for developing, managing and maintaining museums with scientific collections and public exhibitions. The Ministry may provide more detailed regulations concerning cooperation and division of work between the universities in this area.

(3) The Ministry may assign individual institutions a special national responsibility for research or teaching in specific fields. In the same way, the Ministry may assign individual institutions special national responsibility for developing, managing and maintaining research libraries, knowledge repositories and databases as well as museums with scientific collections and public exhibitions for specific fields.

(4) The Ministry may, in consultation with the institution concerned, place the management of a national joint responsibility at a specific institution without the institution's own governing body being responsible for the academic activities involved.

Amended by Acts of 12 Dec 2008 no. 105 (in force 1 Jan 2009 pursuant to the Decree of 12 Dec 2008 no. 1340), of 19 June 2009 no. 96 (in force 1 Aug 2009 pursuant to the Decree of 19 June 2009 no. 676)

Section 1-5. Academic freedom and responsibility

(1) Universities and university colleges shall promote and protect academic freedom. The institutions are responsible for ensuring that their teaching, research and academic and artistic development work maintain a high academic level and are exercised in accordance with recognized scientific, art professional, pedagogical and ethical principles.

(2) Besides this, universities and university colleges are entitled to design their own academic and value-related bases within the frameworks laid down in or pursuant to legislation.

(3) Universities or university colleges may not be instructed regarding

a) the academic content of their teaching and the content of research or artistic and scientific development work.

b) individual appointments.

(4) A person teaching at an institution covered by this Act, has an independent academic responsibility for the contents and planning of this teaching within the framework decided by the institution or as a consequence of legislation or in accordance with legislation.

(5) A person employed in a position which includes tasks related to research or academic or artistic development is entitled to choose topics and methods for his/her research or

development work within the framework decided by the conditions of the appointment or by separate agreement.

(6) Universities and university colleges shall ensure openness around the results of research or academic or artistic development work. A person employed in a position mentioned in subsection 5, is entitled to publish his/her results and shall ensure that such publication does take place. The relevant research base shall be made available to others in accordance with good practice in the field concerned. The Board may give its consent to delaying publication when there are legitimate reasons for so doing. Permanent limitations to the right to publicize results cannot be agreed or decided, unless as a consequence of legislation or in accordance with legislation.

Amended by Act of 14 Dec 2007 no, 117 (in force 1 Jan 2008 pursuant to the Decree of 14 Dec 2007 no. 1440).

Section 1-6. Quality assurance

(1) Universities and university colleges shall have a satisfactory internal quality assurance system in order to assure and further develop the quality of education. Student evaluation of courses shall be included in the system for quality assurance.

Universities and university colleges are responsible for maintaining and further developing Norwegian academic language.

Added by Act of 19 June 2009 no. 96 (in force 1 Aug 2009 pursuant to the Decree of 19 June 2009 no. 676)

Chapter 2. The Norwegian Agency for Quality Assurance in Education – NOKUT

Section 2-1. NOKUT's responsibilities and authority

(1) NOKUT is a professionally independent government agency.

(2) NOKUT's objective is to monitor the quality of higher education and tertiary vocational education, to recognize foreign higher education and to stimulate quality development that ensures that the institutions provide education at a high international level. NOKUT is part of efforts to ensure that society can have confidence in the quality of Norwegian higher education, tertiary vocational education and recognized higher education from other countries. In its work, NOKUT shall strive to assist the institutions with their development work.

(3) NOKUT shall accredit institutions and study programmes, supervise the institutions' quality assurance practices and oversee that institutions and existing study programmes meet the applicable standards and criteria for accreditation. NOKUT shall also give general recognition of foreign higher education. NOKUT may use other means and implement other measures insofar as they are in accordance with the objectives of NOKUT's activities.

(4) NOKUT shall carry out significant evaluations in order to assess the quality of higher education. The Ministry may instruct NOKUT to conduct such evaluations. All evaluations

conducted by NOKUT are public, and NOKUT shall help to ensure that they are made known.

(5) NOKUT's decisions concerning private institutions may in regulations be exempted from the provisions concerning appeals laid down in chapter VI of the Public Administration Act.

(6) The Ministry may issue regulations relating to

- a) requirements for quality assurance systems and quality assurance practices
- b) standards and criteria for the accreditation of institutions and study programmes
- c) rules of procedure for NOKUT's activities.

NOKUT may issue detailed regulations on the same topics.

Amended by Act of 19 June 2009 no. 96 (in force 1 Aug 2009 pursuant to the Decree of 19 June 2009 no. 676).

Section 2-2. NOKUT's Board

(1) NOKUT shall be governed by a Board which has overall responsibility for NOKUT's operational activities and the decisions it makes.

(2) The Board is appointed by the Ministry and consists of nine members. One of the members shall be a student at a university or university college, and one member shall be a student at a tertiary vocational college. One member shall be appointed from among NOKUT's employees and shall have the right to vote in matters concerning the staff. Deputies shall be appointed, including personal deputies for the employee and student members. The Ministry appoints the chairman of the Board.

(3) The Board's term of office is four years. Student members are appointed for two years.

(4) Members of the Board may not hold leading positions or office at institutions covered by the present Act.

(5) The Board appoints NOKUT's director for a fixed term of years. The fixed term shall be six years.

Chapter 3. Academic decisions – accreditation

Section 3-1. Accreditation of courses and institutions

(1) Accreditation is understood in the present Act to mean an academic assessment of whether a higher education institution or a study programme meets the standards and criteria set by the Ministry and NOKUT. Accreditation is a condition for the provision of higher education. Accredited study programmes shall be in accordance with the National Qualifications Framework. Study programmes provided by new providers can only be accredited if the study programme at least confers a bachelor's degree.

(2) The accreditation shall be based on evaluation conducted by external experts appointed by NOKUT.

(3) Educational institutions accredited pursuant to Section 3-3 first and second sub-sections may accredit new study programmes themselves in accordance with their academic authorisations. The institutions' accreditations shall be based on standards and criteria as mentioned in the first sub-section, and the assessment of the study programme shall be documented.

(4) If NOKUT finds that an institution or a study programme no longer meets the applicable standards and criteria, it shall be allowed a time limit to correct matters. If the standards and criteria are still not met, NOKUT shall revoke the institution's or study programme's accreditation.

Section 3-2. Degrees, professional training qualifications and titles

(1) The King decides which degree programmes and professional training courses an institution may offer, the length of time in which it should be possible to complete the course of study, and which title each degree or professional training qualifications confer the right to. The Ministry may issue regulations concerning a national qualifications framework and concerning the institutions' right to award degrees and professional training qualifications in cooperation with other institutions. The Ministry may issue regulations concerning requirements regarding higher degrees and concerning the required amount of independent work in higher degrees.

(2) The Ministry may decide National Curriculum Regulations for individual courses.

(3) The Ministry may decide that compulsory national exams shall be held in some subjects or courses, and whether the result shall be included on the diploma.

(4) The Ministry may provide that specific courses of up to 20 credits shall form part of a degree programme.

(5) An institution that is entitled to award doctorates or corresponding degrees may in the same fields award honorary doctorates (doctor honoris causa) for important scientific or artistic contributions or outstanding work for the benefit of science or art.

(6) The Ministry may, by regulations or individual decisions, prohibit the use of titles which give a false impression of being of the same nature as titles that are protected pursuant to the sub-sections one or four or which are misleadingly likely to be confused with them.

(7) The deliberate or negligent award or use of a title, alone or as part of another title, by someone not so entitled pursuant to sub-section one or five, or in contravention of a provision laid down pursuant to sub-section six, is punishable by penalty fines issued by the Ministry. Such fines may be imposed on undertakings even if no individual has acted culpably as described in the first sentence. The Ministry may issue regulations relating to the issuing, size, due date, right to appeal, review and waiving of penalty fines. A final decision regarding a penalty fine forms the basis for the enforcement of an attachment order.

Amended by Act of 12 Dec 2008 no. 105 (in force 1 Jan 2009 pursuant to the Decree of 12 Dec 2008 no. 1340).

Section 3-3. Academic authorities

(1) Institutions accredited as universities have the authority to accredit the study programmes and courses the institution shall provide.

(2) Institutions accredited as specialized university institutions or university colleges have the authority to accredit study programmes and courses provided at first-degree level. In fields where institutions have the right to award doctorates or corresponding degrees, they may themselves accredit study programmes and courses provided at first and second-degree level. In the case of fields in which the institutions do not have the right to award doctorates, they must apply to NOKUT for accreditation of study programmes at second-degree level.

(3) The Board approves the programme description for each study programme, including provisions concerning required courses, practice and the like and concerning forms of assessment.

(4) Authorities granted pursuant to the first and second paragraphs may be withdrawn by the Ministry if the institutions do not have satisfactory quality assurance practices that assure and further develop the quality of education.

Section 3-4. General recognition

NOKUT decides, after individual applications, whether qualifications awarded by foreign institutions of higher education or Norwegian institutions not subject to this Act, shall be given general recognition so that the education in level and scope is recognized as the equivalent of accredited Norwegian higher education. The appeal body may not review NOKUT's assessment of the level and scope of the education.

Amended by Act of 12 Dec 2008 no. 105 (in force 1 Jan 2009 pursuant to the Decree of 12 Dec 2008 no. 1340).