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OF CYPRUS

136(I) of 2015
47(I) of 2016.

**THE QUALITY ASSURANCE AND ACCREDITATION IN HIGHER
EDUCATION AND THE ESTABLISHMENT AND OPERATION OF AN
AGENCY ON RELATED MATTERS LAWS, 2015 AND 2016**

(English translation and consolidation)

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NOTE FOR THE READER

The publication at hand by the Office of the Law Commissioner is an English translation and consolidation of the Quality Assurance and Accreditation in Higher Education and the Establishment and Operation of an Agency on Related Matters Laws, 2015 and 2016 [i.e. Laws 136(I) of 2015, 47(I) of 2016].

However useful the English translation of the consolidated Laws is in practice, it does not replace the original texts of the Laws since only the texts published in the Official Gazette of the Republic are authentic.

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**THE QUALITY ASSURANCE AND ACCREDITATION IN HIGHER EDUCATION
AND THE ESTABLISHMENT AND OPERATION OF AN AGENCY ON RELATED
MATTERS LAWS, 2015 AND 2016**

The House of Representatives enacts as follows:

Short title.
136(I) of 2015
47(I) of 2016.

1. This Law may be cited as the Quality Assurance and Accreditation in Higher Education and the Establishment and Operation of an Agency on Related Matters Laws, 2015 and 2016.

**PART I
PRELIMINARY PROVISIONS**

Interpretation.

2. In this Law unless the context otherwise requires-

“accreditation method” means the agreement between two higher education institutions, which provides that institution A shall accredit the higher- education qualification issued by institution B’, which shall be responsible for the development of the academic contents and the quality assurance of the higher education qualification, and under which institution A’ lends its name to institution B’ and issues the higher education qualification, while students receive their higher education qualification from institution A’, provided that they have successfully completed their studies, even if the institution responsible for the development of the academic contents and the quality assurance of the higher education qualification is institution B’;

“accumulation and transfer of credits system for vocational training (ECVET)” means the learning system based on credit units to measure the workload of vocational education

and training of students and the learning outcomes;

"Advisory Committee of Tertiary Education" or "ACTE" means the Advisory Committee provided for by the provisions of section 2 and established in accordance with section 3 of the Institutions of Tertiary Education Laws, 1996 to 2013;

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
198 (I) of 2007
89 (I) of 2008
88 (I) of 2009
1 (I) of 2010
53 (I) of 2013.

"Agency" means the Agency of Quality Assurance and Accreditation in Higher Education, established and operating under the provisions of Part VI;

"Board of the Agency of Quality Assurance and Accreditation in Higher Education" or "Board" means the Board appointed in accordance with the provisions of section 28 and exercising the functions provided for in sections 27 and 32;

"Council of Educational Evaluation-Accreditation" or "CEEA" means the Council provided for by the provisions of section 2 of the Institutions of Tertiary Education Laws, 1996 to 2013, and appointed in accordance with section 32 of the Law;

"credit accumulation and transfer system (ECTS)" means the learning system based on credit units for measuring the workload on students and the learning outcomes;

"cross-border education" means the educational arrangements provided for in section 7;

"cross-border co-operation" means the educational arrangements provided for in section 8;

"cross-border programme of study" means the programme of study evaluated and accredited in accordance with the provisions of section 25;

"Diploma Supplement" means the accompanying explanatory document of the higher education qualification granted in accordance with the decisions for the creation of the European Higher Education Area;

"Educational Evaluation" means the prescribed by the provisions of section 3 systematic, documented and detailed evaluation and recording of the educational work with the use of objective criteria and critical analysis and finding any existing weaknesses and deviations in connection with the character, objectives and mission of the institution, the faculties and programmes of study;

"evaluation-accreditation fees" means the total expenditure required which corresponds to the total expenses for the procedure of educational Evaluation and Accreditation or the Re-evaluation and Accreditation of a programme of study or department of higher education institution, in accordance with the provisions of this Law;

"Evaluation Committee for Private Universities" or " ECPU " means the Evaluation Committee provided for in section 10 of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011;

109 (I) of 2005
197 (I) of 2007
90 (I) of 2008
75 (I) of 2010
115 (I) of 2010
74 (I) of 2011.

"European Higher Education Area" means the European area established in March 2010 by the European Ministers of Education and aims to ensure more comparable, compatible and coherent systems of higher education in Europe;

"European Quality Assurance Register" means the competent European body for the accreditation of quality assurance agencies which meet the European Standards and Guidelines and their entry in the relevant list;

"European Standards and Guidelines for Quality Assurance" means the standards and guidelines set by the European Network for Quality Assurance in Higher Education (ENQA);

"External Evaluation Committee" means the Committee provided for in section 17;

"Faculty" means a faculty of public university or private university;

2(a) of 47 (I)/2016.

"field of study" has the meaning assigned to it by paragraph (d) of subsection (1) of section 15 of the Institutions of Tertiary Education Laws, 1996 to 2013;

"franchise method" means the agreement between two higher education institutions, which provides that institution A' shall issue higher-education qualifications on behalf of institution B' and under which institution A' shall be responsible for the development of the academic contents and the quality assurance of the higher education qualification, while students complete their studies at institution B' and receive a higher education qualification

from institution A', provided that they have successfully completed their studies;

"Higher Education" means education provided by universities or other educational institutions operating in the Republic or overseas as higher and tertiary education institutions;

"higher education institution or institution" means a tertiary education institution, university or university branch;

"Higher Vocational Education" means education provided by universities or other educational institutions operating in the Republic or overseas as higher and tertiary education institutions, aiming at the acquisition of vocational qualifications;

"initial licence to operate" means a licence to operate granted in accordance with sections 15 and 18 of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011;

"inter-university programme of study" means the programme of study organized and offered jointly by two (2) at least universities;

"institution of tertiary education" means an educational institution provided for in section 2 of the Institutions of Tertiary Education Laws, 1996 to 2013, established and operating in accordance with the provisions thereof and including a public institution and a private institution;

“learning outcomes” means what the learner knows, understands and is able to implement after the completion of a learning process;

"licence to operate" means the licence to operate granted in accordance with section 22 of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011;

"local institution of higher education or local institution" means a higher education institution established and operating in the Republic;

"member state" means a member state of the European Union and includes the contracting parties to the Agreement on the European Economic Area and Switzerland;

"Minister" means the Minister of Education and Culture;

"Ministry" means the Ministry of Education and Culture;

2(a) of 47(I)/2016.

"new programme of study" or "new programme" means an educational programme of a public or private university with an initial operation licence or with an operation licence or a field of study of a public or private institution of tertiary education which has not started functioning by the above institutions;

"overseas higher education institution or overseas institution" means a higher education institution established and operating in a European Union member state or a third country;

"parent institution" means a higher education institution, which is legally registered in a country and which has established at least one branch;

"private higher education institution" means an institution registered in the Republic and offering education, for which a natural or legal person of private law is responsible for matters of administration, operation and maintenance;

"private institution" means the institution provided for by section 2 of the Institutions of Tertiary Education Laws, 1996 to 2013;

"private university" means a university for which a legal person of private law, registered in the Republic in accordance with the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, is responsible for matters of administration, operation and maintenance ;

"Professional organization" means the organization or body which is competent under the relevant law of the Republic for the entry in a Register of persons who practice a profession, which requires the possession of an academic qualification;

"Professor Emeritus or Emeritus" means the honorary title that may be awarded to a university professor who retires from active service in the higher academic grade;

"programmes of study" means the educational programmes and the fields of study offered by institutions of higher education through regular schooling or through distance learning or other methods of cross-border provision of

2(b) of 47(I)/2016.

education;

"public institution" means the institution provided for in section 2 of the Institutions of Tertiary Education Laws, 1996 to 2013;

"Public University" means:

(a) the University of Cyprus, established and operating in accordance with the provisions of the University of Cyprus Laws, 1989 to 2013,

144 of 1989
137 of 1990
53 (I) of 1994
77 (I) of 1994
24 (I) of 1995
59 (I) of 1997
90 (I) of 1998
127 (I) of 1999
84 (I) of 2000
44 (I) of 2001
90 (I) of 2002
151 (I) of 2002
44 (I) of 2003
199 (I) of 2003
46 (I) of 2006
152 (I) of 2006
83 (I) of 2007
89 (I) of 2011
56 (I) of 2012
116(I) of 2013.

234 (I) of 2002
35 (I) of 2010.

(b) the Open University of Cyprus, established and operating in accordance with the provisions of the Open University of Cyprus Laws, 2002 and 2010,

(c) the Cyprus University of Technology, established and operating in accordance with the provisions of the Cyprus University of Technology Laws, 2003 to 2014, and

198 (I) of 2003
74 (I) of 2005
79 (I) of 2007
105 (I) of 2007
133 (I) of 2007
105 (I) of 2008
108 (I) of 2008
114 (I) of 2008
6 (I) of 2010
105 (I) of 2010
51 (I) of 2011

111 (I) of 2012
117 (I) of 2013
118 (I) of 2014.

(d) any other university, the responsibility for the establishment, operation and maintenance of which belongs to the Republic;

"Quality Accreditation " means the statutory recognition of an institution or a department or programme of study on the basis of specific, predetermined by the Agency and published in advance criteria and indicators, hereinafter called the "Accreditation";

"quality assurance" means the systematic confirmation of the continuous assurance and improvement of the quality level of an educational institution on the basis of the criteria prescribed by the Agency;

"recognized higher education institution" means a higher education institution operating in the Republic or overseas and recognized as such by the competent authorities of the Republic or the competent authorities of the country in which it operates;

"Register" has the meaning assigned to it by the provisions of section 40 of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, in the case of a private university registration, and by the provisions of section 2 of the Institutions of Tertiary Education Laws, 1996 to 2013, in the case of registration of a private institution of tertiary education;

"regulated profession" means a profession, the terms of exercise of which are prescribed by the provisions of the

relevant legislation for each profession;

"Regulations" means the Regulations made by virtue of section 35;

"Republic" means the Republic of Cyprus;

"third country" means a country which is not included among the member states;

"university" means a higher education institution, which is recognised as such by the competent authorities of the Republic or by the competent authority of the country where it operates;

"university branch" means an educational institution operating in another geographical area in the same country or in another country different from the seat of the university.

PART II

EVALUATION OBJECTIVES AND FORMS OF QUALITY EVALUATION AND ACCREDITATION, CRITERIA AND QUALITY INDICATORS

Objectives of
Educational
Evaluation.

3. The objectives of Educational Evaluation, hereinafter called the "Evaluation", shall be the following:

(a) The quality assurance and Quality Accreditation of teaching, research, education and other services provided by institutions of higher education in the context of their mission;

(b) the accreditation of private universities for their entry in

the Register and the granting of initial licence to operate and licence to operate as well as the continuation of their licence to operate as private universities, in accordance with the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011;

(c) the Accreditation of private institutions of tertiary education for the purpose of their entry in the Register;

(d) the Quality assurance of cross-border education provided by local institutions, as well as of similar activities of local institutions in member states and third countries;

(e) the Quality assurance and Quality Accreditation of the education offered by other education centers, offering higher professional education.

Forms of Evaluation and Accreditation.

4. Without excluding other forms of Evaluation and Accreditation, the Quality Assurance and Accreditation in Higher Education Agency established under the provisions of Part VI, hereinafter called the "Agency", shall implement and require the implementation of the following forms of Evaluation and Accreditation-

(a) Internal Evaluation, which is conducted by the institution itself, and includes everything needed for the systematic collection of administrative data, the completion of questionnaires by students and graduates and the conducting of interviews with teaching staff and students for the purpose of preparing an Internal Evaluation Report, that will collectively and objectively reflect the image of the institution with the sole motive and aim to improve the

quality of education offered by it:

Provided that, the said Internal Evaluation Report shall be a key element of the External Quality Evaluation provided for in paragraph (b):

Provided further that, depending on the institution under evaluation, the Internal Evaluation may include other elements which the institution itself considers necessary.

(b) External Evaluation, which involves collecting data and information regarding a higher education institution when it is called Institutional Evaluation, or regarding a department of the institution, when it is called Departmental Evaluation or regarding a programme of study of the institution, when it is called Programmatic Evaluation, with a view to making a judgment on the quality of education offered and which comprises the individual stages prescribed in section 20;

(c) Quality Accreditation, which follows the External Evaluation with which the Agency decides on the quality of private higher education institution in its entirety or for a particular department or programme of study, with the aim of granting accreditation that the institution or department or programme of this institution meets certain predetermined and published in advance minimum criteria or standards:

Provided that, the above Accreditation shall be applied to the period provided for by the provisions of this Law and shall be repeated every five (5) years and that the procedure shall begin following the submission of an application by the

institution at least sixteen (16) months prior to the expiry of the validity of the previous accreditation:

3(a) of 47(I)/2016.

Provided further that, in case where the institution fails to submit the application within the time-limit of sixteen (16) months, the Agency may provide an additional time-limit of three (3) months for its submission and in case of non-submission of the application within the above time-limit, the Agency, upon a relevant decision thereof, shall apply the provisions of subsection (3) of section 5, for the smooth transition from the status of a recognized institution, department or study programme of higher education, as the case may be, to the status of non-recognition:

3(b) of 47(I)/2016.

Provided still further that, if for any reason and due to a fault of the Agency it becomes impossible to complete the Evaluation and Accreditation within the above period, then the previous Evaluation and Accreditation shall continue to be in force until completion of the relevant procedure:

3(c) of 47(I)/2016.

Provided still further, that the Quality Accreditation may be described, as the case may be, as Institutional Accreditation, Departmental Accreditation or Programmatic Accreditation.

Content of Evaluation.

5.-(1) The Evaluation consists of the systematic, documented and detailed evaluation, making known and recording the work of the higher education institution with the use of objective criteria and critical analysis and finding any existing weaknesses and deviations from its academic profile, goals and mission.

(2) Based on the results of the Evaluation, the institution concerned shall take measures to ensure continuous improvement of the quality of the work it performs in the context of its mission to provide higher education of high quality.

(3) (a) If the Evaluation of a private institution, department or programme leads to the withdrawal of the existing Accreditation, this entails the termination of the recognition of the institution, department or programme of study offered by the institution and in such a case the Ministry shall, in co-operation with the Agency, ensure the smooth transition from the status of a recognised institution, department or programme of study of higher education, to the status of non-recognition, having as its primary guideline to avoid affecting students adversely.

(b) The transition process of the institution, department or programme to the status of non-recognition shall be governed by Regulations to be prepared by the Agency and issued pursuant to the provisions of section 35.

(4) The results of the Evaluation and the measures taken to ensure the quality of the work performed shall be made public on the website of the Agency, in order to ensure the maximum possible transparency in the functioning of the higher education system in the Republic.

(5) The Evaluation and Accreditation, under the provisions of this Law, shall not be replaced by other forms of Quality Evaluation and Accreditation not provided by the provisions of this Law:

Provided that, in the event of adverse observations arising from the inspection of a private institution, under the provisions of section 30 of the Institutions of Tertiary Education Laws, 1996 to 2013, the observations shall be forwarded to the Agency, which shall immediately check whether the adverse observations may lead to the withdrawal of the Institutional or Programmatic Evaluation and Accreditation:

Provided further that, the relevant decision of the Agency shall be notified to the Minister and if the decision of the Agency envisages the withdrawal of the Evaluation and Accreditation, then the provisions of section 22 of the Institutions of Tertiary Education Laws, 1996 to 2013, shall apply.

(6) The Agency may accept the Evaluation of an institution operating in the Republic by other external bodies or external agencies or overseas evaluation organizations, provided that:

(a) The external evaluation body is entered in the European Quality Assurance Register, irrespective of whether there is a written co-operation agreement between the Agency and the external evaluation body, which provides for the mutual acceptance of decisions of the two bodies, and

(b) the institution concerned has obtained the prior consent of the Agency for the selection of the specific external evaluation body for that purpose:

Provided that, in such cases and on condition that there

is no co-operation agreement between the Agency and the external evaluation body, the Agency may implement additional evaluation, if it is not satisfied with the Evaluation of the overseas body,

(c) the use of an external evaluation body, based on the provisions of paragraphs (a) and (b), shall be subject to the following conditions and restrictions:

(i) The role of the external body shall be limited to Evaluation and not to Accreditation ;

(ii) the possibility of using external bodies shall not concern a private university which is in the initial licence period ; and

(iii) the cost of the specific Evaluation of the external body shall be paid from the institution's own revenue in the case of a public institution.

(7) Subject to the provisions of subsection (6), the first Evaluation of all institutions operating in the Republic shall be conducted by the Agency.

Criteria and quality indicators.

6.-(1) The criteria applied shall be expressed in corresponding quantitative and qualitative indicators and concern the Evaluation of the quality and effectiveness of research and teaching, of studies and other services provided by an institution of higher education.

(2) The use of criteria is aimed at finding possible areas of any weaknesses and deviations in connection with the academic profile, goals and mission of the institution and the

comparability of the results of the Evaluation in relation to the objectives of the current system of higher education in the Republic and the European Standards and Guidelines.

(3) The criteria and indicators provided for in subsection (1), depending on the type of Evaluation are related to the following elements of educational work:

- (a) The effectiveness of the teaching work and the resources available for this purpose;
- (b) the programmes and formal qualifications in relation to the scientific and business objectives of each programme or institution;
- (c) the research work and its synergy with teaching;
- (d) the administrative services, student welfare and support of teaching work:

Provided that, the criteria and Evaluation indicators are standardized, supplemented and further specified by the Agency on the basis of the guidelines and standards it issues, depending on the discipline:

Provided further that, the criteria and indicators shall be periodically evaluated by the Agency, if this is deemed necessary, and shall be made public on its website.

Cross-border education.

7.-(1) Cross-border education shall cover all types and forms of offering higher education programmes of study or departments which offer such programmes or educational services including those involving distance learning when

students are in a country other than that of the institution awarding the higher education qualifications.

4 of 47(I)/2016.

(2) Subject to the provisions of section 10, programmes of study of higher education or departments which offer such programmes or educational services within the framework of cross-border education as in subsection (1) provided, must receive Evaluation-Accreditation, as in section 4 provided, based on the relevant criteria which apply to the offer of the said higher education by a local institution in the Republic.

Cross-border co-operation.

8. Cross-border offer of study programmes shall be implemented through educational arrangements leading to agreements and actions, under which cross-border programmes or parts of programmes or educational services of the awarding institution are offered or made available either directly from the awarding institution or another institution with the methods of franchise and accreditation.

Forms of cross-border education.

9. The forms of cross-border education which may be offered or made available by an overseas higher education institution operating in the Republic or by a local higher education institution, operating both within and outside the Republic, shall be determined and posted on the Agency's website.

Evaluation of cross-border education.

10.- (1) The Agency shall be the competent authority in the Republic for the Evaluation of cross-border education offered in member states or third countries by local institutions and concerns-

(a) the Accreditation of higher education study

programmes or departments offering such programmes or educational services offered or made available through cross-border education by local institutions;

- (b) the Quality Evaluation of branches of local institutions operating in member states or third countries and the provision of information to the competent authorities of the countries where these branches operate on the content of these evaluations.

(2) For the exercise of the Agency's functions, according to the provisions of subsection (1), the criteria applied to the respective cases of Evaluation and Accreditation of Higher Education in the Republic shall apply, *mutatis mutandis*.

Conditions for the provision of cross-border education.

11.- (1) Every higher education institution may award itself higher education qualifications of educational institutions of member states with the method of Accreditation or give the opportunity to educational institutions of member states to award their own qualifications in the Republic with the method of franchise, provided that the following conditions, which are checked by the Agency, are fulfilled:

- (a) The educational institution of a member state is recognized in its country and duly authorized and accredited to provide courses and grant higher education qualifications with the method they are offered;
- (b) the programme of study leading to the award of the higher education qualification in the Republic has been officially accredited by the authorized and accredited

Agency established in the member state of origin of the higher education qualification;

(c) the higher education qualification issued is the same as that which would have been awarded if the education had taken place entirely in the member state of origin of the higher education qualification;

(d) the higher education qualification, in case it certifies a vocational qualification, confers the same vocational rights in the territory of the member state of origin of the higher education qualification ; and

(e) the higher education qualification issued in the Republic confers the same rights as those applicable in the territory of the member state of origin of the higher education qualification.

(2) Before the commencement of the offer of the programme of study ending in the award of a higher education qualification, in accordance with the provisions of subsection (1), the higher education institution informs in depth and in detail the Agency, submitting to it-

(a) All relevant reports and evaluations made by the education institution the higher education qualification of which will be awarded;

(b) full details of the educational facilities and services that will be offered by the institution as well as those offered by the institution the higher education qualification of which will be awarded;

(c) full details of the admission criteria, Evaluation and graduation, to be applied by the educational institution, as well as those applicable to the educational institution the qualification of which will be awarded;

(d) the list of names of members of the teaching staff and their relationship with the institution and the certificates of the academic and professional qualifications of the teaching staff which will be used for the provision of the programme by the institution, as well as the corresponding particulars of the staff used in the educational institution the higher education qualifications of which will be awarded; and

(e) the relevant agreements between the institutions.

(3) The Agency may communicate the information and data provided in subsection (2) to -

(a) The institution the higher education qualification of which is awarded;

(b) the competent authorities and evaluation bodies of the member state to which this educational institution is subject for purposes of evaluation and control; and

(c) the Cyprus Council of Educational Evaluation-Accreditation for the purposes of recognition of the higher education qualification.

PART III
INTERNAL QUALITY ASSURANCE PROCEDURE

Standards of internal quality assurance.

12. Every higher education institution shall aim to continuously improve the quality of its teaching and research work and other activities and to act for internal quality assurance and shall be expected to apply the following standards:

- (a) Commitment to cultivate attitudes and behaviours that recognize the importance of quality assurance in the performance of its work;
- (b) implementation of a policy and associated procedures for quality assurance and standards in relation to the programmes of study offered and the higher education qualifications awarded;
- (c) operation of formal mechanisms for the approval, monitoring and periodic review and where necessary revision of the programmes of study offered and the higher education qualifications awarded;
- (d) taking care for the Evaluation of students on the basis of published criteria, regulations and procedures applied consistently;
- (e) possession of the necessary qualifications and skills required by the teaching staff in relation to the teaching work it is called upon to perform and the data documenting the degree of competency of its teaching staff;

- (f) adequacy and suitability of learning resources for each programme of study offered for purposes of supporting the student's learning process;
- (g) collection, analysis and use of all data related to the effectiveness and efficiency in the management of the study programmes offered and other educational activities;
- (h) disclosure, in printed and electronic form, at regular intervals, of an updated, impartial and objective report regarding the programmes of study offered and the other educational activities, as well as the qualifications it confers.

Internal Quality
Committee.

13.- (1) Every higher education institution shall appoint an Internal Quality Committee, with the following composition:

- (a) The vice-rector, responsible for academic affairs, and if there is no vice-rector, the head of academic subjects, who shall preside,
- (b) one (1) member of the academic staff of each faculty of the public or private university, as the case may be, or three (3) members of the teaching staff in the case of a tertiary education institution, having significant scientific work and extensive academic experience covering preferably and, where possible, expertise in quality assurance procedures,
- (c) up to two (2) members specializing in issues of quality assurance,
- (d) one (1) student representative who is nominated by the

competent organ representing the students:

Provided that, for an institution with graduate students, the representatives shall be two (2), out of whom, the one is an undergraduate and the other a graduate student,

(e) one (1) representative from the administrative staff of the institution.

(2) The manner of operation of the Internal Quality Committee, the procedure of appointment of its members, as well as the duration of its term of office shall be determined by the competent bodies of the institution and be recorded, as the case may be, in the charter of a private university or the rules of a public university or the internal regulations of a tertiary education institution and published in their websites.

Functions of the Internal Quality Committee.

14.-(1) The Internal Quality Committee of an institution shall be responsible for the implementation of the standards provided for in section 12 for internal quality assurance purposes.

(2) The Internal Quality Committee shall co-ordinate the preparation of the special self-evaluation reports in relation to the External Evaluations regarding the institution, in accordance with the standards applicable to these reports, which are prescribed and issued by the Agency based on the criteria and quality indicators provided for in the provisions of section 6 and in accordance with the provisions of this Law concerning external evaluations.

(3) The Internal Quality Committee shall be responsible for drawing up the institution's general evaluation reports for

submission to the Agency, which shall concern the institution in its entirety and include particulars on a number of core quality indicators issued by the Agency.

(4) The general Internal Evaluation reports should make reference to the internal quality management mechanisms adopted by the institution and any improvements in those mechanisms that may have been introduced in the period following the submission of the previous General Internal Evaluation Report.

General Internal
Evaluation Report.

15.- (1) The institution shall be bound to submit a General Internal Evaluation Report every three (3) years.

(2) If the institution has been warned by the Agency, in accordance with the provisions of paragraph (f) of subsection (3) of section 17, the Agency may request from it a General Internal Evaluation Report on a yearly basis.

(3) The Agency shall determine the structure of the General Internal Evaluation Report of a higher education institution, which should be based on a number of key quality indicators that focus on the work carried out by the institution during the given time period.

(4) During the External Evaluation and Quality Assurance of an institution, the non-submission by the institution of the General Internal Evaluation Report within the time period provided for in section (1) shall be a negative criterion.

PART IV
TYPES AND PROCEDURES OF EXTERNAL QUALITY
EVALUATION AND QUALITY ASSURANCE

Standards and procedures for External Quality Evaluation and Quality Assurance.

16.- (1) Subject to the provisions of this Law, the Agency shall, for the purposes of the implementation of the External Quality Evaluation of a higher education institution, take into account and apply the European Standards and Guidelines for Quality Assurance applicable from time to time.

(2) For purposes of carrying out the Evaluation procedure provided for in subsection (1) the following shall apply:

(a) The effectiveness of the internal quality assurance mechanisms of the institution being evaluated by the Agency, taking into account the data and the reports of the Internal Quality Committee;

5 of 47(I)/2016.

(b) the purpose and the procedure of External Quality Evaluation shall be prescribed by the Agency in advance on the basis of objective criteria and be made public by a relevant notification of the Minister published in the Official Gazette of the Republic and posted on the Agency's website;

(c) the decisions taken as a result of the implementation of the External Quality Evaluation procedure shall be based on criteria and standards pre-established by the Agency, which are made public by notification of the Minister published in the Official Gazette of the Republic and posted on the Agency's website;

- (d) the procedure and the criteria prescribed in accordance with paragraphs (b) and (c) shall be appropriate for the category of the institution to which the External Quality Evaluation concerns;
- (e) (i) the External Evaluation Report drawn up following the completion of the External Evaluation shall be stated with clarity, made public on the Agency's website and be readily accessible to the parties concerned and the public;
- (ii) any decisions, recommendations or suggestions contained in the External Evaluation report must be easily legible and comprehensible for the reader;
- (iii) the External Evaluation Report may contain references concerning personal academic information;
- (f) if there are recommendations for action or the subsequent preparation of an action plan is required, the relevant procedure for the monitoring and re-evaluation of the institution shall be stated in the text of the External Evaluation Report and shall be consistently applied by the Agency and the institution under evaluation;
- (g) the External Evaluation of institutions, departments and study programmes shall be conducted on a regular and periodic basis, provided that the duration of the repetition cycle and the duration of the evaluation procedure are clearly prescribed and published in accordance with the provisions of section 17.

Types of External Evaluation, procedures and composition of the External Evaluation

17. The Agency shall implement the types of External Evaluation and Accreditation, provided for in this Law, which

Committees.

constitute the "External Evaluation", on the basis of the procedures and time-limits provided in this section and shall appoint for this purpose a Committee for each type of External Evaluation, called the "External Evaluation Committee ", as follows:

- (1) (a) Programmatic Evaluation for the programmes of study of a private institution of tertiary education under establishment and for the programmes of study of a private university which applied for entry in the Register and the issue of an initial operation licence, in accordance with the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011.
- (b) Programmatic Accreditation leading to the type of External Evaluation provided for in paragraph (a).
- (c) Programmatic Evaluation, leading to the Accreditation of programmes of study of a private institution of tertiary education and any new programmes introduced by a private university after the granting of the initial licence.
- (d) For the purposes of this subsection-
 - (i) the application for Evaluation and Accreditation of a new programme of study of a private tertiary education institution or a private university operating under an initial licence shall be submitted once per calendar year by the end of September each year, with the aim for each programme approved to start operating during the

next academic year ;

(ii) the External Evaluation and Accreditation of an already accredited programme of study of a private tertiary education institution shall be repeated every five (5) years;

6(a) of 47(I)/2016.

(iii) the External Programmatic Evaluation and Accreditation of the programmes of study of a Public University, of a licensed private university and of a public tertiary education institution shall be repeated every five (5) years:

Provided that, new programmes of study intended to operate by a Public University or a licensed private university or a public tertiary education institution must receive Programmatic Evaluation-Accreditation by the Agency in the form, procedure and criteria prescribed by the Agency and posted on its website:

Provided further that, the operation of a new programme of study is not permitted without this programme having received its Programmatic Evaluation-Accreditation at the time of the start of the operation of the Public University or the licensed private university or the public tertiary education institution;

(iv) the Agency shall appoint an External Evaluation Committee for each programme of study as provided for in this subsection, which shall consist of three (3) at least academics, out of whom the one at least shall come from an overseas

6(b) of 47(I)/2016.

university, with specializations relevant to the discipline of the programme, one (1) university student, and if the subject of the programme of study concerns a regulated profession, one member of the Professional Association which grants the licence to exercise the particular profession:

Provided that, the members of the External Evaluation Committee shall submit a written statement that they do not have or did not have during the last three (3) years any academic, research, administrative, financial or personal co-operation relationship with the institution under evaluation.

(2) (a) Departmental Evaluation of an academic department of a public or private university which includes elements of the Programmatic Evaluation.

(b) Departmental Accreditation of an academic department of a private university operating under an initial licence resulting from the External Evaluation provided for in paragraph (a).

(c) For the purposes of this subsection-

(i) The Agency for each academic department of a public or private university for Evaluation purposes, in accordance with the provisions of this subsection, shall appoint an External Evaluation Committee which shall consist of three (3) at least academics out of whom the one at least shall come from an overseas

university, holding the rank of Professor or who are Professors Emeriti with specializations relevant to the discipline of the department, one (1) student, and if the subject of the department involves a regulated profession, one member of the Professional Association which grants the licence to exercise the specific profession:

Provided that, the members of the External Evaluation Committee shall submit a written statement that they do not have or did not have during the last three (3) years any academic, research, administrative, financial or personal co-operation relationship with the institution under evaluation.

(ii) The duration of the Departmental Evaluation procedure ranges from six (6) to twelve (12) months.

(iii) The External Evaluation for a department of a private or public university, in accordance with the provisions of this subsection, shall be repeated every five (5) years.

(3)(a) Institutional Evaluation for private and public universities and tertiary education institutions, which must be repeated every five (5) years following the submission of an application within the time-limits referred to in paragraph (c) of section 4 prior to the expiry of the Institutional Evaluation.

(b) Institutional Accreditation for private universities operating with an initial licence and private tertiary

6(d) of 47(I)/2016.

education institutions, to which the type of External Evaluation provided for in paragraph (a) ends up.

6(e) of 47(I)/2016.

(c) For the purposes of this subsection, the Agency shall appoint for each institution provided for in this subsection, an External Evaluation Committee consisting of three (3) at least academics, out of whom the one at least shall come from an overseas university, holding the rank of Professor or who are Professors Emeriti with extensive experience in academic administration, one expert in student welfare issues, one expert in matters of building and technological infrastructure and one university student:

Provided that, in the External Evaluation Committee for the Institutional Evaluation of a private university there shall be no participation of Professors and Professors Emeriti from another private university:

Provided further that, the members of the External Evaluation Committee shall submit a written statement that they do not have or did not have during the last three (3) years any academic, research, administrative, financial or personal co-operation relationship with the institution under Evaluation.

(d) (i) The External Evaluation of an institution, which is conducted in accordance with the provisions of this section in one of the prescribed types of Evaluation, arrives in findings and the External Evaluation Committee makes recommendations for improvements.

- (ii) In case the External Evaluation leads to recommendations for the implementation of specific actions, then, a re-evaluation shall be followed in time-limits specified therein, which shall not be less than two (2) years or more than three (3) years from the specific evaluation, with a view to examining the implementation of the recommendations and actions and the outcome of the specific actions.

- (iii) The External Evaluation Report together with any recommendations of the External Evaluation Committee shall be communicated to the Agency by the Committee and the Agency, as appropriate, shall invite the Committee to make a re-evaluation, after the observations of the institutions on the External Evaluation Report are submitted in writing.

- (e) The External Evaluation procedure shall be completed within twelve (12) months.

- (f) The External Institutional Evaluation procedure for a private higher education institution may end up in granting or not granting for the first time the Institutional Accreditation or to give notice to the institution of the possible withdrawal of the Institutional Accreditation which it already holds, when necessarily a new External Evaluation of the Institution ensues concerning the requirements which the institution must meet for accreditation purposes, within the period specified in the notice:

Provided that, from the findings of the new External Evaluation, the Agency shall take a final decision to grant a new Institutional Accreditation or withdraw the Institutional Accreditation already granted.

- (g) During the period of validity of the positive Accreditation decision, the Board of the Agency acting of its own motion or upon the recommendation of the Minister, may examine whether the Accreditation criteria continue to be met and if they are not met, then the Board of the Agency shall revoke the Accreditation decision and immediately inform the institution concerned and the Minister.

External Evaluation Committee for a vocational programme of study.

18. In order to evaluate a purely vocational programme of study specified as such in the application for evaluation of a higher education institution, qualified professionals in the field of the programme of study may participate among the members of the External Evaluation Committee.

Evaluation – Accreditation of an inter-university programme of a private university.

19. The Agency for the purposes of the Evaluation and Accreditation of any inter-university programme of study introduced by a private university-

(a) shall apply *mutatis mutandis* the Programmatic Evaluation and Accreditation procedure provided for in paragraphs (a) and (b) of subsection (1) of section 17 in respect of a university programme;

(b) may apply additional criteria and quality indicators that are consistent with the forms of cross-border education;

(c) shall apply the provisions of best practice codes of recognized bodies of the European Union or other international organizations relating to the offer of inter-university and cross-border forms of education and adopted by networks of agencies in which the Agency participates;

(d) shall seek co-operation with the respective agencies in other countries in which the collaborating universities operate in the framework of the inter-university programme evaluation ;

(e) shall require for programmatic accreditation purposes that such a programme shall receive also Accreditation from the competent agencies of the country where each collaborating university operates.

Stages of the Internal Evaluation procedure leading to Accreditation.

20.- (1) The Agency in the External Evaluation shall apply the procedure, criteria, standards and External Evaluation procedures prescribed and made public pursuant to the provisions of section 16.

(2) Every External Evaluation procedure leading to Programmatic, Departmental or Institutional Accreditation is analyzed in the following stages:

(a)(i)The institution is bound to inform in advance the Agency both of the first and of the subsequent external evaluations and when it intends to submit the relevant Special Self-Evaluation Report;

(ii)the Agency shall subsequently notify the

institution within two (2) months from the receipt of the application, about the time of the site visit of the External Evaluation Committee.

- (b)(i) The institution shall prepare the Self-Evaluation Report, based on the structure and the relevant forms that the Agency shall adopt and make public on its website;
- (ii) the structure of the Self-Evaluation Report shall be decided by the Agency, based on the criteria and the quantity and quality indicators issued by it as to the manner of preparing the self-evaluation reports on the basis of the discipline, in the case of Departmental or Programmatic Evaluation;
- (iii) the Self-Evaluation Report must be documented and objective and, among others, must state the vision, the character and mission of the institution or department, depending on the subject of evaluation or the purpose and goals of the programme, in the case of Programmatic Evaluation;
- (iv) the general structure of the Self-Evaluation Report must be based on critical analysis and presentation of what, in the opinion of the institution, are the strengths and weaknesses of the institution or department or programme of study, as well as the opportunities, challenges and risks presented by the external environment within the Republic and beyond.

(c) The Agency shall at least one (1) month before the visit communicate to the institution the programme of the forthcoming visit of the External Evaluation Committee.

(d) The External Evaluation Committee shall make a site visit to the institution for purposes of preparing its Report of Findings:

Provided that, in the case of Institutional Evaluation, a second site visit of the External Evaluation Committee may be carried out.

(e) (i) The External Evaluation Committee shall submit the External Evaluation Report to the Agency within one (1) month at the latest from the completion of the site visit.

(ii) The External Evaluation Report shall include the findings, observations and recommendations of the External Evaluation Committee.

(iii) The Agency shall communicate the above Report to the institution which was evaluated within two (2) weeks from its receipt from the External Evaluation Committee and the said institution within three (3) months from this communication may submit in writing to the Agency its observations on the Report:

Provided that, in cases where this is deemed necessary, a new site visit may be made to the institution under Evaluation by the External Evaluation Committee.

(f)(i) The Agency shall, within three (3) months from sending the External Evaluation Committee Report to the institution, prepare its own Evaluation Report, after receiving any observations of the institution, which it communicates both to the institution and to the Minister.

(ii) If the Agency, based on the recommendations of the External Evaluation Committee and any observations of the institution, considers that a second evaluation is justified before taking its final decisions and recommendations, plans the conduct of a second evaluation based on the specific timeline set by the Agency, *mutatis mutandis*, based on the timeline according to which the first Evaluation was conducted.

(iii) On completion of the second Evaluation, the Agency shall prepare and communicate its final decisions and recommendations in the form of a final Report to the institution and to the Minister.

(g)(i) The institution may, within one (1) month from the receipt of the final Report of the Agency, raise an objection requesting its review by the Evaluation Agency, stating the grounds which, in its opinion, justify the withdrawal and the review of the Evaluation Report.

(ii) The Agency shall, within two (2) months from the submission of the objection, consider the grounds of the objection submitted on the part of the institution and decide whether the withdrawal of the

Evaluation and its review are justified, communicating its decision to the institution and to the Minister.

(iii) If the Agency accepts the objection submitted on the part of the institution, the review shall be carried out by the Agency based on the data contained in the evaluation file of the institution and the grounds set out in the objection in order to issue a relevant decision.

(iv) With the completion of the review following the submission of an objection, in accordance with subparagraphs (i), (ii) and (iii), the institution has no right to file a new objection.

(h) For purposes of transparency, the final External Evaluation Report as well as the final decision of the Agency, issued after the raising of an objection, shall be drawn in Greek and English and made public by the Agency on its website in both languages for briefing of all concerned.

(i)(i) If the institution fails to submit a Self-Evaluation application for either the initial External Evaluation or for Re-evaluation, then the Agency shall send a notice to it to comply within six (6) months with the obligations arising from the provisions of this section.

(ii) Non-compliance of the institution with the content of the above notice, shall entail its non-Institutional, Departmental or Programmatic Accreditation and if this concerns an already accredited institution, this failure

may cause withdrawal of the Accreditation of the institution or the department or the programme and its removal from the Register, as the case may be.

(3) Every private higher education institution operating in the Republic must hold Institutional Accreditation, which shall be valid for five (5) years and shall be followed by re-evaluation and Accreditation:

Provided that, a private university entered in the Register in accordance with the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, shall be deemed to hold an Institutional Accreditation on the date of the entry into force of this Law:

Provided further that, private tertiary education institutions entered in the Register, in accordance with the provisions of the Institutions of Tertiary Education Laws, 1996 to 2013, shall, within five (5) years from the date of the entry into force of this Law, cause activation of the procedure of securing Institutional Accreditation:

Provided still further that, within the period of five (5) years, in accordance with the above, it is possible to enroll new students in these institutions.

(4) Subject to the provisions of the third proviso to subsection (3), the enrolment of a student in a programme of study of a higher education institution, which has not been accredited according to the procedures laid down by the provisions of this Law shall not be allowed.

(5) For purposes of securing the first of Institutional,

Departmental or Programmatic Accreditation, it is necessary to submit a relevant application to the Agency and to implement the provisions, depending on the type of the requesting institution, of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011 and the Institutions of Tertiary Education Laws, 1996 to 2013.

(6) The Agency shall, after completion of the Evaluation procedures, submit to the Minister its final decisions which shall be promoted, pursuant to the provisions of the Laws referred to in subsection (5), govern every higher education institution and concern the operation and entry of the requesting institution in the corresponding Register.

(7) The institution shall, together with the application for Institutional, Departmental or Programmatic Evaluation, pay all the fees provided for in the Schedule on the basis of the procedure, depending on the type of the institution, provided for in the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, or in the Institutions of Tertiary Education Laws, 1996 to 2013.

Schedule.

Procedure for the establishment and operation of a higher education institution.

21.-(1)(a) For the establishment and operation of a private Higher Education institution it is necessary to submit an application to the Minister, in accordance with the procedures provided for in the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011 and the Institutions of Tertiary Education Laws, 1996 to 2013, depending on the type of institution to be established.

Schedule.

(b) Upon the submission of the application the fees provided for in the Schedule shall be paid.

(2) The application together with a copy of the receipt of the payment of fees shall be forwarded to the Agency:

Provided that, unless any of the above procedures is otherwise regulated than as provided in this Law, then the procedure laid down by the provisions of this Law shall apply.

(3) Where a person applies to establish and operate a private university, on the basis of which it requests that a programme of study operating in a specific private tertiary education institution be transferred to the private university under establishment, the request may be accepted if the conditions contained in the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, are satisfied:

Provided that, the above programme of study is not abolished immediately, but shall continue to operate at the same time both at the private tertiary education institution and at the private university until the students already studying at the time of entry of the private university in the Register, complete their studies, on the basis of the internal rule of operation of the private tertiary education institution, provided for in paragraph (f) of subsection (1) of section 15 of the Institutions of Tertiary Education Laws, 1996 to 2013:

Provided further that, it is not allowed to admit and

transfer students in a programme of study of a private tertiary education institution from the day of entry of the private university in the Register and the transfer to it of the specific programme of study.

PART V
QUALITY EVALUATION OF CROSS -BORDER AND
INTER- INSTITUTIONAL EDUCATION

Implementation of the provisions of good practice codes and basic principles.

22. The Agency shall implement the provisions of the codes of best practice and the basic principles for cross-border education adopted by the European Union recognised bodies and international networks of the corresponding agencies to which it is a member and which shall be prescribed and posted from time to time on the Agency's website.

Inter-institutional cooperation within the Republic.

23.-(1) The development of inter-university programmes between universities, which are established and operate in the Republic in accordance with the provisions of the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011, in force for the time being shall be allowed.

(2) The inter-institutional cooperation of higher education institutions, which are established and operate in the Republic under the provisions of the Tertiary Education Institutions Laws, 1996 to 2013, in force for the time being shall be allowed.

(3) The teaching by a private university of part or all of a one-year, two-year or three-year programme of study which belongs to a private tertiary education institution and the award of higher education qualifications by the private

tertiary education institution shall be prohibited.

Branch of a local institution in a member state or in a third country and in the Republic.

24. A local higher education institution of the Republic may establish and operate a branch in a member state or third country, provided that-

- (a) (i) the Republic shall apply, *mutatis mutandis*, and where appropriate, either the procedure for the establishment and operation of private universities or the procedure for the establishment and operation of a private tertiary education institution and for this purpose the Agency may request the co-operation of the relevant bodies of the host country;
- (ii) it is licensed by the Republic, is recognised and belongs to the Higher Education System of the Republic.
- (b) The licence to establish and operate a branch of a local institution in the Republic includes also the approval of programmes of study offered and the methods by which the education is provided, which may be of conventional type, distance education or a combination of both methods and only such approved programmes shall be recognized.
- (c) A branch of a local higher education institution, established and operating in accordance with paragraphs (a) and (b) shall be subject to periodic Evaluations by the Agency, in accordance *mutatis mutandis* with what applies to local higher education institutions and in accordance with the provisions of this Law:

Quality Evaluation
of a cross-border
programme of
studies.

Provided that, for the Evaluation of an overseas branch of a local institution, the Agency may co-operate with the corresponding agencies of the host country.

25.-(1) A cross-border programme of studies offered by a local higher education institution shall be Evaluated and Accredited, *mutatis mutandis*, in the manner of Evaluation and Accreditation of a non-cross-border programme of a local institution, in accordance with the provisions of this Law:

Provided that, a cross-border programme of study shall be recognized also by the competent authorities of the countries where the collaborating institution operates.

(2) With regard to a cross-border programme of study, offered through distance learning by a local institution which is not of an open university type but of a conventional type, the Agency shall include in the evaluation criteria, the following requirements that the relevant institution must fulfill-

- (a) the obligation to have the requisite educational infrastructure for distance teaching;
- (b) the obligation to provide the necessary support to students;
- (c) the obligation to ensure that the students' evaluation procedure is reliable.

PART VI
ESTABLISHMENT, FUNCTIONS AND OPERATION OF
THE AGENCY

Agency of Quality Assurance and Accreditation in Higher Education.
7 of 47(I)/2016.

26.-(1) There is hereby established an independent Agency of Quality Assurance and Accreditation in Higher Education by the name "The Agency of Quality Assurance and Accreditation in Higher Education" under the international designation "The Cyprus Agency of Quality Assurance and Accreditation in Higher Education", called "the Agency".

(2) The Agency shall assume the functions of the Council of Educational Evaluation-Accreditation or CEEA, the Advisory Committee of Tertiary Education or ACTE and the Evaluation Committee for Private Universities or ECPU and any other functions arising from the provisions of this Law or assigned to the Agency by the provisions of any other law.

(3) The Agency shall impose fees for conducting Institutional, Departmental or Programmatic Evaluation and Accreditation.

(4) The fees collected by the Agency shall be deposited in the Consolidated Fund of the Republic.

(5) The seat of the Agency shall be in Nicosia.

(6) (a) The Agency shall undergo an Evaluation of its effectiveness on the basis of external evaluation procedures, in order to ensure the quality of its work and this Evaluation shall be an integral part of its broader self-awareness and accountability.

(b) The external evaluation of the Agency shall be

conducted by an appropriate committee of experts to be established by the Minister, in accordance with the provisions and requirements set by the European Quality Assurance Register.

(7) The Agency shall have sufficient financial resources and appropriate staff to exercise its functions and powers.

(8) The mission, goals and objectives of the Agency must be clearly set out in a public statement posted on its website.

(9) The Agency shall be independent to the extent required to do its work autonomously and to exercise independently its functions so that its conclusions and recommendations contained in the evaluation reports shall not be influenced by third parties concerned such as higher education institutions, ministries or others.

(10) In order to achieve the provisions referred to in subsection (9), no member of the External Evaluation Committee is permitted to have or had in the last three (3) years before being appointed, any academic, research, administrative, financial or personal cooperation relationship with an institution he is called upon to evaluate either at institutional level or at the level of a specific department or programme of study and for this purpose he shall sign a solemn declaration.

(11) Non-disclosure of this relationship in the solemn declaration submitted, in accordance with the provisions of subsection (10), shall constitute conduct unbecoming to members of the External Evaluation Committee, entail the loss of this capacity and be punishable with an administrative

fine imposed by the Minister and not exceeding five thousand euros (€5000).

Board of
management
of the Agency.

27.-(1) The management of the Agency shall be assigned to a Board which shall be responsible for the implementation of the powers and functions of the Agency under the provisions of this Law and any other law in force, hereinafter referred to as "the Board".

(2) The Board shall have full authority to manage the budget of the Agency and administer and manage its property under the provisions of this Law and the Regulations made thereunder.

(3) The Board shall have the following functions:

- (a) To represent the Agency by its Chairperson or any other member duly authorized by the Chairperson before the courts and other public authorities;
- (b) to propose the taking of legislative and other measures necessary to achieve the mission, objectives, operation and collection of the necessary revenue of the Agency;
- (c) to prepare the annual report of the Agency's activities for the previous year which shall submit to the Minister and wherein there shall be presented and analyzed the general findings of the evaluations conducted, the conclusions and accreditations:

Provided that, the annual report of the Agency's activities shall be published on the Agency's website;

(d) to advise the Minister on any matter falling within the functions of the Agency.

(4) The Board may appoint sub-committees composed of its members and authorize them to perform its functions and the composition and the method of operation of the sub-committees shall be governed by internal regulations to be issued by the Agency:

Provided that, any decision or recommendation of a sub-committee shall be put before the Board for the purpose of taking a final decision.

Appointment and composition of the Board of the Agency.

28.- (1) The Board of the Agency shall be appointed by the Council of Ministers, upon the recommendation of the Minister, and shall consist of -

(a) Eight (8) members at the rank of Professor or Professor Emeritus with experience in the management of universities and, as far as possible, on issues of quality assurance in Higher Education, of which :

(i) Five (5) members shall be Professors or Professors Emeriti of universities operating in the Republic, out of whom three (3) shall come from the public universities of the Republic,

(ii) three (3) members shall be prominent academics at the rank of Professor or Professor Emeritus coming from two (2) at least different countries, preferably from member states.

(b) Two (2) members of professional organizations and bodies;

(c) One (1) member who shall be an undergraduate student who preferably has participated in a collective quality assurance organ of his institution and who is proposed by the Pancyprian Federation of Student Unions (POFEN):

Provided that, persons who have finally convicted of an offence involving dishonesty or moral turpitude cannot be appointed as members of the Board of the Agency.

(2) For the appointment of the members of the team of persons as in paragraph (a) of subsection (1) provided, the Minister shall consult with the Rectors' Conference in the Republic so that the members of this team may adequately cover the various scientific fields.

(3) For the appointment of the members of the team of persons as in paragraph (b) of subsection (1) provided, the Minister shall consult with the relevant competent authorities and authorized organs, as the case may be.

(4) The members of the Board of the Agency shall elect from among the members of the team of persons referred to in paragraph (a) of subsection (1), one (1) member as Chairperson and one (1) member as Vice-Chairperson.

(5) The Chairperson of the Board shall have overall responsibility for the operation of the Agency and shall, in particular,-

- (a) co-ordinate and direct its services;
- (b) prepare the agenda, convene and conduct the meetings and attend and supervise the implementation of decisions, directives and any other acts of the Agency;
- (c) be the head of the administrative and scientific staff of the Agency.

(6) The Chairperson of the Board may authorize members of the Board or persons from the administrative and scientific staff of the Agency to sign on behalf of and for the Chairperson, documents or other acts of the Agency and for this purpose the Board shall prepare a relevant organizational chart, taking into account the powers and functions of the Agency, in accordance with the provisions of this or any other law.

(7) In the event of temporary incapacity or absence of the Chairperson, the Vice-Chairperson shall replace the Chairperson in the exercise of his/her functions and powers.

(8) Every member of the Board shall act independently and objectively having as a basic guideline the enhancement of the quality of Higher Education in the Republic and shall refrain from promoting, in any direct or indirect way, the interests of the institution, body or service where he comes from and/or any other organization or body or service.

(9) The term of office of the Chairperson, the Vice-Chairperson and the members of the Agency shall be for five years and any of them may be re-appointed for a further

term, consecutive or not:

Provided that, a candidate for appointment as the students' representative in the Board, shall be in the course of the two (2) last years of his studies and may be appointed for a single term of up to two (2) years, provided that he still has the student status.

(10) During the term of office of the Board, the retirement or the loss of the post of a member not due to a criminal or disciplinary offence, in which he was appointed member of the Board, does not entail loss of his status as a member of the Board.

(11) The decisions of the Board shall be communicated to the Minister.

(12) The Quality of Higher Education Report shall be submitted at the end of each year to the President of the Republic and the Council of Ministers as well to the President of the House of Representatives.

(13) For purposes of registering the Agency in the European Quality Assurance Register, the Board shall put itself through the Minister to evaluation, for the purpose of its possible activation outside the Republic.

(14) The Board may assign a qualified agency for that purpose, which is included in the European Quality Assurance Register, to conduct the specific quality evaluation procedure, assigning to this agency the role of the External Evaluation Committee, as provided in section 17.

Quorum, procedural matters and supplementary provisions.

8 of 47(I)/2016.

29.-(1) Seven (7) members of the Board including the Chairperson and, in his absence, the Vice-Chairperson and at least four (4) members, who come from the team of persons referred to in paragraph (a) of subsection (1) of section 28 shall form a quorum.

(2) The decisions of the Board shall be taken by simple majority of the members present and in the event of an equality of votes, the Chairperson or the person presiding at the meeting shall have a casting vote.

(3) In the meetings of the Agency there may be invited to be present officers or other persons who do not work in the Agency in order to assist the work of the Agency, who shall leave during the consultation and voting.

(4) (a) The Board shall meet regularly at least once every two (2) months and its meetings shall be convened by the Chairperson, and in case of an impediment, by the Vice-Chairperson thereof.

(b) On the initiative of the Chairperson or by a written request of at least three (3) members of the Board extraordinary meetings shall be convened.

(c) The Chairperson or the Vice-Chairperson of the Board, as the case may be, shall prepare the agenda and preside at the meeting.

(5) Minutes shall be kept for the work of each meeting of the Board, which shall be confirmed by the Board and signed by the Chairperson or the Vice-Chairperson who preside.

(6) The Council of Ministers may, upon the recommendation of the Minister, revoke the appointment of any member of the Board prior to the expiry of his term of office, due to prolonged illness, absence or behaviour which is improper and contrary or incompatible with the mission, goals and objectives of the Agency.

(7) Any vacancy in the Board shall not affect its legal constitution or the validity of its decisions:

Provided that, the Council of Ministers shall appoint, without delay, alternate members in the place of the members who were dismissed or left and the term of office of the new members shall be for the remainder of the term of office of the members who have left.

(8) Subject to the provisions of this Law, the Board may, by internal regulations, regulate the manner of convening its meetings, the procedure to be followed and, generally, all matters relating to the execution of the duties and functions of the Agency.

Declaration of interest
by a member
of the Board.

30.- (1) Every member of the Board shall be bound to declare before the start of any meeting, any personal, direct or indirect interest he may have on the outcome of the matter under discussion and to exclude himself from the discussion of the specific matter.

(2) Failure to comply with the above obligation shall constitute conduct incompatible with the mission, goals and objectives of the Agency, as well as sufficient reason for the termination of the appointment of a member of the Board by the Council of Ministers.

Honorarium and allowances.

31.-(1) There shall be paid to the Chairperson and the members of the Agency an annual honorarium, accommodation costs, subsistence and travelling allowances and such other allowances necessary for carrying out their functions.

(2) There shall be paid to the members of the External Evaluation Committees for the work to which they are appointed by the Agency, accommodation costs, subsistence and travelling allowance and/or other allowances which may be necessary for the conduct of their work.

(3) The amount of the honorarium, compensation and the allowances provided for in subsections (1) and (2) shall be determined by the Council of Ministers, upon the recommendation of the Minister.

Aims and functions of the Agency.

32.- (1) Subject to the provisions of this Law, the Agency shall be responsible for the Evaluation and Accreditation of the Quality in Higher Education.

(2) The local Higher Education Institutions shall be classified in the following categories:

(a) Public university;

(b) Private university;

(c) Public Tertiary Education Institution;

(d) Private Tertiary Education Institution;

(e) Branch of a local Higher Education institution, provided for in paragraphs (a), (b) (c) and (d), which operates outside the seat of the institution in the Republic and/or overseas;

(f) Branch of an overseas Higher Education institution which operates in the Republic.

(3) From the date of the entry into force of this Law, the Agency shall assume the powers, duties and functions of the following bodies:

(a) The Evaluation Committee of Private Universities (ECPU) concerning the establishment, operation and control of private universities;

(b) the Advisory Committee of Tertiary Education (ACTE) concerning the establishment of tertiary education institutions and the approval of new programmes of study in private tertiary education institutions;

(c) the Council of Educational Evaluation-Accreditation (CEEAP), with respect to the external evaluation and accreditation of programmes of study of private tertiary education institutions.

(4) The Agency shall be the competent authority for-

(a) The periodic Institutional, Departmental and Programmatic Evaluation-Accreditation of licensed

public universities and private universities;

(b) the periodic Institutional and Departmental Evaluation and Accreditation of private universities operating with an initial licence and the Evaluation and Accreditation of new programmes of study of these institutions;

(c) the periodic Institutional and Programmatic Evaluation and Accreditation of private tertiary education institutions;

(d) the periodic Institutional and Programmatic Evaluation and Accreditation of public tertiary education institutions;

(e) the Evaluation and Accreditation of cross- border forms of education, offered by local institutions in member states or third countries.

(5) In case of withdrawal of the accreditation of a programme of study of a private tertiary education institution or private university by the Agency-

(a) the admission or transfer of new students in the programme shall be terminated;

(b) the recognition of the higher education qualifications of students already enrolled in the programme shall not be affected;

(c) the institution is bound to maintain the required levels of education and take all necessary

measures to ensure that all students already studying in the programme may complete their studies with educational adequacy.

(6) The Agency shall make publicly available the list of accredited higher education institutions in the Republic and the category of each institution in accordance with the provisions of subsection (2).

Housing and other infrastructure of the Agency.

33. The Secretary-General of the Ministry shall, with the approval of the Minister, undertake the task of finding suitable offices for the Agency, its staffing with suitable human resources from the public and educational service, its technical support and coverage of its administrative operating costs.

Budget of the Agency.

34. The Board shall prepare the budget of the Agency, which is part of the Ministry's budget and submit it to the Minister.

PART VII

FINAL AND TRANSITIONAL PROVISIONS

Regulations.
10(a) of 47(I)/2016
10 (b) of 47(I)/2016.

35. The Board, may prepare and, submit through the Minister to the Council of Ministers for approval Regulations for the better carrying into effect of the provisions of this Law and, generally, for regulating any matter concerning the Agency, its establishment, operation, functions, criteria, methods and procedures for the exercise of its functions and powers which shall be laid before the House of Representatives for approval.

Payment of fees.

36. Upon the submission of an application for Evaluation there shall be paid to the Agency all the fees, as the case

Schedule.

may be, and as prescribed in the Schedule.

ECTS and ECVET
Systems
and the Diploma
Supplement.

37. A local higher education institution shall apply the provisions of the Credit Transfer and Accumulation System (ECTS) and the Credit System for Vocational Education and Training (ECVET) for both the transfer and the accumulation of credits and grants the Diploma Supplement according to the statements of the Councils of Ministers responsible for Higher Education issues within the European Higher Education Area.

Transitional
provisions.

38.- (1) Notwithstanding the provisions of any other laws and subject to the provisions of subsection (3) of section 32, the bodies referred to in paragraphs (a) to (c) thereof, shall be immediately abolished from the date on which the Council of Ministers appoints the Board of the Agency and furthermore on that date the term of their members shall be also terminated by virtue of a decision of the Council of Ministers.

(2) A programme of study of a private tertiary education institution which is not Evaluated –Accredited on the date of appointment of the Board shall be evaluated within the first five (5) years from the appointment of the Board:

Provided that, a programme of study which is not evaluated-accredited within this period shall be removed from the Register kept by the Ministry:

Provided further that, a private tertiary education institution that does not achieve the accreditation of even one programme of study within the period of five (5) years, shall be removed from the above-mentioned Register.

11(a) of 47(I)/2016.

(3)(a) An Evaluation Procedure, which is in progress on the date of the appointment of the Board, by any of the bodies which are abolished under the provisions of subsection (1), the powers and functions of which are assumed by the Agency, under subsection (3) of section 32, shall be continued and completed by the Agency.

11(a) of 47(I)/2016.

(b) The declarations made until the date of appointment of the Board, by private institutions of tertiary education, under the provisions of section 23 of the Institutions of Tertiary Education Laws, 1996 to 2013, shall be forwarded to the Agency that shall decide on the procedure to be followed for the approval of the alterations in any particulars contained in the relevant declaration:

Provided that, in case where the alterations in the particulars concern the registration of a new programme of study, the Agency shall proceed to a Programmatic Evaluation-Accreditation in accordance with the provisions of subsection (5).

(4) (a) A programme of study of a private tertiary education institution, which on the date of the entry into force of this Law holds Evaluation-Accreditation with validity of more than five (5) years from the date of the entry into force of this Law, the said institution shall submit immediately at the end of this period the relevant programme of study for re-evaluation and Accreditation under the provisions of this Law.

(b) Failure of a private tertiary education institution to comply with the obligation referred to in paragraph (a) shall entail the removal of the programme from

the Register at the end of its current Evaluation–
Accreditation.

11(c) of 47(I)/2016.

(5) From the date of the entry into force of this Law, and until the Board makes Regulations in accordance with the provisions of section 35, the new programmes of study of the higher education institutions shall receive educational evaluation on the basis of the objectives of the evaluation as in section 3 provided, in such form, procedures and criteria as the Agency may determine and make public in advance, on its website, notwithstanding and by way of derogation to the provisions of sections 4,10,17,18 and 20 thereof:

Provided that, as regards the educational evaluation the Agency shall apply *mutatis mutandis* the provisions of sections 6 and 16.

11(c) of 47(I)/2016.

(6) Subject to the provisions of subsection (5), from the date of appointment of the Board, the operation of a new study programme by an institution of higher education that has not previously obtained by the Agency educational evaluation of its programme shall be prohibited.

Conflict in provisions.

39. Where there is any conflict between the provisions of this Law and the provisions of-

- (a) the Private Universities (Establishment, Operation and Control) Laws, 2005 to 2011;
- (b) the University of Cyprus Laws, 1989 to 2013;
- (c) the Open University of Cyprus Laws, 2002 to 2010;
- (d) the Cyprus University of Technology Laws, 2003 to 2014; and
- (e) the Institutions of Tertiary Education Laws, 1996 to 2013,

the provisions of this Law shall prevail.

Entry into force
of this Law.

40. This Law shall come into force on a date to be fixed by the Council of Ministers by a decision published in the Official Gazette of the Republic:

Provided that the Council of Ministers may fix different dates for the entry into force of different provisions of this Law.

SCHEDULE

FEES FOR INSTITUTIONAL, DEPARTMENTAL, AND PROGRAMMATIC EVALUATION-ACCREDITATION IN HIGHER EDUCATION

(Sections 21 and 36)

1. For programmes of study of a duration of one (1) academic year on a full-time basis or of an equivalent duration on a part-time basis at Certificate level, €1.800.
2. For programmes of study of a duration of two (2) academic years on a full-time basis or of an equivalent duration on a part-time basis at Diploma level, €2.500.
3. For programmes of study of a duration of three (3) academic years on a full-time basis or of an equivalent duration on a part-time basis at Higher Diploma level, €4.000.
4. For programmes of study of a duration of four (4) academic years on a full-time basis or of an equivalent duration on a part-time basis at Degree level (Bachelors), €5.500.
5. For postgraduate Masters level programmes, €7.000.
6. For postgraduate programmes of study at Ph.D. level, €8.500.
7. Institutional Evaluation of universities €17.000 per Department.
8. Departmental Evaluation of Universities €13.500 per Department.
9. Institutional Evaluation of other higher education institutions, €10.000.
10. Evaluation –Accreditation of a programme of study of a Higher Education Institution (Bachelors) degree, offered by the franchise method at an educational establishment of another state €8.000.

11. Evaluation-Accreditation of a programme of study at Masters level which is offered through the franchise method in an educational establishment in another member state €10.000.

12. Evaluation-Accreditation of a programme of study offered by a Higher Education Institution at Doctorate level, through the franchise method in an educational establishment in another member state €12.000.