

# **REGULATIONS no. 96 of 1 February 2010: Regulations concerning quality assurance and quality development in higher education and tertiary vocational education**

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## **Regulations concerning quality assurance and quality development in higher education and tertiary vocational education**

**Legal basis:** Issued by the Norwegian Ministry of Education and Research on 1 February 2010 pursuant to section 1-6, second paragraph, section 2-1, section 3-1 and section 3-4 of Act no. 15 of 1 April 2005 relating to Universities and University Colleges (the Universities and University Colleges Act) and the Act no. 56 of 20 June 2003 relating to tertiary vocational education (the Tertiary Vocational Education Act).

### **Chapter 1. General provisions**

#### **Section 1-1 Scope of the regulations**

These regulations relate to quality assurance and quality development in higher education and tertiary vocational education, as well as the National Agency for Quality Assurance in Education's (NOKUT) processing of cases and determination of standards pursuant to chapters 1, 2 and 3 of the Universities and University Colleges Act, as well as approval of education and providers pursuant to section 2 of the Tertiary Vocational Education Act.

#### **Section 1-2 NOKUT's objective and delimitation**

- (1) NOKUT is a professionally independent government agency, with the mandate to monitor/externally assure the quality of higher education and tertiary vocational education in Norway.
- (2) Pursuant to section 2-1, second paragraph, of the Universities and University Colleges Act, the objective of NOKUT's work is to contribute towards ensuring high educational quality in the study programmes provided by the institutions, as well as ensuring that society can have confidence in the quality

of Norwegian higher education, tertiary vocational education and recognized higher education from other countries.

### ***Section 1-3 NOKUT's external quality assurance activities***

Within the framework determined in legislation and regulations, NOKUT shall assure the quality of the education at Norwegian institutions providing higher education and tertiary vocational education, as well as carrying out other administrative activities. The external quality assurance activities encompass both inspections and support for the institutions in their quality development work.

### ***Section 1-4 NOKUT's execution of administrative authority***

When executing administrative responsibilities imposed by legislation and regulations, NOKUT shall have an organization and a working method that ensure that the objective of NOKUT's work is safeguarded, as well as ensuring that society has confidence in NOKUT as a professionally independent government administrative agency.

### ***Section 1-5 NOKUT's responsibilities***

#### ***(1) In general:***

- supervise that institutions follow the requirements determined by legislation and regulations within the administrative scope of NOKUT
- carry out purposeful development work in order to contribute to ensuring that the quality of higher education and tertiary vocational education in Norway is of a high international standard
- guide and advise in relevant areas, as well as provide information to parties in the sector and the rest of society
- ensure that the activities of NOKUT are in accordance with international rules, standards and practice

#### ***(2) Higher education:***

- accredit institutions and study programmes
- revise the accreditations
- evaluate the institution's internal quality assurance systems
- make evaluations in order to assess the quality of higher education

#### ***(3) Tertiary vocational education:***

- approve tertiary vocational education and vocational areas
- revise tertiary vocational education and vocational areas
- approve quality assurance systems for providers of tertiary vocational education.

#### ***(4) General recognition:***

- accredit higher education (general recognition)
- facilitate a coordinated national practice of recognition pursuant to section 3-5, fifth paragraph, of the Act relating to Universities and University Colleges, and advise the institutions
- spread information about the institutions' decisions relating to recognition of higher education
- act as and operate an information centre in accordance with the Lisbon Convention and represent Norway in the ENIC network, cf. Article X.3. of the Lisbon Convention
- keep and maintain the list over higher education entrance qualification for applicants with an education from a foreign country (the GSU list)

### ***Section 1-6 NOKUT's instruments***

In accordance with the objective of NOKUT's activities, NOKUT may use other instruments and carry out other measures than those stated in legislation and regulations. NOKUT makes its own decisions as to which measures it considers to be appropriate.

### ***Section 1-7. Appointment of experts***

- (1) NOKUT appoints experts to evaluate the quality assurance systems of universities and university colleges, cf. section §2-2, conduct evaluations in connection with applications for the accreditation of study programmes and institutions and revisions of accreditations, cf. Chapter 3, as well as to recommend the recognition of study programmes or providers in tertiary vocational education pursuant to Chapter 5 of the regulations. NOKUT also appoints experts to conduct evaluations that are significant for being able to assess the quality of higher education. The experts must submit reports about such evaluation.
- (2) NOKUT stipulates the criteria for the qualifications of the experts and the provisions governing the appointment of such experts, as well as their mandate. NOKUT determines more detailed provisions concerning the procedure.

### ***Section 1-8 A quorum and the requirement of a majority vote***

The Board of NOKUT has a quorum for dealing with issues pursuant to these regulations when the Chairperson or Chairperson's deputy and four other members of the board are present. In the case of a tied vote, the chairman has the casting vote.

### ***Section 1-9 Relationship to the Norwegian Public Administration Act***

The Public Administration Act applies when dealing with cases pursuant to these regulations, with the following exceptions and definitions:

- a) Decisions made pursuant to sections 2-2, 2-3, 3-1, 3-2, 3-4, 3-5, 5-1, 5-2, 5-3, 5-4, 5-5, 6-1 and 6-2 are counted as individual decisions pursuant to section 2, first paragraph, letter b, of the Public Administration Act.
- b) Only a party to whom a decision directly applies may appeal against a decision made by NOKUT.
- c) NOKUT's professional assessment of the facts in connection with a decision made pursuant to sections 2-2, 2-3, 3-1, 3-2, 3-4, 3-5, 5-1, 5-2, 5-3, 5-4 and 5-5 may not be appealed against.

## **Section 1-10 *Facilitation and information***

- (1) Institutions that are subject to NOKUT's external quality assurance and supervision activities must ensure conditions that make it possible for NOKUT to be able to execute its responsibilities in accordance with legislation and regulations.
- (2) NOKUT may demand the necessary and relevant information and accounts and undertake investigations in order to carry out its supervisory responsibilities in accordance with legislation and regulations

## **Chapter 2. Internal quality assurance system at universities and university colleges**

### **Section 2-1 *Requirements as to the quality assurance system***

- (1) Universities and university colleges are to have a system for their quality assurance work that ensures continuous improvements, provides satisfactory documentation of the work and reveals deficiencies in quality.
- (2) The quality assurance system shall safeguard and contribute to quality development for the education as a whole, including practical training. The system must include all the processes that are significant for the quality of the study programme, from information to potential applicants to the completion of the course, including the relevance of the study programme for working life.
- (3) NOKUT determines, in cooperation with the sector, the criteria according to which the quality assurance system is to be evaluated.

### **Section 2-2 *Evaluation of the institutions' quality assurance systems***

- (1) NOKUT shall evaluate the institutions' internal quality assurance systems. No more than six years is to elapse between each evaluation of the individual institution's quality assurance system. NOKUT determines the contents and scope as well as a timetable for this evaluation. The institutions are to be consulted during this process. The evaluations must accord with international requirements.

- (2) The evaluation is to lead to a recommendation stating whether the system as a whole is satisfactory, and if necessary indicating areas where the institution should improve its system.
- (3) Should NOKUT find that there are fundamental defects in the quality assurance system, the institution is to be given a reasonable deadline of up to six months in which to rectify the matter.

### **Section 2-3 Withdrawal of the right to apply for the accreditation of study programmes and authority to establish study programmes**

- (1) Should NOKUT decide that the quality assurance system of an institution providing accredited study programmes is unsatisfactory the institution loses the right to apply for the accreditation of new study programmes. The institution may demand that a new evaluation of the quality assurance system be initiated once a year has elapsed since NOKUT arrived at such a decision. Should NOKUT find the quality assurance system satisfactory following a new evaluation, the institution may once again apply for new study programmes to be accredited.
- (2) Should NOKUT decide that the quality assurance system at an institution which is accredited as a university college, specialized university institution or university is unsatisfactory, this decision shall be sent to the Ministry. The Ministry then withdraws the institution's authority to establish new study programmes pursuant to section 3-3, first and second paragraphs of the Act relating to Universities and University Colleges. The institution may demand that a new evaluation of the quality assurance system be initiated once a year has elapsed after the right to establish study programmes has been withdrawn by the Ministry. Should NOKUT find the quality assurance system satisfactory following a new evaluation, the Ministry is to authorize the institution to establish new study programmes for which the institution is accredited.

## **Chapter 3. Accreditation of study programmes and institutions within higher education**

### **Section 3-1 Accreditation of study programmes**

- (1) An institution not subject to the Act relating to Universities and University Colleges may apply to NOKUT for accreditation of its study programmes.
- (2) University colleges and specialized university institutions may apply to NOKUT for the accreditation of study programmes which the individual institution itself is not authorized to establish.
- (3) *Ved akkreditering av et nytt doktorgradsstudium skal studiet ha et fagmiljø tilsvarende minst 8 årsverk med førstestillingskompetanse, hvorav minst seks er i heltids kombinerte forsknings- og undervisningsstillinger og minst 4 har*

*professorkompetanse. Institusjonen må videre kunne dokumentere at den har kapasitet og rekrutteringspotensial til å knytte minst 15 doktorgradsstudenter til studiet i løpet av fem år etter oppstart. Institusjonen må kunne sannsynliggjøre at den over tid kan opprettholde et doktorgradsmiljø med minst 15 doktorgradsstudenter.*

- (4) University colleges may apply to NOKUT for the accreditation of fellowship programmes for artistic development work provided by the individual university college itself, as for equivalent doctoral programmes, cf. section §3-3, second and third paragraphs. Accreditation may also be granted on the basis of the university college's contribution to a common scholarship programme for artistic development work.
- (5) A prerequisite for the accreditation of a study programme is that the requirements stipulated in the Act relating to Universities and University Colleges are met, cf. also section 2-1 of these regulations. The accreditation is to be based on any regulations and national curriculum regulations pursuant to section 3-2 of the Act relating to Universities and University Colleges.
- (6) NOKUT stipulates in regulations the standards and criteria which are to form the basis for accrediting study programmes, including the relationship between decentralized activities and the rest of the activities, and fellowship programmes for artistic development work. *NOKUT kan fastsette ett sett med standarder og kriterier for akkreditering av doktorgradsstudier og ett sett med standarder og kriterier for revidering av akkrediterte doktorgradsstudier.* NOKUT shall ensure that the standards are in line with international standards with which Norway is obliged to comply.
- (7) NOKUT decides which changes in study programmes are to be submitted to NOKUT.
- (8) NOKUT's decisions to accredit studies which are to form part of the basis for a higher degree or vocational training pursuant to the first and second paragraphs and decisions to accredit fellowship programmes as stated in the fourth paragraph are to be sent to the Ministry.

### **Section 3-2. Accreditation of institutions**

- (1) Institutions providing accredited study programmes may apply to NOKUT to be accredited as a university college, specialized university institution or university.
- (2) NOKUT's decision to accredit an institution pursuant to the first paragraph is to be sent to the Ministry which makes the final decision in the case, cf. section 3-3 and section 1-2, first and second paragraph, of the Act relating to Universities and University Colleges.

### **Section 3-3. Standards for accrediting institutions**

- (1) In order to be accredited as a university college, the following conditions must be met:
  - a) The institution's primary activities shall be higher education, research and academic or artistic development work and dissemination.
  - b) The institution's method of organisation and infrastructure are to be adapted to suit the institution's activities.
  - c) The institution shall have research and academic or artistic development activities related to its academic fields.
  - d) The institution shall have employees in academic (teaching and research) posts in key academic areas which form part of the studies.
  - e) The institution shall have accreditation for at least one study programme which provides an independent right to award a first degree, and have awarded degrees to first degree candidates for at least two years.
  - f) The institution shall be linked to national and international networks in the fields of higher education, research and academic or artistic development work.
- (2) In order to be accredited as a specialized university institution, the following conditions must be met:
  - a) The institution's primary activities shall be higher education, research and academic or artistic development work and dissemination.
  - b) The institution's method of organisation and infrastructure are to be adapted to suit the institution's activities.
  - c) The institution shall have stable, high quality research and academic or artistic development activities related to its academic fields.
  - d) The institution shall have employees in academic (teaching and research) posts in the academic fields which form part of the studies.
  - e) The institution shall have accreditation for at least one study programme of at least five years' duration, in total or as an integrated course of study, which gives it an independent right to award a second degree, and have awarded second degrees to candidates for at least two years.
  - f) The institution shall provide stable organized research training and have an independent right to award doctorates, or have accreditation for an equivalent scholarship programme for artistic development work, cf. section 3-1, fourth paragraph.
  - g) The institution shall be linked to national and international networks in the fields of higher education, research and academic or artistic development work, and take part in the national collaboration relating to organized research training or an equivalent scholarship programme for artistic development work.
- (3) In order to be accredited as a university, the following conditions must be met:
  - a) The institution's primary activities shall be higher education, research and academic or artistic development work and dissemination.

- b) The institution's method of organisation and infrastructure are to be adapted to suit the institution's activities.
  - c) The institution shall have stable, high quality research and academic or artistic development activities relating to its academic fields.
  - d) The institution shall have employees in academic (teaching and research) posts in the academic fields which form part of the studies.
  - e) The institution shall have accreditation for at least five study programmes of at least five years' duration, in total or as an integrated course of study, which gives it an independent right to award a second degree, as well as first degree study programmes in several academic fields. The institution shall have awarded first and second cycle degrees to candidates in most of these academic fields.
  - f) The institution shall provide stable organized research education and have an independent right to award doctorates in at least four academic fields. Two of these fields are to be at the core of regional enterprises' value creation, and the academic fields must also be of national significance. One of the four doctorates may consist of a scholarship programme for artistic development work for which the institution has been accredited, cf. section 3-1, fourth paragraph.
  - g) The institution shall be linked to national and international networks in the fields of higher education, research and academic or artistic development work, and take part in the national collaboration relating to organized research training and any equivalent scholarship programme for artistic development work.
- (4) NOKUT issues regulations stipulating supplementary criteria for accreditation as a university college, specialized university institution and university.

#### **Section 3-4. *Revision of accreditation of study programmes***

- (1) NOKUT may freely initiate a revision of accredited study programmes. The revision is to be based on an evaluation undertaken by experts, cf. section 1-9, first paragraph.
- (2) Should NOKUT find that a study programme does not comply with the demands stipulated the institution is to be given a reasonable deadline of up to two years in which to implement measures.
- (3) Should NOKUT after this deadline find that the conditions are not in accordance with the requirements stipulated and decides to withdraw its accreditation of a study programme the institution shall immediately withdraw the study programme. The institution must implement measures, approved by NOKUT, which make it possible for the students to complete the study programme.

#### **Section 3-5 *Revision of accredited institutions***

- (1) NOKUT may freely initiate a revision of an accredited institution. The revision is to be based on an evaluation undertaken by experts, cf. section 1-8.
- (2) Should NOKUT find that a study programme no longer complies with the accreditation requirement, cf. section 3-3, the institution is to be given a reasonable deadline of up to two years in which to rectify the defects. If the conditions for accreditation are not present after the expiry of the deadline, NOKUT shall redraw the accreditation.
- (3) NOKUT's decision to withdraw the accreditation of an institution shall be sent to the Ministry which makes the final decision in the case, cf. section 3-3 and section 1-2, first and second paragraph, of the Act relating to Universities and University Colleges.

### **Section 3-6 Application for accreditation**

- (1) NOKUT draws up guidelines for the design and processing of applications for accreditation of study programmes and institutions pursuant to sections 3-1 and 3-2. In order to make the application procedure more efficient NOKUT may determine deadlines for applications.
- (2) In special cases NOKUT may decide that similar accreditation applications may not be submitted before a period of up to 2 years has lapsed.

## **Chapter 4. Joint degrees**

### **Section 4-1. The institutions' right to award degrees and vocational qualifications in collaboration with other institutions**

- (1) Universities and university colleges may award degrees and vocational qualifications in collaboration with other Norwegian or foreign institutions (joint degrees).
- (2) The accreditation provisions in §3-1 of these regulations apply in so far as they are appropriate to study programmes that are to form part of the basis for a joint degree and which the individual institution itself does not have the authority to establish. In such cases, NOKUT may also accredit parts of a study programme. *Fellesgradssamarbeid mellom norske institusjoner forutsetter at institusjonene samlet sett oppfyller de standarder og kriterier for akkreditering av studier som fastsettes av NOKUT.*

### **Section 4-2. Requirements regarding joint degrees – the institutions' responsibilities**

- (1) Universities and university colleges which award joint degrees are to enter into an agreement with collaborating institutions that regulates the division of responsibility between the parties, including the award of degrees and formulation of diplomas.

- (2) The institution shall ensure that the collaborating institutions are accredited or publicly authorized to provide higher education in accordance with prevailing systems in the country in question, and that the study programmes in question are accredited as higher education at the level of the joint degree.
- (3) Students who are admitted to study programmes that are to form part of the basis for a joint degree between the institutions are to be ensured a certain period of study at the cooperating institutions.
- (4) Should the collaboration on a joint degree be terminated, the institution shall enter into an agreement with another institution that can assume the academic responsibility for the students being able to complete the study programme and sit the examination, or implement other measures which enable the students to complete the study programme. Such measures are to be approved by NOKUT in cases where NOKUT has accredited the relevant study programmes at the institution, cf. section 4-1, second paragraph.
- (5) Universities and university colleges are to inform NOKUT of which joint degrees the institution awards.

#### **Section 4-3 *Supplementary provisions***

NOKUT may issue regulations stipulating supplementary provisions relating to joint degrees.

### **Chapter 5. Tertiary vocational education**

#### **Section 5-1. Accreditation of education pursuant to the Act relating to tertiary vocational education**

- (1) NOKUT processes applications for the accreditation of education pursuant to the Act relating to Tertiary Vocational Education. NOKUT appoints experts to carry out the evaluation of the application. NOKUT decides the mandate and criteria for the expert evaluation. NOKUT shall also process applications concerning significant changes in previously recognized education, including the establishment of accredited courses in new places.
- (2) NOKUT draws up guidelines for the application procedure, including deadlines for applications, requirements as to what applications must contain, and requirements as to documentation of governance system and regulations etc. pursuant to the Act relating to Tertiary Vocational Education.
- (3) NOKUT sends the experts' report to the provider in question, who is to have a deadline of at least 6 weeks for statements before NOKUT makes a decision.
- (4) NOKUT is to ensure that the education is in accordance with the international standards, conventions and agreements by which Norway is obliged to abide.
- (5) NOKUT may award accreditation without the use of experts if the education is already accredited in accordance with formal requirements linked to subjects or if the application applies to changes in previously accredited study programmes.

(6) The awarded accreditation applies as appears from NOKUT's letter of recognition. A course that is accredited as a full-time or part-time education may be offered part-time or full-time at the same place, following the same teaching model provided that the education is otherwise in accordance with the accreditation.

(7) If a provider has had an application for accreditation turned down, NOKUT may decide that a new application for accreditation of the same education may not be submitted before up to two years have passed.

### **Section 5-2. Approval of providers**

(1) Providers of accredited tertiary vocational education may apply to NOKUT for approval to start tertiary vocational education within limited subject areas (approved provider). An approved provider has the authority to start new tertiary vocational education himself/herself. In its decision, NOKUT determines the subject area to which the authorization applies. NOKUT may also decide other conditions. NOKUT sends a copy of its decision to the Ministry of Education and Research and the State Educational Loan Fund.

(2) Conditions for being eligible for applying for approval as a provider:

- a) the provider must for at least two years have had successful candidates in at least one accredited tertiary vocational education
- b) the provider must have a satisfactory internal quality assurance system, cf. section 5-3 of these regulations
- c) the provider must document participation in a guarantee or insurance scheme that ensures that students receive compensation if the provider voluntarily or on instruction suddenly terminates a study programme, while there are students who have not completed the education according to the published plan

(3) To be approved as a provider the following conditions must be met:

- a) the provider must have education as his/her primary activity
- b) the provider must have permanently employed staff in teaching posts and administrative positions with such qualifications that the provider is able to quality assure and develop his/her pedagogical methods and new and existing study programmes within central subject areas that are part of the educations
- c) the provider must collaborate satisfactorily with working life

(4) NOKUT draws up guidelines for the processing of applications and criteria for approving providers.

(5) An approved provider must submit reports concerning the establishment of new study programmes and the termination of existing study programmes to NOKUT, with copies to the Ministry of Education and Research and the State Educational Loan Fund.

(6) If a provider has had his/her application for approval as a provider turned down, NOKUT may decide that a new application may be submitted up to two years later.

### **Section 5-3. Quality assurance**

#### **(1) Internal quality assurance systems**

Providers of tertiary vocational education shall have a satisfactory internal system for quality assurance that ensures continuous improvements and the vocational relevance of the subjects, provides satisfactory documentation of the institution's quality assurance work and reveals poor quality.

(2) *Evaluation of the providers' quality assurance systems*

NOKUT shall evaluate whether the quality assurance system is satisfactory. This evaluation comprises both the system's structure, the documentation it provides and the evaluation of the educational quality the provider himself/herself makes.

In collaboration with involved parties and the vocational environment, NOKUT determines the criteria according to which the internal quality assurance system is to be evaluated.

NOKUT may grant exemption from the provisions concerning quality assurance in these regulations if a quality assurance system is already part of the demands laid down by a Norwegian public certifying or authorizing authority, cf. section 5-1, fifth paragraph, of these regulations.

(3) *Withdrawal of the right to apply for accreditation of tertiary vocational education and approval as a provider*

If NOKUT passes a decision that the quality assurance system of a provider of recognized tertiary vocational education is not satisfactory, NOKUT may withdraw the provider's right to apply for accreditation of new education programmes. The provider may demand that a new evaluation of the quality assurance system is carried out one year after NOKUT passed such a decision. NOKUT may decide a shorter period of quarantine. The provider himself/herself must contact NOKUT in order to initiate a new evaluation. If NOKUT after a new evaluation finds the quality assurance system satisfactory, the provider may once more apply for accreditation of new tertiary vocational education programmes.

If NOKUT passes a decision that the quality assurance system of an approved provider is not satisfactory, NOKUT may withdraw the provider's authorization to establish new tertiary vocational education programmes pursuant to section 2, second paragraph, of the Act relating to Tertiary Vocational Education. NOKUT's decision to withdraw the approval of a provider is to be sent to the Ministry and to the State Educational Loan Fund. The provider may demand that a new evaluation of the quality assurance system is carried out one year after the withdrawal of the right to establish tertiary vocational education programmes. NOKUT may decide a shorter period of quarantine. The provider himself/herself must contact NOKUT in order to start a new evaluation.

**Section 5-4. Revision of accreditation of education**

(1) NOKUT may freely revise a previously awarded accreditation.

(2) Criteria that have been determined pursuant to section 5-1, first paragraph, of these regulations, are to form the basis for the revision.

(3) NOKUT appoints experts to carry out this revision. NOKUT determines the criteria for the experts' qualifications and for how these are to be appointed. In order to ensure legitimacy for the evaluation appointment of the experts should take place after dialogues with the parties and vocational environments involved. When there are

special reasons for so doing, NOKUT may omit to use experts in the revision or parts of the revision.

(4) Before NOKUT makes a decision, the revision report relating to an education is to be sent to the provider involved, who shall have a deadline of at least 6 weeks in which to make a statement.

(5) If NOKUT finds that an education does not comply with the given requirements, the provider shall have a deadline of up to 6 months in order to implement measures to improve the situation.

(6) NOKUT's decision to withdraw the accreditation of an education is sent to the provider with a copy to the Ministry of Education and Research and the State Educational Loan Fund. The provider shall immediately withdraw the education.

(7) A provider that has lost the accreditation for an education shall implement measures, approved by NOKUT, that make it possible for the students to finish the tertiary vocational education they have started.

#### ***Section 5-5. Revision of approved provider***

(1) NOKUT may freely make a revision of an approved provider.

(2) Criteria that have been determined pursuant to section 5-2 of these regulations or pursuant thereto are to form the basis for the revision.

(3) NOKUT appoints experts to carry out this revision. NOKUT determines the criteria for the experts' qualifications and for how these are to be appointed. In order to ensure legitimacy for the evaluation, appointment of the experts should take place after dialogues with the parties and vocational environments involved. When there are special reasons for so doing, NOKUT may omit to use experts in the revision or parts of the revision.

(4) Before NOKUT makes a decision, the revision report relating to the education is to be sent to the provider involved, who shall have a deadline of at least 6 weeks in which to make a statement.

(5) If NOKUT finds that a provider no longer meets the requirements for approval, cf. section 5-2, the approval as provider (the right to establish tertiary vocational education oneself) is withdrawn temporarily. NOKUT's decision may also include decisions about the withdrawal of accreditation for single educations. The provider is to be given a deadline of up to 1 year, but no shorter than 3 months, to rectify defective conditions. At the expiry of the determined deadline, NOKUT evaluates whether the measures are sufficient to bring the provider up to the necessary academic or vocational level. If the conditions for approval are still not fulfilled, NOKUT shall withdraw the approval for good.

(6) NOKUT's decision to withdraw approval as a provider, is to be sent to the Ministry and the State Educational Loan Fund.

(7) When a provider has lost his/her approval, NOKUT may decide that a new application for approval cannot be submitted before up to 2 years have passed.

#### ***Section 5-6. Pilot schemes***

The Ministry may grant exemptions from the provisions of the regulations relating to pilot schemes for providers of tertiary vocational education, and establish guidelines for these.

## **Chapter 6. Recognition of other higher education**

### **Section 6-1. General recognition as being equivalent to Norwegian higher education**

- (1) NOKUT decides on applications from individuals for general recognition of qualifications from a foreign higher education institution or a Norwegian institution that is not subject to the Universities and University Colleges Act. The recognition shall state the general number of credits in relation to degrees and vocational education qualifications that are granted pursuant to section 3-2 of the aforementioned Act, and whether the level and scope of the qualification is equivalent to a Norwegian degree or qualification.
- (2) NOKUT may issue more detailed guidelines on the requirements regarding applications and documentation.
- (3) In the case of a general recognition of foreign qualifications, NOKUT shall ensure that the education for which recognition is being sought is accredited or publicly recognized as higher education in the country in question. Exceptions to this provision may be made in special circumstances.
- (4) NOKUT skal sørge for at vedtak om generell godkjenning gjøres tilgjengelig for universiteter og høyskoler.
- (5) NOKUT shall monitor that Norwegian interests and obligations pursuant to international agreements regarding the recognition of and information on higher education are safeguarded. NOKUT may be assigned national tasks in this area.

### **Section 6-2. The institutions' recognition of foreign higher education**

- (1) An institution which, pursuant to section 3-5, fifth paragraph of the Act relating to Universities and University Colleges, is authorized to recognize itself an individual's foreign qualifications as being academically equivalent to a degree or qualification awarded by the institution itself, shall report its decisions to NOKUT.
- (2) NOKUT shall make it possible to have a coordinated national practice of recognition pursuant to section 3-5, fifth paragraph, of the Act relating to Universities and University Colleges, as well as give the institutions advice in their recognition work.

## **Chapter 7. Appeals**

### **Section 7-1 *Appeals Committee***

- (1) The Ministry shall appoint an Appeals Committee to determine all appeals against decisions made by NOKUT.
- (2) When dealing with cases relating to tertiary vocational education the Appeals Committee shall have five members with personal deputies, of whom one shall be a student. When dealing with cases relating to higher education, the Appeals Committee shall have six members, two of which shall be students. The Chairperson and Chairperson's deputy are to meet the statutory requirements for Court of Appeal Judges.
- (3) The Chairperson shall not be employed by, or a member of the Board of an institution that is subject to the Act relating to Universities and University Colleges.

### **Section 7-2 *The Appeals Committee's decision***

- (1) The Appeals Committee has a quorum when the Chairperson or Chairperson's deputy and three other members are present. In the case of a tied vote, the Chairperson has the casting vote.
- (2) The Appeals Committee's decisions may not be appealed against.

## **Chapter 8. Concluding provisions**

### **Section 8-1. *Entry into force and transitional provisions***

The regulations enter into force immediately. As of the same date the regulations no. 1040 of 8 September 2005 governing accreditation, evaluation and approval pursuant to the Act relating to Universities and University Colleges, and the regulations no. 391 of 23 April 2008 governing accreditation pursuant to the Act relating to tertiary vocational education are repealed.

Regulations given in accordance with regulations mentioned in the first paragraph, apply as far as is appropriate until they are repealed and until at the latest 1 January 2011.