

Issuer:	Riigikogu
Type:	act
In force from:	01.09.2019
In force until:	In force
Translation published:	03.06.2019

# Tallinn University of Technology Act

Passed 04.06.2014  
RT I, 20.06.2014, 2  
Entry into force 01.09.2014

Amended by the following acts

Passed	Published	Entry into force
07.12.2016	RT I, 20.12.2016, 1	01.01.2017
20.02.2019	RT I, 19.03.2019, 12	01.09.2019; the words „Board of Governors” replaced with the word „Council” throughout the Act

## § 1. Scope of application of Act

(1) This Act provides for the legal status, objective and limits of autonomy of Tallinn University of Technology and the bases for management, financing and activities thereof.  
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(2) The provisions of the Administrative Procedure Act apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

## § 2. Legal status, mission and functions of Tallinn University of Technology

(1) Tallinn University of Technology (hereinafter the University) was founded on 17 September 1918 as an educational institution of higher technical education.

(2) The University is a legal person in public law which operates pursuant to this Act, the Higher Education Act, its statutes and other legislation.  
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(3) The University is a universal integrated research, development, educational and cultural institution. The mission of the University is to contribute to the sustainable development of the society and the growth of the nation's welfare by international high-level research, development and education and the innovative services based thereon.

(4) In order to achieve the mission specified in subsection 3 of this section, the University shall:  
1) provide the possibilities for the acquisition of higher education based on the development of science and technology on all the levels of higher education in engineering sciences, natural sciences and social sciences;  
2) as a university of engineering education and science, ensure the offspring of engineers and engineering scientists in Estonia.  
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(5) The University cooperates with other universities and the entire society by supporting the development of the Estonian society, by creating and developing possibilities based on integrated instruction and research for international cooperation and lifelong learning and by helping students become responsible citizens who are able to demonstrate initiative.

## § 3. Management bodies of the University

The management bodies of the University are the Council, Senate and the Rector.  
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

#### **§ 4. Council**

(1) The highest management body of the University is the Council which shall be responsible for the development of the University and ensure the achievement of objectives of the University.

(2) The Council shall be composed of eleven members of whom:

1) five members shall be appointed by the Senate pursuant to the procedure provided for in the statutes of the University;

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

2) one member shall be appointed by the Estonian Academy of Sciences from among persons who are not the employees of the University;

3) five members shall be appointed by the Minister of Education and Research after the Senate and the Estonian Academy of Sciences have appointed its members and based on the requirement that the majority of the persons appointed by the Minister of Education and Research would be the representatives of undertakings or professional associations of production and that the majority of the membership of the Council would be persons who are not the employees of the University.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(3) The membership of the Council shall be approved for five years with an order by the Government of the Republic on the proposal of the Minister of Education and Research.

(4) The Council:

1) adopts the statutes of the University;

2) elects the Rector of the University;

3) adopts the development plan and budget of the University and approves the annual report;

4) perform other functions assigned thereto with the law or statutes of the University.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(5) The Council issues regulations and adopts resolutions within its competence.

(6) A meeting of the Council has quorum if at least two-thirds of the members of the Council participate in the meeting. The regulations and resolutions of the Council shall be adopted by the simple majority of votes of the membership, except for:

1) in case of issues specified in clauses 1 and 2 of subsection 4 of this section, which shall be decided by a two-third majority of votes of the membership of the Council;

2) in cases where a bigger majority of votes has been prescribed in the statutes.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(7) The regulations and resolutions of the Council enter into force upon signing unless a later term has been established therein.

(8) The preparation of issues within the competence of the Council shall be organised by the Rector and the University units appointed thereby, unless decided otherwise by the Council.

#### **§ 5. Senate**

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(1) The academic decision-making body of the University is the Senate which shall be responsible for the instruction, research and development activities of the University and ensure the high quality thereof.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(2) The conditions of and procedure for the formation of the Senate and the bases of activities shall be provided for in the statutes of the University. The membership of the Senate shall include:

1) the Rector who is the chairman of the Senate;

2) persons belonging into the membership of the University, of whom at least one-fifth are students.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(3) The Senate:

1) establishes the general rules concerning instruction, research and development activities and the employment relations of the academic staff;

2) may impose a veto on the Council's resolution on the adoption of statutes and election of Rector, and

3) performs other functions assigned thereto with the statutes of the University.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(4) The Senate issues regulations and adopts resolutions within its competence.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(5) A meeting of the Senate has quorum if more than half of the members of the Senate participate in the meeting. The regulations and resolutions of the Senate shall be adopted by the simple majority of votes of the membership, unless a bigger majority of votes has been prescribed for in the statutes, except for:

1) use of the right of veto specified in clause 2 of subsection 3 of this section, which shall be decided by a two-third majority of votes of the membership of the Senate;

2) in cases where a bigger majority of votes has been prescribed in the statutes.  
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(6) The regulations and resolutions of the Senate enter into force upon signing unless a later term has been specified therein.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

## **§ 6. Rector**

(1) The Rector is the leader of the University.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(2) The Rector shall be elected by the Council for up to five years and for the maximum of two consecutive terms of office pursuant to the procedure provided for in the statutes of the University. A person who is or has been elected to the position of a professor of any university may run as a candidate for the position of a Rector. The chairman of the Council shall enter into a contract with the Rector for up to five years, setting out the rights and obligations of the Rector, the remuneration payable to the Rector and other conditions necessary for the activity. The provisions of the Law of Obligations Act concerning the authorisation agreement shall be applied to the contract. The Rector assumes office by taking an oath of office in front of the Council and the Senate.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(3) The Rector directs the everyday activities of the University, represents the University in relations with other persons, is liable for the lawful and purposeful use of financial resources and other assets and performs other functions assigned thereto with the statutes of the University and legislation of the Council and Senate.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(4) The Rector issues directives and orders within the limits of his or her competence.

(5) An issue lies within the competence of the Rector if a competent body has not been determined in case of issues placed within the competence of the University by law and the Council does not decide to resolve the issue itself or send it for resolving to the Senate.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(6) The authority of a Rector shall terminate on the date of expiry of the term of his or her contract, on the date of resigning from office at his or her own request or on the date of his or her release from office prior to expiry of the term of the contract.

(7) Upon the termination of his or her authority, the Rector has the right to return to the position he or she occupied in the University prior to his or her election as Rector.

(8) If a Rector is released from office prior to expiry of the term of the contract or if a new Rector has not been elected by the end of his or her term of office or if the performance of his or her functions turns out to be permanently impossible, the Council shall approve an acting Rector for up to one year or until the election of a new Rector. The chairman of the Council shall enter into a contract with the acting Rector.

## **§ 7. Preservation of cultural heritage and provision of public services**

(1) For the performance of the function arising from subsections 3 and 4 of § 2 of this Act, the University shall preserve and develop the buildings belonging among cultural heritage as well as the collections and archives containing works of academic and historical value and shall also provide public services to the society through the library, museum, technology school, certification body and other units.

(2) The activity of the units specified in subsection 1 of this section shall be supported from the state budget on equal grounds with other respective bodies.

## **§ 8. Assets of University**

(1) The University is the owner of its assets and has the right to possess, use and dispose of its assets pursuant to the procedure prescribed by this Act and the statutes of the University, ensuring the purposeful, expedient, economic and prudent use of the assets.

(2) The University shall acquire and use its assets for the activities and to achieve the objectives of the University and shall transfer assets which are not necessary for achieving the above, ensuring the compliance of the transactions with the legislation, transparency and possibility of verification.

(3) The University shall possess, use and dispose of its assets, taking account of the following restrictions:

- 1) immovable property may be acquired, transferred or encumbered with a limited real right pursuant to the principles established by the Council of the University;
  - 2) the University shall not have the right to guarantee the obligations of other parties with its assets or to grant loans, except for in the case provided for in clause 5 of this subsection;
  - 3) for the performance of its functions arising from the statutes, the University shall have the right to establish legal persons in private law, who shall not have the right to establish private schools or research and development institutions in private law;
  - 4) the University shall not have the right to grant sponsor supports or any other monetary donations, except for if the support is granted pursuant to the principles established by the Council for the performance of functions of the University arising from the statutes;
  - 5) the University shall have the right, with the resolution of the Council, to guarantee the obligations of legal persons founded for the performance of functions of the University arising from the statutes and to grant loans thereto on the account of own revenue, taking into account that the amount of obligations may not be more than ten per cent of the own revenue of the University for the budget year.
- [RT I, 19.03.2019, 12 – entry into force 01.09.2019]

## **§ 9. Financing**

(1) The activities of the University shall be financed from the state budget and on the same bases as other public universities. The activities of the University shall also be financed from the funds received from the compensation of study expenses and funds received from the provision of fee-charging services related to the main activity of the University, research and development and from other sources.

(2) The research and development activities of the University shall be financed pursuant to the Research and Development Organisation Act.

(3) For the performance of the public functions specified in clause 2 of subsection 4 of § 2 of this Act, the University shall establish professorships engaged in the instruction, research and development of engineering, the list of which shall be agreed upon in the administrative contract to be entered into for allocation of support to a public university on the bases provided for in the Higher Education Act.

[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(4) The research and development of the University shall be evaluated in the fields of research being the bases for professorships specified in subsection 3 of this section pursuant to the procedure specified in § 20<sup>2</sup> of the Research and Development Organisation Act at least once in every five years.

## **§ 10. Transitional provisions**

(1) The authority of the Council formed on the basis of the Universities Act shall terminate on 31 December 2014.

(2) The first membership of the Council to be formed on the basis of this Act shall be approved by an order of the Government of the Republic and the authority of the first membership of the Council shall commence on 1 January 2015. The Estonian Academy of Sciences and the Tallinn University of Technology shall submit the membership of the Council to be founded to the Minister of Education and Research no later than by 1 October 2014.

(3) The authority of the Council formed on the basis of the Universities Act shall terminate on 31 December 2014.

(4) The first membership of the Council to be formed on the basis of this Act shall be elected no later than on 1 December 2014 and the authority of the first membership of the Council shall commence on 1 January 2015. The Council formed on the basis of the Universities Act shall adopt the conditions of and procedure for the election of the first membership of the Council by 1 October 2014.

(5) The employment contract entered into with the Rector in office at the time of entry into force of this Act and his or her authority shall be valid until the expiry of the term specified in the employment contract or until release from office before the expiration of the term of the contract and the contract specified in subsection 2 of § 6 of this Act shall not be entered into with him or her.

(6) The statutes of the University and other legislation shall be brought into conformity with this Act by 1 January 2015.

## **§ 11. - § 13. Amendment provisions of other Acts omitted from this text**

## **§ 14. Entry into force of Act**

This Act enters into force on 1 September 2014.