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University of Tartu Act

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RT I 1995, 23, 333
Entry into force 21.03.1995

Amended by the following acts

Passed	Published	Entry into force
26.06.1996	RT I 1996, 49, 953	26.07.1996
26.06.1996	RT I 1996, 51, 965	29.07.1996
16.06.1998	RT I 1998, 61, 986	16.07.1998
15.12.1999	RT I 1999, 102, 908	10.01.2000
17.01.2001	RT I 2001, 16, 71	16.02.2001, partially 01.09.2001
19.06.2002	RT I 2002, 61, 375	01.08.2002
16.10.2002	RT I 2002, 90, 521	01.01.2003
29.01.2003	RT I 2003, 20, 116	10.03.2003
13.05.2004	RT I 2004, 45, 316	27.05.2004
28.06.2004	RT I 2004, 56, 404	01.09.2004
15.11.2007	RT I 2007, 63, 399	01.01.2008
15.11.2007	RT I 2007, 63, 399	01.01.2009
19.06.2008	RT I 2008, 34, 208	01.09.2008
16.02.2011	RT I, 03.03.2011, 4	13.03.2011, partially 01.01.2012
10.05.2012	RT I, 30.05.2012, 1	01.01.2013
19.02.2014	RT I, 13.03.2014, 2	23.03.2014, partially 01.01.2015, 01.01.2017 and 01.01.2019
19.02.2014	RT I, 13.03.2014, 4	01.07.2014, partially 23.03.2014

§ 1. Purpose of Act

This Act determines the legal status of the University of Tartu in relations with state institutions. This Act also sets out the autonomy of the University and the specifications for the bases and organisation of the activities of the University as compared to other universities in public law.

§ 1¹. Application of Administrative Procedure Act

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.
[RT I 2002, 61, 375 - entry into force 01.08.2002]

§ 2. Mission and legal status of University of Tartu

(1) The University of Tartu (hereinafter the University), founded in 1632, is the national university of the Republic of Estonia.

(2) The University is a legal person in public law which operates pursuant to this Act, the Universities Act, its statutes and other legislation.

(3) The University is a universal integrated research, development, educational and cultural institution. The mission of the University is to advance science and culture, provide the possibilities for the acquisition of higher education based on the development of science and technology on the three levels of higher education in the

field of the Humanities, social, medical and natural science and to provide public services based on teaching, research and other creative activities.

(4) The University advances the sciences investigating Estonia and its people for the purpose of preservation and development of the Estonian language and culture, and education in Estonian, preserves national cultural heritage and provides the related services to the public.

(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.

[RT I, 03.03.2011, 4 - entry into force 13.03.2011]

§ 2¹. Directing bodies of University

The directing bodies of the University are the Council, the Senate and the Rector.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

§ 2². Council

(1) The highest decision-making body of the University is the Council which shall be responsible for the long-term 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;
- 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 by involving the public into the nomination of candidates and proceeding from the requirement that the majority of the members of the Council would be persons who are not the employees of the University.

(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) approves the statutes of the University and has a single right of veto with regard to a respective decision of the Senate;
 - 2) adopts the development plan of the University and its operational programme;
 - 3) passes the budget of the University, approves the financial plan and annual report of the University;
- [RT I, 13.03.2014, 2 - entry into force 23.03.2014]
- 4) gives an assessment to the implementation of the performance agreement pursuant to subsection § 50¹(4) of the Universities Act;
- [RT I, 30.05.2012, 1 - entry into force 01.01.2013]
- 5) performs the functions of a council of a university specified in subsection 13³(1) of the Universities Act;
 - 6) decides on taking of loans in the name of the University;
 - 7) decides on the principles for the acquisition, encumbrance with limited real right and transfer of immovable property of the University;
 - 8) forms an opinion with regard to the nominated Rector candidates pursuant to the procedure provided for in the statutes of the University;
 - 9) appoints an auditor;
 - 10) may organise reviews in order to inspect the activity of the University;
 - 11) performs other functions imposed on the Council with the law or statutes of the University.

(5) The Council issues regulations within its competence and adopts resolutions. The regulations and resolutions of the Council enter into force upon signing unless a later term has been established therein, except the budget of the University which enters into force pursuant to the procedure specified in the statutes of the University.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

§ 2³. Senate

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

(2) The Senate shall be composed of:

- 1) the Rector who is the Chairman of the Senate;
- 2) up to twenty-one members elected by the members of the University and of whom at least 1/5 shall be composed of students.

(3) The conditions and procedure for the formation of the Senate and the bases for activity shall be specified in the statutes of the University.

(4) the Senate:

- 1) adopts the statutes of the University and submits it to the Council for approval;
- 2) decides on the opening, amendment and closing of curricula and approves the curricula;
- 3) decides on the opening of joint curriculum, approves the conclusion of joint curriculum cooperation contract and approves the joint curriculum;
- 4) has a single right of veto with regard to the Council's decision upon passing the budget of the University;
- 5) forms an opinion with regard to the nominated Rector candidates pursuant to the procedure provided for in the statutes of the University;
- 6) performs the functions of a council of a university specified in subsection 13²(1), clauses 14 (3) 4¹) 5)–8), 11), 13)–13¹) and 14)–15), subsections 22 (8) and (11), subsection 22³(4), subsections 23 (1) and (2), subsection 27 (5), subsection 28 (5), subsection 29 (3¹), subsection 29¹(3), subsection 30¹(1), subsections 34 (2) and (5), subsection 35 (3), subsection 36 (2) and clauses 42 (1) 1) and 8) of the Universities Act;
- 7) performs the functions of the research council arising from the Research and Development Organisation Act, unless this Act or other legislation provides differently;
- 8) performs other functions imposed on the Senate with the law or statutes of the University.

(5) The Senate issues regulations within its competence and adopts resolutions. The regulations and resolutions of the Senate enter into force upon signing unless a later term has been established therein, except the statutes of the University which enter into force upon approval by the Council.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

§ 3. Rector

(1) The Rector directs the everyday activities of the University, is responsible for the lawful and expedient use of financial resources and implements the highest administrative and disciplinary authority within his or her competence and based on the decisions of the Council and the Senate.

(2) The Rector shall be elected by the members of the Council and the Senate and other persons specified in the statutes of the University pursuant to the procedure specified in the statutes of the University.

(3) A person who is or has been elected to the position of a professor may be a candidate for the position of a Rector.

(4) An employment contract for up to five years shall be concluded with the Rector by the Chairman of the Council.

(5) The Rector shall:

- 1) ensure the implementation of the regulations and decisions of the Council and the Senate;
- 2) be accountable to the Council and the Senate;
- 3) have a single right of veto with regard to a regulation or decision of the Senate;
- 4) ensure that the draft budget of the University is drawn;
- 5) ensure the implementation of the budget of the University and submit a respective report to the Council;
- 6) represent the University and make transactions on behalf of the University within the limit of authority granted by the law and statutes of the University;
- 7) decide on the acquisition, encumbrance with real right and transfer of immovable property based on the principles established by the Council of the University;
- 8) perform the functions of a council of a university specified in clauses 14 (3) 2) and 13²), subsections 19 (2) and (3¹)–(3²) and subsection 43 (4) of the Universities Act;
- 9) perform the functions of a Rector of university specified in clauses 16 (2) 2)–3), 5)–6) and 8)–10), subsection 34 (5), subsection 39 (4), clause 42 (1) 6), subsection 43 (7) and subsection 53²(3) of the Universities Act;
- 10) decide on other issues placed within his or her competence by the law, statutes of the University or by the Council or the Senate.

(6) The Rector issues directives and orders for the performance of his or her assignments.

(7) The Council and the Senate are entitled to express no confidence in the Rector and the Rector shall be released from office before the expiration of the term of contract if 2/3 of the members of both bodies are in favour of the decision.

(8) The authority of a Rector shall terminate on the date of expiry of the term of his or her contract, on the date of the Rector being released from the performance of his or her duties if he or she resigns 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.

(9) 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.

(10) Upon the release of a Rector from office prior to expiry of the term of the contract, the Chairman of the Council shall conclude an employment contract for up to one year with the acting Rector on the proposal of the Senate.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

§ 4. Preservation of cultural heritage and provision of public services

(1) For the performance of the function arising from subsection 2 (4) of this Act, the University shall preserve and develop the buildings belonging into cultural heritage as well as the collections and archives containing works of scientific, artistic and historical value.

14.02.2012 10:37

Corrected spelling in word „buildings”. Basis: subsection 10 (4) of Riigi Teataja Act.

(2) For the provision of public services arising from subsections 2 (3) and (4), the University has a library, botanical garden, museums and school of science.

[RT I, 03.03.2011, 4 - entry into force 13.03.2011]

§ 5. [Repealed]

§ 6. University Library

[Repealed - RT I, 03.03.2011, 4 – entered into force 13.03.2011]

§ 7. Residency

(1) Medical training and dentistry training shall be followed by residency in a medical or dentistry speciality.

(2) Residency consists of theoretical and practical training. The bases for the conduct of residency are the framework requirements for residency which are approved by a regulation of the Minister of Social Affairs and a residency training programme which is approved by the Senate. Residency training programmes shall be entered in the Estonian Education Information System founded on the basis of subsection 36⁶(4) of the Republic of Estonia Education Act after approval thereof by the Ministry of Social Affairs.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

(3) The pre-condition for the commencement of residency is higher education acquired by completing a medical training or dentistry training curriculum or a qualification equal thereto. The conditions and procedure for admission to and exclusion from residency shall be established by the Senate.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

(4) Residency shall be organised by the University.

(5) The theoretical training part of residency shall be conducted at the University and the practical training shall be conducted at residency teaching hospitals. The University shall specify the residency teaching hospitals and the residency supervisors at those residency teaching hospitals with the approval of the Ministry of Social Affairs. The procedure for the conduct of residency shall be established by a regulation of the Minister of Social Affairs. A residency teaching hospital shall enter into a contract of employment with a resident physician for a specified term corresponding to the duration of the practical training conducted at the residency teaching hospital.

(6) The University shall issue certificates proving the completion of residency in a corresponding medical or dentistry speciality to persons who have completed the residency, and the format and statute of the certificates shall be approved by a regulation of the Government of the Republic. Certificates proving the completion of residency issued by the University shall be entered in the Estonian Education Information System founded on the basis of subsection 36⁶(4) of the Republic of Estonia Education Act.

[RT I 2004, 56, 404 - entry into force 01.09.2004]

§ 7¹. Resident physician

(1) A resident physician is a person who is admitted to residency following medical training or dentistry training.

(2) Resident physicians have the right:

- 1) to use the lecture halls, laboratories, computer rooms, libraries, inventory, equipment and other assets of the University free of charge pursuant to the procedure established in the University;
- 2) in the event of closure of the residency training programme, to continue their residency on the basis of another residency training programme;
- 3) to elect their representatives and be represented in the collegial decision-making bodies of the University;
- 4) to obtain study material and other information necessary for the completion of residency;

- 5) to submit a reasoned request to the Rector for the removal of a member of the teaching staff from teaching activities;
- 6) to request the opportunity to take an examination or assessment before a board;
- 7) to exercise other rights arising from law and legislation issued on the basis thereof and from the statutes of the University and other legal instruments of the University.

(3) Resident physicians are required to perform the obligations imposed on resident physicians by law and legislation issued on the basis thereof and by the statutes of the University and other legal instruments of the University, and they are liable for the violation thereof.
[RT I 2001, 16, 71 - entry into force 16.02.2001]

§ 7². State-funded residency places

(1) When determining the number of state-funded residency places, the Ministry of Social Affairs shall proceed from the proposals of the committees of health care providers, doctors and dentists in the profession, and the University, as well as the funds designated for state-funded residency places in the state budget.
[RT I 2007, 63, 399 - entry into force 01.01.2008]

(2) The number of state-funded residency places shall be formalised by a contract under public law entered into by the University and the Ministry of Social Affairs pursuant to this Act. The mandatory terms and conditions for the contract are as follows:

[RT I 2007, 63, 399 - entry into force 01.01.2008]

- 1) the number of resident physicians studying in state-funded residency places, by speciality and duration of residency;
 - 2) the procedure for the allocation of funds to the University for the provision of state-funded residency places;
 - 3) the calculated cost of a state-funded residency place for a resident physician;
 - 4) the procedure and terms for the University to submit the information necessary to maintain records concerning resident physicians studying in state-funded residency places to the Ministry of Social Affairs;
- [RT I 2007, 63, 399 - entry into force 01.01.2008]
- 5) the liability of the parties.

(3) The Ministry of Social Affairs has:

- 1) the obligation to finance state-funded places of resident physicians until the end of their residency in the corresponding medical or dentistry speciality;
- 2) the right to receive information from the University concerning the resident physicians studying in state-funded residency places and any changes in their employment.

[RT I 2007, 63, 399 - entry into force 01.01.2008]

(4) The University has an obligation to:

- 1) create the conditions for resident physicians to complete the residency training programme within the duration of their residency in the corresponding medical or dentistry speciality;
- 2) inform the Ministry of Social Affairs of any changes in the employment of resident physicians studying in state-funded residency places.

[RT I 2007, 63, 399 - entry into force 01.01.2008]

(5) If a resident physician studying in a state-funded residency place is excluded from residency before the end of his or her residency in the corresponding medical or dentistry speciality, the Ministry of Social Affairs shall terminate the financing of that state-funded residency place for a resident physician since the exclusion of a resident physician from residency.

[RT I 2007, 63, 399 - entry into force 01.01.2008]

§ 7³. Financing of residency

(1) The maximum cost of a state-funded residency place shall be provided in the state budget.

(2) Costs related to residency, including costs related to training conducted at the University, organising costs incurred by the University, organising costs incurred by residency teaching hospitals and the remuneration for resident physicians, shall be covered from the state budget through the budget of the Ministry of Social Affairs on the basis of the maximum cost of a state-funded residency place for a resident physician.

[RT I 2007, 63, 399 - entry into force 01.01.2009]

§ 8. Right of University to own assets

The University is the owner of its assets and it shall possess, use and dispose of its assets to the extent and pursuant to the procedure prescribed by this Act and the statutes of the University.

§ 9. Composition of assets of University

(1) The University owns:

- 1) assets which are used by the University to perform the functions provided for in its statutes and which are transferred into the ownership of the University by the state pursuant to law;
- 2) assets which are subsequently transferred into the ownership of the University pursuant to law and at the request of the University;
- 3) assets which are transferred by another person for the benefit of the University;
- 4) assets which the University acquires in the course of its activities.

[RT I, 03.03.2011, 4 - entry into force 13.03.2011]

(2) The University has the right to own property which was in the ownership of the University before 16 June 1940.

§ 10. Rights and obligations related to assets

(1) The University shall acquire and transfer assets on the basis of law pursuant to the procedure prescribed by its statutes. Immovable property belonging to the University can be acquired, encumbered with real right and transferred pursuant to the principles established by the Council.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

(2) The assets of the University shall be set out in its balance sheet.

(3) [Repealed]

(4) The University shall provide training services for a charge and conduct research for a charge and the funds received therefrom shall be used to finance the activities of the University as specified in its statutes.

§ 11. Financing

(1) The training activities of the University shall be financed from the state budget and on the same bases as other universities in public law, from the state budget to the extent of the number of state-funded residency places, from the reimbursement of study costs and funds received from the provision of fee-charging services related to the main activity of the University, and from other sources.

[RT I, 30.05.2012, 1 - entry into force 01.01.2013]

(1¹) For the performance of the function specified in subsection 2 (4) of this Act, the University shall create professorships engaged in instruction, research and development of Estonian culture, Estonian language and Estonian history. The specific list of professorships and financing shall be agreed upon in the performance agreement arising from subsection 50¹(4) of the Universities Act.

[RT I, 30.05.2012, 1 - entry into force 01.01.2013]

(1²) The research and development of the University of Tartu shall be evaluated in the fields of research being the bases for professorships specified in subsection (1¹) of this section pursuant to the procedure specified in section 20² of the Research and Development Organisation Act at least once in five years.

[RT I, 03.03.2011, 4 - entry into force 01.01.2012]

(2) The procedure for the financing of research costs incurred by the University shall be provided for in the Research and Development Organisation Act.

(3) The University Library shall be financed from the state budget for the provision of information services and the collection of publications on the same bases as other corresponding libraries.

(4) [Repealed]

§ 12. Supervision and reporting

(1) Administrative supervision over the activities of the University shall be exercised and the University shall report on its activities in accordance with the Universities Act and the Research and Development Organisation Act.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

(1¹) Administrative supervision over the provisions of sections 7–7³ of this Act, except over the activities connected with the Estonian Education Information System, shall be exercised by the Ministry of Social Affairs pursuant to the procedure specified in sections 53¹ and 53² of the Universities Act. The administrative supervisory authority has the right to involve experts in the exercise of administrative supervision.

[RT I, 13.03.2014, 4 - entry into force 01.07.2014]

(2) [Repealed]

(3) [Repealed]

(4) [Repealed]

§ 13. Transfer of property into ownership of University

Property which was in the ownership of the University before 16 June 1940, for which the University applies, which can be transferred into the ownership of the University and which is necessary for the University to perform the functions provided for in its statutes shall be transferred to the University without charge by a regulation of the Government of the Republic not later than within one year after the entry into force of this Act.

§ 14. [Omitted from this text.]

§ 14¹. Transition

(1) The authority of the board of governors of the University of Tartu shall terminate on 31 December 2011.

(2) The first membership of the Council 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 2012. The Estonian Academy of Sciences and the Council formed on the basis of the University of Tartu Act shall submit the membership of the Council to be founded to the Minister of Education and Research no later than by 1 October 2011.

(3) The Council established on the basis of the University of Tartu Act shall adopt the conditions and procedure for the election of the first membership of the Senate no later than by 1 September 2011.

(4) The authority of the Council established on the basis of the University of Tartu Act shall terminate on 31 December 2011.

(5) The elections of the first membership of the Senate shall take place no later than on 1 December 2011 and the authority of the first membership of the Senate shall commence on 1 January 2012.

(6) The statutes of the University and other legislation shall be brought into conformity with the amendments of this Act which enter into force on 1 January 2012 no later than by 1 March 2012.

(7) The authority of the Rector of the University of Tartu elected on 31 May 2007 shall be valid until the expiry of the term specified in the employment contract or until release from office prior to the expiry of the term of contract.

[RT I, 03.03.2011, 4 - entry into force 13.03.2011]

§ 15. Implementing provision

(1) Students matriculated in medical training or dentistry training before the academic year 1997/1998 shall complete studies which consist of:

- 1) medical training with a standard duration of six years or dentistry training with a standard duration of five years;
- 2) internship with a standard duration of one year;
- 3) residency with a standard duration of two to five years.

(2) Students matriculated in pharmacist training before the academic year 1997/1998 shall complete studies which consist of:

- 1) pharmacist training with a standard duration of five years;
- 2) internship with a standard duration of six months.

(3) The completion of internship results in the grant of the profession of general practitioner, dentist or dispensing chemist. The completion of residency results in the grant of the profession of medical specialist.

(4) Internship shall be completed at a teaching hospital which is determined by the Ministry of Social Affairs on the proposal of the University.

(5) The costs associated with state-funded internship places shall be covered from the state budget through the budget of the Ministry of Education and Research.

(6) The costs associated with state-funded residency places formed before the academic year 2001/2002 shall be covered from the state budget through the budget of the Ministry of Education and Research.

(7) Until such time as the body which awards the corresponding professional qualifications is appointed pursuant to the procedure provided for in the Professions Act, the University shall, on the basis of a certificate proving completion of residency, issue a professional certificate to a person who completes residency proving

that the person has acquired the professional qualification of a medical specialist in the corresponding medical or dentistry speciality.
[RT I 2002, 90, 521 - entry into force 01.01.2003]