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University of Tartu Act

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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, partially01.09.2001
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, partially01.01.2012
10.05.2012	RT I, 30.05.2012, 1	01.01.2013
19.02.2014	RT I, 13.03.2014, 2	23.03.2014, partially01.01.2015, 01.01.2017 and 01.01.2019
19.02.2014	RT I, 13.03.2014, 4	01.07.2014, partially23.03.2014
04.06.2014	RT I, 20.06.2014, 2	01.09.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, official titles of ministers replaced on the basis of subsection 107 ³ (4) of the Government of the Republic Act.
09.12.2015	RT I, 30.12.2015, 2	01.03.2016
07.12.2016	RT I, 20.12.2016, 1	01.01.2017
20.02.2019	RT I, 19.03.2019, 12	01.09.2019
09.12.2019	RT I, 19.12.2019, 3	01.01.2020

§ 1. Scope of application

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

This Act provides for the legal status, objective and limits of autonomy of the University of Tartu as well as the bases of management, financing and activities thereof.

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

§ 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 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 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. Management bodies of University

The management 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 responsible for the area 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 responsible for the area.

(4) The Council shall establish the development plan, budget and annual report of the University, approve the statutes adopted by the Senate and perform other functions provided for in the statutes of the University.
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(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 adopts the statutes of the University and general rules concerning the instruction, research and development activities and the employment relations of academic staff. The Senate may impose a veto on the statutes approved by the Council and performs other functions assigned thereto with the statutes of the University.

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

(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 is the head of the University.

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

(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) 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.

[RT I, 20.06.2014, 2 - entry into force 01.09.2014]

(5) The Rector directs the everyday activities of the University, represents the University in relations with other persons, is responsible for the lawful and expedient 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 the Senate.

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

(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 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.

[RT I, 20.06.2014, 2 - entry into force 01.09.2014]

(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 enter into a contract for up to one year with an acting Rector on the proposal of the Senate.

[RT I, 20.06.2014, 2 - entry into force 01.09.2014]

§ 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.

(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. In addition to a medical or dentistry speciality, an additional competence meaning additional specific skills acquired within a speciality, may be acquired in residency.
[RT I, 30.12.2015, 2 - entry into force 01.03.2016]

(1¹) The framework requirements and organisation conditions of residency as well as the residency programme are the bases for organisation of residency. The residency programme shall be approved by the Senate. Before approval of the residency programme by the Senate, the University shall approve thereof with the Ministry of Social Affairs.
[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(2) The framework requirements and organisation conditions of residency shall be established by a regulation of the minister responsible for the area.
[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(2¹) In order to register residency training programmes, the University shall submit an application through the Estonian Education Information System. The Ministry of Education and Research shall verify the compliance of residency training programme with the requirements established with legislation and shall register the residency training programme complying with the requirements in the Estonian Education Information System.
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(3) The pre-condition for the commencement of residency is higher education acquired by completing a medical training or dentistry training study programme 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 of residency shall be conducted at the University and residency teaching hospitals designated by the University (hereinafter residency teaching hospital). The practical training of residency shall be conducted at residency teaching hospital designated by the University.
[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(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. Certificates proving the completion of residency issued by the University shall be entered in the Estonian Education Information System.
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(7) The statute and format of certificates proving the completion of residency shall be established by a regulation of the minister responsible for the area.
[RT I, 19.03.2019, 12 – entry into force 01.09.2019]

§ 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. Funded residency places and financing of residency

[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(1) When determining the number of 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, the Estonian health insurance fund and the University.

(2) The costs relating to the organisation of residency, theoretical training and the instruction of resident physicians at the residency teaching hospitals shall be funded from the state budget.

(3) The Ministry of Social Affairs shall enter into an administrative contract with the University for the provision of funded residency places and compensation of the costs specified in subsection (2) of this section. The mandatory terms and conditions of the contract are:

- 1) the number of resident physicians admitted based on funded residency places by residency programmes;
- 2) the bases for compensation of costs and allocation of funds to the University;
- 3) the procedure and terms for submission of data for the implementation of the administrative contract;
- 4) the rights and obligations of the parties.

(4) The labour costs of a resident physician at a residency teaching hospital shall be compensated from the budget of the Estonian health insurance fund.

(5) The Estonian health insurance fund shall enter into an administrative contract with the University for the compensation of the costs specified in subsection (4) of this section to a residency teaching hospital. The mandatory terms and conditions of the contract are:

- 1) the procedure and terms for submission of data for the implementation of the administrative contract;
- 2) notification of circumstances affecting the content of the contract;
- 3) the rights and obligations of the parties.

(6) The conditions and procedure of exercising supervision over the legality and expedience of performance of the administrative contract specified in subsection (5) of this section shall be provided for in the same administrative contract.

(7) The bases for calculation of the labour costs of a resident physician and compensation thereof to the residency teaching hospital shall be established by a regulation of the minister responsible for the area on the proposal of the council of the Estonian health insurance fund.

[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

§ 7³. Financing of residency

[Repealed - RT I, 19.12.2019, 3 – entry into force 01.01.2020]

§ 8. Right of University to own assets

(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.

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

§ 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 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 on the conditions and pursuant to the procedure 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;
 - 3) the University shall have the right, except for in the case provided in subsection (4) of this section, to establish legal persons in private law and participate therein for the performance its functions arising from the statutes;
 - 4) the University or a legal person in private law with the participation of the University shall not have the right to establish private schools or research and development institutions in private law;
 - 5) the University shall not have the right to grant sponsor supports or any other monetary donations.
- [RT I, 19.03.2019, 12 – entry into force 01.09.2019]

(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:

- 1) the state budget on the same bases as other public universities;
- 2) the state budget to the extent of expenses accompanying the activities of funded residency places specified in subsection 7²(2) of this section;
- 3) the funds received from the compensation of study expenses;
- 4) funds received from the provision of fee-charging services related to the main activity of the University;
- 5) other sources.

[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(1¹) For the performance of the function specified in subsection 2 (4) of this Act, the University shall create professorships engaged in the instruction, research and development of Estonian culture, Estonian language and Estonian history. The specific list of professorships shall be agreed upon in the administrative contract to be entered into for the 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]

(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 Government of the Republic Act and the Research and Development Organisation Act.

[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(1¹) Administrative supervision over the administrative contract specified in subsection 72 (3) of this Act shall be exercised by the Ministry of Social Affairs.

[RT I, 19.12.2019, 3 – entry into force 01.01.2020]

(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 responsible for the area 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]
- (8) The employment contract entered into with the Rector in office as of 1 September 2014 shall be valid until the expiry of the term specified in the employment contract or until the premature termination of the employment contract and the contract specified in subsection 3 (4) of this Act shall not be entered into with him or her.
[RT I, 20.06.2014, 2 - entry into force 01.09.2014]

§ 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]

(8) After the assessment performed pursuant to the procedure established by the University, the University may grant a document certifying the additional competence acquired in a medical or dentistry speciality to a medical specialist who has been registered in the Estonian Health Care Professionals Registry as a medical specialist of a respective speciality before 1 July 2013.

[RT I, 30.12.2015, 2 - entry into force 01.03.2016]