

# UNIVERSITIES ACT

558/2009

Translation from Finnish.  
Legally binding only in Finnish and Swedish.  
Ministry of Education and Culture, Finland

## Chapter 1. General provisions

### Section 1. Application

1. This Act applies to universities which belong to the administrative sector of the Ministry of Education and Culture as provided below. (Amendment 954/2011)
2. The universities referred to in this Act are:
  - (1) University of Helsinki,
  - (2) University of Eastern Finland,
  - (3) University of Jyväskylä,
  - (4) University of Lapland,
  - (5) University of Oulu,
  - (6) University of Tampere,
  - (7) University of Turku,
  - (8) University of Vaasa,
  - (9) Åbo Akademi University,
  - (10) Lappeenranta University of Technology,
  - (11) Hanken School of Economics
  - (12) University of the Arts Helsinki
  - (13) Aalto University Foundation operating as Aalto University
  - (14) TTY Foundation operating as Tampere University of Technology.
3. The universities referred to in subsection 2 (1-12) above are corporations under public law (public universities). In addition to this Act, Aalto University and Tampere University of Technology (foundation universities) is governed by the Foundations Act (109/1930).

4. The foundation universities are governed by this Act, barring sections 5, 13 - 22, 60, 64, 65 and 67, Chapters 8 and 9 and section 88.

## **Section 2. Mission**

1. The mission of the universities is to promote free research and academic and artistic education, to provide higher education based on research, and to educate students to serve their country and humanity. In carrying out their mission, the universities must promote lifelong learning, interact with the surrounding society and promote the impact of research findings and artistic activities on society.
2. The universities must arrange their activities so as to assure a high international standard in research, artistic activities, education and teaching in conformity with ethical principles and good scientific practices.

## **Section 3. Autonomy**

1. The universities shall have autonomy with a view to securing the freedom of higher academic and artistic education. Autonomy entails the right to decision-making in matters belonging to internal administration.
2. When drafting legislation concerning the universities, they shall be given the opportunity to express their opinion on the matter.

## **Section 4. Membership in the university community**

1. The university community comprises the teaching and research staff, other staff and students.

## **Section 5. Legal capacity of public universities**

1. The public universities are independent legal persons.
2. The public universities may undertake commitments, obtain rights in their own name and possess movable and immovable property. The universities may pursue business activities which support the performance of the mission referred to in section 2.
3. The public universities shall be liable for their commitments with their own funds and are entitled to pursue and defend litigation in court.

## **Chapter 2. Research and teaching**

### **Section 6. Freedom of research, art and teaching**

1. The universities shall have freedom of research, art and teaching. However, teachers must comply with the statutes and regulations issued on teaching arrangements.
2. Instruction in the universities shall be public. Where justified, access to teaching may be restricted.

### **Section 7. Degrees and other studies and range of degrees**

1. It is possible to study for Bachelor's and Master's degrees and for academic, artistic and professional postgraduate degrees in university. The universities may also provide professional specialisation studies, open university courses that constitute modules of degrees or as other study courses and continuing professional education. (Amendment 1172/2014)
2. The Master's degree is taken after completing a Bachelor's degree or equivalent studies. In fields to be laid down by government decree, education for the Master's degree may be organised without the inclusion of a prior Bachelor's degree where appropriate in terms of the professional demands of the field. The academic, artistic and professional postgraduate degree is taken after completing a Master's degree or equivalent studies.
3. Further provisions on the degrees awarded by the universities, the objectives of the degrees, the structure of the studies and other study requirements, and the degrees conferred by each university (educational responsibility) shall be issued by government decree. Provisions on the status of university degrees in the system of higher education degrees shall be issued by government decree. Provisions on a more explicit distribution of educational responsibilities among the universities shall be issued by Ministry of Education and Culture decree in collaboration with the universities. (Amendment 1172/2014)

### **Section 7a. Professional specialisation studies (Amendment 1172/2014)**

1. Professional specialisation studies offered by universities are studies intended to be completed after a higher education degree and aimed at those already working in order to promote their professional development and specialisation. They are intended to generate competence in areas of expertise with no market-based provision of education.
2. Provisions on the joint objectives and minimum scope of professional specialisation studies shall be issued by government decree. Studies offered by a university in the form of business activities under section 5(2) are not provided as professional specialisation studies.
3. Only studies, the study requirements for which have been agreed upon in inter-university cooperation, can be provided as professional specialisation studies. Cooperation with representatives of the workplace and business life must be carried out during the agreement procedure. Further provisions on agreements on professional specialisation studies, the content of the agreements and the provision of the studies shall be issued by government decree.
4. A public register is maintained of agreements on professional specialisation studies. Further provisions on the public register and information to be included in it shall be issued by government decree.

## **Section 8. Free instruction and charges related to other activities**

1. Studies leading to a university degree and entrance examinations relating to student admission shall be free of charge for the student, unless otherwise provided in this Act. Free instruction does not hinder universities from offering joint and double degree programmes for which foreign institutions of higher education charge fees for their part of the programme.
2. The Finnish National Board of Education charges applicants other than those with educational studies from the educational systems of the European Economic Area or Switzerland who are applying for studies other than post-graduate degrees an application handling fee per each academic term. Applications are not processed unless the fee has been paid.

3. A person applying to education other than that given in Finnish or Swedish may be required to take a fee-charging international test.
4. For activities other than those referred to in subsection 1 the university may charge fees. Further provisions on fees chargeable under public law shall be laid down by government decree in conformity with the provisions on the cost price of transactions under public law in the Act on Criteria for Charges Payable to the State (150/1992). If the fee chargeable under public law to a student provided for in this Act has not been paid by the due date, it is possible to collect annual interest for late payment from the due date onwards in accordance with the provisions of the Interest Act (633/1982). The payment may be recovered directly by an enforcement order as provided in the Act on the Enforcement of Taxes and Charges (706/2007).

### **Section 9. Customised education (studies?)**

1. A university may arrange degree studies geared to a group of students which has been commissioned and is paid by the Finnish government, another state, an international organisation, a Finnish or foreign public corporation, a foundation or a private corporation (customised education).
2. Customised education may not be arranged for citizens of states belonging to the European Economic Area or for persons or their family members who are deemed comparable to European Union citizens under European Union or under a treaty concluded by the European Union and its Member States with another contracting party. Nor can customised education be arranged for persons who, under the Aliens Act, have a European Union Blue Card, a continuous or a permanent residence permit or a long-term resident's EU residence permit issued to third-country nationals nor for any family members of the above. The Aliens Act is applied in the definition of persons regarded as family members. Persons participating in customised education shall be governed by sections 37, 37a, 37b, 43a–43d, 45, 45a, 45b and 82–86 of this Act.
3. Instruction given as customised education must relate to undergraduate or postgraduate education in which the university has the right to confer degrees. The arrangement of customised education may not undermine the undergraduate and postgraduate education provided by the university. The university must charge a fee for customised education covering at least the costs incurring from it.

### **Section 10. Fee-charging degree programmes**

1. Universities may charge fees for students admitted to a degree programme taught in a foreign language. The charging of fees shall be conditional on the university having a scholarship programme which can be used to support, where necessary, the studies of students participating in fee-charging Master's programmes.
2. However, fees cannot be charged for citizens of a country belonging to the European Economic Area or for persons who comparable to European Union citizens under European Community legislation or under a treaty concluded by the European Community and its Member States

with another contracting party. Nor can a fee be charged for persons who have a right to permanent residence in Finland under the Aliens Act (301/2004).

3. Provisions on fee-charging degree programmes shall be issued by Ministry of Education and Culture decree. (Amendment 954/2011)

### **Section 11. Languages of instruction and degrees**

1. The languages used for instruction and for the degrees in the University of Helsinki and the University of the Arts Helsinki shall be Finnish and Swedish. The languages used for instruction and for the degrees in Aalto University shall be governed by the provisions on the languages used for instruction and for the degrees of its constituent Schools in section 9 of the Universities Act of 1997 (645/1997). The language used for instruction and for the degrees in Åbo Akademi University, Hanken School of Economics, and the Swedish School of Social Science of the University of Helsinki shall be Swedish. The language used for instruction and for the degrees in other universities shall be Finnish.
2. In addition, the universities may decide to use a language other than that referred to in subsection 1 as a language used for instruction and for the degrees.

### **Section 12. Education of persons proficient in Swedish**

1. Åbo Akademi University, Hanken School of Economics, the University of Helsinki, the University of the Arts Helsinki and Aalto University shall be responsible for educating a sufficient number of persons proficient in Swedish for the needs of the country.

## **Chapter 3. Organisation**

### **Section 13. Organs of a public university**

1. The organs of a public university are the board, the rector and the university collegiate body. The university may also have a chancellor and other organs, as stipulated in the university rules of procedure.

### **Section 14. Board of the public university**

1. The highest executive organ of a public university is the board.
2. The remit of the board shall be to
  - (1) determine the main objectives of the university operations and economy, the strategy and management principles;
  - (2) decide on the operating and financial plans and the budget of the university, and to prepare a financial statement;
  - (3) be accountable for the management and use of the assets of the university, unless the board has devolved the power to the rector;
  - (4) arrange the supervision of the accounting and asset management;
  - (5) adopt agreements of major importance or fundamental consequence for the university and issue opinions on important matters of principle concerning the university;

- (6) adopt the agreement with the Ministry of Education and Culture referred to in section 48 on behalf of the university;
  - (7) elect the rector or rectors and decide on the division of work between them and to remove the rector from his or her office if there is a legitimate and justified reason for it in consideration of the nature of the office;
  - (8) adopt the university rules of procedure and other corresponding rules pertaining to general organisation and decide on the operational structure of the university;
  - (9) submit a proposal to the Ministry of Education and Culture concerning a change in the educational responsibilities of the university;
  - (10) decide on the number of students to be admitted to the university.
3. In addition, the board shall be charged with hiring the leading staff working directly under the rector, unless the board has devolved the task to another organ of the university.

### **Section 15. Composition of the board of a public university**

1. The board of a public university shall have 7 or 9–14 members. The university collegiate body shall decide on the number of board members.
2. The board must include representatives from the following groupings in the university community:
  - (1) the professors of the university;
  - (2) other teaching and research staff and other personnel;
  - (3) the students.
3. Each of the groupings referred to in subsection 2 may constitute no more than half of the aggregate number of members elected from among these groupings. The university collegiate body shall decide on the number of members representing the different groupings.

4. At a minimum, 40 per cent of the board members must be persons other than those referred to in subsection 2. They must represent a wide range of expertise in the sciences or arts in the field of operation of the university.
5. The members referred to in subsection 2 above shall be elected by the university community grouping concerned as provided in this Act and in the university rules, and the members referred to in subsection 4 shall be elected by the university collegiate body.
6. The rector, vice-rector, a director of a faculty or a unit directly subordinate to the board, or a member or a deputy member of the university collegiate body may not be a member of the board.
7. The board shall elect one of the members referred to in subsection 4 as its chairperson and one member as its vice-chairperson.

#### **Section 16. Term of office of the board of a public university; resignation and dismissal of a member**

1. The university collegiate body shall decide on the term of office of the board of a public university and of its individual members. However, the term of office may not exceed five years.
2. Board members may resign before the end of their term of office.
3. The board may propose to dismiss a board member during his or her term of office if the member has become incapable of discharging his or her duties, has seriously violated the interests of the university by his or her action or if there is any other especially serious reason for it. The decision to dismiss a member shall be made by the university collegiate body. The decision is enforceable regardless of a pending appeal unless otherwise decreed by the appellate authority.

#### **Section 17. Rector of a public university**

1. A public university has a rector.
2. The remit of the rector shall be to
  - (1) lead the operations of the university and resolve matters concerning the university which have not been assigned to some other organ by statute or regulation;
  - (2) be responsible for the economical, efficient and effective discharge of the university mission;
  - (3) be responsible for assuring that accounting is in compliance with the laws and that financial management is arranged in a reliable manner;
  - (4) be responsible for the preparation and presentation of matters which come before the board;
  - (5) be responsible for the implementation of the board decisions unless otherwise specified in the university rules of procedure;
  - (6) decide on the hiring and dismissal of staff.

3. The rector may undertake action which is far-reaching in terms of the university mission only where the board has authorised him or her to do so or where it is impossible to wait for the decision of the board without causing essential harm to the operation of the university. In the latter case, the board must be informed of the action without delay.
4. The rector may devolve the hiring of staff or other matters within his or her remit to another organ or person. The rector shall have the right to be present and speak at the meetings of all the organs of the university.
5. The university may have vice-rectors as decreed in the university rules of procedure.

#### **Section 18. Election of the rector of a public university**

1. The rector of a public university shall be elected by the board of the university for a maximum term of five years. The requirement for the rector elect is that he or she has a doctorate degree and the competence required for discharging the duties as well as proven good leadership skills. However, the requirement of a doctorate degree shall not apply to the rector elect of the University of the Arts Helsinki.

#### **Section 19. Representation of a public university**

1. The rector shall represent the public university in matters which under section 17 belong to his or her duties. The board may represent the university in matters within its competence. The university rules may decree that the rector has the right to represent the university in other matters or that the board may confer the right on one of its members or some other designated person. The board may at any time revoke the right it has granted to represent the university.

#### **Section 20. Duty of care imposed on the leadership of a public university**

1. The board and rector of a public university shall promote the interests of the university with care.

## **Section 21. Accountability of board members and the rector of a public university**

1. Board members and the rector of a public university must recompense any damage they have wilfully or by negligence caused to the university in the line of their duties by violating this Act or other regulations. The allocation of liability is governed by Chapter 6 of the Tort Liability Act (412/1974).

## **Section 22. Collegiate body of a public university**

1. A public university has a university collegiate body consisting of a maximum of 50 members, who have personal deputies.
2. The university collegiate body shall include the representation of the university community groupings referred to in section 15(2). The number of members from any of the groupings may not exceed half of the total number of members in the university collegiate body. The number of members and the term of office of the university collegiate body and the number of persons belonging to the groupings referred to in section 15(2) shall be laid down in the university rules.
3. The university collegiate body shall elect a chairperson and a vice-chairperson from amongst its members.
4. The remit of the university collegiate body shall be to
  - (1) decide on the number of members on the board and the duration of the term of office of the board and its members;
  - (2) elect the members referred to in section 5(4) for the board;
  - (3) confirm the election of board members by the university community groupings referred to in section 5(2);
  - (4) dismiss a board member by proposal of the board;
  - (5) elect the chartered accountants of the university;
  - (6) confirm the financial statement and the annual report of the university and discharge the board members and the rector from liability;
  - (7) decide on the bringing of an action for damages against a board member, the rector and a chartered accountant;
  - (8) decide on the dismissal of a board member under section 65(3).

## **Section 23. Organs of a foundation university**

1. The organs of a foundation university are the board, the rector and the joint multi-member administrative body of the university.
2. A foundation university may also have other organs. These other organs may not exercise significant power of decision.

## **Section 24. Board of a foundation university**

1. The board of a foundation university shall decide on the strategy of the university, matters concerning the university operations and finances and other far-reaching plans. In addition, the board shall elect the rector to direct university operations.
2. The board of a foundation university shall have seven members, including the chairperson and the vice-chairperson. The board shall comprehensively represent the highest national and international expertise in the sciences and arts in the field of operation of the university and in societal and business life. The rector, vice-rector, a director of a faculty or other unit directly subordinate to the board, or a member of the multi-member administrative body may not be a member of the board.
3. The joint multi-member administrative body of the university shall appoint the members of the board of the foundation university after consulting the founding partners of the foundation university. Three of the members shall be appointed from amongst persons whom the founding partners, with the exception of the State of Finland, have nominated in accordance with the rules of the foundation. The number of these candidates must be at least twice the number of the seats on the board to be filled. The board shall elect from amongst its members a chairperson and a vice-chairperson, who must be persons other than those referred to in section 15(2).

## **Section 25. Rector of a foundation university**

1. The remit of the rector shall be to
  - (1) lead the operations of the university;
  - (2) be responsible for the economical, efficient and effective discharge of the university mission;
  - (3) be responsible for assuring that accounting is in compliance with the laws and that financial management is arranged in a reliable manner;
  - (4) be responsible for the preparation and presentation of matters which come before the board;
  - (5) be responsible for the implementation of the board decisions unless otherwise decreed in the university rules;
  - (6) decide on the hiring and dismissal of staff.
2. The rector may undertake action which is far-reaching in terms of the university mission only where the board has authorised him or her to do so or where it is impossible to wait for the decision of the board without causing essential harm to the operation of the university. In the latter case, the board must be informed of the action without delay.

3. The rector may devolve the hiring of staff or other matters within his or her remit to another organ or person. The rector shall have the right to be present and speak at the meetings of all the organs of the university.
4. The university may have vice-rectors as decreed in the university rules.

### **Section 26. Multi-member administrative body of a foundation university**

1. The remit of the multi-member administrative body of a foundation university shall be, unless it has devolved the task to an organ referred to in section 27(2), to
  - (1) decide on the curricula and degree requirements;
  - (2) decide on the admissions criteria;
  - (3) decide on general rules relating to teaching and research;
  - (4) appoint the necessary boards or other organs to deal with matters relating to degrees, assessment and rectification and to appoint chairpersons, members and deputy members for them; and
  - (5) decide on the duration of the term of office of the university board and its members.
2. The multi-member administrative body shall have a maximum of 50 members and the representation of only the university community groupings referred to in section 15(2). The number of persons from each of these groupings may not exceed half of the aggregate number of members on the administrative body. The members of the administrative body shall be elected by the university community grouping concerned.
3. The remit of the multi-member administrative body other than that referred to in subsection 1 and the number and election of its members shall be laid down in the university rules.

### **Section 27. Organisation and administration of teaching, research and other operations**

1. For the purposes of organising research and teaching, the university may divide into faculties or other comparable units as laid down in the university rules.
2. A faculty or a corresponding unit shall have a multi-member administrative body chaired by the director of the unit. The administrative body must include the representation of the university community groupings referred to in section 15(2). The number of members from any of the groupings shall not exceed half of the total number of members in the university collegiate body. The total number of members on the multi-member administrative body shall be laid down in the university rules. The members of the administrative body shall be elected by the university community grouping concerned as laid down in the university rules.
3. The university may also have units other than those referred to in subsection 1. The university may have university consortia or other joint units with other universities and joint units with polytechnics, research institutes or other public or private organisations or foundations.
4. For the purpose of processing requests for rectification in matters regarding study attainments, the university may have one or several boards of examiners or other corresponding organs. The board of examiners or corresponding body shall consist of a chairperson and other members, each of whom has a personal deputy. The chairperson and his or her deputy must be

professors. At least half of the other members must be university teachers and at least one of the members a student.

### **Section 28. University rules and regulations**

1. The organisation or the university operations and administration shall be governed by the university rules of procedure and similar internal regulations of the university.

### **Section 29. Decision-making by the multi-member administrative body**

1. The multi-member administrative body shall decide matters by majority vote. Where the votes are equally distributed, the motion seconded by the chairperson shall win. Where the votes are equally distributed in a vote on a disciplinary matter concerning a student, the more lenient opinion shall be the decision.
2. With the exception of the University of the Arts Helsinki, a study attainment may be assessed only by those members or deputy members who have a degree of the same level or who have been appointed professors.
3. Where one person is elected or appointed to an administrative organ, the ballot shall be conducted as a majority vote. Where none of the candidates gets more than half of the votes, a new ballot shall be conducted between the two candidates with the most votes. Where there is more than one person to be elected or appointed to an administrative organ, the ballot shall be conducted as a proportional vote. If the votes are equally distributed, the outcome of both the majority vote and the proportional vote shall be resolved by lot.

### **Section 30. Administrative procedure and confidentiality**

1. In performing a public administrative function, the university and the student union shall be governed by the Administrative Procedure Act (434/2003). However, the provisions in the Administrative Procedure Act on disqualification shall apply to all university activities. Provisions of section 28(1), paragraphs 5 and 6, of the Act shall apply to universities and to corporations belonging to a university group referred to in section 63 of this Act only in matters where the interests of the university and the community conflict or where required by fair handling of the matter.
2. The confidentiality of the activities pursued by the university and the student union shall be governed by the provisions of the Act on the Openness of Government Activities (621/1999) concerning the confidentiality of the activities of authorities referred to in section 4(1) of the Act.

## **Chapter 4. Staff and language of administration**

### **Section 31. University staff**

1. Universities have professors and other teaching and research staff, and other personnel to perform other tasks. Further provisions on the eligibility requirements of the staff and relevant selection procedures shall be laid down in the university rules.

### **Section 32. Staff employment relations**

1. The employment relation of the university staff is based on a contract of employment.
2. The employees and the terms of the employment relation shall be governed by relevant statutes and terms agreed in a collective agreement and in the contract of employment.
3. The employer may not act in the employment relation in a manner which may endanger the freedom of research, art or education referred to in section 6. In addition to the provisions in Chapter 7 of the Employment Contracts Act (55/2001) on the termination of employment contracts and in Chapter 8 on cancellation of employment contracts in the said Act, the employment contract of an employee belonging to the research and teaching staff of a university may not be terminated or cancelled on grounds reference to which would infringe upon the freedom of research, art or education.

### **Section 33. Duties, appointment and title of professor**

1. A professor shall carry out and oversee scientific or artistic work, teach based on it and follow developments in science or art and participate in societal interaction and international cooperation in his or her field.
2. The post of professor must be publicly announced vacant when hiring a person into an employment relation in effect until further notice. The post of professor may be filled by invitation without public notice of vacancy when a professionally distinguished person is being invited to take the post or someone is appointed to the post for a fixed period. Only someone who indisputably fulfils the qualification requirements may be appointed to the post by invitation.
3. Statements on the qualifications and merits of those applying for or invited to a post must be requested from a minimum of two experts where a person is appointed to a position in effect until further notice or for a fixed period of at least two years. The disqualification of an expert is governed by the provisions in sections 27 - 29 of the Administrative Procedure Act. Provisions on the selection, activities and remit of the experts shall be issued in the university rules, where needed.
4. A university may award the right to use the title of professor to a person in its employ.

### **Section 34. Liability under criminal law**

1. The criminal liability of university staff and members of university organs is governed by Chapter 40 of the Penal Code (39/1889).

### **Section 35. Language proficiency requirements and administrative language**

1. Provisions on the proficiency of teaching and research staff and other staff in the Finnish and Swedish languages shall be issued by Government Decree. Provisions on the language proficiency required for Åbo Akademi teachers are laid down in section 78.

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2. The language of administration in universities is Finnish. However, the language of administration of Åbo Akademi University, Hanken School of Economics and the Swedish School of Social Science of the University of Helsinki is Swedish.

3. Everyone shall have the right to use either Finnish or Swedish in matters concerning them and to obtain documents in the language they use.

## Chapter 5. Students

### Section 36. Admission

1. New students are admitted by the universities. A student is admitted to complete both a Bachelor's and Master's degree, or either of these, or for a postgraduate degree or professional specialisation studies.
2. A university may admit transfer students. A transfer student refers to a student whose right to study is transferred from one higher education institution to another or within a single higher education institution from one degree programme to another.
3. The admissions criteria are decided on by the universities. In the application process, applicants may be divided into separate applicant categories on the basis of their different educational backgrounds. The admissions criteria applied must be consistent for all applicants belonging to the same category. For the purpose of meeting the educational needs of a given language group, exceptions to consistent admissions criteria may apply to a limited extent.

### Section 36a Joint application procedure and separate admissions

1. With the exception of studies leading to a postgraduate degree, admissions for education leading to a degree are organised in the joint application process between higher education institutions.
2. A university may opt for separate admissions instead of the joint application system when selecting:
  - (1) students for studies designed for a limited target group, where the eligibility of applicants has been defined separately by the university and the application process for which cannot be organised within the schedule for the joint application procedure;
  - (2) students for studies provided in a foreign language;
  - (3) students for studies provided in Finnish or Swedish leading exclusively to a Master's degree, the application process for which is organised in connection with the application process for the equivalent foreign-language programme;
  - (4) transfer students;
  - (5) students on the basis of studies completed in open higher education.
3. The student admissions register referred to in the Act on the student admissions register, the national data warehouse for higher education and the matriculation examination register ([1058/1998](#)) is used in the joint application procedure. Further provisions on the implementation of the joint application process and procedures associated with it shall be issued by government decree.

### Section 36b Reserving a student place

1. In the joint application system, a university must reserve some of the student places for people who have not previously completed a higher education degree in accordance with the Finnish education system and have not accepted a student place leading to a higher education degree or have accepted a student place for studies beginning in spring term 2014 or earlier but have not completed a higher education degree. The obligation applies to admissions for education leading to Bachelor's degree and to both a Bachelor's and a Master's degree and admissions for

studies leading to a Master's degree, not including a Bachelor's degree, provided by a university.

2. It is, however, not necessary to reserve student places in the manner referred to in subsection 1 when selecting students for a programme offered in a foreign language or for a programme for which the number of admissions offered is so small that reserving places would generate unreasonable inequality between applicants.
3. A university may reserve some of the student places for applicants referred to in subsection 1 also in case of separate admissions.
4. Universities must also reserve reasonable possibilities to gain admission for those who have completed a higher education degree or accepted a student place. Universities must ensure that no unreasonably large discrepancies exist between the possibilities of individuals belonging to different applicant categories to gain admission in terms of equitable treatment of applicants. When assessing reasonability, the following factors are accounted for: the share of applicants belonging to the different applicant categories, the opportunity to gain admission through routes other than the joint application procedure and other factors comparable to these.

### **Section 37. Eligibility for studies leading to a higher education degree and for professional specialisation studies**

1. Eligibility for studies leading to only a Bachelor's degree or to both a Bachelor's and a Master's degree may be conferred to those who have
  - (1) passed the examination referred to in the National Matriculation Examination Act (672/2005);
  - (2) a vocational upper secondary qualification awarded after completing studies of at least three years' duration or corresponding prior studies;
  - (3) a vocational upper secondary qualification, a further vocational qualification or a specialist vocational qualification awarded under the Adult Education and Training Act (631/1998) or a corresponding prior qualification; or
  - (4) a qualification completed abroad which in the awarding country gives eligibility for corresponding higher education.
2. The provisions in subsection 1 on eligibility for degree studies also apply to education leading directly to a Master's degree arranged by the university without the inclusion of a separate Bachelor's degree.
3. Eligibility for studies leading only to a Master's degree may be conferred to those who have
  - (1) an applicable Bachelor's degree;
  - (2) an applicable polytechnic degree; or
  - (3) applicable studies completed abroad which in the awarding country gives eligibility for corresponding higher education.
4. The university may require a student admitted to study for a Master's degree referred to in subsection 3 to complete supplementary studies of an extent requiring a maximum of one year of studies in order to acquire the knowledge and skills needed for the studies. Where a student

is admitted to education leading only to the degree of Master of Laws, the applicable qualification referred to in subsection 3 is the degree of Bachelor of Laws or a corresponding qualification completed abroad which in the awarding country gives eligibility for corresponding higher education.

5. Eligibility for studies leading to an academic or artistic postgraduate degree may be conferred to those who have completed
  - (1) an applicable Master's degree;
  - (2) an applicable polytechnic Master's degree;
  - (3) applicable studies completed abroad which in the awarding country gives eligibility for corresponding higher education.
6. The university may require a student admitted to study for an academic or artistic postgraduate degree to complete the necessary supplementary studies in order to acquire the knowledge and skills needed for the studies.
7. Eligibility for studies leading to a professional postgraduate degree may be conferred to those who have
  - (1) completed an applicable Master's degree or polytechnic Master's degree or
  - (2) applicable studies completed abroad which in the awarding country gives eligibility for corresponding higher education.
8. Further provisions on eligibility for professional postgraduate degrees shall be issued by government decree.
9. Eligibility for professional specialisation studies may be conferred to those who have completed an applicable university or polytechnic degree.
10. Eligibility for studies referred to in this section may also apply a person whom the university deems otherwise to have sufficient knowledge and skills for the studies.

#### **Section 37a. Accessibility and prerequisites for admission (Amendment 954 /2011)**

1. Factors relating to the health and functional capacity of an applicant may not preclude admission. However, a person whose state of health or functional capacity makes him or her incapable of acquitting the practical tasks or practice included in the syllabus where the safety requirements relating to studies referred to in section 43a so entail and where the impediment cannot be removed with reasonable measures shall not be admitted as a student.
2. In the case of studies referred to in section 43a, admission shall also be precluded where a decision has been made to revoke the right to study under section 32 of the Vocational Education and Training Act (630/1998), under section 11(9) of the Adult Vocational Education and Training Act, under section 25a of the Polytechnics Act (351/2003) or under section 43a of this Act where considerations relating to the protection of the health and safety of other persons so require.
3. The university shall inform the applicants about health-related demands and other prerequisites imposed by studies.

### **Section 37b. Access to information relating to admission (Amendment 954 /2011)**

1. In the case of studies referred to in section 43a, the applicant shall provide information regarding his or her health that required for admission and information about any decision to revoke the right to study.
2. Notwithstanding provisions on confidentiality, for the purposes of admissions requirements, the university shall have the right to obtain information from other universities, polytechnics and education providers about any decision, including its justifications, to revoke an applicant's right to study.

### **Section 38. Acceptance of a student place**

1. Applicants may accept only one student place in a degree programme which begins that term. This provision does not apply to the acceptance of a student place in the case of transfer students.
2. Students who have been admitted to a university shall notify the university within the time indicated in the offer of admission whether they accept the student place. Where the prospective student does not give the notification within the time indicated he or she shall forfeit the student place. The university must, without delay, enter information on the acceptance of a student place in the higher education applicant register referred to in section 1 of the Act on the student admissions register, the national data warehouse for higher education and the matriculation examination register.

### **Section 39. Academic year, academic terms and student enrolment**

- 1) The academic of a university year starts on the 1<sup>st</sup> of August and ends on the 31<sup>st</sup> of July. The autumn term starts on the first of August and ends on the 31<sup>st</sup> of December. The spring term starts on the 1<sup>st</sup> of January and ends on the 31<sup>st</sup> of July. Instruction is given during periods determined by the university.

- 2) Students who have been admitted and who have accepted a student place shall enrol at the university in the manner stipulated by the university, whereupon they are enrolled as a student. The student must enrol as being present or absent for each academic year in the manner stipulated by the university.
- 3) Having accepted a student place, the student may enrol as absent during the first academic year provided he or she
  - (1) is in active service in accordance with the Conscription Act (1438/2007), the Non-Military Service Act (1446/2007) or the Women's Voluntary Military Service Act (194/1995);
  - (2) is on maternity, paternity or parental leave; or
  - (3) is unable to start studying owing to a medical illness or injury.

#### **Section 40. Normative duration of studies for Bachelor's and Master's degrees**

1. The normative duration of studies for the Bachelor's degree shall be:
  - (1) three and a half academic years in studies leading to the degree of Bachelor of Fine Art and
  - (2) three academic years in studies leading to other Bachelor's degrees.
2. The normative duration of studies for the Master's degree shall be:
  - (1) three academic years in studies leading to the degree of Licentiate of Veterinary Medicine;
  - (2) three academic years in studies leading to the degree of Licentiate of Medicine when the education includes a prior Bachelor's degree and six academic years when the education does not include a prior Bachelor's degree;
  - (3) two academic years in studies leading to the degree of Licentiate of Dentistry when the education includes a prior Bachelor's degree and five academic years when the education does not include a prior Bachelor's degree;
  - (4) two and a half academic years in studies leading to the degrees of Master of Music and Master of Psychology; and
  - (5) two academic years in other Master's degree studies.
3. The university must arrange teaching and study guidance so as to enable full-time students to complete their degrees in the prescribed normative time. (Amendment 315 /2011)

#### **Section 41. Right to study**

1. Students have the right to pursue studies leading to a Bachelor's or Master's degree in the manner laid down in the regulations on university degrees and in the curriculum.
2. A student admitted to study for both a Bachelor's and Master's degree has the right to complete the degree in a time period exceeding the aggregate normative duration of studies referred to in section 40 by a maximum of two years. A student admitted to study only for a Bachelor's degree has the right to complete the degree in a time period exceeding the normative duration of studies by a maximum of one year. A student admitted to study only for a Master's degree has the right to complete the degree in a time period exceeding the normative duration of studies by a maximum of two years.

3. Absences due to a service rendered under the Conscription Act, the Non-Military Service Act or the Women's Voluntary Military Service Act, or when on maternity, paternity or parental leave are excluded from the normative duration of studies. Equally, periods of absence to a maximum of two academic terms when the student is enrolled as absent in accordance with Section 39 are excluded from the normative duration of studies.
4. Students are considered to start their degree studies on the date when they accept a student place in the university.
5. The transfer student's right to complete degree studies is determined on the basis of the degree for which the student was given the right to complete a degree with the transfer. The time that the student has spent, whether enrolled as absent or present, on studies within the study right upon which the transfer is based is counted towards the normative duration of studies. However, the time spent by students who started their degree studies prior to the 2005-2006 academic year, whether enrolled as absent or present, on studies within the study right upon which the transfer is based are not counted towards the normative duration of studies.

#### **Section 41a. Right to a safe learning environment (Amendment 954 /2011)**

1. Students have the right to a safe learning environment.
2. The university may adopt its own rules or issue other regulations geared to promote internal order, unhindered progress in studies and a safe and pleasant university community.
3. The rules and other regulations referred to in subsection 2 above may lay down rules on practical arrangements and proper conduct necessary for safety and satisfaction in the university. Regulations may additionally be issued with regard to the handling of university property and to staying and moving on the premises and grounds of the university.  
(Amendment 478/2003)

#### **Section 42. Extension of right to study**

1. The university grants extension to the duration of studies on application to a student who has not finished his or her studies within the time period referred to in section 41 if the student presents a goal-oriented and feasible plan for completing the studies. In the plan, the student must itemise the studies to be completed and the timetable for completing the degree.
2. The duration of studies is extended if it is possible for the student, in consideration of the number and extent of completed and valid study attainments and the missing study attainments and any prior decisions on extensions to the duration of studies, to complete his or her studies in a reasonable period of time. When granting extension to the duration of studies, the university shall consider the life situation of the student.

#### **Section 43. Forfeiture of right to study**

1. Students who have not enrolled in the manner specified in section 39 or fail to complete their studies within the time period specified in section 41 or in the extended period of time specified in section 42, as well as students who have not been granted an extension to their studies, shall forfeit their right to study. Should the student later wish to start or resume his or her studies, he or she must reapply to the university for admission. The application can be made without participation in the admissions procedure referred to in section 36.
2. Where transfer students accept a new right to study, they forfeit the study right that the transfer was based on.

#### **Section 43a. Revocation of right to study (Amendment 954 /2011)**

1. Where the studies impose demands on the safety of minors or patient or client safety, the university may revoke the right to study where:
  - (1) The student, by repeatedly or seriously endangering the health or safety of another person, has proven to be manifestly unsuitable to perform practical assignments or practical training relating to studies;
  - (2) It is evident that the student does not fulfil the prerequisites for admissions referred to in section 37a(1) in regard of the state of health or functional capacity; or
  - (3) At the application stage, the student has concealed a decision to revoke the right to study referred to in section 37a(2) which could have prevented his or her admission as a student.
2. Where the studies or practical training relating to studies substantially require work with minors, the university may revoke the right to study where necessary in order to protect minors and if the student has been sentenced for a crime referred to in Chapter 17, section 18, 18a or 19, in Chapter 20, section 21(1-3) or section 6, in Chapter 20, in Chapter 21 sections 1-3 or section 6, in Chapter 31, section 2, or in Chapter 50, section 1, 2, 3, 4 or 4a of the Criminal Code.
3. Before revoking the right to study, the university, together with the student, shall explore the student's possibilities to apply for some other form of education. With his or her consent, the student may be transferred to other studies in the university where he or she fulfils the admission prerequisites.
4. Further provisions on the studies governed by this section shall be issued by Government Decree.

#### **Section 43b. Access to information relating to revocation of the right to study (Amendment 954 or 2011)**

1. Where there is just cause to suspect that the student has an impediment due to the state of health or functional capacity referred to in section 43a(1)(1), he or she may be ordered to be examined by a registered health care professional, where necessary, for ascertaining the student's state of health or functional capacity. The university shall defray the cost of the examinations it orders.
2. Notwithstanding provisions on confidentiality, the university shall have the right, for the purpose of assessing the right to study, to obtain a written statement by a physician authorised

to practice the profession independently and designated by the university, which shows that the student has undergone an examination for ascertaining his or her state of health and, based on the examination, an assessment is made of the student's functional capacity, owing to the demands the studies make on health.

3. Notwithstanding provisions on confidentiality, the university shall have the right to obtain information from other universities, polytechnics and education providers about any decision including its justifications to revoke an applicant's right to study where it is deemed necessary for assessing the right to study.
4. At the request of the university, the student shall provide an extract on his or her own entries in the criminal records referred to in section 6(3) of the Criminal Records Act (770/1993) for the purpose of an assessment of the right to study referred to in section 43a (2) if the student is given assignments in studies or in practical training relating to the studies which substantially require working with minors.
5. Notwithstanding provisions on confidentiality, the university shall have the right to obtain information necessary for admission from another university concerning a process pending related to a revocation of the right to study referred to in section 43a, when the student has applied to the university as a transfer student.

6. Notwithstanding provisions on confidentiality, the university shall have the obligation to provide the National Supervisory Authority for Welfare and Health with information on a process pending related to a revocation of the right to study referred to in section 43a and other decisions related to the revocation of the right to study or to the transfer of the student to other studies and its justifications which is necessary for the execution of the Authority's statutory duties.

**Section 43c. Reinstatement of the right to study (Amendment 954 /2011)**

1. A person whose right to study has been revoked under section 43a(1) may apply to the university concerned for the reinstatement of the right to study. The right to study must be restored if the applicant proves that the reasons for the revocation no longer exist. The student must submit statements on his or her state of health to the university. The decision to restore the right to study is made by the university board.
2. Notwithstanding provisions on confidentiality, the university shall have the obligation to provide the National Supervisory Authority for Welfare and Health with information on a decision to restore the right to study and its justifications which is necessary for the execution of the Authority's statutory duties.

**Section 43d. Drug testing (Amendment 954 /2011)**

1. A university may oblige the student to present a drug test certificate, where there is just cause to suspect that the student is under the influence of drugs while performing practical tasks relating to studies or in practical training or that the student is addicted to drugs. Another condition is that the testing is necessary for ascertaining the student's functional capacity and the student performs tasks which require especial acuity, reliability, independent judgement or good reactions and where working under the influence of drugs or drug addiction:
  - (1) seriously endangers the student's or some other person's life or health;
  - (2) seriously endangers the protection or integrity of data protected by confidentiality provisions; or
  - (3) significantly increases the risk of illicit trafficking or distribution of substances referred to in section 3(1)(5) of the Narcotics Act (373/2008) which are in the possession of the university or the place of training.
2. A drug test certificate means certification by a registered health care professional attesting that the student has undergone a test to detect the presence or absence of a substance referred to in section 3(1)(5) of the Narcotics Act and an account based on the test whether the student has used narcotics for purposes other than medical treatment in a way which undermines his or her functional capacity. The certificate must be presented within a reasonable time frame determined by the university.
3. If a student is to be required to present a drug test certificate referred to in this section, the university must have written instructions drawn up in cooperation with the student health care officials for preventing the use of narcotics by students and for intervening in drug problems.
4. The university shall defray the cost of the drug test certificate referred to in this section.

5. Otherwise a drug test performed on a student shall be governed by the provisions of section 19 of the Occupational Health Care Act.

#### **Section 44. Assessment and recognition of study attainments**

1. Students have the right to obtain information on how the assessment criteria are applied to their study attainments. Students shall be given an opportunity to see the assessed written or otherwise recorded study attainment. Written and otherwise recorded study attainments shall be retained for a minimum of six months from the publication of the results.
2. Before grading a doctoral dissertation, a licentiate thesis or corresponding demonstration of learning and skills, the author shall be given an opportunity to supply his or her response to the preliminary examiner's, the examiner's or opponent's opinion. The disqualification of a preliminary examiner, an examiner and an opponent is governed by the provisions of the Administrative Procedure Act.
3. When studying for a degree or when completing professional specialisation studies, the student may, as determined by the university, have studies completed in another Finnish or foreign higher education institution or other educational establishment counted towards the degree or specialisation programme and substitute studies in the degree syllabus or professional specialisation programme with other studies of the same level. The student may, as determined by the university, have knowledge and skills attested in some other manner counted towards the degree or specialisation, or substitute studies in the degree syllabus or specialisation programme with knowledge and skills attested in some other manner.

#### **Section 45. Disciplinary action (Amendment 954 /2011)**

1. A student may be cautioned if he or she
  - (1) disrupts teaching
  - (2) behaves threateningly or violently
  - (3) acts under false pretences or otherwise causes disorder at the university
  - (4) refuses to present the drug test certificate referred to in section 43d, or
  - (5) based on the account referred to in section 43d, has used narcotics for purposes other than medical treatment in a way which undermines his or her functional capacity.
4. If the student's deed or neglectful action is serious in nature or if the student continues to behave inappropriately in the sense referred to in subsection 1 after having been cautioned, he or she may be suspended from the university for a fixed period of one year at most.

5. A student who disrupts teaching, behaves threateningly or violently or endangers the life or health of another person may be ordered to leave the premises where teaching takes place or from an event being organised by the university. A student may be banned from attending teaching for a maximum of three days where there is a risk that the safety of another student or a person working in the university or some other teaching facility is threatened as a result of the student's threatening or violent behaviour or where the disruptive conduct of the student makes teaching and associated activities unduly difficult.
6. Where a student refuses to undergo the examinations for ascertaining his or her state of health referred to in section 43b(1), he or she may be banned from studies until he or she consents to undergo the necessary examinations. If a student refuses to provide an extract on his or her entries in the criminal records referred to in section 43b(4), he or she may be banned from studies until he or she consents to present the extract.

**Section 45a. Procedure in a matter regarding revocation of the right to study and in disciplinary action (Amendment 954 /2011)**

1. The decision to revoke the right to study shall be made by the board of the university. Before any decision to revoke the right to study can be taken, an account pertinent to the matter must be obtained and the student must be given an opportunity to be heard in the matter.
2. The decision to give a student a written warning to shall be made by the rector of the university and the decision on suspension by the board of the university. Before any such decision can be taken, the deed or neglectful action causing the disciplinary measure must be specified and a relevant investigation carried out, and the student must be given an opportunity to be heard in the matter.
3. The rector and a member of the teaching and research staff and the practical training instructor may work together or separately in a matter referred to in section 45(3). The measures must be recorded. The university board shall make the decision referred to in section 45(4).
4. The decision on the enforcement of an appealable decision and on the date on which the enforcement is implemented shall be made at the same time as the decision to revoke the student's right to study, to suspend the student or to ban the student from studies.

**Section 45b. Handling of sensitive material (Amendment 954 /2011)**

1. Information relating to an applicant's and a student's state of health referred to in sections 37b and 43b–43d may be handled only by those who prepare or make the decision on admission, revocation of the right to study, reinstatement of the right to study or a disciplinary action or who issue opinions on these matters.
2. Information on the student's criminal register about matters referred to in section 43a(2) shall be handled only by those who prepare or make the decision on the revocation of the right to study.
3. The university shall specify the tasks which involve the handling of sensitive materials.

4. The university shall store the sensitive materials separately from other personal data. The sensitive materials must be removed from the register immediately when there no longer is any mandatory reason to preserve them, at the latest, however, within four years of the date on which they were entered in the register.
5. The handling of personal data shall be governed by the Personal Data Act (523/1999) unless otherwise provided in this Act.

#### **Section 46. Student union**

1. Among the students of the university there is a student union, which is self-governing. The student union shall liaise with and on behalf of its members and promote their societal, social and intellectual aspirations and those relating to studies and the status of students in society. The student union shall also participate in the performance of the educational mission of the university referred to in section 2 by preparing students for an active, cognizant and critical citizenship.
2. The especial duty of the student union shall be to
  - (1) nominate student representatives to the administrative bodies of the university referred to in Chapter 3;
  - (2) nominate student representatives to the student financial aid board of the university referred to in section 9 of the Student Financial Aid Act (65/1994); and
  - (3) contribute, where needed, to the performance of the tasks relating to students' primary health care referred to in section 17 of the Health Care Act (1326/2010) and Chapter 13, sections 11 - 14, of the Health Insurance Act (1224/2004). (Amendment 1349/2010)
3. All university students who have been admitted to programmes leading to a Bachelor's or Master's degree, with the exception of students in customised studies, shall belong to the student union. The student union may also accept other students of the university as members.

4. The costs incurring from activities geared to implementing the purpose and remit of the student union shall be defrayed from the assets of the student union and from the income accruing from the activities of the student union and membership fees, which the student union shall be entitled to charge to its members. The amount of the membership fee shall be confirmed by the rector of the university and its payment controlled by the university.
5. The languages of the student unions of the University of Helsinki, the University of the Arts Helsinki and Aalto University are Finnish and Swedish. The language of the student union of Åbo Akademi University and Hanken School of Economics is Swedish. The language of other student unions is Finnish.
6. The power of decision in the student union shall be vested in its executive board and the student parliament. Provisions on other organs of the student union and the election of their members shall be issued by Government Decree. Provisions on the administration of the student union shall be laid down in the rules adopted by the student parliament and confirmed by the rector of the university.
7. The student union rules shall lay down the criteria for exempting a student union member in whole or in part from paying the membership fee.

#### **Section 47. Student nations**

1. The University of Helsinki shall have Finnish- and Swedish-language student nations corresponding to specified regions of the country. Aalto University shall have a Swedish-language student nation. The student nations shall be self-governing. The purpose of the student nations is to support and develop their members' intellectual pursuits and enhance their social conditions.
2. Provisions on the members, administration, finances and other operation of the student nations and the duty of the members to pay fees to the nation shall be laid down in the rules of the student nations. The student nation rules shall be confirmed by the rector of the university. The institution of a new student nation and the termination of an existing one in the University of Helsinki shall be decided by the university rector after hearing the nations whose area the decision concerns. The division and merger of student nations in the University of Helsinki and changes in the areas covered by them shall be decided by the nations concerned. The decision shall be confirmed by the rector of the university.

## **Chapter 6. University steering and financing**

**Section 48. Objective-setting (Amendment 954 /2011)**

1. The Ministry of Education and Culture and the university shall conclude a fixed-term agreement on the quantitative and qualitative targets of pivotal relevance to education and science policy and on the monitoring and evaluation of their implementation. On the part of the university, the agreement shall be signed by the chairperson of the board and the rector.
2. Where the university-specific targets cannot be coordinated at the national level or by disciplines, the Ministry of Education and Culture may, for the purpose of ensuring funding, decide on quantitative and qualitative targets for an individual university to the extent that they form part of the criteria for the financial resources allocated to the university.

**Section 49. Criteria for the allocation of government funding**

1. The Ministry of Education and Culture grants funding to universities for the performance of the duties laid down in this Act within the scope of the appropriation included in the national Budget.
2. The university appropriation in the Budget referred to in subsection 1 above, with the exception of one-off items, shall be increased from the previous year in accordance with the annual cost-related rise in the university index. The university index is comprised of the index of wage and salary earnings, the consumer price index and the retail price index.
3. The Ministry of Education and Culture grants imputed core funding to the universities taking into account the extent, quality and effectiveness of the operations and other education and science policy objectives. The Ministry of Education and Culture may also grant performance-based funding to universities on the basis of good performance.
4. The universities shall be reimbursed for the value added tax included in the cost incurred by the universities for providing educational services referred to in sections 39 and 40 of the Value Added Tax Act (1501/1993) and in procurements and facilities rents relating to research other than commercial research. The reimbursement shall be adjusted annually on the basis of each university's most recent euro-denominated value added tax accrual. (933/2014)
5. In granting funding, the Ministry of Education and Culture may set conditions and restrictions on the use of the funds.

6. Further provisions shall be issued by government decree on the computation of the university index and the consideration of the rise in the cost level referred to in subsection 2 above and on the computation and the relative weight of the financing criteria referred to in subsection 3. Further provisions on the computation criteria underlying the allocation of imputed funding shall be issued by Ministry of Education and Culture Decree.

#### **Section 49a Increase in the appropriation for 2015 (1182/2014)**

1. By derogation of the provisions in section 49(2), the university appropriation in the Budget referred to in section 49(1) will be increased in 2015, barring one-off items, by half of the annual cost-related rise in the university index.
2. Section 49a, enacted by Act 1182/2014, is in force from 1 January 2015 to 31 December 2015 only.

#### **Section 50. Funding of expenses shared by universities**

1. The Ministry of Education and Culture may finance operations jointly undertaken by all the universities within the scope of the appropriation included in the national Budget. (Amendment 954/2011)

#### **Section 51. Supervision and reporting**

1. When requested by the Ministry of Education and Culture, each university must provide the Ministry of Education and Culture with data necessary for the evaluation, development, statistics and other supervision and steering of education and research in a manner determined by the Ministry. (Amendment 954/2011)

#### **Section 52. Payment (Amendment 954 /2011)**

1. The operational funding shall be paid to the universities in payments of the same amount on the third banking day of each month.
2. The performance-based funding referred to in section 49(3) shall be paid to the universities in a manner determined by the Ministry of Education and Culture.

#### **Section 53. Discontinuation of payment (Amendment 954 /2011)**

1. The Ministry of Education and Culture may order the funding referred to in this Act to be discontinued where:
  - (1) it is evident that the recipient no longer arranges the activity on the basis of which the funding is allocated, or the recipient of funding significantly acts in violation of the provisions of this Act; or
  - (2) the criteria for allocating the funding for a specific activity have essentially changed or have been incorrect.

#### **Section 54. Repayment of financing received**

1. A university must without delay repay erroneously paid, excess or manifestly groundless funding. The university must also return any portion of funding that cannot be used for the purposes that were agreed.
2. The provisions in subsection 1 shall not apply to the difference between imputed operational funding and actual expenditure.

#### **Section 55. Recovery of payments (Amendment 954 /2011)**

1. The Ministry of Education and Culture shall order allocated funding to be recovered where the university has:
  - (1) failed to return funding repayable under section 54;
  - (2) used funding for a purpose essentially different from that for which it had been allocated;
  - (3) given false or misleading information to the Ministry of Education and Culture about a matter which was critical to the granting of the funding, the amount of funding or the terms of funding or has concealed such a fact; or
  - (4) otherwise, in a way comparable to paragraphs 1 - 3 above, essentially violated regulations governing the use of funding or the terms set in the funding decision.
2. The Ministry of Education and Culture must make the decision on the recovery of payments within two years of the date on which the fact based on which the discontinuation or termination of payments or the recovery of funding can be undertaken was brought to the knowledge of the Ministry of Education and Culture. The decision on the recovery of payments must be taken within five years of the date on which the payment was made.

#### **Section 56. Interest and interest for late payment**

1. The university shall pay an annual interest as provided in section 3(2) of the Interest Act, raised by three percentage points, on the amount to be repaid or recovered from the payment date onward.
2. Where the recoverable amount is not paid by the due date set by the Ministry of Education and Culture, the university shall pay annual interest for delayed payment in accordance with the interest rate referred to in section 4 of the Interest Act. (Amendment 954/2011)

#### **Section 57. Offsetting of payments**

1. Repayable or recoverable sums, with interest, may be recovered by means of a reduction in funding paid to the university under this Act.

### **Section 58. Appeal concerning a funding decision (Amendment 954 /2011)**

1. Appeals against and requests for rectification of a decision of the Ministry of Education and Culture to grant funding, suspend payment under section 53, recover funding under section 55 and offset payment under section 57 shall come under the provisions of section 34 of the Act on Discretionary Government Transfers (688/2001).

### **Section 59. Implementation**

1. A decision may be implemented notwithstanding a request for rectification unless otherwise decreed by the appeals authority. A decision on the recovery of funding referred to in section 55 issued owing to a request for rectification may be implemented in accordance with the provisions of the Act on the Enforcement of Taxes and Charges.

## **Chapter 7. University finances**

### **Section 60. Equity of a public university**

1. A public university has equity consisting of original own funds, other equity and a revaluation reserve.
2. The original own funds is capital permanently invested in the university.
3. Other equity is capital accruing to the university from the surplus of its operations and state property conveyed to the university at the time of its incorporation, which has been transferred to as other equity. The revaluation reserve shows the amount of revaluation of disbursed fixed assets. Other equity may be transferred to the own funds.

### **Section 61. Accounting**

1. University accounting is governed by the Accounting Act (1336/1997). However, in the universities, the accounting year referred to in the Accounting Act is a calendar year.
2. Further provisions on the profit and loss account and balance sheet formulas may be issued by Government Decree.

### **Section 61. Data on business activities**

1. Where a university pursues business activities in a form other than a separate unit under legal obligation to keep accounts, the profitability information of the business must be presented separately as a profit and loss account broken down by operations in an annex to the financial statement.

### **Section 63. University group**

1. The university may exercise control referred to in Chapter 1, section 5 and 6 of the Accounting Act in one or more domestic or foreign businesses directly relating to the discharge of the duties referred to in section 2 of this Act. Businesses in which the university exercises control are affiliated companies of the university. The university and its affiliated companies form a university group.
2. The leadership of the university group consists of the board and the rector of the university. The university group leadership may also include other university staff who have been specifically charged with duties belonging to the university group leadership. The university group leadership shall be responsible for directing the university group and for organising the supervision of the university group.

### **Section 64. Auditing of the accounts of a public university**

1. The auditing of the accounts of a public university and the status and responsibility of the auditors shall be governed by the Auditing Act (459/2007).
2. The university collegiate body shall elect a sufficient number of auditors and deputy auditors for the university, as stipulated in the university rules of procedure. At least one of the auditors must be a chartered public finance auditor or a chartered public finance auditing corporation referred to in the Act on Chartered Public Finance Auditors (467/1999) and at least one an auditor approved by the Auditing Board of the Central Chamber of Commerce (KHT auditor) or a KHT corporation. The term of office of the auditors shall be for the time being. The term of office shall end and the term of office of the new auditors begin at the end of the meeting of the university collegiate body which elects the new auditor, unless otherwise decided at the election of a new auditor.
3. The auditors shall deliver the audit of the university accounts and submit the audit report to the university collegiate body by the end of the April following the financial year.

### **Section 65. Adoption and confirmation of the financial statement of a public university and discharge**

1. The board of a public university shall prepare the financial statement of the university.
2. The university collegiate body shall confirm the financial statement and decide on the discharge of the board members and the rector by the end of the June following the financial year.
3. If the university collegiate body does not grant discharge to a board member or the rector, it may decide to bring legal action for damages against the board member or the rector. If the university collegiate body decides to take legal action for damages against a board member, it may at the same time discharge the board member from his or her duties.
4. In submitting the financial statement, the board shall put forward a proposal for the handling of the profit or loss of the financial period and measures for balancing the finances. If the financial period is negative and there is no surplus from the previous financial periods to cover the deficit, the board must make a plan for measures to redress the finances.

#### **Section 66. Confidentiality of financial statement**

1. After their formal adoption, the financial statements and the annual reports of universities and university groups are public documents.

#### **Section 67. Limitation of the right to bring action**

1. Legal action taken under Section 65(3) above or section 51 of the Accounting Act which is based on an act other than a punishable act must be brought within five years of the end of the financial period during which the decision prompting the legal action or the act prompting the legal action was undertaken.

### **Chapter 8. Special provisions pertaining to the University of Helsinki**

#### **Section 68. Chancellor of the University of Helsinki**

1. The University of Helsinki has a Chancellor. The duty of the Chancellor of the University of Helsinki shall be to promote science and scholarship and the societal interaction of the University and to oversee the University's general interests and operations.

2. The Chancellor of the University of Helsinki shall have the right to be present and speak at the government sessions which deal with matters pertaining to the University of Helsinki.
3. The requirement of the Chancellor elect shall be that he or she has served science, art or the university system with distinction. Further provisions on the appointment and remit of the Chancellor shall be laid down in the university rules.

#### **Section 69. Swedish School of Social Science of the University of Helsinki**

1. Attached to the University of Helsinki is the Swedish School of Social Science. The School has a multi-member administrative body and a rector. The multi-member administrative body shall adopt the rules of procedure of the School.
2. Provisions pertaining to the remits of the multi-member administrative body and of the rector shall be issued by Government Decree. Provisions pertaining to the election and terms of office of the multi-member administrative body and of the rector and to other administration of the School shall be laid down in the rules of procedure of the School.
3. Those who have been awarded a degree by the School shall have the right to continue their studies for the degree of Master of Social Sciences at the University of Helsinki. (Amendment 416/2010)

#### **Section 70. National Library**

1. Attached to the University of Helsinki is the National Library. The National Library is responsible for the storage, maintenance and accessibility of the national cultural heritage in its field of operation.
2. The mission of the National Library shall be to develop and offer national services for university libraries, public libraries, polytechnic libraries and specialist libraries and to promote national and international cooperation in the library field. The mission of the National Library shall otherwise be governed by the Act on the deposit and preservation of national cultural materials (1433/2007).

#### **Section 71. Board of the National Library**

1. The National Library has a board of directors. The board shall comprise a maximum of 13 members, each of whom has a personal deputy. The board of the University of Helsinki shall appoint the members and deputy members of the board and the chairperson from amongst the members.

2. After consulting the libraries, the Ministry of Education and Culture shall submit a proposal to the board of the University of Helsinki on the members and their deputies representing the Ministry and the libraries. By proposal of the University of Helsinki, the board shall appoint the same number of members and their deputies as proposed by the Ministry of Education and Culture. In addition, three board members and their deputies shall be appointed on the joint proposal of the Ministry of Education and Culture and the University of Helsinki. (Amendment 954/2011)
3. Provisions on the remit of the board shall be issued by Government Decree.

#### **Section 72. Finnish Museum of Natural History**

1. Attached to the University of Helsinki is the Finnish Museum of Natural History. The Museum of Natural History is responsible for the preservation, accumulation and exhibition of the national natural history collections and for research and education relating to them.

#### **Section 72. Official Calendar of Finland**

1. The University of Helsinki is responsible for publishing the Official Calendar of Finland. The University shall have the right to obtain the information needed for the Calendar free of charge from the central government authorities.

#### **Section 74. Swedish-language instruction and Swedish-speaking vice-rector**

1. The University of Helsinki shall have a minimum of 28 professorships for Swedish-speaking instruction in disciplines determined in the university rules. The professorships of the Swedish School of Social Science are not included in these professorships.
2. The University shall have a board for the development and coordination of Swedish-speaking instruction.
3. One of the vice-rectors must be a professor appointed to a post referred to in subsection 1, unless the rector is a person appointed to such a post.

#### **Section 75. The rights and assets of the University of Helsinki**

1. The University of Helsinki shall have the right to operate one pharmacy in the City of Helsinki. The University shall continue to have all the rights, entitlements and liberties and the assets and income in its possession at the time this Act enters into force.

2. The assets referred to in subsection 1 and donated and bequeathed funds shall be managed separately from other university accounting. The decisions on the management of the funds shall be made by the board.
3. The government shall annually defray to the University a sum corresponding to the corporation tax paid on the business income of the University Pharmacy. In addition, the government shall defray to the University a sum corresponding to the inter-pharmacy profit-balancing payment paid by the University Pharmacy. (Amendment 1117/2010)

## **Chapter 9. Special provisions pertaining to Åbo Akademi University**

### **Section 76. Special mission**

1. Åbo Akademi University, hereinafter Åbo Akademi, shall specifically satisfy the educational and research needs of Finland's Swedish-speaking population and take account of the bilingualism of the country in its activities. Åbo Akademi is responsible for organising teacher education in Swedish. (Amendment 487/2013)
2. The units of Åbo Akademi operating in Vaasa shall constitute one unit (School), whose joint activities are managed by a multi-member administrative body. The administrative body shall be chaired by the rector of the unit. Provisions on the duties and election of the multi-member administrative body and the rector and the composition of the administrative body shall be laid down in the university rules of procedure.

### **Section 77. Åbo Akademi Chancellor**

1. Åbo Akademi has a Chancellor. The duty of the Chancellor shall be to promote science and scholarship and the interaction of the University with society and to oversee Åbo Akademi's general interests and operations.
2. The requirement for the Chancellor elect shall be that he or she has served science, art or the university system with distinction. Further provisions on the appointment and remit of the Chancellor shall be laid down in the university rules.

### **Section 78. Requisite language skills: teachers**

1. A requirement for teaching posts at Åbo Akademi shall be full proficiency in the Swedish language and an ability to understand the Finnish language. The decision on the proficiency in Swedish and Finnish required of a foreigner or a non-native Finnish citizen shall rest with Åbo Akademi.
2. Åbo Akademi has a language board to which the proficiency in Swedish referred to in subsection 1 can be demonstrated.

### **Section 79. Requisite language skills: students**

1. The requirement for admission to Åbo Akademi shall be that the applicant is sufficiently proficient in the Swedish language to pursue studies in Swedish, unless otherwise decided by Åbo Akademi.

#### **Section 80. Assets**

1. Åbo Akademi shall continue to have the rights, entitlements and freedoms and the assets and income it has at the time this Act enters into force.
2. The assets referred to in subsection 1 and donated and bequeathed funds shall be managed separately from other university accounting. The decisions on the management of the funds shall be made by the Åbo Akademi board.

#### **Section 81. Provisions pertaining to certain posts**

1. The professorships and associate professorships instituted at Åbo Akademi since the first of August 1981 shall remain Åbo Akademi posts.
2. Notwithstanding the provisions of subsection 1, after obtaining the opinion of the foundation called "Stiftelsen för Åbo Akademi", Åbo Akademi may change the disciplines and the sets of duties of these posts and upgrade the post of associate professorship to a full professorship.

### **Chapter 10. Appeals**

#### **Section 82. Rectification procedure**

1. A person who has applied for entry to a university may lodge a request in writing with the university to redress the decision on admission within 14 days from the publication of the admissions results. The publication of the admissions results must be accompanied by instructions on how the applicant can obtain information about the way in which the admissions criteria were applied in his or her case and how to seek rectification. The admissions results may not be altered to the detriment of any other admitted person in consequence of such a request for review.

2. A student may apply to the university in writing for a rectification a decision on the forfeiture of the right to study within 14 days of receiving notification of the decision.
3. A student dissatisfied with the grading of a doctoral dissertation, a licentiate thesis or a corresponding study attainment may request a review of the grading from an administrative body designated by the university within 14 days of receiving notification of the grading.
4. A student dissatisfied with the grading of a study attainment other than those referred to in subsection 3 or with the recognition of studies completed elsewhere or of prior knowledge demonstrated in some other manner may apply for a review of the grading orally or in writing in the case of grading, from the teacher who decided on the grade and, in the case of recognition of prior studies, from the person who made the decision on recognition. The rectification request must be made within 14 days of the date on which the information about the grades and the application of the assessment criteria to student's study attainment became accessible to the student. The recognition request concerning recognition of prior learning must be made within 14 days of the receipt of the notification of the decision. A student dissatisfied with the decision on the rectification request may seek rectification from a degree board or other organ designated for the purpose within 14 days of receiving the notification of the decision.

### **Section 83. Appeal against a university decision (Amendment 954 /2011)**

1. An appeal against a decision of a university to revoke the right to study referred to in section 43a or to reinstate the right to study referred to in section 43c shall be lodged with the students' legal protection board within 14 days of the receipt of the decision and otherwise as provided in the Administrative Judicial Procedure Act (586/1996). An appeal against other administrative decisions of a university is lodged with the administrative court within whose jurisdiction the university headquarters is located, as provided in the Administrative Judicial Procedure Act (586/1996), unless otherwise provided in this Act or other statutes. An appeal against a decision on the revocation of the right to study, the reinstatement of the right to study as well as cautioning, suspension and ban from attending studies shall be handled as an urgent matter.

### **Section 84. Ban on appeals**

1. No appeal may be lodged against a university decision pertaining to
  - (1) the election of an administrative organ of the university;
  - (2) the university rules of procedure or other general regulation;
  - (3) a curriculum or other stipulation concerning teaching arrangements;
  - (4) discharge or legal action for the compensation of damage referred to in section 65; or
  - (5) a scholarship or grant.

2. A decision for which it is possible to seek rectification under section 82 may not be appealed against. An appeal against a decision on a rectification request shall be lodged with the administrative court. However, a decision on the rectification of the grading of a study attainment and on recognition of prior studies may not be appealed against.
3. A decision issued by an administrative court on student admissions referred to in section 36, forfeiture of the right to study referred to in section 43 or a disciplinary action referred to in section 45 may not be appealed against.

#### **Section 85. Implementation of a decision to revoke the right to study and disciplinary action (Amendment 954 /2011)**

1. A decision to revoke the right to study, to suspend a student and ban a student from studies may be carried out notwithstanding an appeal pending against it, unless otherwise decreed by an administrative court or the students' legal protection board.

#### **Section 86. Appeal against a decision by a student union or a student nation**

1. An appeal against a decision of a student union concerning an administrative matter may be lodged with the administrative court as provided in the Administrative Judicial Procedure Act. Further, a member of a student union may appeal against a decision of a student union organ on grounds that the decision has been taken in breach of statutes or stipulations governing the student union or is otherwise in breach of statutes or stipulations governing the student union. The administrative court ruling may not be appealed against.
2. An appeal against a decision of a student nation concerning an administrative matter may be lodged with the administrative court as provided in the Administrative Judicial Procedure Act. The administrative court ruling may not be appealed against.
3. A member of a student union or a student nation is considered to have been notified of a decision when the decision has been posted for public inspection.

### **Chapter 11. Further provisions**

#### **Section 87. Evaluation**

1. The universities must evaluate their education, research and artistic activities as well as the effectiveness thereof. The universities must also regularly participate in the external evaluation of their activities and quality assurance systems. The universities must publish the results of the evaluations they have organised.

2. Provisions on the Finnish Education Evaluation Centre is laid down in the Act on the Finnish Education Evaluation Centre. (Amendment 1295 /2013)

### **Section 88. University training school**

1. Attached to a university which provides teacher education there shall be a sufficient number of teacher training schools to meet the needs of teaching practice and the development of teacher education; the teacher training schools may provide pre-primary, primary, lower secondary and upper secondary education. The pupils of the teacher training school are not students of the university.
2. The provision of the education referred to in subsection 1 and the discontinuation of the operation shall be governed by provisions in other statutes on pre-primary, primary, lower secondary and upper secondary education in a state educational institution. The same provisions shall apply to any decision to expand a teacher training school to provide instruction and education intended for more age groups or a decision to effect a corresponding reduction in the operation of the school. Should the educational need diminish or terminate, the operation may be downsized or discontinued.
3. Each teacher training school has an administrative organ appointed by the university, which may include non-university members. The teacher training school also has an executive head teacher responsible for the school operations.
4. Further provisions on the operations and administration of the teacher training school shall be laid down in the university rules.

### **Section 89. Adjunct professors**

1. Upon application, a university may award the title of adjunct professor ('dosentti' in Finnish) to a person who has comprehensive knowledge of his or her own field, a capacity for independent research or artistic work demonstrated through publications or some other manner, and good teaching skills.

### **Section 90. Contingency plans**

1. The universities must ensure as undisturbed operation in emergency conditions and in abnormal and exceptional situations as possible by means of contingency plans, advance preparation of operations and by other means.

2. The Ministry of Education and Culture shall supervise the contingency planning. Where shortcomings are identified in the plans, the Ministry of Education and Culture may order the shortcomings to be put right. (Amendment 954/2011)

#### **Section 90a. Right to obtain information (Amendment 954 /2011)**

1. Notwithstanding the provisions on confidentiality, information on a student's state of health and functional capacity which are necessary for the execution of duties may be supplied by the holder of this information to:
  - (1) the rector of a university and those responsible for the security of the university for the purpose of safeguarding the safety of studies;
  - (2) a person responsible for study counselling for the purpose of guiding the student to other studies or support services;
  - (3) a person responsible for student health care for the purpose of safeguarding the student's health and safety;
  - (4) a person responsible for practical training for the purpose of safeguarding the safety of the student and the safety of the staff and customers of the place of training; and
  - (5) the police and a representative of the university who is primarily responsible for investigating a threat to security for the purpose of assessing an immediate threat to safety or if the student's state of health endangers the safety of others in the assessment.
2. Notwithstanding the provisions on confidentiality, those responsible for executing the duties in this Act have the right to inform the police of essential details for the purpose of assessing an immediate threat to life or health and to prevent a threatening act, if they, in performing their duties, have obtained information about circumstances that leads them to believe that someone may be in danger of becoming the target of violence.

#### **Section 91. Development plan for education and research**

1. The Government adopts a development plan for education and research for a fixed number of years at a time, which sets out the general development targets for universities. Further provisions on the development plan for education and research shall be issued by Government Decree.

#### **Section 92. Coordination of higher education provided in Swedish**

1. There is an advisory board for the coordination of higher education provided in Swedish, whose remit is to take initiative and issue opinions on matters of essential relevance to higher education in Swedish. The advisory board must specifically monitor the need for higher education provided in Swedish in consideration of the demand for education, labour market requirements and regional needs.
2. Universities and polytechnics whose language of instruction is Swedish shall appoint their representatives to the advisory board. The advisory board shall elect a chairperson and vice-chairperson from amongst its members.

3. Further provisions on the term of office, composition and activities of the advisory board shall be laid down in the rules of procedure adopted by the advisory board.

**Section 92a. Compensation of the tax on business income and the inter-pharmacy profit balancing payment paid by the University Pharmacy of the University of Eastern Finland (Amendment 1117/2010)**

1. The government shall annually defray to the University of Eastern Finland a sum corresponding to the corporation tax paid on the business income of the University Pharmacy. In addition, the government shall defray to the University a sum corresponding to the inter-pharmacy profit balancing payment paid by the University Pharmacy.

**Section 93. Entry into force**

1. Provisions on the entry into force of this Act shall be issued in a separate Act.