

THE LAW
ON QUALITY ASSURANCE IN HIGHER EDUCATION OF THE
REPUBLIC OF SRPSKA
("Official Gazette of the Republic of Srpska", number: 67/20)

CHAPTER I
BASIC PROVISIONS

Article 1

This law regulates quality assurance in higher education, procedures of initial accreditation, accreditation, thematic evaluation and external independent periodic assessment of the internal quality assurance system, as well as the status, activity, organization and financing of the Agency for Higher Education of Republika Srpska.

Article 2

The goals of quality assurance in higher education are:

- 1) building a culture of quality in higher education in the Republic of Srpska (hereinafter: the Republic),
- 2) continuous development of society and economy through the improvement of the quality of higher education,
- 3) encouragement to create a perspective environment for the development of careers of highly educated professionals in the Republic,
- 4) involvement of all stakeholders, especially students, in quality assurance processes,
- 5) harmonization with the European system of higher education and
- 6) constant analysis and adoption of trends and scientific research in the field of higher education.

Article 3

Quality assurance in higher education in the Republic is based on the following principles:

- 1) development of a quality assurance system for higher education in accordance with European standards (ESG),
- 2) partnership with higher education institutions, students and other interested parties,
- 3) openness, professionalism and ethics in all quality assurance processes,
- 4) focus of quality assurance on the needs of students and the community,
- 5) comparability with international quality standards and
- 6) independence in quality assurance processes and objectivity of outcome decisions.

Article 4

Certain terms and concepts in the sense of this law have the following meaning:

1) quality is a set of characteristics of a higher education institution, ie study program which proves the level of meeting generally accepted standards, as well as the needs and expectations of students and society as a whole in the process of higher education, through constant striving to improve all processes and outcomes,

2) Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)

are standards and guidelines for internal quality assurance of higher education institutions, standards and guidelines for external quality assurance and standards and guidelines for quality assurance of agencies,

3) quality assurance is an aspect of process management that plans, supervises the implementation and improvement of key activities, with the ultimate goal of gaining the confidence of stakeholders that the expected level of quality will be achieved,

4) internal quality assurance system is a system of measures and activities by which higher education institutions ensure the efficiency of the process and the achievement of quality outcomes of educational and scientific activities, and activities of importance to the community,

5) the external quality assurance system includes the evaluation and assessment of the quality of the institution, member of the university, study program or internal quality assurance system based on objective and clear criteria,

6) evaluation includes the procedures and the result of determining the quality, expediency and efficiency of a higher education institution, member of a university, study program or internal quality assurance system,

7) self-evaluation (engl. Internal evaluation) is a process by which a higher education institution in a systematic and documented manner checks the effectiveness and efficiency of the quality assurance system and its processes with the aim of initiating actions, activities and improvement projects,

8) external evaluation is an objective and impartial evaluation of the quality assurance system in relation to applicable standards and criteria, performed by a commission of reviewers or a

commission of experts, for the purpose of initial accreditation or accreditation of a higher education institution and study programs.

9) initial accreditation is a procedure of external quality evaluation of new higher education institutions and / or new study programs in order to determine whether a higher education institution meets the prescribed conditions and standards for issuing accreditation recommendations for the purpose of issuing work permits to higher education institutions. study programs,

10) accreditation is a procedure of quality assurance of a higher education institution or study program based on self-evaluation of a higher education institution and evaluation of independent experts, in order to confirm fulfillment of conditions for continuing activities and / or conducting study programs, with the aim of recognizing quality of higher education.

11) audit is a systematic and documented process of checking the level of development and efficiency, ie the integrity of the internal quality assurance system and objective evaluation of all its parts in order to determine the extent to which the requirements of quality assurance standards are met,

12) thematic evaluation is the procedure of assessing the quality of individual segments of the organization and / or activities of a higher education institution, member of a university, study program or internal quality assurance system,

13) review of the study program is an expert opinion with the aim of assessing the compliance of the structure and content of the study program with applicable standards in certain educational and scientific fields, and requirements related to learning outcomes, qualifications and occupations of graduates,

14) list of experts is a list containing the names and data of domestic and international experts participating in the accreditation process,

15) list of reviewers is a list containing the names and data of domestic and international experts who participate in the procedures of initial accreditation and review of study programs,

16) commission of experts is an independent body which in the process of external evaluation, for the purpose of accreditation, determines the fulfillment of standards and quality criteria in the work of higher education institutions,

17) reviewers' commission is an independent body which in the process of external evaluation, for the purpose of initial accreditation, determines the fulfillment of standards and quality criteria for initial accreditation of higher education institutions, ie study programs,

18) recommendation on initial accreditation is an independent expert opinion, issued after the evaluation procedure for the purpose of initial accreditation, on the basis of which the ministry in charge of higher education issues a work permit to a higher education institution, ie rejects the higher education institution's application for a work permit,

19) letter of expectation is an act made on the basis of the report on external evaluation for the purpose of accreditation, which indicates the shortcomings observed in determining the quality standards of the study program, ie higher education institution and expresses the expectation that these shortcomings will be eliminated within the given deadline,

20) professional recognition is a procedure by which the holder of a foreign document is determined the right to employment, and which includes the evaluation of the study program in which the higher education qualification was acquired,

21) ENQA - European Association for Quality Assurance in Higher Education,

22) Lisbon Convention - Convention on the Recognition of Diplomas in Higher Education, signed at Lisbon on 11 April 1997,

23) ENIC / NARIC - European Network of Centers for Recognition and Information in Higher Education / National Centers for Academic Recognition and Information (European Network of Information Centers in the European Region / National Academic Recognition Information Centers in the European Union).

Article 5

(1) In resolving administrative matters, the provisions of regulations governing general administrative procedure shall apply.

(2) The collection and use of data on persons participating in quality assurance procedures shall be regulated in accordance with the regulations on personal data protection.

(3) Grammatical expressions used in this Law to denote the masculine or feminine gender shall mean both genders.

CHAPTER II

AGENCY FOR HIGHER EDUCATION OF THE REPUBLIC OF SRPSKA

Article 6

(1) The Agency for Higher Education of the Republika Srpska (hereinafter: the Agency) was established for the purpose of quality assurance in higher education and performs its activity in accordance with these and special laws.

(2) The Agency is an independent legal entity and in its work respects European standards and guidelines, as well as international practice in the field of quality assurance in higher education.

(3) The seat of the Agency is in Banja Luka.

(4) The name of the Agency is the Agency for Higher Education of the Republic of Srpska.

(5) The Agency shall have a seal containing the name of the Agency and the emblem of the Republika Srpska.

Article 7

(1) The Agency represents the Republic at international conferences, gatherings, international organizations and associations within its competence.

(2) The Agency shall cooperate with international bodies, bodies and institutions responsible for higher education and quality assurance.

Article 8

(1) The Agency is competent to:

1) conducts the external evaluation procedure for the purpose of initial accreditation,

2) give a recommendation to the Ministry of Scientific and Technological Development, Higher Education and Information Society (hereinafter: the Ministry) for issuing a work permit to a higher education institution, ie rejecting the request of the higher education institution for issuing a work permit,

3) conducts the accreditation procedure,

4) carry out the thematic evaluation procedure,

5) carry out the procedure of external independent periodic assessment of internal quality assurance systems,

6) keep the Register of accredited higher education institutions and study programs (hereinafter: the Register),

7) carry out the procedure of professional recognition of foreign higher education qualifications in accordance with this Law and the law governing the field of higher education,

8) determine the standards for the initial accreditation of higher education institutions and study programs in the Republic in accordance with this Law, with the previously obtained opinion of the Council for Higher Education of the Republic of Srpska (hereinafter: the Council),

9) determine the standards for accreditation of higher education institutions and study programs in accordance with this Law, criteria for accreditation of higher education institutions and study programs in Bosnia and Herzegovina (hereinafter: BiH), and European and international standards, with previously obtained opinion of the Council,

10) collects and processes data on the higher education system and other systems with which higher education is connected,

11) encourages scientific research work of all interested parties in the field of quality assurance,

12) perform other tasks in accordance with this Law, regulations in the field of higher education and the Statute.

(2) The activity of the Agency shall be regulated by the Statute and general acts of the Agency, in accordance with this Law and regulations in the field of higher education.

CHAPTER III

QUALITY ASSURANCE SYSTEM

Article 9

(1) The quality assurance system in higher education includes the internal and external quality assurance system.

(2) The internal quality assurance system of each higher education institution shall be regulated by its general act in accordance with this Law and the law governing the field of higher education.

(3) The external quality assurance system is based on national, European and international standards.

Article 10

(1) The internal quality assurance system is an integral part of the overall management system of a higher education institution whose structure consists of the quality policy and goals of the higher education institution, and the processes necessary for achieving those goals.

(2) The higher education institution is obliged to carry out internal inspection processes at planned intervals in order to confirm that the procedures and processes of the internal quality assurance system have been effectively applied, and that the set goals are being achieved at the planned level.

(3) The higher education institution conducts the self-evaluation process periodically, at least once in two years, with the aim of determining the level of quality and effectiveness of the established internal quality assurance system, in consultation with stakeholders.

(4) The Director of the Agency shall issue guidelines for the establishment and maintenance of the internal quality assurance system of the higher education institution.

Article 11

(1) The external quality assurance system includes evaluation and assessment of the quality of the subject of evaluation, which is based on objective and clear standards.

(2) The subjects of evaluation in the sense of this Law are: higher education institutions, members of the university, study programs and the internal quality assurance system of the higher education institution and / or members of the university.

(3) External evaluation procedures are: initial accreditation, accreditation, thematic evaluation and external independent periodic assessment of the internal quality assurance system.

Article 12

(1) Initial accreditation, in order to obtain a work permit for higher education activities, determines whether a higher education institution, university member and / or study programs meet the standards for initial accreditation, and in particular the standards relating to:

1) content, quality and scope of study programs,

2) the required number of teaching and other staff with appropriate scientific, artistic and professional qualifications and

3) appropriate space and equipment, in accordance with the number of students provided for in the enrollment plan.

(2) The Ministry shall submit to the Agency a proper request of the higher education institution for external evaluation for the purpose of initial accreditation, with documentation and previously obtained positive opinion of the Council on the study of the higher education institution.

Article 13

(1) The Director of the Agency shall appoint a Commission of Reviewers for external evaluation for the purpose of initial accreditation (hereinafter: the Commission of Reviewers), which shall conduct the external evaluation procedure and verify compliance with the requirements of the initial accreditation standard.

(2) Members of the Reviewers' Commission shall be appointed from the List of Reviewers, in accordance with this Law.

(3) The reviewers' commission shall compile a report on the initial accreditation of the higher education institution, ie study program with an assessment of the fulfillment of the requirements of the standard and a concluding expert opinion, which shall be publicly available.

(4) The higher education institution may file an objection to the report referred to in paragraph 3 of this Article with the Agency.

(5) The Committee for Appeals and Complaints shall decide on the complaint referred to in paragraph 4 of this Article, on the basis of which the Reviewers' Commission shall prepare a final report on the initial accreditation of the higher education institution, ie study program.

(6) The Agency shall, within three months from the day of receipt of the request for external evaluation for the purpose of initial accreditation, submit to the Ministry the final report of the Reviewers' Commission referred to in paragraph 5 of this Article, with the recommendation that:

1) issue a work permit to a higher education institution or

2) rejects the request of the higher education institution for the issuance of a work permit.

(7) Members of the Reviewers' Commission are entitled to compensation for their work.

(8) The Director of the Agency shall issue the Rulebook on the initial accreditation of higher education institutions and study programs.

(9) The Ordinance referred to in paragraph 8 of this Article prescribes the procedure of external evaluation for the purpose of initial accreditation, the manner of determining the List of Reviewers, the procedure of forming and the manner of work of the Reviewers' Commission, the form of reports and recommendations for issuing work permits.

Article 14

Issuance of a license for conducting a new study program at an accredited higher education institution is performed in the manner and according to the procedure prescribed for issuing a license to operate a higher education institution, in accordance with the law governing the field of higher education.

Article 15

(1) The procedure, manner and conditions for changes to the study program shall be prescribed by the law governing the field of higher education.

(2) The higher education institution shall inform the Agency about changes in the study program as part of its self-evaluation reports which are part of the quality documentation and are used in external evaluation procedures as input documentation.

Article 16

(1) Accreditation is a procedure of external evaluation of the quality of a higher education institution or study program, based on the self-evaluation of the higher education institution and the evaluation of independent experts.

(2) The subject of accreditation are higher education institutions and study programs, and this includes the procedures of managing a higher education institution, the processes by which study programs are implemented, the internal quality system in the higher education institution, resources and potentials of the higher education institution.

(3) Accreditation shall be carried out in accordance with the standards for accreditation of higher education institutions and study programs of the Republic that are harmonized with European and international standards, and the criteria for accreditation of higher education institutions and study programs in BiH.

(4) A higher education institution that has a work permit shall submit a request for accreditation of a higher education institution and study programs for which it has a work permit within two years from the day of entry in the Register of Higher Education Institutions kept in the Ministry.

(5) A higher education institution entered in the Register shall be subject to periodic accreditation every five years and periodic external audit of the internal quality assurance system, and accredited study programs shall be subject to periodic external evaluation.

(6) A higher education institution entered in the Register is obliged to accredit all study programs of the first and second cycle of studies for which it has a work permit.

(7) Accreditation and external evaluation of study programs shall take place according to the annual plan prepared by the Agency.

Article 17

(1) Accreditation is carried out in three phases:

1) self-evaluation,

2) external evaluation i

3) making a decision on accreditation.

(2) External evaluation referred to in paragraph 1, paragraph 2) of this Article shall be conducted by the Commission of Experts for Quality Assessment and Audit and giving recommendations on accreditation of higher education institutions and study programs (hereinafter: the Commission of Experts).

(3) The Commission of Experts shall be appointed from the List of Experts, in accordance with the law.

(4) For the purpose of accreditation of the study program, reviewers from the scientific / educational field and / or already scientific / educational field to which the study program belongs are appointed, who submit a report with an expert opinion on the study program, without recommendations on the outcome of accreditation.

(5) Reviewers shall be appointed from the List of Reviewers, in accordance with this Law.

(6) Members of the Commission of Experts and reviewers referred to in paragraph 2 and 4 of this Article are entitled to compensation for their work.

(7) Higher education institutions have the right to object to the Committee for Appeals and Objections to the implementation of the external evaluation procedure at all stages of the procedure.

Article 18

(1) The Commission of Experts shall prepare an external evaluation report for the purpose of accreditation.

(2) Based on the report of the Commission of Experts referred to in paragraph 1 of this Article, the Director of the Agency may:

- 1) issue a decision on accreditation,
- 2) send a letter of expectation or
- 3) issue a decision rejecting the request for accreditation.

(3) The decisions referred to in paragraph 2, paragraph 1) and 3) of this Article, the higher education institution may file an appeal with the Management Board of the Agency within 15 days from the day of receipt of the decision.

(4) The Management Board shall decide on the appeal referred to in paragraph 3 of this Article on the basis of the obtained opinion of the Committee for Appeals and Objections.

(5) The decision of the Management Board referred to in paragraph 4 of this Article is final, and an administrative dispute may be initiated against it by a lawsuit.

(6) If during the external evaluation procedure for the purpose of accreditation the facts that may significantly affect the outcome of the procedure are established, the procedure shall be suspended and the legally relevant facts that are disputable and may affect the outcome of the procedure shall be reviewed.

(7) Accreditations conducted in the Republic of Serbia shall be recognized in the Republic in accordance with the concluded Agreement on joint activities in the field of quality assurance and recognition of accreditations in higher education established between the Ministry of Education, Science and Technological Development of the Republic of Serbia and the Ministry of Scientific and Technological Development. Information Society of the Republic of Srpska (hereinafter: the Agreement).

(8) Accreditation of the study program, as well as any other form of external evaluation acquired by a higher education institution with another ENQA member agency, shall be recognized under the conditions and in the manner determined by the agreement between the Agency and the external evaluation agency.

(9) The Director of the Agency shall adopt the Rulebook on accreditation of higher education institutions and study programs.

(10) The Ordinance referred to in paragraph 9 of this Article prescribes the manner of checking the legitimacy of a higher education institution for accreditation, the procedure of external evaluation of the quality of higher education institutions, the manner of determining the list of experts, the procedure of forming and work of the Commission of Experts, the manner of obtaining the opinion of the Accreditation Council and the procedure for issuing the decision.

Article 19

(1) The Agency shall keep the Register.

(2) Based on the decision on accreditation, higher education institutions and study programs shall be entered in the Register.

(3) The Register shall be kept in written and electronic form and shall be part of the central information system of the Agency, which shall officially notify the Ministry of all changes in the Register.

(4) An excerpt from the Register is available to the public via the Agency's website.

(5) Higher education institutions accredited in the Republic of Serbia may be entered in the Register referred to in paragraph 1 of this Article in accordance with the Agreement.

(6) A higher education institution whose accreditation has expired and which has not submitted a new application for accreditation by the end of the accreditation period shall be deleted from the Register.

(7) A higher education institution whose application for accreditation has been rejected shall be deleted from the Register upon the finality of the decision referred to in Article 18, paragraph 2, item 3) of this Law.

(8) The Director of the Agency shall issue the Rulebook on keeping the Register of accredited higher education institutions and study programs.

(9) The Ordinance referred to in paragraph 8 of this Article shall prescribe the manner of keeping, appearance and content of the Register, the procedure of entry in the Register, manner and corrections of entry, deletion from the Register and ensuring availability of information on accredited higher education institutions.

Article 20

(1) External independent periodic assessment of the internal quality assurance system shall be performed in accordance with the standards for accreditation of higher education institutions and study programs, which have the role of reference values in the audit procedure.

(2) The Agency shall perform an external independent periodic assessment of the internal quality assurance system according to its annual plan.

(3) After the procedure of external independent periodic assessment of the internal quality assurance system, the Agency shall publish a report on the Agency's website with an assessment of the development and efficiency of the internal quality assurance system.

(4) If in the procedure of external independent periodic assessment it is determined that the internal quality assurance system of the subject of evaluation is developed in accordance with the standards for internal quality assurance, and that it is efficient, the Director of the Agency shall issue a certificate on development and efficiency of the internal quality assurance system.

(5) If in the procedure of external independent periodic assessment deficiencies are identified in fulfilling the recommendations for improving the efficiency of the internal quality assurance system

of the subject of evaluation, the Director of the Agency shall issue a recommendation for elimination of deficiencies or, in case of significant deficiencies, initiate thematic evaluation.

(6) Higher education institutions have the right to object to the Committee for Complaints and Objections to the conduct of an external independent periodic assessment of the internal quality assurance system.

(7) Higher education institutions shall be subject to an external independent periodic assessment of the internal quality assurance system at least once every five years.

(8) The Director of the Agency shall issue the Rulebook on Audit.

(9) The Ordinance referred to in paragraph 8 of this Article prescribes the manner of conducting the procedure of external independent periodic assessment, assessment methodology, accreditation standards as reference values for assessment, forms and outcomes of assessment.

Article 21

(1) Thematic evaluation is an extraordinary procedure for checking the quality of the internal parts of the subject of evaluation.

(2) Thematic evaluation shall be conducted ex officio by the Agency on the basis of the decision of the Accreditation Council, and may be conducted at the reasoned proposal of the Ministry, higher education institution and student organization of the higher education institution, ie the Union of Students of Republika Srpska.

(3) At the proposal of the Ministry, the thematic evaluation is carried out for the purpose of checking, evaluating and developing the quality of a member of the university and / or the study program of the subject of evaluation.

(4) At the proposal of the higher education institution, the thematic evaluation shall be carried out for the purpose of evaluating an individual segment from its scope of work.

(5) At the proposal of the student organization, ie the Union of Students of the Republic of Srpska, the thematic evaluation is conducted for the purpose of evaluating the segments of the work of the higher education institution that are directly related to student issues.

(6) Thematic evaluation shall be performed on the basis of standards and criteria for accreditation of higher education institutions and study programs, recommendations of the commission of experts that performed external evaluation, reports on follow-up activities and application of provisions of the law governing higher education, especially regarding issuance of public documents. and election to teaching and associate titles.

(7) Thematic evaluation is conducted by reviewers who are appointed from the List of Reviewers.

(8) Reviewers referred to in paragraph 7 of this Article are entitled to compensation for their work.

(9) Based on the conducted thematic evaluation procedure, the reviewers shall compile a report, which the Agency shall submit to the submitter of the proposal, to the higher education institution and shall be published on the Agency's website.

(10) The higher education institution shall submit an objection to the report on thematic evaluation to the Committee for Complaints and Objections within 30 days from the day of receipt of the report.

(11) In case of a negative assessment, and depending on the purpose of the thematic evaluation, the Agency may initiate a re-accreditation procedure.

(12) The Director of the Agency shall adopt the Rulebook on thematic evaluation.

(13) The Rulebook referred to in paragraph 12 of this Article shall prescribe the procedure and methodology of thematic evaluation, the manner of engaging reviewers, and the form of the proposal referred to in paragraph 2 of this Article.

CHAPTER IV

CENTER FOR INFORMATION AND RECOGNITION

OF FOREIGN HIGHER EDUCATION QUALIFICATIONS

Article 22

(1) The Agency shall organize the Center for Information and Recognition of Foreign Higher Education Qualifications as its organizational part (hereinafter: the Center).

(2) The Center is the ENIC/NARIC Center of the Republic of Srpska.

(3) The Center performs the following tasks:

- 1) professional recognition in the field of higher education within the Lisbon Convention,
- 2) informing about the system of higher education of the Republic and
- 3) information on foreign higher education systems.

Article 23

(1) Recognition of a foreign higher education qualification is a procedure by which the holder of the qualification is determined the right to access employment (hereinafter: professional recognition).

(2) The procedure of professional recognition of a foreign higher education qualification shall be conducted in accordance with this Law, unless otherwise provided by an international agreement.

(3) The recognition procedure shall not be conducted for qualifications acquired on the territory of the former SFRY until April 6, 1992 and for qualifications acquired at accredited higher education institutions in the Republic of Serbia, based on the Agreement on Mutual Recognition of Documents in Education and Regulation of Status Issues ("Official Gazette of Republic of Srpska", No. 79/05).

(4) The qualifications referred to in paragraph 3 of this Article shall have the same legal effect as the qualifications issued on the territory of the Republic.

(5) Exceptionally, at the request of the holder of the qualification, the procedure of professional recognition of the higher education qualification acquired at an accredited higher education institution in the Republic of Serbia may be carried out.

Article 24

(1) In the procedure of professional recognition, the evaluation of a foreign study program on which a foreign higher education qualification has been acquired shall be performed.

(2) When evaluating a foreign study program, the Agency may request an expert opinion from a higher education institution that is the parent for the area to which the foreign study program belongs.

(3) The decision on recognition of a foreign higher education qualification for the purpose of employment must contain: name, type, level and duration (scope) of the study program, name of the foreign higher education qualification in the original language, and type and level of study in the Republic.

(4) The Director of the Agency shall issue the decision referred to in paragraph 3 of this Article within 90 days from the day of receipt of a proper application for recognition of a foreign higher education qualification.

(5) The name of a foreign higher education qualification shall, as a rule, be stated in the operative part of the decision on recognition in the original (in the original language) and without translation.

(6) The decision referred to in paragraph 4 of this Article is final, and an administrative dispute may be initiated against the decision.

(7) The decision referred to in paragraph 4 of this Article has the significance of a public document.

(8) The amount of the fee for the costs of the professional recognition procedure, exemption from the payment of the fee and other issues related to the costs of the professional recognition procedure are regulated by the regulation governing administrative fees.

Article 25

(1) Once performed, the evaluation is valid for all subsequent cases of recognition of a foreign higher education qualification when it was acquired at the same higher education institution and at the same study program.

(2) The Director of the Agency shall issue the Rulebook on the procedure for recognition of a foreign higher education qualification.

(3) The Ordinance referred to in paragraph 2 of this Article shall prescribe the procedure for the recognition of foreign higher education qualifications for the purpose of employment.

Article 26

The Agency keeps records and permanently keeps documentation on the conducted procedures of professional recognition.

CHAPTER V

MANAGEMENT AND FINANCING OF THE AGENCY

Article 27

(1) The organization, management and administration of the Agency shall be regulated by this Law, the Statute and other general acts of the Agency.

(2) The Agency shall be governed by the Management Board and managed by the Director.

(3) The Agency may have expert and advisory bodies, in accordance with its general acts.

(4) The Management Board of the Agency shall adopt the Rulebook on the internal organization and systematization of jobs in the Agency.

(5) The Ordinance referred to in paragraph 4 of this Article shall prescribe the scope and manner of work of organizational units, jobs and special conditions for establishing employment.

Article 28

(1) The governing body of the Agency is the Management Board.

(2) The Management board has five members: three representatives of the academic community of the Republic, one representative of the economy and practice and one representative of the students.

(3) Members of the Management Board from the academic community and economy and practice shall be appointed by the Government of the Republic of Srpska (hereinafter: the Government) for a period of five years, based on a previously conducted public competition procedure, with the possibility of another election.

(4) A member of the Management board from among students, at the proposal of the Union of Students of the Republic of Srpska, shall be appointed by the Government for a period of one year, with the possibility of another election.

(5) Members of the Management Board are entitled to compensation for their work.

Article 29

(1) A person who, in addition to the general conditions prescribed by a special law, also meets the special conditions may be appointed a member of the Management Board who is a representative of the academic community of the Republic:

- 1) has the election in the scientific-teaching title,
- 2) has references in the field of quality assurance at the national and/or international level and
- 3) has a reputation in the professional public and the academic community of the Republic and with his knowledge and experience can contribute to the work of this body.

(2) A person who, in addition to the general conditions prescribed by a special law, also meets the special conditions may be appointed a member of the Management Board who is a representative of the economy and practice:

- 1) has completed the first cycle of higher education studies with 240 ECTS or equivalent,
- 2) has at least five years of work experience in the required level of education and
- 3) is a reputable businessman who with his knowledge and experience can contribute to the work of this body.

(3) A person who, in addition to the general conditions prescribed by a special law, also meets the special conditions may be appointed a member of the Management Board who is a student representative:

- 1) has a grade point average of at least 8.5,
- 2) did not renew any study year and
- 3) is a student of the second or third cycle of studies or second and higher years of study in the first cycle.

(4) A person against whom criminal proceedings are being conducted, or a person who has been convicted of a criminal offense, may not be appointed a member of the Management Board.

Article 30

(1) The Management Board shall perform the following tasks:

- 1) adopts the Statute of the Agency,
- 2) adopt other acts in accordance with the law and the Statute of the Agency,
- 3) adopt the reports submitted by the director in accordance with this Law,
- 4) adopt the annual work plan and financial plan of the Agency,
- 5) adopts the Work Report and the Financial Report of the Agency,

- 6) propose standards for the initial accreditation of higher education institutions and study programs in the Republic,
 - 7) propose standards for accreditation of higher education institutions and study programs in the Republic,
 - 8) adopt the List of Experts for Quality Assessment and Audit and make recommendations on accreditation of higher education institutions, ie study programs in accordance with the law,
 - 9) adopts the List of reviewers for initial accreditation and for review of study programs,
 - 10) appoint members of the Accreditation Council,
 - 11) issue an act prescribing the amount of fees for conducting external evaluations in accordance with this Law,
 - 12) adopt the Rulebook on internal quality assurance of the Agency's work,
 - 13) decide on appeals and objections of higher education institutions to the decision on accreditation of higher education institutions based on the opinion of the Committee for Appeals and Objections,
 - 14) appoint members of the Appeals and Complaints Committee and
 - 15) adopts the Rules of Procedure of the Management Board.
- (2) The Management Board shall take measures for efficient and rational performance of tasks and duties within the competence of the Agency.

Article 31

- (1) The Director of the Agency represents the Agency, manages the work and is responsible for the work of the Agency.
- (2) The Director shall be appointed by the National Assembly of the Republic of Srpska (hereinafter: the National Assembly) for a period of five years, with the possibility of another election, upon a previously conducted public competition procedure.
- (3) The Director is responsible for his work to the Management Board and the National Assembly.
- (4) The Director shall participate in the work of the Management Board of the Agency without the right to vote.
- (5) A person against whom criminal proceedings are being conducted, nor a person who has been convicted of a criminal offense by a final judgment, may not be appointed director.

Article 32

A person may be appointed director of the Agency who, in addition to the general conditions prescribed by a special law, also meets the special conditions:

- 1) has an election in the scientific-teaching title,
- 2) has experience in the field of quality assurance in higher education,
- 3) has references in the field of quality assurance at the national and international level,
- 4) has experience in management in institutions in higher education, lasting at least five years and
- 5) has a reputation in the professional public and the academic community of the Republic.

Article 33

(1) The Director of the Agency shall perform the following tasks:

- 1) propose the Statute to the Management Board,
- 2) propose the work program and financial plan of the Agency,
- 3) submit a report on the work of the Agency,
- 4) decide on the need for admission and placement of employees in the Agency in accordance with the law governing the field of work, the Collective Agreement, the Rulebook on work and the Rulebook on internal organization and systematization of jobs,
- 5) appoint reviewers' commissions for external evaluation and giving recommendations on initial accreditation,
- 6) appoint reviewers for reviews of study programs,
- 7) determine proposals and form commissions of experts for quality assessment and audit and make recommendations on accreditation of higher education institutions, ie study programs in accordance with the law,
- 8) propose the members of the Accreditation Council after the conducted public competition procedure,
- 9) represents the Agency at international conferences, gatherings and in international organizations and associations within the competence of the Agency, in accordance with the law and the Statute of the Agency,
- 10) propose and adopt general and individual acts in accordance with this Law and the Statute of the Agency and
- 11) perform other tasks prescribed by this Law and the Statute of the Agency.

(2) The Director of the Agency, at the proposal of the Management Board, and after obtaining the opinion of the Council, shall adopt Standards for initial accreditation of higher education institutions and study programs and Standards for accreditation of higher education institutions and study programs in the Republic.

(3) The salary of the Director of the Agency shall be determined by the Management Board, in accordance with the acts of the Agency.

Article 34

The Director of the Agency or a member of the Management Board of the Agency may be removed from office before the expiration of the period for which they were appointed in the event that:

- 1) do not act in accordance with the law and regulations of the Agency,
- 2) abuse their official position and their powers,
- 3) cease to meet the general and special conditions prescribed by this Law,
- 4) by their actions damage the reputation of the Agency or
- 5) submit a reasoned resignation in writing.

Article 35

(1) If a member of the Management Board of the Agency is dismissed before the expiration of the term, a new member of the Management Board shall be elected on the basis of the conducted public competition procedure, for the period until the expiration of the term of office of the dismissed member.

(2) If the Director of the Agency is removed from office before the expiration of his term, the National Assembly may appoint an acting director for a period of up to six months.

(3) In the event of resignation, the director or a member of the Management Board shall remain in office until dismissal, and for a maximum of three months from the day of resignation.

Article 36

If no new appointments are made by the expiration of the term of office of the appointed members of the Management Board of the Agency or the Director of the Agency, the appointed members of the Management Board and the Director of the Agency shall continue to perform their duties up to six months.

Article 37

(1) The Accreditation Council is an expert and advisory body of the Agency, which controls the evaluation process in terms of ensuring the integrity of the internal quality system of the Agency.

(2) The Accreditation Council shall consider the reports on external evaluation and shall draw a conclusion thereon.

(3) If the Accreditation Council has concluded that the report is inconsistent with the standards, criteria and law, the report shall be submitted to the Commission of Reviewers or the Commission of Experts for additional statement and amendment.

(4) The amended report referred to in paragraph 3 of this Article shall be submitted to the Accreditation Council.

(5) The Accreditation Council shall issue a conclusion on the compliance, ie non-compliance of the external evaluation procedure with the standards, criteria and this Law, which it shall submit to the Director of the Agency.

(6) The structure, number of members, manner of election and mandate of the Accreditation Council shall be prescribed by the Statute of the Agency.

(7) Members of the Accreditation Council are entitled to compensation for their work.

Article 38

(1) The Committee for Appeals and Complaints is a body of the Agency that reviews appeals and decides on complaints of higher education institutions in accordance with this Law.

(2) The structure, number of members, manner of election and mandate of the members of the Committee for Appeals and Complaints shall be prescribed by the Statute of the Agency.

(3) Members of the Committee for Appeals and Complaints are entitled to compensation for their work.

Article 39

(1) The Management Board of the Agency shall adopt the Rulebook on determining the amount of fees for the provision of services within the competence of the Agency and the types and manner of distribution of own revenues.

(2) The Rulebook referred to in paragraph 1 of this Article shall determine the amounts of fees for the provision of services within the competence of the Agency, types and manner of distribution of own revenues, amounts of fees for members of the Accreditation Council, members of the Appeals and Complaints Committee, experts and reviewers.

Article 40

(1) The Agency shall be financed from the budget of the Republic, own revenues and other sources.

(2) Funds from the budget of the Republic shall be used to finance salaries and compensations of employees, membership fees and participation in international associations, networks and registers of agencies and a part of material operating costs.

(3) The Director of the Agency shall issue the Rulebook on salaries, compensations and other incomes of employees.

(4) The Rulebook referred to in paragraph 3 of this Article shall prescribe the manner of determining salaries, compensations and other incomes of employees and engaged persons in the Agency.

(5) When adopting the Rulebook referred to in paragraph 3 of this Article, the Director shall take into account the specific skills and experience for each position in the Agency.

Article 41

(1) Funds from the budget of the Republic shall be used to finance the accreditation procedures of public higher education institutions and study programs of higher education institutions, as well as the costs of periodic external evaluation of the Agency in accordance with the financial plan.

(2) The procedures of initial accreditation of higher education institutions and study programs shall be financed by higher education institutions from their own funds.

CHAPTER VI

AGENCY ACTS AND REPORTING

Article 42

(1) The Agency has a Statute.

(2) The Statute of the Agency regulates:

1) organization and manner of business of the Agency,

2) the manner of work of the Management Board,

3) authorization to represent the Agency and sign documentation,

4) jobs, rights, obligations and responsibilities of persons with special powers and responsibilities and

5) other issues related to the operations of the Agency.

(3) The Statute of the Agency shall be published in the "Official Gazette of the Republic of Srpska".

Article 43

(1) The Agency shall submit to the National Assembly an annual report on its work no later than 30 June of the current year for the previous year.

(2) The content of the report referred to in paragraph 1 of this Article shall be determined by the Statute of the Agency.

(3) The Agency shall prepare financial reports on the operations of the Agency in accordance with the regulations governing budgetary and treasury operations.

Article 44

The Agency conducts a self-evaluation process periodically, at least once every three years, in order to assess the effectiveness of the established internal quality assurance system, in consultation with stakeholders.

Article 45

The Agency is subject to periodic external evaluation in accordance with European standards and practices, which it reports to the National Assembly.

CHAPTER VII

TRANSITIONAL AND FINAL PROVISIONS

Article 46

The Agency is the legal successor of the Public Institution of the Agency for Accreditation of Higher Education Institutions of the Republic of Srpska.

Article 47

Members of the Management Board, members of the Accreditation Council and the director of the Public Institution Agency for Accreditation of Higher Education Institutions of the Republic of Srpska, remain in office until the expiration of their mandate.

Article 48

(1) The Director of the Agency shall, within six months from the day this Law enters into force, issue:

- 1) Rulebook on initial accreditation of higher education institutions and study programs (Article 13, paragraph 8),
- 2) Rulebook on accreditation of higher education institutions and study programs (Article 18, paragraph 9),
- 3) Rulebook on keeping the Register of accredited higher education institutions and study programs (Article 19, paragraph 8),
- 4) Rulebook on audit (Article 20, paragraph 8),
- 5) Rules on thematic evaluation (Article 21, paragraph 12),
- 6) Rulebook on the procedure for recognition of a foreign higher education qualification (Article 25, paragraph 2),
- 7) Rulebook on salaries, compensations and other incomes of employees (Article 40, paragraph 3).

(2) The Director of the Agency shall, within six months from the day this Law enters into force, upon the proposal of the Management Board, and upon obtaining the opinion of the Council, adopt:

- 1) Standards for initial accreditation of higher education institutions and study programs in the Republic (Article 33, paragraph 2), and
- 2) Standards for accreditation of higher education institutions and study programs in the Republic (Article 33, paragraph 2).

(3) The Management Board of the Agency shall, within six months from the day this Law enters into force, adopt:

- 1) Rulebook on internal organization and systematization of jobs in the Agency (Article 27, paragraph 4),
- 2) Rulebook on internal quality assurance of the Agency's work (Article 30, paragraph 1, item 12),
- 3) Rulebook on determining the amount of fees for the provision of services within the competence of the Agency and the types and manner of distribution of own revenues (Article 39, paragraph 1).

(4) Until the enactment of the acts referred to in paragraph 1 of this Article, the bylaws of the Public Institution for Accreditation of Higher Education Institutions of the Republic of Srpska, which were valid until the day this Law enters into force, shall apply, unless they are in conflict with this Law.

Article 49

(1) The procedures for issuing a work permit and accreditation procedures started in accordance with the regulations that were valid until the entry into force of this Law, shall be completed in accordance with the previously valid regulations.

(2) Until the entry into force of the standard referred to in Article 8, paragraph 1, item 8) and 9) of this Law, the procedures for issuing work permits and accreditation procedures shall be carried out in accordance with the previously valid regulations in the field of higher education.

(3) Higher education institutions that have acquired initial accreditation in accordance with the law governing the field of higher education are obliged to initiate the accreditation procedure within a period not exceeding two years from the day this law enters into force.

Article 50

(1) The Agency shall organize the Center referred to in Article 22 of this Law within one year from the day this Law enters into force.

(2) Until the organization of the Center referred to in Article 22 of this Law, the procedure of professional recognition of foreign higher education qualifications shall be carried out in accordance with the provisions of previously valid regulations in the field of higher education.

Article 51

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of Srpska".

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Date: June 25, 2020

**PRESIDENT
of the NATIONAL ASSEMBLY**

Nedeljko Cubrilovic