

MINISTRY OF SCIENCE, TECHNOLOGY AND HIGHER EDUCATION

Decree-Law 74/2006¹ of 24 March

Academic titles and diplomas of higher education

The Program of the XVII Cabinet described as one of its main goals in terms of higher education policy in 2005-2009, to ensure the qualification of the Portuguese within the European area, by means of the Bologna Process, a unique opportunity to foster attendance in higher education, improve the quality and relevance of the courses offered, promote undergraduate and graduate mobility and the internationalisation of our courses.

To fulfil that pledge, in April 2005 a bill was submitted to the Portuguese Parliament aiming to introduce within the Basic Law for the Educational System the changes necessary to achieve that goal in terms of higher education organization.

The law 49/2005, of 30 August, which altered the Basic Law of the Education System, consecrated namely:

The guarantee that all citizens shall enjoy the necessary conditions to access lifelong learning, by altering to the rules of access to higher education to all those who did not attend it at the reference age, by giving higher education establishments the responsibility for their selection and allowing for the recognition of their professional experience;

The adoption the three cycle system for higher education ;

A change in the system, from a teacher-centred system, based on the passing on of knowledge to a student-centred system, based on the development of competences;

The adoption of the European Credit Transfer and Accumulation System (ECTS), based on student workload.

After altering the Basic Law for the Education System, the Cabinet has approved three structuring statutes for the higher education system in terms of technical specialization courses, special access conditions, titles and diplomas.

The present Decree-Law regulates the alterations introduced by the Basic Law for the Education System regarding the new organization model of higher education in terms of study cycles and is divided in five main titles focusing on:

Higher education titles and diplomas (title II);

General rules for the accreditation process (title III);

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Rules to apply when restructuring already existing courses (title IV);

Transient rules to adopt when creating the new study cycles until the moment the accreditation agency is created and starts functioning (title V);

Rules to adopt when registering alterations, namely those referring to the plans of study of courses (title VI).

In title II, chapters II to IV characterize in detail each of the three study cycles within the framework of the Bologna Process, whose more relevant features are:

Higher education being structured in three cycles, as consecrated in the Basic Law for the Education System;

The different objectives of polytechnic and university subsystems, considering the European experience in this area, in a context of equal dignity but a different vocation;

Definition of objectives of each study cycle bearing in mind the competences to acquire, adopting the conclusions drawn collectively at European level materialized in the Dublin descriptors, considering that the transition from a system based on the passing on of knowledge to one based on student development of competences is a critical issue throughout Europe, particularly in Portugal;

Courses being structured based on the European Credit Transfer and Accumulation System.

A careful analysis of European experience demonstrates that the 1st cycle usually corresponds to 180 credits, i.e., to three years of student workload.

For a few professions, a longer cycle is internationally required, corresponding to four, five or six years of student workload.

Within this group, there are regulated professions for which EU directives establish minimum educational requirements, as the European Parliament and Council Directive 2005/36/CE, of 7 September (Official Journal, L 255, of 30 September 2005). These professions include doctors, nurses responsible for general care, dentists, veterinaries, nurses specialized in maternal health and obstetrics, pharmacists and architects.

On the other hand, there are those whose longer training comes from a well-established practice in the European Union, as the case of some conception engineering.

Finally, those whose duration, due to national rules of law in force, shall be longer than 180 credits.

Adopting artificially long cycles, outside the European framework, is not acceptable, not only because it would represent a waste of resources but also because it would be harmful to Portuguese higher education students. Therefore, and notwithstanding the autonomy of higher education institutions, the financing formula shall take into consideration the European reference on study cycle duration.

As provided for in the alteration introduced in the Basic Law for Higher Education Financing by Law 49/2005, of 30 August, it is also hereby regulated how fees are to be established for the master title in the public education system and that whenever its attendance and completion, along with the bachelor title, is required for a profession, the fees shall be established as are those established for bachelor programs, following, thus, the idea expressed by the Cabinet on approval of the alterations to the Basic Law for the Education System.

When defining the objectives and outcome measures for awarding each of the academic titles, we took into consideration the specific features of the different fields of study, particularly in the case of art. However, this is a field requiring further consideration, which shall be fostered so as to create the best conditions for its development within the framework of higher education, as was the case in other countries.

Chapter V establishes the general rules as to which higher education courses do not award a title.

Chapter VI consecrates the possibility of higher education establishments associating with other national or international, to promote study cycles. It also establishes the rules of title and diploma awarding within this framework, expressly providing for the possibility of awarding a joint diploma. A legal framework is therefore established for the development of networks and new partnerships, which shall allow institutions to increase synergy and optimise the use of existing resources.

Chapter VII establishes the rules for student mobility in terms of courses and higher education establishments, pursuant paragraph 4 of article 13 of the Basic Law for the Education System, aiming at a new reference framework which shall facilitate this mobility, very different from the old-fashioned equivalence system. As such, periods of study in other higher education cycles in higher education institutions, national or international, are credited and it becomes possible to allocate credits to professional experience and post-highschool training.

Finally, chapter VIII introduces a set of innovating dispositions, among which that digital versions of dissertations and master and doctor theses must be legally stored in the National Library and in the Observatory for Science and Higher Education, that there must be a written permission to use a foreign

language to write and discuss the dissertations and theses, as well as to use videoconference for the jury's preparatory meetings.

In title III the main principles are established for study cycle accreditation, an indispensable condition for its functioning.

That accreditation shall take place within the European framework of higher education quality assurance and the establishment shall be accredited for certain fields of teaching. The responsibility for this process shall fall on an agency with scientific and technical autonomy, which shall be created and whose functioning shall be defined in a specific statute.

It should also be quite clear that, though the accreditation is indispensable for State financing of study cycles in the public school system, it is not the only condition for that financing, as this is also conditioned to network organization of higher education in the legal framework in force.

Title IV establishes the rules to apply when reorganizing the already existing courses.

Adjusting the education system to the new organization model of higher education is being substantiated by work carried out by the institutions themselves and in which students and professors should participate. The goals of these adjustments are namely:

To change from a system based on the passing on of knowledge to one based on student development of competences;

To lead education towards very specific objectives. These should be ensured by the study cycle of the university or polytechnic subsystems it belongs to:

To make sure that Portuguese students enjoy similar conditions and professional training, both in duration and in content, to that enjoyed by students from other States belonging to the European area. This shall be carried out by adopting, in each field of study a study cycle, a number of credits and, consequently, a duration that are not different from higher education reference institutions within that space and dedicated to the same fields of study;

To determine the student workload in each curricular unit, namely, and where applicable, the collective teaching sessions, the personal guidance sessions, similar to tutorials, the traineeships, the projects, the field work, study and evaluation - how these correspond to credits in accordance with the European Credit Transfer and Accumulation System. This process shall include surveys to students and professors.

To establish the total number of credits and consequently the duration of the study cycle, within the numbers and compliant to the criteria established by the present decree-law.

For the present plans of study to come into force, they must be registered by the Directorate-General for Higher Education, whose sole objective is to verify the compliance to the adjustment procedures provided for in the law.

To assist the Directorate-General of Higher Education in this area, a follow-up committee shall be created to monitor the reorganization process. The members of the committees shall be public representatives, representatives from the different subsystems of higher education, from higher education students associations and other individuals to be appointed by the Minister of Science, Technology and Higher Education.

The referred adjustment implies a reorganization of higher education courses with the purpose of putting into practice the objectives of the Bologna Process and therefore must not be considered a mere formal alteration.

The key issue of the Bologna Process is the change from a passive educational model, based on knowledge acquisition, to one based on competence development, including both general competences – instrumental, interpersonal and systemic – and specific competences related to specific fields of study and in which experimentation and project development have an important role.

To identify competences, to develop suitable methodologies and to place into practice the new teaching model are the challenges higher education institutions shall have to face.

As agreed in the European Ministerial Conference on the Bologna Process in Bergen in 2005, the generalized adoption of this model of study cycles should be completed before 2010. As such, the statute establishes that the adjustments shall take place before the end of 2008-2009, so that in the following school year, 2009-2010, all study cycles shall be organized according to the new model.

Higher education establishments have therefore ample time to adjust their courses to this new paradigm.

To those which have already developed the necessary means to adopt the new education model, deadlines shall be set to allow them to begin the transition to the new model already in 2006-2007 or 2007-2008.

Students and professors are called upon to become involved in this process, through representation and participation in the bodies of management, namely the scientific and pedagogic councils, and through other forms of consultation.

Other measures shall have to be taken following this organization of higher education, namely those referring to access and pursue certain professional careers, as these require an alteration. These measures shall follow,

considering the time the first undergraduates attending courses under the new model shall complete their programs.

Chapter IV of this title shall establish the general principles for curricular transition. It shall be established that after reorganizing each course, higher education establishments shall ensure that, as soon as possible, all courses shall be taught under the new model so that the new and the old plans of study coexist for no longer than a school year or, as an exception, two school years. Our aim is to prevent that two types of organization and two ways of teaching function simultaneously as that shall result in a waste of resources and is obviously illogical.

Title V establishes the rules for creating new study cycles in the transitory period, i.e., until the accreditation agency is in full service. This process shall not be changed except as far as the way the applications must be organized. Similar to the adjustment process for already existing courses, new courses must fulfil the requirements set by the statute. As far as the private and cooperative subsystem is concerned, in an attempt to fulfil the institutions' request, the accreditation process shall be simplified and less bureaucratic through the use of specialist committees for each area of training.

Title VI establishes the rules to adopt in terms of registration of alterations, namely alterations in the plans of study. The old-fashioned process shall disappear, by which approval of a certain plan of study was only possible in both polytechnic and private subsystems through ministerial ruling. Higher education institutions, be it universities or polytechnics, public or private, shall now be responsible for approval and implementation of all alterations to the plans of study once they have informed the Directorate-General do Higher Education and requested their registration, which may only be refused by reason of obvious illegality.

The bill to the statute was open for discussion and its final version includes contributions by the Council of Rectors of Portuguese Universities, the Coordinating Council for Higher Polytechnic Institutes, the Portuguese Association for Private Higher Education, student associations, higher education establishments, unions and professional associations as well as by private individuals.

Thus:

In the sequence of Law 46/86, of 14 October (Basic Law for the Education System), altered by Laws 115/97, of 19 September, and 49/2005, of 30 August, pursuant paragraph 1c) of article 198 of the Constitution, the Cabinet decrees as follows:

Academic titles and diplomas of higher education

TITLE I

Object, scope and concepts

Article 1

Object

The present decree-law approves the legal framework of titles and diplomas in higher education, pursuant articles 13 to 15 of Law 46/86, of 14 October (Basic Law for the Education System), altered by Laws 115/97, of 19 September, and 49/2005, of 30 de August, as well as the provisions in paragraph 4 of article 16 of Law 37/2003, of 22 August (which establishes the rules for financing higher education), altered by Law 49/2005, of 30 August.

Article 2

Scope

1 – The provisions in the present decree-law apply to all higher education establishments.

2 – The principles present in this decree-law shall be applicable to military and police higher education establishments by means of a separate statute.

Article 3

Concepts

For the purposes of the present decree-law:

a) «Curricular unit» means a subject with its own objectives, which students may choose to enrol in and which shall award them an evaluation and a final grade;

b) «Course plan of study» means the organized group of curricular units a student must pass to:

i) Be awarded a certain academic title;

ii) Complete a course which shall not award a title;

iii) Meet some of the conditions required to being awarded a certain academic title;

c) «Ordinary duration of a study cycle» means the number of school years, semesters or period of three months a full-time student shall need to complete a study cycle;

d) «Credit» is the outcome measurement unit of a student's workload and is allocated, namely, to collective teaching sessions, personal guidance sessions similar to tutorials, traineeships, projects, field work, study and evaluation, pursuant Decree-Law 42/2005, of 22 February;

e) «Access conditions» means the general conditions to be met for a student to be admitted to a study cycle;

f) «Enrolment conditions» means the particular conditions to be met for a student to be admitted to a specific study cycle in a specific establishments.

TITLE II

Academic titles and diplomas of higher education

CHAPTER I

General dispositions

Article 4

Academic titles

1 – The polytechnic institutions may award bachelor and master titles.

2 – Universities may award bachelor, master and doctor titles.

CHAPTER II

Bachelor

Article 5

Bachelor title

The bachelor title is awarded to those who demonstrate:

a) They possess knowledge and understanding ability in an area of training so that:

- i) They are able to develop and deepen what they have learnt at high school level;
 - ii) They are able to use and respond to high level teaching materials;
 - iii) In certain fields within that area, their knowledge is of the highest level;
- b) They are able to use the knowledge and understanding ability they have attained so as to be evident in their professional approach and their work in that vocational area;
- c) They are able to solve problems within the scope of their field of study and to construct and defend their reasoning;
- d) They are able to collect, select and interpret the relevant information, particularly in their field of study, which enables them to prove the solutions they propose and the opinions they defend, including when they analyse relevant social, scientific and ethical aspects;
- e) They have acquired competences which make it possible to communicate information, ideas, problems and solutions to audiences which include, or not, specialists in the field;
- f) They have acquired learning competences which make it possible for them to in continue lifelong learning with a high degree of autonomy.

Article 6

Awarding a bachelor title

1 – The areas each higher education institution may award a bachelor title are established by its legal body with statutory competence.

2 – A bachelor title in a specific field may only be awarded by those higher education establishments which:

- a) Have their own teaching staff, qualified in the area in question and in adequate number, whose majority are PhDs or specialists of acknowledged experience and professional competence;
- b) Have the human and material resources indispensable to maintain the acquired educational standards and quality;

3 – The verification that the requirements referred to in the previous paragraph are met is included in the accreditation process.

Article 7

Access and enrolment in a study cycle awarding a bachelor title

Conditions for access and enrolment in a study cycle awarding a bachelor title are established in specific statutes.

Article 8

Study cycle awarding a bachelor title in a polytechnic institution

1 – In polytechnics, the study cycle awarding a bachelor title has 180 credits and its duration is usually six curricular semesters of student workload.

2 – The exceptions to the previous number are those cases in which it is required up to 240 credits and a duration of seven or eight curricular semesters of student workload so as to pursue a particular professional activity, pursuant rules of law, either national or European Union, or an established practice in higher education reference institutions within the European area.

3 – In polytechnics, the study cycle awarding a bachelor title should specially value professional training, ensuring that students may, within their student life, apply the knowledge they have acquired in specific activities connected with their professional profile.

Article 9

Study cycle awarding a bachelor title in a university

1 – In universities, the study cycle awarding a bachelor title has 180 to 240 credits and its duration is usually six to eight curricular semesters of student workload.

2 – When establishing the number of credits of a study cycle for the different fields of study, universities should adopt numbers similar to those of reference European universities with courses in the same field, bearing in mind that Portuguese students should enjoy the same conditions for mobility and professional integration, both in terms of duration and of content of a study cycle, as those of other European States.

Article 10

Structure of a study cycle awarding a bachelor title

The study cycle awarding a bachelor title contains a set of curricular units called bachelor course.

Article 11

Awarding a bachelor title

The bachelor title is awarded to those who, having passed all curricular units which are part of the bachelor course plan of study, have obtained the established number of credits.

Article 12

Final average of a bachelor title

1 – To a bachelor title corresponds a final average, within the range 10-20 of the scale 0-20, as well as an equivalent in the European grading scale.

2 – The final average corresponds to the weighted means of the sum of all the grades obtained in the curricular units which belong the bachelor course plan of study.

3 – The weight factors are established in the rules referred to in article 14.

4 – The final average is awarded by the legal body with statutory competence of the higher education establishment.

Article 13

Rules of the bachelor title

1 – The common format for the bachelor award title is used on the diploma which is issued to students by the legal body with statutory competence of the higher education institution.

2 – The diploma as well as the respective certificates is issued simultaneously with the Diploma Supplement, written pursuant and for the purposes of Decree-Law 42/2005, of 22 February.

Article 14

Rules of bachelor titles

The legal body with statutory competence of each higher education institution approves the rules on the following matters:

- a) Particular enrolment conditions;
- b) Functioning conditions;

- c) Curricular structure, plan of study and credits, pursuant technical rules referred to in article 12 of Decree-Law 42/2005, of 22 February;
- d) Student evaluation rules;
- e) Precedence rules;
- f) Rules regarding loss of right to enrol bearing in mind, as far as public education is concerned, the provisions in Law 37/2003, of 22 August;
- g) Weight factors and procedures regarding computation of final average;
- h) Deadlines to issuing diplomas and certificates, and the Diploma Supplement;
- i) Follow-up procedures by the pedagogic and scientific bodies.

CHAPTER III

Master

Article 15

Master title

1 – The master title is awarded to those who demonstrate:

- a) A level of knowledge and understanding ability which:
 - i) enables them to develop and deepen the knowledge acquired in the first study cycle;
 - ii) enables them to develop or apply that knowledge in an original way and, in many cases, in the context of research;
- b) The ability to apply their knowledge and understanding ability in wide and multidisciplinary contexts to solve problems in new and unfamiliar situations though related to their field of study;
- c) The ability to use their knowledge, deal with complex issues, develop solutions or express opinions in situations of which have limited or insufficient knowledge about, including considerations on the implications and ethical and social responsibilities which result from or condition those solutions or opinions.
- d) The ability of express their conclusions and underlying knowledge and thought clearly and unambiguously, both to specialists and to non-specialists;

e) Competence allowing for lifelong learning in a self-oriented and autonomous way.

2 – The master title is awarded in a specialty which may, if necessary, be divided into specialization areas.

Article 16

Awarding a master title

1 – The legal body with statutory competence of each higher education establishment shall determine the specialties in which they award a master title.

2 – The higher education establishments which may offer a master title in a certain specialty are those which:

a) have their own teaching staff, qualified in the area in question and in adequate number, whose majority are PhDs or specialists of acknowledged experience and professional competence;

b) have the human and material resources indispensable to maintain the acquired educational standards and quality;

c) develop a reputed training and research activity or high level of professional development.

3 – The verification that the requirements referred to in the previous number are met is included in the accreditation process.

Article 17

Access and enrolment in a study cycle awarding a master title

1 – Applicants to the study cycle awarding a master title must:

a) have a bachelor title or a legally equivalent title;

b) have a higher education title awarded by a foreign university after attending a first study cycle organized according to the principles of the Bologna Process or by a State that has adhered to this process;

c) have a title awarded by a foreign institution which is recognized as fulfilling the objectives of a bachelor title by the scientific body with statutory competence of the higher education establishment they are applying to;

d) have an academic, scientific or professional curriculum, which is recognized as certification of the applicants' ability to complete this study

cycle by the scientific body with statutory competence of the higher education establishment they are applying to.

2 – The rules to which article 26 refers to establish the specific rules to being accepted in this study cycle.

3 – The recognition which paragraphs 1b) to 1d) refer to apply to having access to the study cycle awarding a master title and do not lead to awarding the applicant an equivalence to a bachelor title or the recognition that he or she has completed an undergraduate program.

Article 18

Study cycle awarding a master title

1 – The study cycle awarding a master title has 90 to 120 credits and its duration is usually three to four curricular semesters of student workload.

2 – As an exception, and notwithstanding all requirements being met in terms of objectives and conditions for the title being awarded, the study cycle awarding a master title in a special field may have 60 credits and a duration of two curricular semesters as a result of a stable and established international practice in that field.

3 – In universities, the study cycle awarding a master title must ensure that the student acquires an academic specialization by means of research, innovation or development of professional competences.

4 – In polytechnics, the study cycle awarding a master title must mainly ensure that the student acquires a professional specialization.

5 – Obtaining the master title referred to in the previous paragraphs, or the credits corresponding to a specialization course mentioned in paragraph 1 a) of article 20 of the present decree-law, may also allow for acceptance in professions with special recognition requirements, under legal and institutional terms.

Article 19

Joint study cycle awarding a master title

1 – In universities, a master title may also be awarded after a joint study cycle, with 300 to 360 credits and a duration between 10 and 12 semesters of student workload, in cases which require it to pursue a certain professional activity either due to:

a) European Union rules of law;

b) it being a well-established practice in the European Union.

2 – Access and enrolment in the study cycle referred to in the previous paragraph is under the same rules of law as those of access and enrolment in the study cycle awarding a bachelor title.

3 – In the study cycle referred to in paragraph 1, a bachelor title is awarded to those who have completed 180 credits in the first six semesters of student workload.

4 – The bachelor title referred to in the previous paragraph should be given a special denomination so as not to be confused with a master title.

5 – The rules referred to in article 26 should provide for the possibility that those holding a bachelor title in a suitable field may enrol in the study cycle mentioned in paragraph 1 and may obtain credits in this study cycle for periods of study in a bachelor program.

Article 20

Structure of a study cycle awarding a master title

1 - The study cycle awarding a master title encompasses:

a) A specialization course, which includes an organized set of curricular units called master course, which corresponds to at least 50 % of the total number of credits of the study cycle;

b) An original and specially designed scientific dissertation or work project or a professional traineeship of which a final report shall be written, depending on the objectives in question. The dissertation, project or traineeship shall have to comply to the respective rules of law and correspond to at least 35% of the total number of credits of the study cycle.

2 – The minimum percentages referred to in paragraph 1:

a) do not apply to the joint study cycle the previous article refers to;

b) may be altered by decision of the accreditation agency mentioned in article 53

Article 21

Guidance

1 – Designing the dissertation or work project or the traineeship shall be guided by a national or foreign PhD or specialist of renown reputation acknowledged by

the scientific body with statutory competence of the higher education establishment.

2 – Guidance may be shared by either national or national and foreign supervisors.

Article 22

Jury (body of specialists) for a master

1 – The dissertation, work project or traineeship report shall be assessed and publicly presented and discussed before a jury (body of specialists) appointed by the legal body with statutory competence of the higher education establishment.

2 – The jury includes three to five members, including the supervisor(s).

3 – The members of the jury should be specialists in the field the dissertation, work project or traineeship report is about and they shall be appointed among national or foreign PhDs or specialists of renown reputation acknowledged by the scientific body of the higher education institution

4 – The decisions of the jury shall be taken by majority of members. Voting shall be nominal and justified and no abstentions are permitted.

5 – Records shall be written of all the jury meetings. The records shall include the members' vote and their justification, which may be shared by all or some members of the jury.

Article 23

Awarding a master title

The master title is awarded to those who passed all curricular units included in the plan of study of the master course and had their public presentation of dissertation, work project or traineeship report approved, thus having obtained the number of credits established.

Article 24

Final average in a master title

1 – A master title has a final average, expressed in the range 10-20 of the full scale 0-20 and in its equivalent in the European grading scale.

2 – The rules referred to in article 26 establish the way the final average is computed.

Article 25

Rules of a master title

1 – The common format for the master award title is used on the diploma which is issued to students by the legal body with statutory competence of the higher education institution.

2 - The diploma as well as the respective certificates is issued simultaneously with a Diploma Supplement, written pursuant and for the purposes of Decree-Law 42/2005, of 22 February.

Article 26

Rules of a master course

The legal body with statutory competence of each higher education establishment approves the rules concerning the following matters:

- a) Rules on admission to the study cycle, in particular, academic and curricular requirements, the application rules, selection and ranking criteria and process of establishing and publishing vacancies and application deadlines;
- b) Functioning conditions;
- c) Curricular structure, plan of study and credits, according to the technical rules of law referred to in article 12 of Decree-Law 42/2005, of 22 February;
- d) Placing into practice the structure referred to in paragraph 1 b) of article 20;
- e) Precedence and assessment in a master course;
- f) Rules regarding loss of right to enrol bearing in mind, as far as public education is concerned, the provisions in Law 37/2003, of 22 August;
- g) Appointment of supervisor(s), conditions under which shared guidance is admitted and rules to be complied to in guidance;
- h) Rules for presenting and handing in of dissertation, work project or traineeship report and its assessment;
- i) Deadlines for the public presentation and discussion of the dissertation, work project or traineeship report;
- j) Rules for selection, appointment and functioning of the jury;

- l) Rules for the public presentation and discussion of the dissertation, work project or traineeship report;
- m) Final assessment process;
- n) Deadlines on the issuing of certificates, diplomas and Diploma Supplement;
- o) Follow-up procedures by the pedagogic and scientific councils.

Article 27

Fees of a study cycle awarding a master title in the public education system

1 – The enrolment fees for the joint study cycle under article 19 is established pursuant to those of the study cycle awarding a bachelor title in paragraph 2 of article 16 of Law 37/2003, of 22 August.

2 – When enrolment in the study cycle awarding a master title in the public education system is required after a study cycle awarding a bachelor title in order for the student to pursue a professional activity, the fees are also established under the same terms as those for the study cycle awarding a bachelor title in paragraph 2 of article 16 of Law 37/2003, of 22 August.

3 – In all other cases, the fees due for enrolment in the study cycle awarding a master title in the public education system are established by the bodies referred to in article 17 of Law 37/2003, of 22 August.

CHAPTER IV

Doctorate

Article 28

Doctor title

1 – A doctor title is awarded to those who:

- a) Have a systematic understanding ability in a scientific field of study;
- b) Demonstrate competence, skills and research methods regarding a scientific field;
- c) Are able to design, project, adapt and carry through a significant research complying to the demands set by academic standards on quality and integrity;

d) Having produced a significant number of original research, which has contributed to knowledge and is worthy of national or international promotion in publications with a selection committee;

e) Are able to critically analyse, assess and synthesize new and complex ideas;

f) Are able to communicate with peers, academic community and society in general on the field they are specialized in;

g) Are able to promote technological, social or cultural progress in an academic or professional context and in a knowledge-based society.

2 – The doctor title is awarded in a field of knowledge or in one of its specialties.

Article 29

Awarding a doctor title

1 – The fields of knowledge and specialties each university may award the title of doctor in are established by its legal body with statutory competence.

2 – The universities which may award the title of doctor in a certain field are those which:

a) have their own teaching staff, qualified in the area in question and in adequate number, whose majority are PhDs and all other human and material resources indispensable to maintain the acquired educational standards and quality;

b) demonstrate they have, in that field, the human and organizational resources needed for research;

c) demonstrate they have an experience in research submitted to assessment or a scientific and academic production relevant in that field, either in terms of their own production or because their academic and research staff participate or collaborate with certain scientific institutions.

3 - The verification that the requirements referred to in the previous number are met is included in the accreditation process.

Article 30

Access and enrolment in the study cycle awarding the title of doctor

1 – Those who can apply to the study cycle awarding the title of doctor are:

- a) Those who hold a master title or a legal equivalent title;
- b) Those with a bachelor title with an academic or scientific curriculum specially relevant, and which the legal scientific body with statutory competence of the university they are applying to recognizes as proof of their ability to complete this study cycle;
- c) Those with an academic, scientific or professional curriculum which the legal scientific body with statutory competence of the university they are applying to recognizes as proof of their ability to complete this study cycle;

2 – The rules of law referred to in article 38 establish the specific conditions to being accepted in this study cycle.

3 – The recognition referred to in paragraphs 1b) to 1c) apply to having access to the study cycle awarding a doctor title and do not lead to awarding the applicant an equivalence to a bachelor or master title or their recognition.

Article 31

Study cycle awarding a Doctor title

The study cycle awarding the title of doctor encompasses:

- a) Writing a thesis which is original and specially written for that purpose, suitable to the field of knowledge or specialty;
- b) Eventually completing a set of curricular units designed for research called doctorate course, whenever provided for by rules of law.

Article 32

Registration of on-going doctorate theses

On-going doctoral theses are registered under Decree-Law 52/2002, of 2 March.

Article 33

Special rules for thesis presentation

1 – Those who may have access to the study cycle awarding a doctor title may request public presentation and discussion of thesis without enrolment in the study cycle referred to in article 31 and without the guidance mentioned in paragraph c) of article 38

2 – The legal scientific body with statutory competence shall decide on the request after analysis of the applicant's curriculum and the thesis suitability in terms of the objectives of a doctor title, under article 28

Article 34

Jury (body of specialists) for a doctorate

1 – The thesis must be publicly presented and discussed before a jury appointed by the university's legal body with statutory competence.

2 – The jury for the doctorate includes:

- a) The Rector or whoever he chooses as representative, who presides;
- b) At least three PhDs;
- c) The supervisor(s), whenever they exist.

3 – Two of the members of the jury mentioned in the previous paragraph are appointed among professors or researchers with a PhD from other higher education or research institutions, national or foreign.

4 – A specialist of renown competence in the same scientific field as the thesis may also be part of the jury.

5 – The jury should include at least three professors or researchers in the scientific field of the thesis.

6 – The decisions of the jury shall be taken by majority of members. Voting shall be nominal and justified and no abstentions are permitted.

5 – Records shall be written of all the jury meetings. The records shall include the members' vote and their justification, which may be shared by all or some members of the jury.

Article 35

Awarding the title of doctor

The title of doctor is awarded to those who passed public presentation of thesis.

Article 36

Final evaluation in the doctor title

1 – A final average for the title of doctor is also established under the rules approved by the university awarding the title.

2 – The assessment referred to in article 34 is the responsibility of the jury, considering the grades in the curricular units of the doctorate course, when it exists, and the of the quality of thesis publicly presented.

Article 37

Rules of a doctor title

1 – The common format for the doctor award title is used on the diploma which is issued to students by the legal body with statutory competence of the higher education institution.

2 - The diploma as well as the respective certificates is issued simultaneously with a Diploma Supplement written pursuant and for the purposes of Decree-Law 42/2005, of 22 February.

Article 38

Rules for the doctor program

The legal body with statutory competence of each university approves the rules concerning the following matters:

- a) Rules on admission to the study cycle, in particular, academic and curricular requirements, the application rules, and the selection criteria;
- b) Existence of the doctorate course and, when it exists, its curricular structure, plan of study and credits, bearing in mind the provisions in Decree-Law 42/2005, of 22 February, and its rules;
- c) Appointment of supervisor(s), conditions under which shared guidance is admitted and rules to be complied to in guidance;
- d) Process of registration of the thesis's subject;
- e) Conditions for thesis preparation;
- f) Rules on presenting and handing in of dissertation, and its assessment;
- g) Deadlines for the public presentation and discussion of the dissertation, work project or traineeship report;
- h) Rules for selection, appointment and functioning of the jury;
- i) Rules on the public presentation and discussion of the dissertation
- j) Final assessment process;

- l) Deadlines on the issuing of certificates, diplomas and Diploma Supplement;
- m) Follow-up procedures by the pedagogic and scientific councils.

CHAPTER V

Diplomas of higher education

Article 39

Diplomas which may be awarded

1 - Higher education establishments may award diplomas, namely:

- a) By partial completion (of no less than 120 credits) of a bachelor program;
- b) By completion of a master course with no less than 60 credits;
- c) By completion of a doctorate course;
- d) By completion of other courses not awarding a title.

2 – In the diplomas referred to in the previous paragraph, a special denomination should be adopted so that they are not mistaken for the corresponding academic title when that exists

Article 40

Rules of diplomas

1 – The common format for the diplomas award titles referred to in the previous article are used on the certificates issued to students by the legal body with statutory competence of the higher education institution.

2 - The diploma referred to in the previous paragraph is issued simultaneously with a Diploma Supplement written pursuant and for the purposes of Decree-Law 42/2005, of 22 February.

3 – The regulations of the courses referred to in paragraph 1 of the previous article establish the deadlines for issuing the diplomas and the respective Diploma Supplements.

CHAPTER VI

Awarding of joint titles and diplomas

Article 41

Object of the association

1 - Higher education establishments may associate with others, national or foreign, to design study cycles awarding titles and diplomas referred to in the previous chapters.

2 – Considering paragraph 7 of article 13 of the Basic Law for the Education System, privilege is not permitted.

Article 42

Awarding a title or diploma

When the associated establishments are equally competent to award a title or diploma in the field in question under the present decree-law, the title or diploma may be awarded:

- a) By one establishment alone;
- b) By each establishment separately;
- c) By the establishments together.

Article 43

Rules of title or diploma

1 – In the case of paragraph b) of the previous article, the common format for the diploma award title is used on the diploma which is issued to students by the legal body with statutory competence of the higher education institution.

2 – In the case of paragraph c) of the previous article, The common format for the diploma award title is used on a unique document signed by the legal bodies with statutory competence of all the establishments

3 – The documents which the previous paragraphs refer to are issued by the Portuguese higher education establishment, together with the Diploma Supplement under Decree-Law 42/2005, of 22 February.

CHAPTER VII

Mobility

Article 44

Assurance of mobility

Student mobility between national higher education establishments, from the same or different subsystems, as well as between national and foreign higher education establishments is assured by the European credit transfer and accumulation system, based on the principle of mutual recognition of education and competences acquired.

Article 45

Accreditation

1 – Considering the possibility of continuing to study and consequent awarding of title or diploma, higher education establishments:

- a) Credit their study cycles with the periods of study in other higher education study cycles in national or foreign higher education establishments, either obtained within the framework of the Bologna Process or before;
- b) Credit their study cycles with the vocational training carried through in courses of technological specialization under the respective statute;
- c) Recognize professional experience and post-highschool training by attributing credits to it;

2 – Accreditation bears in mind the standard of the credits and the scientific field in which the credits were obtained.

3 – The accreditation procedure is established by the legal bodies with statutory competence of the higher education establishments;

CHAPTER VIII

Other dispositions

Article 46

Enrolment in curricular units from subsequent study cycles

1 – Students enrolled in a certain study cycle may be allowed to enrol in curricular units of subsequent study cycles.

2 – The curricular units to which the previous paragraph refers to:

- a) Shall be certified;
- b) Shall be mentioned in the Diploma Supplement;
- c) Shall be credited in case the student enrolls in the study cycle in question.

Article 47

Professors recruited by public contest within the polytechnic subsystem

For the purpose of the present decree-law, career adjunct-professors, coordinating-professors of polytechnic higher education recruited by public contest under the Statute of Polytechnic Higher Education Academic Staff, approved by Decree-Law 185/81, of 1 July, amended by Decree-Law 69/88, of 3 March are considered, among others, “specialists of acknowledged experience and professional competence”

Article 48

Rules to the functioning of juries

1 – The functioning of juries referred to in articles 22 and 34 is ruled in compliance to the Code of Administrative Procedure in all which is not provided for in the present decree-law.

2 – The jury meetings referred to in articles 22 and 34 , which occur before the public events mentioned in articles 23 and 35 may take place via videoconference.

Article 49

Certificates and diplomas

1 – The compulsory elements in the titles referred to in articles 13, 25, 37, 40 and 43 are those approved by Administrative rule of the Minister of Science, Technology and Higher Education.

2 – The documents mentioned in the previous paragraph may be written in more than one language.

Article 50

Legal storage

1 – Copies of the Master dissertation and doctorate thesis shall be:

- a) legally stored in the National Library (a paper copy and a digital copy);
- b) stored in the Observatory for Science and Higher Education (a digital copy).

2 – The storage mentioned in the previous paragraph is the responsibility of the higher education establishment which awarded the title.

Article 51

Foreign languages

Higher education establishments may provide for the use of foreign languages:

- a) In the teaching of any of the study cycles mentioned in the present decree-law;
- b) In the writing of master dissertations, project work, master traineeship reports and doctorate theses and respective public presentation and discussion.

TITLE III

Accreditation and functioning of study cycles

Article 52

Accreditation

1 - A study cycle accreditation consists in verifying that all the requirements for its creation and functioning are met.

2 – Accreditation applies to all higher education establishments and all study cycles.

Article 53

Accreditation agency

1 – The accreditation, within the European system of quality assurance in higher education, is the responsibility of an accreditation agency, which shall be created and regulated by its own statute and shall materialize according to the terms established by the accreditation agency itself.

2 – The accreditation agency shall enjoy scientific and technical autonomy.

3 – The accreditation agency is linked with higher education establishments, professional associations and other relevant institutions

4 – The accreditation shall take place considering the scientific and pedagogical autonomy of higher education establishments, under the statute referred to in paragraph 1.

Article 54

Functioning of a study cycle

1 – In a higher education establishment, the functioning of study cycle awarding a bachelor, master or doctor title requires preliminary accreditation, notwithstanding the provisions of the following article.

2 – The accreditation of a study cycle implies the recognition of the title or titles awarded.

Article 55

Types of accreditation

1 – The preliminary accreditation of a study cycle in a higher education establishment is usually granted through accreditation, for that purpose, of the higher education establishment.

2 – The accreditation of a higher education establishment for the purposes referred to in the previous paragraph is granted for a defined period of time, for one or more educational fields and for the study cycles awarding one or more academic titles.

Article 56

Financing

1 - The accreditation of a study cycle in a higher education establishment does not necessarily imply its public financing.

2 – Public financing of a study cycle of a higher education establishment is decided within the legal framework in force considering the network of higher education.

Article 57

Requirements for accreditation

1 – The general requirements for a study cycle being accredited are:

- a) The establishment having an educational, scientific and cultural project of its own, suitable to the objectives established for that study cycle;
- b) The academic staff being qualified in the area in question and in adequate number;
- c) The establishment having the human and material resources necessary to guarantee the educational standards and quality, namely classroom space, equipment, libraries and laboratories;

2 – Specific requirements for accreditation of a study cycle awarding a master title in a certain specialty are:

- a) the academic staff shall be mostly PhDs or specialists of acknowledged experience and professional competence, qualified in the scientific areas of that same specialty;
- b) the establishment has developed a high level of educational, research or development activities in the scientific areas of that same specialty ;

3 - Specific requirements for accreditation of a study cycle awarding a doctor title in a certain area of knowledge or specialty are:

- a) the human and organizational resources necessary for research in the scientific area of that branch of knowledge or specialty;
- b) the academic staff being mostly PhDs or specialists of acknowledged experience and professional competence qualified in the scientific areas of that same specialty;
- c) the university itself or its academic staff and researchers having experience in doing research and submitting it to assessment or a scientific and academic production relevant in the scientific areas of that branch of knowledge or specialty.

Article 58

Intransmissibility

Accreditation is intransmissible.

Article 59

Validity

Accreditation is granted for a definite period of time still to be established, after which the study cycle is assessed.

Article 60

Cancelling of accreditation

1 – The incompliance to legal requirements or statutory dispositions and the incompliance to scientific and pedagogical criteria which justified the accreditation determine its cancelling, after prior audience with the institution in question.

2 – In the situation provided for in the previous paragraph, the deadlines are established for cancellation of the study cycle and the measures shall be taken to safeguard the expectations of the students enrolled in the study cycle.

TITLE IV

Adjustments to study cycles

CHAPTER I

General principles

Article 61

Adjustments

1 - Higher education establishments should promote the adjustments of the courses already functioning and the titles they are allowed to award to the legal framework established by the present decree-law.

2 – The adjustment process aims at reorganizing each study cycle already functioning through:

a) changing the teaching system, from a teacher-based system, based on the passing on of knowledge to a student-centred system, based on the development of competences;

b) guiding courses towards specific outcome measures which should be ensured by the study cycles of each of the subsystems, university or polytechnic;

c) determining the workload each student should develop in each curricular unit – including, namely, and when applicable, collective teaching sessions, personal guidance sessions similar to tutorials, traineeships, projects, field work, study and evaluation – and its expression in credits according to the European Credit Transfer and Accumulation System;

d) establishing the total number of credits and consequent duration of the study cycle, within the numbers and in accordance with the criteria established by the present decree-law.

3 – The adjustment should be completed by the end of 2008-2009, inclusive, and professors and students are to participate in it, namely through the scientific and pedagogical bodies of the teaching establishment or organic unit, depending on the case.

4 – In 2009-2010, all study cycles should be organized in accordance to the legal framework established by the present decree-law.

CHAPTER II

Registration

Article 62

Registration of adjustment to study cycles

1 – Registration is mandatory for adjustments referred to in the previous article to come into force.

2 – The Director General of Higher Education shall be responsible for the registration.

Article 63

Procedure concerning the registration of adjustments

1 – The request to register the adjustment of a study cycle is addressed to the Director General of Higher Education, who ensures that the applicable rules of law are complied with.

2 – The process of registration includes a report subscribed by the scientific and pedagogical bodies of the teaching establishment and/or the organic unit, depending on the case. This shall encompass namely:

- a) Indication of the study cycles already functioning and which are being adjusted;
- b) The objectives of the study cycle;
- c) The justification for the number of credits allocated to each curricular unit, based on the estimated students workload to be, and on inquiries to students and professors carried out with that same purpose;
- d) The justification for the total number of credits and the duration of the study cycle, bearing in mind the provisions in paragraphs 1 and 2 of

article 8, article 9, paragraphs 1 and 2 of article 18 and paragraph 1 of article 19, depending on the case;

e) The explanation as to on how the organization of the study cycle and the teaching methods are suitable to:

i) acquiring the competences referred to in articles 5, 15 and 28, depending on the case;

ii) attaining the objectives described in paragraph 3 of article 8 and paragraphs 3 and 4 of article 18, depending on the case;

f) An analysis comparing the organization chosen for the study cycle and the organization of reference courses with similar objectives within the European space;

g) The manner in which the results from the external evaluation committees were included in the organization of the study cycle.

3 – When the duration of the study cycle is based upon specific rules of law, well-established practice or exceptional professional requirements, under paragraph 2 of article 8, paragraph 2 of article 18 and paragraph 1 of article 19, it is incumbent upon the higher education establishment to gather the documents suitable to justify that reasoning.

4 – The process of registration shall also include the curricular structure, the plan of study and the credits, under the technical rules referred to in article 12 of the Decree-Law 42/2005, of 22 February.

5 – Under proposal by the Director General of Higher Education, and once the Council of Rectors of Portuguese Universities, the Coordinating Council of Polytechnic Institutes and the Portuguese Association of Private Higher Education Institutions are heard, the Minister of Science, Technology and Higher Education shall approve, in a ruling to be published in 2ª série of Diário da República, the technical rules, the deadlines and a model to present requests for registration of adjustments.

6 – The requests whose formal presentation does not comply to the rules established in the previous paragraphs shall be permanently dismissed.

Article 64

Notice and publication of the ruling of registration of adjustments

1 – The decision on the requests for registration of adjustments must be issued within 45 working days after reception.

2 – The request for registration is dismissed in case the rules of law are not complied with.

3 – In case the request for registration has been dismissed or no decision has been issued within the deadline referred to in paragraph 1, those concerned may apply for gracious or contentious impugnation, under the law.

4 – The formalization of the process of registration is subject to the rules of the Code of Administrative Procedure.

5 – The Director General of Higher Education shall have the ruling of the registration published in 2^a series of Diário da República, and shall notify those concerned.

Chapter III

Follow-up

Article 65

Creation and competences

According to ruling by the Minister of Science Technology and Higher Education, a follow-up committee shall be created and ruled, whose competences are as follows:

- a) To follow up on the process of adjustment of courses;
- b) To write an annual report on the process;
- c) To issue a statement on generic or specific matters related to the process of adjustment.

Chapter IV

Transition

Article 66

Curricular transition

1 – The rules regarding the transition from the previous to the new study organization, as a result from the process of adjustment, shall be established by the legal bodies with statutory competence, after professors and students are heard by the scientific and pedagogical bodies of the teaching establishment and/or organic unit, depending on the case.

2 – The rules of transition must ensure:

- a) The respect for the legitimate expectations of the students;
- b) The accreditation framework necessary so that previous study periods are credited in the new study cycle organization.

- c) The compliance to the number of classes/hours attended, so that there are no more classes/hours in the new study cycles than in the previous ones.

3 – If provided for in the rules of transition, the period of coexistence between the new and the previous study organization must not exceed the duration of one academic year. Exceptionally – and with due justification –, it may be extended for one more year.

TITLE V

New study cycles

Chapter I

General dispositions

Article 67

Applicable rules

Until the accreditation agency is created and initiates its activity, and notwithstanding the provisions in the following article, the opening of bachelor, master or doctorate courses is subject to:

- a) rules in force at the date of publication of the current Decree-Law, in the case of the public system;
- b) rules established by the Statute for Private and Cooperative Higher Education approved by Decree-Law 16/94, of 22 January, and altered by ratification by Law 37/94, of 11 November, and by Decree-Law 94/99, of 23 March, together with the provisions in articles 69 and 74 of the current Decree-Law.

Article 68

The process organization

1 - The processes concerning new bachelor, master or doctorate courses shall be sent to the Directorate General of Higher Education and shall include:

- a) A report, to be subscribed by the legal scientific body with statutory competence of the teaching establishment:
 - i) Describing and justifying the goals of the study cycle, its organization and its suitability in terms of human and material resources to the scientific and pedagogical demands and to education quality;

- ii) Describing how the study cycle conforms to the national education network in terms of its scientific area and, if it is a public institution, clarifying the reasons for its creation;
- b) The curricular structure, the plan of study and the credits, under the technical rules referred to in article 12 of Decree-Law 42/2005, of 22 February;
- c) The justification for the number of credits allocated to each curricular unit, based on the estimated student workload and inquiries to students and professors carried out with that same purpose;
- d) The justification for the total number of credits and the duration of the study cycle, bearing in mind the provisions in paragraphs 1 and 2 of article 8, article 9, paragraphs 1 and 2 of article 18 and paragraph 1 of article 19, depending on the case;
- e) The explanation as to how the organization of the study cycle and the teaching methods are suitable to:
 - i) acquiring the competences referred to in articles 5, 15 and 28, depending on the case;
 - ii) attaining the objectives described in paragraph 3 of article 8 and paragraphs 3 and 4 of article 18, depending on the case
- f) An analysis comparing the organization chosen for the study cycle and the organization of reference courses with similar objectives within the European space.

2 - When the duration of the study cycle is based upon specific rules of law, well-established practice or exceptional professional requirements, under paragraph 2 of article 8, paragraph 2 of article 18 and paragraph 1 of article 19, it is incumbent upon the higher education establishment to gather the documents suitable to justify that reasoning.

3 - Under proposal by the Director General of Higher Education, and once the Council of Rectors of Portuguese Universities, the Coordinating Council of Polytechnic Institutes and the Portuguese Association of Private Higher Education Institutions are heard, the Minister of Science, Technology and Higher Education shall approve, in a ruling to be published in 2^a série of Diário da República, the technical rules, the deadlines and a model to present requests for registration of adjustments

4 - The requests whose formal presentation does not comply to the rules established in the previous paragraphs shall be permanently dismissed.

CHAPTER II

Transitory rules for the functioning of new study cycles in the private and cooperative system

Article 69

Functioning of new study cycles

1 – Under proposal by the Director General of Higher Education, the Minister of Science, Technology and Higher Education shall authorize the functioning of new study cycles submitted by private and cooperative higher education establishments, under the rules described in the present chapter.

2 – The authorization referred to in the previous article may be delegated upon the Director General of Higher Education.

Article 70

Specialist committees

1 – Specialist committees are formed to issue a statement on whether the requirements needed for functioning are met.

2 – The committees are formed according to the scientific field, and include either national or foreign higher education professors, researchers or specialists of acknowledged experience and professional competence. The committees shall include no less than three elements.

3 – Once the Portuguese Association of Private Higher Education Institutions is heard, and under proposal by the Director General of Higher Education, the committees are appointed by ruling of the Minister of Science, Technology and Higher Education.

4 – The members of the committees are independent while exercising this activity.

Article 71

Analysis of the requests for functioning

1 – The Directorate General of Higher Education shall begin the analysis of the requests for functioning by verifying whether the requirements referred to in article 57 have been met.

2 - The proceduring of registration is subject to the rules of the Code of Administrative Procedure.

3 – The specialist committee referred to in the previous article shall be heard by the Directorate General of Higher Education in terms of the compliance to the requirements.

Article 72

Decision on the requests for functioning

1 – The decision on the requests for functioning is issued within 90 working days after reception of requests.

2 – If a study cycle awarding an academic title begins functioning without prior authorization, the request for its functioning shall be dismissed.

3 – The study under the conditions described in the previous number may not be recognized or awarded equivalence.

Article 73

Publication

The Director General of Higher Education shall send the requesting institution the written ruling allowing the functioning, and shall have it published in 2^a série of Diário da República.

Article 74

Cancelling the functioning of study cycles

1 – If legal requirements or statutory provisions are not complied with and the scientific and pedagogical criteria which justified the authorization to function are not met, and if the educational project of the study cycle has been changed, namely through unjustified alterations under the following chapter, the functioning of the study cycle shall be cancelled.

2 – The Minister of Science, Technology and Higher Education shall decide on whether to cancel the functioning, under proposal by the Director General of Higher Education and once those concerned and the respective specialist committee are heard. This decision shall be published in 2^a série of Diário da República.

3 – In case the situation provided for in the previous number occurs, the deadlines for the functioning of study cycles to cease and the measures safeguarding the expectations of the students therein enrolled shall be defined.

TITLE VI

Alterations

Article 75

Rules to apply to alterations

Altering plans of study and other features of a study cycle which do not modify its objectives shall be subject to the rules established in the current title.

Article 76

Rules to apply to alterations

The legal bodies with statutory competence of higher education establishments shall be responsible for approving the alterations referred to in the previous article.

Article 77

Registration of the alterations

- 1 – The alterations shall be subject to registration.
- 2 – The Director General of Higher Education shall be responsible with registering the alterations

Article 78

Organisation of the alteration processes

- 1 - The request for registering the alteration of a study cycle shall be addressed to the Director General of Higher Education and include the necessary elements describing and justifying the alteration.
- 2 – Under proposal by the Director General of Higher Education, and once the Council of Rectors of Portuguese Universities, the Coordinating Council of Polytechnic Institutes and the Portuguese Association of Private Higher Education Institutions are heard, the Minister of Science, Technology and Higher Education shall approve, in a ruling to be published in 2^a série of Diário da República, the technical rules, the deadlines and a model to present requests for registration of alterations.
- 3 - The requests whose formal presentation does not comply to the rules established in the previous paragraphs shall be permanently dismissed.

Article 79

Deliberation on the processes of alteration

- 1 - The decision on the requests for alteration must be issued within 30 working days after reception.
- 2 – The request for registration shall only be dismissed in case the rules of law are not complied with.
- 3 - The process of registration shall be subject to the rules of the Code of Administrative Procedure.
- 4 – Once the deadline mentioned in paragraph 1 expires, the request for registration shall be considered implicitly granted.

Article 80

Notice and publication of the ruling on alteration

- 1 – The requesting institution is notified in writing of the ruling granting the registration.
- 2 – Once the notice granting the registration is received, or once the latter has been implicitly granted under paragraph 4 of the previous article, the requesting institution shall have the alteration published in 2ª série of Diário da República. This publication may not be refused or postponed.
- 3 – If the alterations to a study cycle begin functioning prior to registration, that shall determine the registration's dismissal.
- 4 – The study in the conditions provided for in the previous paragraph may not be recognized or granted equivalence.

Title VII

Final and transitory rules

Article 81

On-going master and doctorate courses

The students who have requested admission to master and doctorate courses shall attend those courses under the rules in force at the time they applied.

Article 82

Special deadlines

1 – Those establishments, which exceptionally wish to apply for adjustments, requests for new courses, and requests for registering alterations to take place in 2006-07, should send them to the Directorate General of Higher Education until 31 March 2006.

2 – The requests for adjustments, for new courses and for registering alterations to take place in 2007-08 should send them to the Directorate General of Higher Education until 15 November 2006.

Article 83

Accreditation of study cycles already functioning

1 – The study cycles already functioning when the accreditation agency initiates its activity shall be accredited.

2 – The procedure referred to in the previous paragraph shall be completed by 2009-2010.

Article 84

Revoking rule

1 – When the present Decree-Law comes into force, the following shall be revoked:

- a) Articles 25 to 29 and 36 to 39 of the Rules on Development and Quality in Higher Education, as approved by the Law 1/2003, of 6 January;
- b) The Decree-Law 216/92, of 13 October, except for paragraph 4 of article 4 and articles 30 and 31;
- c) Paragraphs 1, 2 and 4 of article 39, paragraph 5 of article 53, paragraph 1 of article 57 and articles 58 to 60 and 64 to 67 of the Statute for Private and Cooperative Higher Education, as approved by Decree-Law 16/94, of 22 January and altered by ratification by Law 37/94, of 11 November, and by Decree-Law 94/99, of 23 March.

2 - When the administrative rule referred to in paragraph 1 of article 49 comes into force, the following shall be revoked:

- a) Decree 119/81, of 26 September;
- b) Decree 63/87, of 17 December.

Article 85

Coming into force

The present Decree-Law shall come into force the day after its publication.

Read and approved in Cabinet meeting, 16 February 2006. – José Sócrates
Carvalho Pinto de Sousa – José Mariano Rebelo Pires Gago

Enacted on 20 March 2006.

The present Decree-Law shall be published.

The President of the Republic, ANÍBAL CAVACO SILVA

Referenced on 21 March 2006.

The Prime-Minister, José Sócrates Carvalho Pinto de Sousa