

Decree-Law No. 88/2006, of 23 May

The Government Programme has selected as one of its fundamental aims the development of the Country's competitiveness by fostering social cohesion. To make this aim real, the Country needs to invest in the qualification of its human capital, which is, in fact, the essential factor that promotes progress, especially within the framework of information and knowledge based societies that uphold lifelong learning.

For Portugal, this investment is particularly important given the low education and professional qualification levels that continue to characterize the large majority of our economically active population, in spite of the progress that we have witnessed in this area in the past few decades.

Increasing the aptitudes and qualifications of the Portuguese people will dignify education, further the creation of new opportunities and promote both the growth of the people and, because of that, the socio, cultural and economic growth of the Country. This stance will create an available supply of qualified human resources that will in turn generate greater competitiveness by fostering social cohesion. To overcome this major challenge, Portugal has to ensure that its younger population acquire better qualifications, particularly by combatting the high drop-out rates (the reason why only half of young people today aged between 20 and 24 have successfully concluded secondary education) and by giving new opportunities to adults promoting their educational recovery and professional requalification.

In order to achieve this objective, knowledge – via education and training – has to be reconciled with qualified integration into working life.

Within this remit, aiming at promoting equal opportunities in terms of eligibility to higher education and encouraging more young people and adults to enter the education and professional training system, the Government has committed itself to expanding the availability of lifelong training to different groups and involving higher education institutions in the expansion of post-secondary training. This two-fold objective aims at articulating secondary and higher education and crediting training obtained in post-secondary specialization courses with the intention of pursuing higher education studies.

In the «New opportunities» framework, included within the National Employment Plan, the Government decided to make the 12th grade the minimum level of education for all young people, increasing within that framework the possibility of attending technological and professional courses for at least half the number of youngsters in secondary education. Therefore, this is not only an investment in raising education levels for future generations but also an assurance that those generations will not enter the labour market without prior professional qualifications to fulfill the market's needs in terms of professional profiles.

Pursuant to these commitments, the present decree-law puts forward a profound reorganization of technologically specialized courses in relation to conditions of access, training structures and the subsequent eligibility of graduates for higher education.

Therefore, training and learning – technically, scientifically and culturally – are adapted to an increasingly more demanding and constantly changing labour market.

When introduced these measures will imply the promotion of partnerships both between education and training institutions, namely between secondary schools, professional schools, professional training centres, technological schools, and higher education institutions, and with the corporate environment and operators in the labour market. The aim of these partnerships is to guide learning towards an effective integration into working life, and also to ensure the recognition of such courses in order to pursue higher education studies.

Technological specialization courses are post-secondary courses that do not have the status of higher education degrees, and are aimed at level 4 professional qualifications pursuant to Council Decision No. 85/368/EEC dated 16 July, 1985, published in the Official Journal of the European Communities, No. L 199 dated 31 July 1985.

Level 4 professional qualifications are achieved by linking general or professional secondary training and post-secondary technical training, and are characterized by:

- a) Providing high-level technical training;
- b) Communicating high-level knowledge and capabilities;
- c) Generally not implying a mastery of the founding scientific principles of the different areas involved;

- d) Communicating capabilities and knowledge that allow graduates to undertake responsibilities of conception and/or direction or management autonomously or independently.

Given their aims and characteristics, these courses may be taught by various institutions. Recently the amendments made to the Framework Law on Education, and Law No. 49/2005 dated 30 August, 2005, have reinforced the role that higher education institutions should play in the network of professional training providers.

Among the more significant changes introduced in the level 4 professional training model, approved by Decree order No. 989/99 dated 3 November, 1999, amended by Decree orders No. 698/2001 of 11 July and 392/2002 dated 12 April, 2002, the following should be highlighted:

- a) Reorganizing the structure of the courses, giving more importance to the technological training component;
- b) Changing the access conditions:
 - i) Considering secondary education as the benchmark qualification level and ensuring technical training within the courses;
 - ii) Affording higher education institutions the competence to admit people who are over 23 years of age and who possess the requisite abilities and competences, based on previous experience, which are recognised;
 - iii) Admitting applicants who have completed a level 3 training course and have not completed a secondary education course or do not hold legally equivalent qualifications;
 - iv) Also admitting those applicants who, having attended but not completed the 12th grade, then decide to obtain level 4 professional qualifications;
- c) Making clear that access to these courses is available to holders of a technologically specialized diploma or a higher education degree who come from training areas facing employment difficulties and who wish to adapt their competences to other professional paths;
- d) Accepting the possibility of granting a technologically specialized diploma based on an assessment of professional competences made by the higher

education institutions and training institutions who have been specially accredited to do so;

- e) Simplifying the administrative process related to creating courses and of them coming into force;
- f) Creating a technical committee consisting of members from ministries that are more directly involved in this process and who will ensure that both the running of the courses and their assessment is monitored. This technical committee will replace the council for monitoring technologically specialized courses created by joint order No. 350/2004 dated 11 June, 2004;
- g) Changing the regulations for access to higher education for holders of these diplomas which will contribute to ensuring that they become more generalized;
- h) Promoting information about the courses, the professional profiles that they aim to prepare for, and the institutions that administer their content.

The Portuguese Association for Private Higher Education, employers' associations, and unions were heard in public consultation on an optional basis.

The Council of Rectors of Portuguese Universities, the Coordinating Council for Polytechnic Higher Education Institutes and student unions were heard in public consultation.

Thus:

Pursuant to Law No. 46/86 dated 14 October, 1986, amended by Laws No. 115/97 dated 19 September, 1997, and 49/2005 dated 30 August, 2005, and pursuant to article 198(1-c) of the Constitution, the Government shall decree the following:

Technologically specialized courses

CHAPTER I

General conditions

Article 1

Object and scope

The aim of the present decree-law is to regulate technological specialization courses, henceforth abbreviated to TSCs, and it will apply to all training institutions that teach such courses.

Article 2

Concepts

For the purposes of the present decree-diploma, the terms below shall be considered to have the following meanings:

- a) “Credit” is the unit measure of work of the student under all its forms, namely collective education sessions, personal tutorial sessions, professional placements, projects, field work, study and evaluation;
- b) “ECTS Credits” are the credits attributed within the scope of the European Credit Transfer and Accumulation System, the application of which is regulated by Decree-law No. 42/2005 dated 22 February, 2005;
- c) “Linked work and training” is the training process in which sequences of lectures taught at the training institutions are interlinked with sequences of practical training sessions carried out within a work context;
- d) “Contact hours” is the number of hours used in collective training sessions, namely in classrooms, laboratories or field works, and in private tutorial sessions;
- e) “Training institution” is an institution that is authorized to teach technologically specialized courses pursuant to the current diploma;
- f) “Professional qualification levels” are the training levels referred to in the appendage to Council Decision No. 85/368/EEC dated 16 July, 1985,

regarding the correspondence of professional training qualifications between member States of the European Communities, published in the Official Journal of the European Communities, No. L 199 dated 31 July, 1985;

- g) “Training unit” is an education unit that forms part of the training plan of a technologically specialized course, with its own training objectives, which is subject to an assessment converted into a final classification.

Article 3

Technologically specialized courses

TSCs are post-secondary training courses that do not have the status of higher education and are geared towards awarding level 4 professional qualifications.

Article 4

Level 4 professional qualifications

Level 4 professional qualifications are obtained by linking general or professional secondary training course with a post-secondary technical training course, and will be characterized by:

- a) Providing high-level technical training;
- b) Communicating high-level knowledge and capabilities;
- c) Generally not implying a mastery of the founding scientific principles of the different areas involved;
- d) Communicating capabilities and knowledge that allow graduates to undertake responsibilities of conception and/or direction or management autonomously or independently.

Article 5

Technological specialization diploma

Students that complete a TSC shall be entitled to a technological specialization diploma.

Article 6

Professional aptitude certificate

The technological specialization diploma grants access to a professional aptitude certificate issued under the auspices of the National System for Professional Certification pursuant to the conditions established by Executory Decision No. 68/94 dated 26 November, 1994.

CHAPTER II

Access and admission

Article 7

Conditions of access

1 — The following may enrol in a TSC:

- a) Holders of a secondary education course or legally equivalent qualifications;
- b) Those who having passed all the subjects of the 10th and 11th grades and having enrolled in the 12th grade of a secondary or legally equivalent course but have not completed it;
- c) Holders of level 3 professional qualifications;
- d) Holders of a technological specialization diploma or a higher education degree or diploma, the aim of which is professional requalification.

2 — People who are over 23 years of age may also enrol in a TSC taught at a higher education institution. Based on the applicants' experience, the institution shall recognize their capacity and competence to enrol in a specific TSC.

Article 8

Conditions of admission

Admission to each TSC for those possessing the qualifications referred to in paragraphs (a), (b) and (c) of No. 1 of the previous article, may be dependent upon their passing the curricular units of the qualifications in question which encompass fields

considered which are considered a pre-requisite for attending the TSC established as referent entry competences.

Article 9

Vacancies, selection and ordering

1 — The number of vacancies made available for each admission of new students is established by the training institution within the limits referred to in article 39(1-h).

2 — The selection and sorting of applicants shall be undertaken by the training institution in accordance with previously established criteria.

3 — The training institution shall establish a minimum number of students for a TSC to run.

CHAPTER III

Characterization of the courses

SECTION I

Structure

Article 10

Training components

The training programme of a TSC includes general and scientific training components, technological training components and work-related training components.

Article 11

General and scientific training component

The general and scientific training component is aimed at developing attitudes and behaviours that are appropriate to professionals with high levels of professional qualification and adaptability to the labour and corporate markets as well as perfecting, where it proves to be indispensable, and the knowledge of scientific fields on which the technologies, intrinsic to the training areas, are based.

Article 12

Technological training component

The technological training component includes technological fields aimed at understanding practical activities and solving problems within the scope of professional practice.

Article 13

Work-related training component

1 — The work-related training component is aimed at applying knowledge and understanding to the practical activities of the respective professional profile, and includes the performance of guided activities, using techniques, equipment and materials that are included in the process of goods production or rendering services.

2 — Work-related training may embody several modalities of practical training in real job situation, namely professional work placements.

3 — Work-related training shall be carried out in partnership pursuant to article 20.

SECTION II

Organization

Article 14

Credits

The technological specialization diploma shall be awarded upon completion of a training plan consisting of between 60 and 90 ECTS credits.

Article 15

Number of hours per week

1 — The general training and scientific training component and the technological component shall have between eight hundred and forty and one thousand and twenty contact hours, the former shall correspond to 15% and the latter to 85% of the number of fixed hours.

2 — In relation to the technological training component, the number of hours spent in practical, laboratory, workshop and/or project activities shall correspond to at least 75% of the course's contact hours.

3 — The work-related training component shall not be less than three hundred and sixty hours and not be more than seven hundred and twenty hours.

4 — The sum total of all the contact hours and work-related training hours attributed to the combined three training components pursuant to the previous numbers shall not be less than one thousand two hundred or more than one thousand and sixty.

Article 16

Credits and number of hours for students that have not concluded secondary education

1 — For the trainees referred to in article 7(b), as well as for those referred to in paragraph (c) of the same article, who have not completed a secondary education course or do not hold legally equivalent qualifications:

- a) Between 15 and 30 credits shall be added to the number of ECTS credits referred to in article 14;
- b) The number of hours necessary to the completion of the referred credits shall be added to the number of hours established by article 15.

2 — The officially authorised body in the training institution shall decide the number of complementary credits that a student must obtain and the number of hours necessary to obtain them based upon analysis of their said curricula.

3 — The additional training activities which the present article refers to shall be an integral part of the TSC training plan.

4 — Trainees covered under the present article who complete the TSC are entitled to be recognized as having a secondary level of education.

Article 17

Joint work and training

TSCs may be organized with the joint work and training system.

Article 18

Exemption from training units

By decision of the training institution, trainees may be exempted from attending TSC training units under the following conditions:

- a) Those who have level 3 professional qualifications in that same area;
- b) Those who have completed TSC training units;
- c) Those who have completed higher education curricular units;
- d) Those who are credited with professional competences from the training institutions referred to in article 24(3) and (4).

CHAPTER IV

Training institutions

Article 19

Training institutions

TSCs may be taught at:

- a) Public and private or cooperative education institutions with autonomy or pedagogical parallelism that teach secondary education courses;
- b) Public, private or cooperative higher education institutions;
- c) Professional training centres belonging to the network coordinated by the Institute for Employment and Professional Training, with direct or participating management;
- d) Technological schools created pursuant to joint decree order from the Ministers for Industry and Energy and Education, published in the Diário da República (Official State Gazette), 2nd series, on 18 November 1991, and joint decree order of the Ministers for Industry and Energy, of

Education and Employment and Social Security, published in the Diário da República (Official State Gazette), 2 series on 7 October 1995;

- e) Other training institutions accredited by the Ministry for Labour and Social Solidarity.

Article 20

Partnerships signed with the labour market

To ensure integration into the labour market and work-related training, the training institution shall sign agreements, or other forms of partnership, with companies and other employers, corporate associations or socio-professional associations, or other organizations, which better adapt to the specific nature of the training area, as well as to the characteristics of the labour market.

Article 21

Linking with higher education institutions

1 — Training institutions that are not higher education institutions shall sign protocols with higher education institutions to envisage namely:

- a) The forms of cooperation the higher education institution shall provide in the training process;
- b) The courses of that institution to which trainees, upon completion of the TSC, may apply in order to further their studies and the curricular units of the respective study plans, which they are exempt from attending, from the beginning, under the auspices of the accreditation that shall be granted pursuant to article 28.

2 — The provisions set forth in paragraph (b) of the previous numbered section shall prevent other higher education institutions from considering those TSCs as access qualifications to their courses pursuant to article 27.

CHAPTER V
Assessment and awarding of the diploma

Article 22

Assessment and classification

1 — The aim of the assessment system is to verify the professional competences that the technological specialization diploma certifies, taking into account the modalities of formative and summative assessment.

2 — Every training unit shall be subject to formalised assessment of a systemic and continuous nature, and shall be subject to descriptive and qualitative notation.

3 — Summative evaluation which shall predominantly take the form of practical examinations shall be expressed on a 0 to 20 professional competence scale.

4 — In the case of theoretical training units, assessment shall use the training objectives of those same units as a reference point within the framework of acquiring professional competences aimed at by the TSC.

5 — Trainees who have obtained a classification of 10 or more shall be considered as having passed in a given training unit.

6 — Trainees who have completed all the training units that make up a given training component are that same training component.

7 — The classification of a training component is the simple arithmetic average result of the summative assessment of all the training units that integrate each component, calculated in tenths.

8 — Trainees who have completed all the training components of the TSC are considered as having passed that TSC.

Article 23

Final classification

The final classification of the technologically specialized diploma is the arithmetic weighted average, rounded to the nearest unit (considering a unit to be the decimal number equal to or higher than 5), obtained through applying the following formula:

$$0.10 \times \text{GCTC} + (0.55 \times \text{TTC}) + (0.35 \times \text{WrTC})$$

given that:

GCTC – is the classification of the general and scientific training component;

TTC – is the classification of the technological training components;

WrTC – is the classification of the work-related training component.

Article 24

Awarding the technologically specialized diploma through the assessment of competences

1 — Individuals who are over 25 years of age and have at least five years of proved professional experience in the area of a TSC may ask the training institution to grant a technologically specialized diploma based upon an analysis of their professional competences.

2 — Based upon the referred competences to be acquired, the training institution shall make an assessment, pursuant to the previous numbered section, based upon the modalities that it considers more appropriate, bearing in mind to check whether applicants have the competences that the technologically specialized diplomas specifies, or not.

3 — Higher education institutes that have a valid registration for TSCs leading to the awarding of technologically specialized diplomas in question are authorised to grant the said diploma pursuant to the present article.

4 — The training institutes are equally authorised to award a technologically specialized diploma, pursuant to the present article, providing that they have valid authorization to teach TSCs leading to the awarding of a technologically specialized diploma, and that they are accredited under the auspices of the National System for

Professional Certification and/or under the auspices of the National System of Recognition, Validation and Certification of Competences, in order to develop recognition, validation and certification processes for level 4 competences.

5 — The final classification of the technological specialization diploma awarded, pursuant to the present article, shall be defined by the training institutes based upon an appreciation carried out, which takes into consideration the general principles set forth in the previous article.

Article 25

Template for the diploma

1 — The template for the diploma is attached as appendix I to the present decree-law of which it is integral part.

2 — For those having obtained the diploma pursuant to article 24, the template for the diploma is found in appendage II of the present decree-law of which it forms an integral part.

3 — Together with the diploma a supplement to the diploma pursuant to articles 38 to 42 of Decree-law No. 42/2005 dated 22 February, 2005, is to be issued.

CHAPTER VI

Access and admission into higher education

Article 26

Applying to higher education

The holders of a technologically specialized diploma may apply for enrolment and registration in higher education through a special competition based application system referred to in article 3(2-b) of Decree-law No. 393-B/99 dated 2 October, 1999.

Article 27

Conditions of admission

The officially authorised body in each higher education institution shall establish, for each of its higher education courses, which TSC it will offer access to.

Article 28

Accreditation of qualifications

1 — The training activities carried out under the auspices of a TSC shall be credited for the higher education course to which holders of the technological specialization course are admitted regardless of the access path they have chosen.

2 — The training activities referred to in article 16 are not covered by the provisions set forth under the above numbered section.

CHAPTER VII

Technical Committee for Post-secondary Technological Training

Article 29

Creation

A Technical Committee for Post-secondary Technological Training has been created.

Article 30

Composition

The Committee will consist of:

- a) Two members appointed by the Minister for Science, Technology and Higher Education, one of whom is to be named coordinator;
- b) A member appointed by the Minister for Economics and Innovation;
- c) A member appointed by the Minister for Agriculture, Rural Development and Fisheries;
- d) A member appointed by the Minister for Labour and Social Solidarity;
- e) A member appointed by the Minister for Education.

Article 31

Competence

The Committee shall monitor the running of TSCs and their assessment namely by:

- a) Identifying and communicating to the training institutions the priority training areas for TSCs;
- b) Drafting and proposing rules for the rationalization of TSCs on offer;
- c) Drafting and approving a standardized instrument of formalization of requests for registration and creating and authorizing their coming into force;
- d) Drafting and approving the common criteria for analysing requests for registration and creating and authorizing their coming into force;
- e) Issuing an opinion on requests for registration and creating and authorizing their coming into force;
- f) Issuing an opinion on the cancellation of the registration and authorization of their coming into force;
- g) Proposing procedures that shall be adopted in order to ensure the external assessment of TSCs;
- h) Proposing and issuing an opinion on amendments to the legal standards that regulate TSCs;
- i) Drafting their internal regulations;
- j) Drafting and submitting approval of their planning and annual activities report.

Article 32

Technical support

The technical support given to the Committee is ensured by the Institute for Employment and Professional Training, by the Directorate-General for Vocational Training and by the Directorate-General for Higher Education.

CHAPTER VIII
Creation, registration and the coming into force of TSCs

SECTION I
General Principles

Article 33

Creation and registration of TSC taught by higher education institutions

- 1 — Higher education institutions are entitled to create TSCs.
- 2 — The coming into force of a TSC in a higher education institution requires prior registration.
- 3 — TSC registrations are non transmissible.

Article 34

The creation and coming into force of TSCs taught by other training institutions

In the case of other training institutions referred to in article 19, the creation and authorization for a TSC to come into force shall be given by the Ministry in charge, upon proposal by the institute, after hearing the Technical Committee for Post-Secondary Technological Training.

Article 35

Cancellation

- 1 — The non compliance with the legal requirements or the non observance of the scientific and pedagogical criteria that justify the registration or creation and authorization for a TSC to come into force determines its cancellation.
- 2 — The decision for cancellation is preceded by an opinion given by the Technical Committee for Post-Secondary Technological Training after a hearing with the institute.

SECTION II

Registration

Article 36

Institution receiving a registration request

TSC registration requests shall be sent to the Director-General for Higher Education.

Article 37

Formalization of the registration process

1 –TSC registration requests are to be formalized to include the following components:

- a) The name of the course, training area in which it is included and the professional profile for which it intends to prepare;
- b) The requisite competences that shall be acquired;
- c) The training plan, indicating for each training component, the competence areas and, for each of those components, the respective training units, their workload, number of credits, summarized programmatic content and assessment methodologies;
- d) The requisite competences for admission referred to in article 8, if applicable;
- e) The reasons for the need and suitability of the training available to the socio-economical situation;
- f) The human resources, pedagogical resources and materials, namely facilities and equipment, their affect upon the development of training activities and their assessment;
- g) The maximum admission numbers for intake of new trainees that may be enrolled in the course at the same time;
- h) The agreements and other forms of partnerships referred to in article 20;
- i) When the training institution is not a higher education institution, the protocol signed with a higher education institution referred to in article 21(1).

2 — The analysis of the registration requests shall be undertaken by the Directorate-General for Higher Education and it shall comment upon:

- a) The suitability of the requisite competences to the target professional profile;
- b) The suitability of the training plan to the requisite competences;
- c) Satisfying the requirements referred to in chapter III;
- d) The existence of human resources, pedagogical resources and materials, namely facilities and equipment that are indispensable to ensure the correct level and quality of training and its assessment;
- e) Coordinating public availability of TSCs, in the case of public training institutes, after hearing from the Technical Committee for Post-Secondary Technological Training.

Article 38

Decisions

1 — The decisions on a registration request for creating a TSC is the responsibility of the Director-General for Higher Education.

2 — The decision must be issued within 60 days of receipt of the request.

3 — Registration process procedures shall be subject to the rules of the Code of Administrative Procedure.

4 — When the deadline referred to in No. 2 has expired, the registration request shall be considered tacitly accepted.

5 — When a request for registration is not accepted, the interested parties may instigate the respective means to freely or legally contest the decision.

Article 39

Publication

1 — The acceptance document for registering the creation of a TSC shall be submitted in writing to the training institute and shall be published in the 2nd series of the Diário da República (Official State Gazette), stating the following information:

- a) The name of the training institution;

- b) The name of the course;
- c) The training area;
- d) The professional profile for which it intends to prepare;
- e) The requisite competences that shall be acquired;
- f) The training plan, stating for each training component, the areas of competence and, for each of these, the respective training units, their workload and the number of credits given;
- g) The requisite competences required for admission referred to in article 8, if applicable;
- h) The maximum admission numbers for each intake of new trainees that may be enrolled in the course at the same time.

2 — When the request for registration is tacitly accepted, the director-general for Higher Education shall publish the order, referred to in the above numbered section, within five days of the deadline referred to in No. 2 of the previous article.

3 — In the case envisaged in the above numbered section, the registration is allowed for a single admission of trainees.

Article 40

Operating without registration

1 — The commencement of a TSC without prior registration determines non-acceptance of the request.

2 — Training activities carried out pursuant to the above numbered section shall neither be recognized nor given equivalence.

SECTION III

Creating and authorizing coming into force

Article 41

Institutes that receive the request

1 — The request for creating and authorizing of a TSC to come into force shall be sent:

- a) To the Ministry for Education, in the event that the training institute is public, private or cooperative with autonomy or pedagogical parallelism and teaches courses at the secondary level of education;
- b) The Ministry for Labour and Social Solidarity in the event that the training institute is:
 - i) A professional training centre belonging to the network coordinated by the Institute for Employment and Professional Training with direct or participating management;
 - i) An accredited body pursuant to article 19(e);
- c) To the Ministry for Economics and Innovation in the event that the training institute is a technological school.

2 — In each of the Ministries referred to in the above numbered section the authorised service for the formalization of TSC registration requests, henceforth named an instructing service, shall be appointed by decree from the respective Ministry.

Article 42

Formalization of the process

The request for creating and authorizing a TSC to come into force shall be formalized and analysed pursuant to article 37 by the respective instructing service.

Article 43

Decision

The decision on the requests for creating and authorizing a TSC to come into force is the responsibility of the Minister in charge but it may be delegated.

Article 44

Publication

The order for creating and authorizing a TSC to come into force shall be sent in writing to the training institute and it shall be published in the 2nd series of the Diário da República (Official State Gazette), stating the information referred to in article 39(1).

SECTION IV
External assessment

Article 45

Frequency of the external assessment

A TSC shall be subject to an external assessment process every five years under terms that shall be regulated by request from the Technical Committee for Post-Secondary Technological Training.

CHAPTER IX

Special dispositions for higher education institutions

Article 46

Teaching staff

1 — A TSC is to be taught by the teaching staff of the higher education institution.

2 — The provisions set forth in the above numbered section are without prejudice to hiring staff for limited periods of time pursuant to the applicable legal regulations to ensure the specific teaching modules are taught when necessary.

Article 47

Financing

1 — A TSC is to be included in the budget which acts as the basis for the education and training activities referred to in article 4 of Law No. 37/2003 dated 22 August, 2003 amended by Law No. 49/2005 dated 30 August, 2005.

2 — The financing of TSCs shall depend upon the formula referred to in article 4 of Law No. 37/2003 dated 22 August, 2003, and is calculated in relation to the number of trainees effectively enrolled and, with due alterations, the level and nature of the courses, through applying criteria, standard values and performance indicators, envisaged therein.

3 — The public financing of a TSC depends upon the a minimum enrolment number of 15 trainees.

Article 48

School social activity

Trainees enrolled in a TSC may benefit from higher education school social activities.

Article 49

Fees

1 — Fees shall be paid for attending a TSC.

2 — The amount of the fees shall be determined by the body referred to in article 17 of Law No. 37/2003 dated 22 August, 2003 and may not exceed the minimum amount referred to in article 16(2) of that same legal diploma.

CHAPTER X

Final and transitory conditions

Article 50

Information disclosure

1 — The instructing services shall create a common database that includes:

- a) The requests for registration and creating and authorizing TSCs to come into force, stating the information referred to in article 37, the date of the request is received, the decision and the date when that decision was taken;
- b) The information referred to in article 39(1) for each joint training institution/registered course whose creation and coming into force has been authorized,
- c) The TSC, that pursuant to article 27, each joint institution/higher education course offers access to.

2 — The database is to be updated by the instructing services within not more than 10 days of receiving the information or decision.

3 — The instructing services shall also create a common Internet website intended to make public all useful information related to TSCs in an easily accessible form and permanently updated namely in relation to:

- a) The rules, norms, criteria and procedures established by the Technical Committee for Post-Secondary Technological Training;
- b) The information referred to in No. 1.

4 — The technical management of the database and the website referred to in the above numbered sections shall be carried out by the Directorate-General for Higher Education.

Article 51

Amendments

1 — Articles 10, 11 and 20 of Decree-law No. 393-B/99 dated 2 October, 1999, shall be worded as follows:

«Article 10

Scope

The following people shall be eligible to apply for the special test based competition applications envisaged in article 3(2-b):

- a)
- b)
- c) Holders of a technologically specialized diploma.

Article 11

Courses to which they may apply

1.....

2 — The students referred to in paragraph (c) of the previous article may apply to a joint institute/course which have been established pursuant to article 27 of Decree-law No. 88/2006 dated 23 May, 2006.

3.....

Article 20

Regulations

1 — The Minister for Science, Technology and Higher Education shall approve by means of a decree order the regulations for the special test based competitions, which consider the rules governing request for registration and enrolment.

2..... »

2 — The provisions set forth in the above numbered section shall not prejudice entitlement to access qualifications granted under article 3A (1) and (2) of the Regulation for Special Access Competitions to Higher Education, approved by Decree order No. 854-A/99 dated 4 October, 1999, amended by Decree orders No. 1081/2001 dated 5 September, 2001, and 393/2002 dated 12 April, 2002.

Article 52

Authorized TSCs

1 — TSC in operation at the time the present diploma comes into force shall continue until they have been completed pursuant to the authorized terms.

2 — Authorizations granted pursuant to the legal norms revoked by the previous article shall remain valid pursuant to the terms in which they were granted until have been concluded.

Article 53

Cancellation norms

The following regulations are to be revoked:

- a) Decree order No. 989/99 dated 3 November, 1999, amended by Decree orders No. 698/2001 dated 11 July, 2001 and 392/2002 dated 12 April 2002, without prejudice to the provisions set forth in the previous article;
- b) The joint order No. 350/2004 dated 11 June, 2004.

Seen and approved by the Council of Ministers on 2 March, 2006. – José Sócrates Carvalho Pinto de Sousa – Diogo Pinto de Freitas do Amaral – Manuel António Gomes de Almeida de Pinho – Jaime de Jesus Lopes Silva – Pedro Manuel Dias de Jesus Marques – Maria de Lurdes Reis Rodrigues – José Mariano Rebelo Pires Gago.

Promulgated on 2 May 2006.

To be published.

The President of the Republic, Aníbal Cavaco Silva.

Countersigned on 11 May 2006.

The Prime Minister, José Sócrates Carvalho Pinto de Sousa.

Appendix I

Template referred to in article 25(1)

Technologically specialized diploma

... (a)

... (b) ... (c), let it be known that ... (d), holder of identity card No. ..., issued on ... (e), in ... (f) concluded the technological specialization course, in... (h). The present technological specialization diploma with the final average of ... (i) values, which is by me signed and authenticated by the institution shall be duly granted to him/her.

The creation of the course was subject to order No. ... (j), of ... (l).

This diploma certifies level 4 professional qualifications of the training levels table approved by Council Decision No. 85/368/EEC of 16 July, regarding the correspondence of professional training qualifications throughout Member-states of the European Communities, published in the Official Journal of the European Communities No. L 199 of 31 July 1985.

In ... (m).

... (n).

- (a) Name of the training institution.
- (b) Name of the person that shall sign the document.
- (c) Position that that person has in the training institution.
- (d) Name of the graduate.
- (e) Date when the identity card was issued (day, month and year).
- (f) Place where the identity card was issued.
- (g) Name of the technological specialization course, which appears of the order of registration of the creation or creation and authorization of entry into force.
- (h) Date when the technological specialization course was concluded (day, month and year).

- (i) Final classification referred to in article 23.
- (j) Number of the order of registration of the creation or creation and authorization of entry into force of the technological specialization course.
- (l) Date when the order of registration of the creation or creation and authorization of entry into force of the technological specialization course was published in Diário da República (Official State Gazette).
- (m) Date when the technological specialization diploma was issued (day, month and year)
- (n) Signature of the competent body in the training institution, authenticated by the legal means in force in the institution.

Appendix II

Template referred to in article 25(2)

Technological specialization diploma

... (a)

... (b) ... (c), let it be known that ... (d), holder of identity card No. ..., issued on ... (e), in ... (f). The present technological specialization diploma in... (g), was awarded in.... (h), with the final average of ... (i) values, which is by me signed and authenticated by the institution shall be duly granted to him/her.

The creation of the course was subject to order No. ... (j), of ... (l).

This diploma certifies level 4 professional qualifications of the training levels table approved by Council Decision No. 85/368/EEC of 16 July, regarding the correspondence of professional training qualifications throughout Member-states of the European Communities, published in the Official Journal of the European Communities No. L 199 of 31 July 1985.

In ... (m).

... (n).

- (a) Name of the training institution.
- (b) Name of the person that shall sign the document.
- (c) Position that that person has in the training institution.
- (d) Name of the graduate.
- (e) Date when the identity card was issued (day, month, and year).
- (f) Place where the identity card was issued.
- (g) Name of the technological specialization course, which appears of the order of registration of the creation or creation and authorization of entry into force.
- (h) Date when the technological specialization course was concluded (day, month, and year).

- (i) Final classification referred to in article 23.
- (j) Number of the order of registration of the creation or creation and authorization of entry into force of the technological specialization course.
- (l) Date when the order of registration of the creation or creation and authorization of entry into force of the technological specialization course was published in Diário da República (Official State Gazette).
- (m) Date when the technological specialization diploma was issued (day, month, and year)
- (n) Signature of the competent body in the training institution, authenticated by the legal means in force in the institution.