

1385/2015

Translation from Finnish
Legally binding only in Finnish and Swedish

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Act

**Act on Eligibility for Public Posts Provided by Higher Education Studies
Completed Abroad**

In accordance with the decision of the Parliament, the following is enacted:

Section 1

Scope

This Act contains provisions on eligibility provided by foreign higher education studies for posts or positions for which a degree of a certain level, or a certain Finnish higher education degree or higher education study module has been specified as the eligibility requirement in an act or a decree. For the purposes of this Act, foreign higher education studies refer to higher education degrees and study modules that are part of the official higher education system of a country other than Finland.

If another Act contains provisions on the eligibility provided by higher education studies completed abroad for a post or a position, that are contrary to the provisions contained in this Act, the provisions of the other Act shall prevail over those of this Act.

Section 2

Comparability

A foreign higher education degree will be recognised as comparable to a Finnish higher education degree of a certain level.

In cases outside the scope of the Act on the Recognition of Professional Qualifications (1384/2015), a foreign higher education degree may be recognised as comparable to a certain Finnish higher education degree, in cases where this is an eligibility requirement for a post or a position. A study module completed at a foreign higher education institution shall be recognised as comparable to a certain study module in a specific field or fields and of a specific extent completed at a Finnish higher education institution.

Foreign higher education studies shall provide the same eligibility for a post or a position as the Finnish higher education studies required for that post or position if these studies have been recognised as comparable in a decision issued pursuant to this Act.

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SiVM 6/2015
EV 50/2015

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Section 3

Criteria for recognising the comparability of degrees

A foreign higher education degree shall be recognised as comparable to a Finnish higher education degree of a comparable level.

A foreign higher education degree shall be recognised as comparable to a certain higher education degree that is of a comparable level and completed in a comparable field.

The comparability of the level of the degrees is assessed on the basis of their extent, requirements and orientation. The comparability of the fields of the degrees is assessed on the basis of the similarity of their contents.

Section 4

Criteria for recognising the comparability of higher education study modules

A study module completed at a foreign higher education institution is recognised as comparable to a study module completed at a Finnish higher education institution that is of a comparable level and obtained in a comparable field.

When assessing the comparability of the level and field of a higher education study module, the provisions on degrees in section 3(3) shall be complied with.

Section 5

Supplementing higher education studies as a condition for a decision

In cases referred to in section 2(2) above, foreign higher education studies and supplementing higher education studies completed or to be completed in Finland may together be recognised as comparable to Finnish higher education studies on the grounds specified in sections 3 and 4. Further provisions on the criteria for the supplementing studies as a condition for comparability of studies are enacted by a Government Decree.

If the supplementing higher education studies that are required for a decision on comparability have not been completed by the date on which the decision is issued, the supplementing studies shall be determined in this decision.

Section 6

Application for and decision on recognition

The Finnish National Board of Education decides upon application on the comparability of foreign higher education studies with Finnish degrees and higher education study modules.

The applicant shall submit to the Finnish National Board of Education information on the studies completed by him or her and his or her identity necessary for processing the application. The Finnish National Board of Education may require officially certified copies of the enclosed documents. Where necessary, the Finnish National Board of Education may request the applicant to submit the original documents containing

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information on his or her studies. The Finnish National Board of Education may require translations of any documents written in languages other than Finnish or Swedish to be enclosed. Where necessary, the authority may require that the translations are in Finnish or Swedish and made by an authorised translator. Further provisions concerning the documents and certificates to be submitted with the application may be enacted by Government Decree.

Where necessary, the Finnish National Board of Education may, before making a decision, request for an opinion from a university or a university of applied sciences on the comparability of the applicant's studies with studies completed in Finland, and the supplementing studies the applicant may be required to complete. The body giving the opinion may charge a cost price fee from the body requesting the opinion a cost price fee under the provisions on charges under public law in the Act on Criteria for Charges Payable to the State (150/1992).

If the applicant is required to complete supplementing higher education studies, the Finnish National Board of Education shall issue a conditional decision on recognition. Once the required supplementing studies have been completed, the Finnish National Board of Education issues a final decision on recognition upon application. A certificate issued by the higher education institution attesting completion of the supplementing studies shall be enclosed to an application for a final decision.

Section 7

Appeal

Pursuant to the provisions of the Administrative Judicial Procedure Act (586/1996), an appeal against a decision referred to in this Act may be filed with the Administrative Court.

An Administrative Court decision may be appealed against only if a leave to appeal is granted by the Supreme Administrative Court.

Section 8

Entry into force

This Act enters into force on 1 January 2016.

This Act repeals the Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland (531/1986), hereinafter referred to as the *repealed Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland*.

Section 9

Transitional provisions

Applications submitted before this Act enters into force shall come under the provisions of this Act if the decision is made after this Act has taken effect. Applicants to whom a decision on the recognition of comparability has been issued by virtue of the repealed Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland may apply for a final decision referred to in section 6(4) of this Act.

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In appeals, the repealed Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland is applied to administrative decisions made before the entry into force of this Act.

Once this Act has entered into force, any references to the repealed Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland elsewhere in legislation shall be considered to refer to this Act.

In Helsinki on 4 December 2015.

President of the Republic

Sauli Niinistö

Minister of Education and Culture

Sanni Grahn-Laaksonen

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