

# **Universities of Applied Sciences Act**

**932/2014**

(Amendments up to 563/2016 included)

## **Chapter 1**

### **General provisions**

#### **Section 1. Scope of application**

This Act applies to universities of applied sciences under the remit of the Ministry of Education and Culture.

#### **Section 2. Status of universities of applied sciences in the education system**

Universities of applied sciences form part of the system of higher education.  
Universities of applied sciences and universities together constitute the system of higher education.

#### **Section 3. Universities of applied sciences community**

*A university of applied sciences community* refers to a community consisting of teachers and other staff of a university of applied sciences and students participating in studies leading to a degree.

#### **Section 4. Mission**

1. The mission of universities of applied sciences is to provide higher education for professional expert jobs based on the requirements of working life and its development and on the premises of academic research and academic and artistic education and to support the professional growth of students.
2. They shall also carry out applied research, development and innovation activities and artistic activities that serve education in universities of applied sciences, promote industry, business and regional development and regenerate the industrial structure of the region. In carrying out their mission, universities of applied sciences shall promote lifelong learning.

#### **Section 5. Status as a legal entity**

1. Universities of applied sciences are legal entities in the form of limited liability companies (*university of applied sciences as a limited liability company*) governed by

the Limited Liability Companies Act (624/2006), unless otherwise provided in this Act.

2. The purpose of the operations of universities of applied sciences as a limited liability companies may not be profit seeking, and they may not distribute dividends or generate other financial gain for shareholders or other actors taking part in the activities. When distributing assets in any other manner referred to in Chapter 13, section 1, of the Limited Liability Companies Act, assets may be refunded to shareholders only up to the amount they have invested in the company. The refund of assets from the reserves of unrestricted equity referred to in Chapter 13, (1)(1)(1), of the Limited Liability Companies Act or in situations referred to in paragraph 2 or 3 of the subsection in question is possible only in the event that the operations of the university of applied sciences are terminated. Otherwise, the assets must be used for the purposes described in section 4 of this Act.
3. A university of applied sciences may engage in business activities, provided such activities support the discharge of the mission laid down in section 4.

#### **Section 6. Cooperation with the operating environment**

In carrying out its mission, each university of applied sciences shall cooperate with business and industry and other sectors of the labour market, in particular within its own region, and with Finnish and foreign higher education institutions and other education providers.

### **Chapter 2**

#### **Operating licence and operating terms of universities of applied sciences**

##### **Section 7. Operating licence**

1. An operating licence is required to operate a university of applied sciences. The licence is granted by the Government. The licence is granted on condition that the university of applied sciences is needed to satisfy an educational need and, taking into account the quality, effectiveness and efficiency of operations, possesses the financial and operational prerequisites for proper fulfilment of the tasks laid down in section 4. A further requirement is that the articles of association or shareholders' agreement of the university of applied sciences as a limited liability company shall not contain conditions requiring decisions to be made by a qualified majority that would function to prevent the structural development of the university of applied sciences. Further provisions on applying for an operating licence and documents and information to be included in the application are issued by government decree.
2. The licensee is entitled to engage in university of applied sciences operations in accordance with the educational mission specified in the operating licence. The licence may also impose development and other obligations on the university of applied sciences pertaining to its mission.
3. The operating licence stipulates the name of the university of applied sciences. The term university of applied sciences may only be used for universities of applied sciences referred to in this Act, unless otherwise provided in an act.
4. The Government may revoke the operating licence or alter it, if so required by fundamental changes in educational needs or for other essential reasons relating to the running of the university of applied sciences, or if the university of applied sciences in

its operation fails to fulfil the requirements and obligations referred to in subsections (1) and (2). Before altering or revoking the operating licence, the university of applied sciences must be reserved the chance to be heard.

#### **Section 8. Educational mission**

1. The operating licence stipulates the Bachelor's degrees to be awarded by the university of applied sciences and the degree titles associated with them (*educational responsibility*). Where necessary, the operating licence can also be used to itemise degree specific-educational responsibilities. The operating licence of a university of applied sciences also specifies the Master's degrees to be conferred by the university of applied sciences and the degree titles associated with them.
2. The operating licence stipulates the right of universities of applied sciences to organise the necessary teacher education for teachers and prospective teachers in universities of applied sciences and in vocational education and training institutions (*professional teacher education*).
3. The language used for instruction and degrees of the university of applied sciences is specified in the operating licence as either Finnish or Swedish. In addition, the universities of applied sciences may decide to use a language other than those referred to above as a language used for instruction and degrees.

#### **Section 8a. Tuition in languages and communication (Amendment 563/2016)**

1. Universities of applied sciences may arrange tuition in languages and communication in cooperation with another university of applied sciences or with a university or procure it from one of these institutions. To meet their educational responsibility, universities of applied sciences are not obliged to provide such tuition themselves.
2. Students participating in such tuition by virtue of subsection 1 or by virtue of section 7a(1) of the Universities Act (558/2009) have a restricted right to study in the institution of higher education where the tuition is being provided but where the student does not have the right to complete degree studies.

### **Chapter 3**

#### **Teaching, degrees and research and development activities**

##### **Section 9. Freedom of teaching and research**

1. While universities of applied sciences enjoy freedom of teaching and research in carrying out their mission referred to in section 4, instruction must comply with the statutes and regulations issued on education and teaching arrangements.
2. Teaching in the universities of applied sciences is public. Where justified, participation in instruction may be restricted.

##### **Section 10. Tuition in universities of applied sciences**

1. Within the scope of the operating licence granted to them, the universities of applied sciences provide studies leading to higher education degrees and professional teacher education. Universities of applied sciences may also provide professional specialisation programmes, degree modules as open university of applied sciences education or as other non-degree studies, and continuing education. The universities

of applied sciences issue certificates on studies completed at their university of applied sciences. Provisions on certificates issued by universities of applied sciences are issued by government decree. (Amendment 1173/2014).

2. Studies forming part of a Bachelor's or Master's degree for the completion of which the student has been granted a right to study, limited either in duration and scope, can be completed as open university of applied sciences instruction or separate studies organised in some other manner.
3. A university of applied sciences may provide education for immigrants free of charge with a view to providing them with language proficiency and other knowledge and skills needed for studies at a university of applied sciences. Provisions on the scope of the studies may be issued by government decree.

#### **Section 11. Degrees and requirements**

1. Universities of applied sciences award Bachelor's and Master's degrees. Bachelor's degrees awarded by universities of applied sciences are higher education degrees and Master's degrees awarded by universities of applied sciences are equivalent to Master's degrees awarded by universities. Provisions on the status of the degrees in the system of higher education degrees are issued by government decree.
2. A degree awarded by a university of applied sciences is affixed with the name of the field of study concerned and the degree title and, where needed, in the case of a Bachelor's degree awarded by a university of applied sciences, the abbreviation *AMK* is included, and, in the case of a Master's degree awarded by a university of applied sciences, the abbreviation *ylempi AMK* is included.
3. Provisions on the degrees awarded by the universities of applied sciences, the objectives of the degrees, the structure of studies and other study requirements are issued by government decree.

#### **Section 11a. Professional specialisation programmes (Amendment 1173/2014)**

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

#### **Section 12. Tuition free of charge and charges related to other activities (Amendment 415/2016)**

1. Studies leading to a Bachelor's degree and a Master's degree and entrance examinations relating to student admissions are free of charge for students. Tuition given free of charge does not preclude universities of applied sciences from offering joint and double degree programmes for which foreign institutions of higher education charge fees for their part of the programme.
2. A person applying to education other than that given in Finnish or Swedish may be required to take a fee-charging international test.
3. For activities other than those referred to in subsection 1 the university of applied sciences may charge fees. Further provisions on fees by universities of applied sciences chargeable under public law charged by universities of applied sciences are issued by government decree in conformity with the provisions on the absorption cost of transactions under public law in the Act on Criteria for Charges Payable to the State (150/1992). If the fee chargeable under public law to a student has not been paid by the due date, it is possible to collect annual interest for late payment from the due date onwards in accordance with the provisions of the Interest Act ([633/1982](#)). The payment may be recovered directly by an enforcement order as provided in the Act on the Enforcement of Taxes and Charges ([706/2007](#)).

### **Section 13. Commissioned education (Amendment 1601/2015)**

1. A university of applied sciences may arrange degree studies which are geared to a group of students and which have been commissioned and paid for by the Finnish State, another state, an international organisation, a Finnish or foreign public corporation, a foundation or a private corporation (*commissioned education*).
2. Commissioned education may not be arranged for citizens of states belonging to the European Economic Area or for persons or their family members who are deemed comparable to European Union citizens under European Union treaties or under a treaty concluded by the European Union and its Member States with another contracting party. Nor may commissioned education be arranged for persons who, under the Aliens Act (301/2004), have a European Union Blue Card, a continuous or a permanent residence permit or a long-term resident's European Union residence permit issued to third-country nationals, nor for any family members of the above. The Aliens Act is applied in the definition of persons regarded as family members. Persons participating in commissioned education are governed by sections 25–27, 33–40 and 57–61 of this Act.
3. Tuition provided in the form of commissioned education must relate to a field of education specified in the operating licence of the university of applied sciences. The arrangement of commissioned education may not undermine the undergraduate and graduate education provided by the university of applied sciences. The university of applied sciences must charge a fee for commissioned education covering at least the costs incurring from it. The party who commissions the education is entitled to charge participating students fees in accordance with the legal provisions or other practices in the country where the education is offered.

### **Section 13a. Fee-charging degree programmes (Amendment 1601/2015)**

1. Universities of applied sciences must charge a minimum tuition fee of EUR 1,500 per academic year for students admitted to a Bachelor's or Master's degree programme taught in a language other than Finnish or Swedish. Decisions on how the tuition fees are collected are made by the universities of applied sciences.

2. However, tuition fees are not charged for citizens of states belonging to the European Economic Area or for persons or their family members who are deemed comparable to European Union citizens under European Union treaties or under a treaty concluded by the European Union and its Member States with another contracting party. Fees are not charged for persons who, under the Aliens Act, have a European Union Blue Card, a continuous or a permanent residence permit or a long-term resident's European Union residence permit issued to third-country nationals nor for any family members of the above. The Aliens Act is applied in the definition of persons regarded as family members. These fees do not apply to students taking part in commissioned education referred to in section 13.
3. Universities of applied sciences must have a scholarship system to aid students participating in fee-charging degree programmes.

#### **Section 14. Curricula and normative duration of studies (Amendment 325/2015)**

1. Universities of applied sciences decide on their curricula.
2. The scope of studies leading to a Bachelor's degree in a university of applied sciences must correspond to full-time studies of at least three academic years and, at most, four academic years in duration. On special grounds, the duration of studies may be longer than this. The scope of studies leading to a Master's degree in a university of applied sciences must correspond to full-time studies of at least one academic year and, at most, one and a half academic years in duration. The university of applied sciences must arrange degree-awarding tuition and study guidance so as to enable full-time students to complete their degrees within a period of time that corresponds to the scope of the studies (*normative duration*).
3. The normative duration of studies in professional teacher education is one year.

## **Chapter 4**

### **Organisation**

#### **Section 15. Administrative bodies of universities of applied sciences**

1. The administrative bodies of a university of applied sciences are the board of directors and the president (rector) acting as managing director. In addition, the university of applied sciences must have at least one board of examiners or an equivalent body.
2. The university of applied sciences may also have other administrative bodies, as stipulated in its rules of procedure.

#### **Section 16. Duties of the board**

1. In addition to those laid down in the Limited Liability Companies Act, the remit of the board is to:
  - 1) determine the main objectives of the university of applied sciences operations and finances, the strategy and steering principles;
  - 2) decide on the operating and financial plans and the budget of the university of applied sciences, and to prepare a financial statement;
  - 3) arrange the supervision of the accounting and asset management;

- 4) be accountable for the management and use of the assets of the university of applied sciences, unless the board has devolved the power to the president;
  - 5) approve agreements of major importance or fundamental financial consequence for the university of applied sciences and issue opinions on important matters of principle concerning the university of applied sciences;
  - 6) approve the agreement with the Ministry of Education and Culture referred to in section 42 on behalf of the university of applied sciences;
  - 7) elect and dismiss the president;
  - 8) approve the rules of procedure and other corresponding rules pertaining to general organisation and operations and decide on the operational structure of the university of applied sciences;
  - 9) decide on the number of students to be admitted to the university of applied sciences.
2. In addition, the board is charged with hiring the managerial staff working directly under the president, unless the board has devolved the task to another administrative body of the university of applied sciences.
  3. The duties of the board laid down above in subsection 1 may not be transferred to the competence of the general meeting. The provisions in Chapter 5, section 2(2), of the Limited Liability Companies Act on the right of shareholders to make a decision in matters that fall within the general competence of the board and in Chapter 6, section 7, on submitting a matter to be decided by the general meeting do not apply to universities of applied sciences as limited companies.

#### **Section 17. Composition of the board**

1. The board of a university of applied sciences consists of a minimum of seven and a maximum of nine members, equipped with a diverse representation of expertise associated with the functions of society and the university of applied sciences. The board must also include members with practical experience and knowledge about business and industry. The president may not be a member of the board.
2. Two of the board members represent the university of applied sciences community, one of them being a member of staff and the other a student. The staff representative in the board is elected from among the staff. The procedure for the selection of the staff representative is specified in the rules of procedure, and the procedure for the selection of the student representative is specified in the rules of procedure of the student body. The general meeting confirms the selections.

#### **Section 18. President's duties and eligibility requirements**

1. In addition to the tasks of the managing director laid down in the Limited Liability Companies Act, the duties of the president are to
  - 1) lead the operations of the university of applied sciences and resolve matters concerning the university of applied sciences which have not been assigned to another administrative body by statute or regulation;
  - 2) be responsible for the economical, efficient and effective discharge of the mission of the university of applied sciences;
  - 3) be responsible for the preparation, presentation and implementation of matters which come before the board;
  - 4) decide on the hiring and dismissal of staff.

2. The president may devolve the hiring of staff or other matters within his or her remit to another administrative body or staff member of the university of applied sciences. The president has the right to be present and speak at the meetings of all the administrative bodies of the university of applied sciences.
3. The requirement for the president elect is that he or she has a doctorate degree and the competence required for discharging the duties as well as proven good leadership skills. It is, however, also possible to opt for a person with a Master's degree, provided that they are otherwise deemed particularly well-suited for the task in terms of their merits. Further, the president must have knowledge of the language of instruction and degrees determined in the operating licence of the university of applied sciences.
4. The duties of the president listed above in subsection 1 may not be transferred to the competence of the general meeting. The provisions in Chapter 5, section 2(2), of the Limited Liability Companies Act on the right of shareholders to make a decision in matters that fall within the general competence of the managing director, and in Chapter 6, section 7, on submitting a matter to be decided by the general meeting do not apply to universities of applied sciences as limited companies.

#### **Section 19. Board of examiners**

1. To process requests for the rectification of study attainments, the university of applied sciences may have one or several boards of examiners or other equivalent administrative bodies.
2. A board of examiners or equivalent body consists of a chairperson and other members, each of whom has a personal deputy. The chairperson and members of the board of examiners and their personal deputies are appointed by the board of the university of applied sciences.
3. The chairperson and his or her deputy must be a principal lecturer or a senior lecturer. The other members of the board of examiners are teachers at the university of applied sciences as well as at least one student enrolled in a degree programme.

#### **Section 20. Rules and regulations**

The organisation of the operations and administration of the university of applied sciences are governed by the rules of procedure and other similar internal regulations of the university of applied sciences.

#### **Section 21. Administrative procedure and confidentiality**

1. In performing a public administrative function, the university of applied sciences and the student body of the university of applied sciences are governed by the Administrative Procedure Act ([434/2003](#)). However, the provisions of the Administrative Procedure Act on disqualification apply to all university of applied sciences activities. The provisions in section 28(1), paragraphs 5 and 6, of the said Act apply to universities of applied sciences and to affiliated companies belonging to the university of applied sciences group referred to in the Accounting Act ([1336/1997](#)) only in matters where the interests of the university of applied sciences and the affiliated company are in conflict or where fair handling of the matter so requires.
2. The confidentiality of the activities pursued by the university of applied sciences and the student body of the university of applied sciences under this Act are governed by

the provisions in section 4(1) of the Act on the Openness of Government Activities ([621/1999](#)) on the confidentiality of the activities of authorities.

## **Chapter 5**

### **Staff and the language of administration**

#### **Section 22. Teaching and research staff and qualification requirements**

1. Universities of applied sciences employ principal lecturers, senior lecturers and other teaching and research staff.
2. Further provisions on the qualification requirements, and if necessary, tasks of teachers may be issued by government decree.

#### **Section 23. Criminal liability for acts in office and liability for damages**

Criminal liability for acts in office is applied to the staff of a university of applied sciences and members of its administrative bodies when they perform the tasks referred to in this Act. Provisions on liability for damages are laid down in the Tort Liability Act ([412/1974](#)).

#### **Section 24. Language of administration in universities of applied sciences**

The language of administration of a university of applied sciences is the same as the language of instruction and degrees as determined in the operating licence of the university of applied sciences.

## **Chapter 6**

### **Studying at a university of applied sciences and students**

#### **Section 25. Eligibility for university of applied sciences education**

1. Eligible applicants for degree studies in a university of applied sciences have
  - 1) completed the general upper secondary curriculum or passed the examination referred to in the National Matriculation Examination Act ([672/2005](#));
  - 2) been awarded a vocational upper secondary qualification after completing studies of at least three years' duration or the equivalent prior studies;
  - 3) been awarded a vocational upper secondary qualification, a further vocational qualification or a specialist vocational qualification under the Adult Vocational Training Act ([631/1998](#)) or an equivalent prior qualification; or
  - 4) completed studies abroad which give eligibility for higher education in the country in question.
2. Applicants other than those referred to in subsection 1 whom the university of applied sciences deems to have sufficient knowledge and skills for the studies may also be eligible for studies leading to a Bachelor's degree in a university of applied sciences.
3. Eligible applicants for studies leading to a Master's degree in a university of applied sciences have completed an applicable Bachelor's degree in a university of applied sciences or another applicable higher education degree and have a minimum of three years of work experience in the field concerned after graduation. The required work experience must have fully accrued by the beginning of the term when the studies

start. In Crafts and Design, Media and Visual Arts, Theatre and Dance, and Music the requirement may be artistic activity of corresponding duration instead of work experience. An acceptable requirement for holders of an upper secondary or a post-secondary qualification awarded by a vocational college who have subsequently studied for an applicable university or university of applied sciences degree may also be work experience acquired before the completion of the higher education degree.

4. Eligible applicants for professional teacher education have such education and work experience that is required for working as a teacher in a university of applied sciences or in vocational education and training.
5. Eligible applicants for professional specialisation programmes have completed an applicable university of applied sciences or university degree or are deemed by the university of applied sciences to have sufficient knowledge and skills for the studies. (Amendment 1173/2014)

#### **Section 26. Accessibility and prerequisites for admission**

1. Factors relating to the health and functional capacity of an applicant may not preclude admission. However, a person whose state of health or functional capacity makes him or her incapable of performing the practical tasks or practical training included in the studies in a way consistent with the study-related safety requirements referred to in section 33 and where the impediment cannot be removed with reasonable measures shall not be admitted as a student.
2. In the case of studies referred to in section 33, admission is precluded where a decision has been made to revoke the right to study under section 32 of the Vocational Education and Training Act ([630/1998](#)), under section 11(9) of the Adult Vocational Training Act, under section 33 of this Act or section 43a of the Universities Act ([558/2009](#)) where considerations relating to the protection of the health and safety of other persons so require.
3. The university of applied sciences must inform applicants about health-related requirements and other prerequisites related to the studies.

#### **Section 27. Access to information relating to admissions**

1. In the case of studies referred to in section 33, the applicant must, when requested by the university of applied sciences, provide any personal health information that is required for admission and information about any previous decision to revoke the applicant's right to study.
2. Notwithstanding provisions on confidentiality, the university of applied sciences has the right, for the purposes of admissions requirements, to obtain information from other universities of applied sciences, universities and other education providers about any decision, including its justifications, to revoke the applicant's right to study.

#### **Section 28. Admissions (Amendment 257/2015)**

1. New students are admitted by the university of applied sciences, where they may pursue a Bachelor's degree, a Master's degree or a professional specialisation programme.
2. Universities of applied sciences admit transfer students. A *transfer student* refers to a degree programme student whose right to study is transferred from one higher education institution to another or within a single higher education institution from

one degree programme to another so that the degree title to be gained from the studies changes.

3. Universities of applied sciences decide the admissions criteria. In the application process, applicants may be divided into separate applicant categories on the basis of their different educational backgrounds. The admissions criteria applied must be consistent for all applicants belonging to the same category.

#### **Section 28a. Joint application procedure and separate admissions (Amendment 257/2015)**

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

#### **Section 28b. Reserving a student place (Amendment 257/2015)**

1. In the joint application procedure, a university of applied sciences must reserve some student places leading to a Bachelor's degree for applicants who have not previously completed a higher education degree under the Finnish education system and have not accepted a student place leading to a higher education degree or have accepted a student place for studies beginning in spring term 2014 or earlier but have not completed a higher education degree.
2. It is, however, not necessary to reserve student places in the manner referred to in subsection 1 when admitting students to a programme offered in a foreign language or to studies designed for a limited target group where the eligibility of applicants has been separately defined by the university of applied sciences, or to a programme where the number of admissions offered is so small that reserving places would generate unreasonable inequalities between applicants.
3. A university of applied sciences may reserve some student places for applicants referred to in subsection 1 also in the case of separate admissions.
4. Universities of applied sciences must also reserve reasonable opportunities for admission for those who have completed a higher education degree or accepted a student place. Universities of applied sciences must ensure that no unreasonably large discrepancies exist between the opportunities of individuals belonging to different

applicant categories to gain admission in terms of equitable treatment of all applicants. The assessment of reasonability takes into account the following factors: the ratio of the applicants of different applicant categories to the overall number of applicants; the opportunities to gain admission through routes other than the joint application procedure; and other equivalent factors.

**Section 28c. Acceptance of a student place (Amendment 257/2015)**

1. Applicants may accept only one student place in a degree programme that begins in the term of acceptance. This provision does not apply to the acceptance of a student place in the case of transfer students.
2. Students who have been granted a student place must notify the university of applied sciences within the time indicated in the offer of admission whether they accept the offered place. Where the prospective student fails to give the notification within the time indicated he or she forfeits the student place. The university of applied sciences must, without delay, enter information on the acceptance of a student place in the higher education applicant register referred to in section 1 of the Act on the student admissions register, the national data warehouse for higher education and the matriculation examination register (Act 1058/1998).

**Section 29. Academic year, academic terms and student enrolment and registration (Amendment 257/2015)**

1. The academic year of a university of applied sciences begins on 1 August and ends on 31 July. The autumn term begins on 1 August and ends on 31 December. The spring term begins on 1 January and ends on 31 July. Tuition is offered during periods determined by the university of applied sciences.
2. Students who have been admitted and who have accepted a student place must enrol at the university of applied sciences in the manner specified by the university of applied sciences, whereupon they are enrolled as a student. Students must register for attendance or non-attendance for each academic year in the manner specified by the university of applied sciences. (Amendment 325/2015)
3. Having accepted a student place, the student may enrol as a non-attending student during the first academic year provided he or she
  - 1) is in active service in accordance with the Conscription Act ([1438/2007](#)), the Non-Military Service Act ([1446/2007](#)) or the Women's Voluntary Military Service Act ([194/1995](#));
  - 2) is on maternity, paternity or parental leave; or
  - 3) is unable to begin studies owing to a medical condition.(Amendment 325/2015)

**Section 30. Right to study (Amendment 325/2015)**

1. Students have the right to pursue studies leading to a Bachelor's or Master's degree in a university of applied sciences in the manner laid down in the degree regulations and curriculum of the university of applied sciences.
2. Full-time students have the right to complete the studies referred to in subsection 1 in a time period of at most one year exceeding the normative duration of the studies. The principles for determining the maximum duration of studies referred to in subsection 1 in regard of other students are specified in the degree regulations of the universities of applied sciences.

3. Studies in professional teacher education may be completed in a time period of at most one year exceeding the normative duration of the studies. Studies in teacher education intended to be completed on a part-time basis must be completed in a maximum period of three years.
4. Absences due to a service under the Conscription Act, the Non-Military Service Act or the Women's Voluntary Military Service Act or to maternity, paternity or parental leave are excluded from the normative duration of studies. Similarly, periods of absence up to a maximum of two academic terms are excluded from the normative duration of studies when the student is registered for absence in accordance with section 29.
5. Students are considered to have begun their degree studies as of the date they accepted a student place at a university of applied sciences.
6. A transfer student's right to complete degree studies is determined on the basis of the degree for which the student was given the right to complete a degree with the transfer. The time that the student, whether registered for attendance or non-attendance, has spent pursuing the studies on which the transfer is based is counted towards the normative duration of studies.

**Section 30a. Extension of the right to study (Amendment 325/2015)**

1. The university of applied sciences grants an extension to the duration of studies on application to a student who has not finished his or her studies within the time period referred to in section 30 provided that the student presents a goal-oriented and feasible plan for completing the studies. In the plan, the student must detail the studies to be completed and the timetable for completing the degree.
2. The duration of studies is extended if it is possible for the student, in consideration of the number and scope of completed and valid studies as well as the lacking studies and any prior decisions on extending their duration, to complete his or her studies in a reasonable period of time. When granting an extension to the duration of studies, the university of applied sciences shall consider the life situation of the student.

**Section 31. Right to a safe learning environment**

1. Students have the right to a safe learning environment.
2. The university of applied sciences may adopt its own rules or issue other regulations to promote internal order, unhindered progress in studies and a safe and pleasant university of applied sciences community.
3. The rules and other regulations referred to in subsection 2 above may include provisions on the practical arrangements and proper conduct necessary for safety and amenability in the university of applied sciences. Regulations may additionally be issued with regard to the handling of the property of the university of applied sciences and to remaining on and moving about the facilities and grounds of the university of applied sciences.

**Section 32. Forfeiture of the right to study (Amendment 325/2015)**

1. Students who have not enrolled and registered in the manner specified in section 29, or who fail to complete their studies within the time period specified in section 30 or within the extended period of time specified in section 30a, as well as students who have not been granted an extension to their studies, forfeit their right to study. Should

the student later wish to start or resume his or her studies, he or she must reapply to the university of applied sciences for admission. The application can be made without participation in the student admissions procedure referred to in section 28.

2. If a transfer student accepts a new right to study, he or she forfeits the earlier right to study right on which the transfer was based.

### **Section 33. Revocation of the right to study**

1. Where the studies impose demands on the safety of minors or patient or client safety, the university of applied sciences may revoke the right to study where:
  - 1) The student, by repeatedly or seriously endangering the health or safety of another person, has proven to be manifestly unsuitable to perform practical assignments or practical training relating to studies;
  - 2) It is evident that the student does not fulfil the prerequisites for admission referred to in section 26(1) in regard of his or her state of health or functional capacity; or
  - 3) At the application stage, the student has concealed a decision to revoke the right to study referred to in section 26(2) which could have prevented his or her admission as a student.
2. Where the studies or practical training relating to studies substantially require work with minors, the university of applied sciences may revoke the right to study where necessary in order to protect minors, or if the student has been sentenced for a crime referred to in the Criminal Code, Chapter 17, section 18, 18a or 19, Chapter 20, Chapter 21, sections 1–3 or 6, Chapter 31, section 2, or Chapter 50, sections 1, 2, 3, 4 or 4a.
3. Before revoking the right to study, the university of applied sciences, together with the student, must explore the student's possibilities to apply for some other form of education. With his or her consent, the student may be transferred to other studies in the university of applied sciences where he or she fulfils the admission prerequisites.
4. Further provisions on the studies governed by this section are issued by government decree.

### **Section 34. Access to information relating to revocation of the right to study**

1. Where there are justified grounds to suspect that the student has an impediment due to his or her state of health or functional capacity, as referred to in section 33(1)(2), he or she may be ordered to be examined by a registered healthcare professional, where necessary, for ascertaining the student's state of health or functional capacity. The university of applied sciences shall defray the cost of the examinations it orders.
2. Provisions on confidentiality notwithstanding, the university of applied sciences has the right, for the purpose of assessing the right to study, to obtain from physician authorised to practice the profession independently and designated by the university of applied sciences a written statement indicating that the student underwent an examination to ascertain his or her state of health and an assessment was made of the student's functional capacity with respect to the demands placed on his or her health due to studies.
3. Provisions on confidentiality notwithstanding, the university of applied sciences has the right to obtain information from other universities of applied sciences, universities and other education providers about any decision, including its justifications, to

revoke an applicant's right to study where it is deemed necessary for assessing the right to study.

4. At the request of the university of applied sciences, the student must provide an extract of any or all entries about him or her in the criminal records referred to in section 6(3) of the Criminal Records Act ([770/1993](#)), for the purpose of an assessment of the right to study, as referred to in section 33(2), if the student is given assignments in studies or in practical training relating to the studies which substantially require working with minors.
5. Provisions on confidentiality notwithstanding, the university of applied sciences has the right to obtain information necessary for admission from another university of applied sciences concerning any pending process related to revocation of the right to study referred to in section 33, when the student has applied to the university of applied sciences as a transfer student.
6. Provisions on confidentiality notwithstanding, the university of applied sciences is obligated to provide the National Supervisory Authority for Welfare and Health with information on any pending process related to revocation of the right to study referred to in section 33 and other decisions related to revocation of the right to study or to the transfer of the student to other studies and its justifications, when such information is necessary for the execution of the Authority's statutory duties.

#### **Section 35. Reinstatement of the right to study**

1. A person whose right to study has been revoked under section 33(1)(2) may apply to the university of applied sciences concerned for the reinstatement of the right to study. The right to study must be reinstated if the applicant proves that the reasons for the revocation no longer exist. The student must submit statements on his or her state of health to the university of applied sciences. The decision to reinstate the right to study is made by the board of the university of applied sciences.
2. Provisions on confidentiality notwithstanding, the university of applied sciences is obligated to provide the National Supervisory Authority for Welfare and Health with information on any decision to reinstate the right to study and its justifications when such information is necessary for the execution of the Authority's statutory duties.

#### **Section 36. Drug testing**

1. A university of applied sciences may oblige the student to present a drug test certificate when there are justifiable grounds to suspect that the student is addicted to drugs, or is under the influence of drugs referred to in section 3(1)(5) of the Narcotics Act ([373/2008](#)) while carrying out practical training or while performing practical tasks relating to studies. Another precondition is that the testing be necessary for ascertaining the student's functional capacity and the student perform tasks which require special acuity, reliability, independent judgement or good reactions and where working under the influence of drugs or drug addiction:
  - 1) seriously endangers the student's or some other person's life or health;
  - 2) seriously endangers traffic safety;
  - 3) seriously endangers the protection or integrity of data protected by confidentiality provisions; or
  - 4) significantly increases the risk of illicit trafficking or distribution of substances which are in the possession of the university of applied sciences, the education provider or the place of training.

2. 'Drug test certificate' means a certificate by a registered healthcare professional attesting that the student has undergone a test to detect the presence or absence of a substance referred to in section 3(1)(5) of the Narcotics Act as well as a statement based on the test as to whether the student has used narcotics for purposes other than medical treatment in a way which undermines his or her functional capacity. The certificate must be presented within a reasonable time frame, which is determined by the university of applied sciences.
3. If the student is required to present a drug test certificate of the kind referred to in this section, the university of applied sciences must have written instructions drawn up in cooperation with the student healthcare officials for preventing the use of narcotics by students and for intervening in drug problems.
4. The university of applied sciences shall defray the cost of the drug test certificate referred to in this section.
5. If not otherwise covered in this section, a drug test performed on a student is governed by the provisions of section 19 of the Occupational Health Care Act ([1383/2001](#)).

### **Section 37. Assessment and recognition of study attainments**

1. Students have the right to obtain information on how the assessment criteria are applied to their study attainments. Students must be given an opportunity to see the assessed written or otherwise recorded study attainments. Written and otherwise recorded study attainments must be retained for a minimum of six months from the publication of the results.
2. When studying for a degree or when completing a professional specialisation programme, the student may, as determined by the university of applied sciences, have studies that he or she has completed in another Finnish or foreign higher education institution or other educational institution counted towards the degree or professional specialisation programme; the student may also substitute previous studies for studies in the degree requirements or professional specialisation programme if the prior studies are of equivalent level. The student may, as determined by the university of applied sciences, have his or her knowledge and skills attested in some other manner and counted towards the degree or specialisation, or substitute studies in the degree requirements or specialisation programme with the knowledge and skills attested. (Amendment 1173/2014)

### **Section 38. Disciplinary action**

1. A student may be issued a written caution if he or she:
  - 1) disrupts teaching;
  - 2) behaves threateningly or violently;
  - 3) acts under false pretences or otherwise causes disorder at the university of applied sciences;
  - 4) refuses to present the drug test certificate, as referred to in section 36; or
  - 5) has used narcotics, based on the account referred to in section 36, for purposes other than medical treatment in a way which undermines his or her functional capacity.
2. If the student's deed or negligence is serious in nature or if the student continues to behave inappropriately, in the sense referred to in subsection 1, after having been cautioned, he or she may be suspended from the university of applied sciences for a fixed period of one year at most.

3. A student who disrupts teaching, behaves threateningly or violently or endangers the life or health of another person may be ordered to leave the premises where teaching takes place or from an event organised by the university of applied sciences. A student may be suspended from attending tuition for a maximum of three days where there is a risk that the safety of another student or a person working in the university of applied sciences or some other teaching facility is threatened as a result of the student's threatening or violent behaviour or where the disruptive conduct of the student makes teaching and associated activities unduly difficult.
4. Where a student refuses to undergo the examinations for ascertaining his or her state of health referred to in section 34(1), he or she may be banned from studies until he or she consents to undergo the necessary examinations. If a student refuses to provide an extract of entries on him or her in the criminal records referred to in section 34(4), he or she may be banned from studies until he or she consents to present the extract.

#### **Section 39. Procedure in disciplinary actions and matters regarding revocation of the right to study**

1. The decision to revoke the right to study is made by the board of the university of applied sciences. Before any decision to revoke the right to study can be taken, an account of the matter must be obtained and the student must be given an opportunity to be heard.
2. The decision to give a student a written warning is made by the president of the university of applied sciences and the decision on suspension by the board of the university of applied sciences. Before any such decision can be taken, the deed or negligence resulting in the disciplinary measure must be specified and a relevant investigation carried out, and the student must be given an opportunity to be heard.
3. The president and the teacher and the practical training instructor may work together or separately in such matters as are referred to in section 38(3). The disciplinary measures must be recorded. The board of the university of applied sciences makes the decision referred to in section 38(4).
4. The decision on the enforcement of an appealable decision and on the date on which the enforcement is implemented must be made at the same time as the decision to revoke the student's right to study, to suspend the student or to ban the student from studies.

#### **Section 40. Handling of sensitive material**

1. Information relating to an applicant's and a student's state of health, referred to in sections 27 and 34–36, may be handled only by those who prepare or make decisions on admission, revocation or reinstatement of the right to study, or on disciplinary action or by those who issue statements on these matters.
2. Information on the student in the criminal register about matters referred to in section 33(2) may be handled only by those who prepare or make decisions on the revocation of the right to study.
3. The university of applied sciences must specify the tasks which involve the handling of sensitive materials.
4. The university of applied sciences must store the sensitive materials separately from other personal data. The sensitive materials must be removed from the register immediately when there no longer is any statutory reason to store them and at the latest within four years of the date on which they were entered in the register.

5. The handling of personal data is governed by the Personal Data Act ([523/1999](#)) unless otherwise enacted in this Act.

#### **Section 41. Student body**

1. A university of applied sciences has a student body to which the full-time students of the university of applied sciences may belong. The student body may also admit students of other universities of applied sciences as members. The student body liaises with and on behalf of its members and promotes their societal, social and intellectual aspirations and those relating to studies and the status of students in society. The student body also contributes to preparing students for an active, informed and critical citizenship. The duties of the student body are in particular to:
  - 1) nominate student representatives to the administrative bodies of the university of applied sciences referred to in Chapter 4;
  - 2) nominate student representatives to the student financial aid board of the university of applied sciences referred to in section 9 of the Student Financial Aid Act ([65/1994](#)); and
  - 3) contribute, where needed, to the performance of the tasks relating to students' primary healthcare referred to in section 17 of the Health Care Act ([1326/2010](#)) and in Chapter 13, sections 11–14, of the Health Insurance Act ([1224/2004](#)).
2. The costs incurring from activities geared to implementing the purpose and remit of the student body are defrayed from the assets of the student body and from the income accruing from the activities of the student body and membership fees, which the student body is entitled to charge to its members.
3. The student body of a university of applied sciences is self-governing. The student body's decision-making power is vested in its executive board and the student parliament. Provisions on the administration of the student body are specified in the rules adopted by the student body and confirmed by the president. The administrative language of the student body is the same as the language of instruction and degrees as stipulated in the operating licence of the university of applied sciences.
4. The activities of the student body are governed by the Associations Act ([503/1989](#)), unless otherwise provided in this Act.
5. In matters relating to the administration of the student body, rectification can be sought from the body that issued the decision. Provisions on the procedure for rectifications are laid down in the Administrative Procedure Act. An appeal against a decision issued regarding a request for rectification is lodged in an administrative court as provided in the Administrative Judicial Procedure Act ([586/1996](#)). A decision by an administrative court may not be appealed against.
6. A member of the student body is considered to have been informed of a decision once it has been placed on public display.

## **Chapter 7**

### **Steering and financing of universities of applied sciences**

#### **Section 42. Objective setting**

1. The Ministry of Education and Culture and the university of applied sciences conclude fixed-term agreements on quantitative and qualitative targets of pivotal

relevance to education, research, development and innovation activities, and on the monitoring and evaluation of their implementation. On the part of the university of applied sciences, the agreement is signed by the chairperson of the board and the president.

2. Where the quantitative targets of a university of applied sciences cannot be coordinated at the national or regional level, the Ministry of Education and Culture may, after hearing representatives of the university of applied sciences, decide on quantitative and qualitative targets for an individual university of applied sciences.
3. The opportunity of the university of applied sciences to realise its objectives in Finnish or Swedish shall be secured.

#### **Section 43. Criteria for the allocation of government funding**

1. The Ministry of Education and Culture grants funding to universities of applied sciences for the execution of the duties laid down in this Act and within the scope of the appropriation included in the national Budget.
2. The university of applied sciences appropriation in the Budget referred to in subsection 1 above, with the exception of one-off items, is increased from the previous year in accordance with the annual cost-related rise in the universities of applied sciences index. The universities of applied sciences index is comprised of the index of wage and salary earnings, the consumer price index and the wholesale price index.
3. The Ministry of Education and Culture grants imputed core funding to the universities of applied sciences, taking into account the extent, quality and effectiveness of the operations and other education, research and science policy objectives.
4. The universities of applied sciences are reimbursed for the value-added tax included in the cost incurred by the universities of applied sciences for providing educational services referred to in sections 39 and 40 of the Value Added Tax Act ([1501/1993](#)) and in procurements and facilities rents relating to research other than commercial research. The reimbursement is based on information in the most recently approved financial statement.
5. In granting funding, the Ministry of Education and Culture may set conditions and restrictions on the use of the funds.
6. Further provisions are issued by government decree on the computation of the universities of applied sciences index and the consideration of the rise in the cost level referred to in subsection 2 above and on the computation and the relative weight of the financing criteria referred to in subsection 3. Further provisions on the computation criteria underlying the allocation of the imputed funding are issued by a decree of the Ministry of Education and Culture Decree.
7. The provisions on subsection 2 are not applicable between 2016 and 2019. (Amendment 1675/2015)
8. Subsection 7 was added under Act 1675/2015 and is in force temporarily from 1 January 2016 to 31 December 2019.

#### **Section 44. Funding of expenses shared by universities of applied sciences**

The Ministry of Education and Culture may finance operations jointly undertaken by all the universities of applied sciences within the scope of the appropriation included in the Budget.

#### **Section 45. Supervision and reporting**

When requested by the Ministry of Education and Culture, each university of applied sciences must provide the Ministry with the data necessary for the evaluation, development, statistics and other supervision and steering of education and research in the manner determined by the Ministry.

#### **Section 46. Payment**

The operational funding is paid to the universities of applied sciences in payments of the same amount on the third banking day of each month.

#### **Section 47. Discontinuation of payments**

The Ministry of Education and Culture may order the payment referred to in this Act to be discontinued where:

- 1) it is evident that the recipient no longer arranges the activity on the basis of which the funding is allocated, or the recipient of funding significantly acts in violation of the provisions of this Act; or
- 2) the criteria for allocating the funding for a specific activity have essentially changed or have been incorrect.

#### **Section 48. Repayment of financing received**

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

#### **Section 49. Recovery of payments**

1. The Ministry of Education and Culture shall order allocated funding to be recovered where the university of applied sciences has:
  - 1) failed to return funding repayable under section 48;
  - 2) used funding for a purpose essentially different to that for which it had been allocated;
  - 3) given false or misleading information to the Ministry of Education and Culture about a matter which was critical to the granting of the funding, the amount of funding or the terms of funding, or has concealed such a fact; or
  - 4) otherwise, in a way comparable to paragraphs 1–3 above, essentially violated regulations governing the use of funding or the terms set in the funding decision.
2. The Ministry of Education and Culture must make a decision on the recovery of payments within two years of the date on which the finding, usable as a basis for discontinuation, termination of payments or recovery of funding, was brought to the attention of the Ministry of Education and Culture. The decision on the recovery of payments must be taken within five years of the date on which the payment was made.

#### **Section 50. Interest and interest on late payment**

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

#### **Section 51. Offsetting of payments**

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

#### **Section 52. Appealing a funding decision**

Appeals and rectification requests concerning decisions of the Ministry of Education and Culture to grant funding, suspend payment under section 47, recover funding under section 49 and offset payment under section 51 come under the provisions of section 34 of the Act on Discretionary Government Transfers ([688/2001](#)).

#### **Section 53. Implementation**

A decision may be implemented notwithstanding an appeal unless otherwise provided for by the appeals authority. A decision on the recovery of funding referred to in section 49 and issued owing to a rectification request may be implemented directly by an enforcement order as provided in the Act on the Enforcement of Taxes and Charges (706/2007).

## **Chapter 8**

### **Finances of universities of applied sciences**

#### **Section 54. Accounting and the accounting year**

1. In universities of applied sciences, the financial year referred to in the Accounting Act is a calendar year.
2. Further provisions on the profit and loss account and balance sheet formulas may be issued by government decree.

#### **Section 55. Data on business activities**

Where the university of applied sciences pursues business activities in the form other than a separate unit with no legal obligation to keep accounts, the profitability information of the business must be presented separately as a profit and loss account in an annex to the financial statement.

#### **Section 56. Confidentiality of financial statement**

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

## **Chapter 9**

### **Appeals**

#### **Section 57. Rectification procedure (Amendment 257/2015)**

1. A person who has applied for entry to a university of applied sciences may lodge a rectification request with an administrative body designated by the university of applied sciences to seek redress for a decision on admission within 14 days from the publication of the admissions results. The publication of the admissions results must be accompanied by instructions on how the applicant can obtain information about the way in which the admissions criteria were applied in his or her case and how to seek rectification. In consequence of such a request for rectification, no one's admissions results may be altered detrimentally.
2. A student may lodge a rectification request with the administrative body designated by the university of applied sciences to seek redress for a decision on forfeiture of the right to study, as laid down in section 32, within 14 days of receiving the decision.
3. A student dissatisfied with the grading of a study attainment or with the recognition of either studies completed elsewhere or of prior knowledge demonstrated in some other manner, may lodge a rectification request orally or in writing; in the case of grading, the request is submitted to the teacher who decided on the grade and, in the case of recognition of prior studies, to the person who made the decision on recognition. The rectification request must be made within 14 days of the date on which the information about the grades or the application of the assessment criteria to the student's study attainment became accessible to the student. A rectification request on recognition of prior learning must be made within 14 days of the receipt of the notification of the decision. A student dissatisfied with the decision on the rectification request referred to in this subsection may seek rectification from the board of examiners or other administrative body designated for the purpose within 14 days of receiving the notification of the decision.
4. Provisions on the procedure for rectification requests are laid down in the Administrative Procedure Act.

#### **Section 58. Appeal against a decision by a university of applied sciences**

1. An appeal against a decision of a university of applied sciences to revoke the right to study, as referred to in section 33, or to reinstate the right to study, as referred to in section 35, is lodged with the students' legal protection board within 14 days of the receipt of the decision, as laid down in the Administrative Judicial Procedure Act (586/1996). Provisions on appeals lodged with the students' legal protection board are laid down in the Act on Students' Legal Protection Board ([956/2011](#)).
2. An appeal against other administrative decisions of a university of applied sciences is lodged with the administrative court of the judicial district where the main offices of the university of applied sciences are located, as laid down in the Administrative Judicial Procedure Act, unless otherwise provided elsewhere by law.
3. An appeal against a decision on the revocation of the right to study, the reinstatement of the right to study or on a warning, suspension or ban on attending tuition, referred to in section 38, shall be treated as an urgent matter.

#### **Section 59. Implementation of decisions to take disciplinary action or to revoke the right to study**

A decision to revoke the right to study, to suspend a student or to ban a student from studies may be carried out notwithstanding an appeal pending against it, unless otherwise stipulated by an appellate authority.

#### **Section 60. Ban on appeals**

1. No appeal may be lodged against a university of applied sciences decision pertaining to
  - 1) the election of an administrative body of the university of applied sciences by the board, president or a body specified in the rules of procedure;
  - 2) rules of procedure or other general regulations;
  - 3) a curriculum or other provision concerning teaching arrangements;
  - 4) a scholarship or grant.
2. No appeal may be lodged against a decision on the rectification of the grading of a study attainment or the recognition of prior studies.
3. No appeal may be lodged against an administrative court ruling on student admissions, as referred to in section 28, forfeiture of the right to study, as referred to in section 32, or a disciplinary action, as referred to in section 38.

#### **Section 61. Leave to appeal**

Unless otherwise provided elsewhere by law, an appeal against an administrative court ruling may only be lodged if the Supreme Administrative Court grants leave to appeal.

### **Chapter 10**

#### **Miscellaneous provisions**

##### **Section 62. Quality assessment**

1. Universities of applied sciences are responsible for the standard of quality and for continuous development of the education provided by it and its other operations. In addition, the universities of applied sciences must evaluate their education, research and artistic activities as well as the effectiveness thereof. The universities of applied sciences must also regularly participate in external evaluations of their activities and in quality assurance systems and publish the results of the evaluations they have organised.
2. Provisions on the Finnish Education Evaluation Centre are laid down in the Act on the Finnish Education Evaluation Centre ([1295/2013](#)).

##### **Section 63.**

*[Section 63 has been repealed; 1601/2015]*

##### **Section 64. Cooperation between universities of applied sciences**

1. Universities of applied sciences may agree on creating joint education and research units to improve the consolidation of the operations of universities of applied sciences, or to promote joint projects, cooperation in the field of research and development or in other areas.

2. To support the management of its statutory duties, a university of applied sciences may have common units with universities, research institutes or other public or private communities or foundations.

#### **Section 65. Right to obtain information**

1. In carrying out their duties, the universities of applied sciences have the right to obtain statistical and other similar data necessary for the planning and provision of education from central government authorities and local authorities.
2. Upon request, the universities of applied sciences shall furnish data required for the evaluation, development, statistics and monitoring of education as specified by the Ministry of Education and Culture.
3. Provisions on confidentiality notwithstanding, such information on a student's state of health and functional capacity as is necessary for the execution of duties may be supplied by the holder of this information to
  - 1) the president of a university of applied sciences and those responsible for the security of the university of applied sciences for the purpose of ensuring the safety to pursue studies;
  - 2) a person responsible for study counselling for the purpose of guiding the student to other studies or support services;
  - 3) a person responsible for student healthcare for the purpose of ensuring the student's health and safety and guiding the student to the necessary support measures;
  - 4) ) a person responsible for practical training for the purpose of ensuring the safety of the student and the safety of staff and customers at the place of training; and
  - 5) the police and a representative of the university of applied sciences who is primarily responsible for investigating threats to security for the purpose of assessing if there is an immediate threat to safety or if the student's state of health endangers the safety of others involved in the assessment.
4. Provisions on confidentiality notwithstanding, those responsible for executing the duties referred to in this Act have the right to inform the police of essential details for the purpose of assessing an immediate threat to life or health and to prevent a threatening act, if they, in performing their duties, have obtained information about circumstances that leads them to believe that someone may be in danger of becoming the target of violence. (Amendment 279/2015)

#### **Section 66. Contingency plans**

1. The universities of applied sciences must ensure that in emergency conditions and in abnormal or exceptional situations the disruption caused to the university of applied sciences remain as minimal as possible, and shall do so by using contingency plans, proactive preparation of operations and by other means. Contingency plans and situation awareness reports produced on abnormal and exceptional situations must be submitted to the Ministry of Education and Culture upon request.
2. The Ministry of Education and Culture supervises the contingency planning. Where shortcomings are identified in the plans, the Ministry of Education and Culture may order the shortcomings to be redressed.

#### **Section 67. Coordination of higher education provided in Swedish**

1. Provisions on the advisory board for the coordination and development of higher education provided in Swedish are laid down in section 92 of the Universities Act.

#### **Section 68. Entry into force and transitional provisions**

1. This Act enters into force on 1 January 2015.
2. This Act repeals the Polytechnics Act ([351/2003](#)), subsequently referred to as *the old Polytechnics Act*.
3. The opportunity referred to in section 28(4) of this Act to reserve some of the student places to applicants who have not previously completed a higher education degree under the Finnish education system and have not accepted a student place leading to a higher education degree, is applied to applicants who have accepted a student place for studies starting in spring 2014 or earlier but have not completed a higher education degree.
4. Students who started their studies after 31 December 2011 are governed by section 33(2) of this Act.
5. Operating licences in force at the time of this Act's entry into force will expire with this Act's entry into force.
6. The operating licences of the education providers of universities of applied sciences organised as limited liability companies are transferred as operating licences for limited liability companies in accordance with this Act as of 1 January 2015. If the education provider has failed to submit to the Ministry of Education and Culture articles of association and a shareholders' agreement in accordance with this Act by the time appointed by the Ministry, the operating licence to be transferred is granted as a temporary one for the purpose of rendering the articles of association and the shareholders' agreement in accordance with this Act and a time limit is set in the temporary operating licence for remedying any shortcomings.
7. Education providers that are not organised as limited liability companies must apply for an operating licence for university of applied sciences operations intended for limited liability companies.
8. The Government may issue a temporary operating licence for a joint municipal authority who, at the time of this Act's entry into force, holds an operating licence under the old Polytechnics Act and who will not be granted an operating licence under section 7 of this Act. A temporary operating licence may be granted if it is necessary to secure the status of persons who have begun their studies before this Act's entry into force, to reorganise the university of applied sciences operations or for some other special reason. At its maximum, a temporary operating licence may be valid until 31 December 2016. If an education provider that is organised in a form other than as a limited liability company applies for an operating licence intended for limited liability companies but has failed to submit to the Ministry of Education and Culture articles of association and a shareholders' agreement in accordance with this Act by the time appointed by the Ministry, the operating licence is granted as temporary one for the purpose of rendering the articles of association and the shareholders' agreement in accordance with this Act and a time limit is set in the temporary operating licence for remedying any shortcomings.
9. Notwithstanding provisions laid down elsewhere on fees related to operating licences, parties applying for operating licences are not charged a fee for operating licences to be granted under this Act, where the validity of the licence starts at the entry into force of this Act.

10. Universities of applied sciences applying for the transfer of an operating licence or for an operating licence must ensure that the universities of applied sciences under this Act are capable of being organised and commence full operations as universities of applied sciences under this Act on 1 January 2015.
11. Provisions in section 43 notwithstanding, restrictions on the number of students and unit prices under the funding system of 2014 shall be taken into account in the transitional period from 2015 to 2016 through funding instalments calculated individually for each university of applied sciences.
12. Upon application, the Ministry of Education and Culture shall, for years 2015 and 2016, grant universities of applied sciences funding to cover the value added taxes referred to in section 30 of the Value Added Tax Act.
13. In 2016, the Ministry of Education and Culture shall compensate upon application the increases in unit price that universities of applied sciences have been entitled to under section 32(2) of the Act on the Financing of Educational and Cultural Provision ([1705/2009](#)).