

University of Tartu Act
Passed 16 February 1995
(RT¹ I 1995, 23, 333),
entered into force 21 March 1995,
amended by the following Acts:

29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116;
16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521;
19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375;
17.01.2001 entered into force 01.09.2001 - RT I 2001, 16, 71;
17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71;
15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908;
16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986;
26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965;
26.06.96 entered into force 26.07.96 - RT I 1996, 49, 953.

§ 1. Purpose of Act

This Act determines the legal status of the University of Tartu in relations with state institutions. This Act also sets out the autonomy of the University and the specifications for the bases and organisation of the activities of the University as compared to other universities in public law.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

§ 1¹. Application of Administrative Procedure Act

The provisions of the Administrative Procedure Act (RT I 2001, 58, 354) apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

(19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375)

§ 2. Mission and legal status of University of Tartu

(1) The University of Tartu (hereinafter the University), founded in 1632, is the national university of the Republic of Estonia.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965; 29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) The University is a universal integrated research, development, educational and cultural institution, the mission of which is to advance science, to create opportunities for the research-based acquisition of higher education in all the specialities offered at the University, and to provide research, training and other cultural activity-based services. The University shall base its academic activities on the principles of the Magna Charta of European Universities.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(3) The University is a legal person in public law which operates pursuant to this Act, the Universities Act (RT I 1995, 12, 119), its statutes and other legislation.

§ 3. Rector

(1) The Rector shall be elected for the term and pursuant to the procedure prescribed in the statutes of the University from among those who are or have been professors. The Rector shall be appointed to office by the Government of the Republic. The latter shall refuse to appoint a Rector to office if the electoral procedures have been violated. In such cases, new elections shall be held.

(2) The Rector shall be responsible for the general condition and development of the University and shall report to the Council of the University and to the Government of the Republic.

(3) The Rector shall be released from office by the Government of the Republic on the proposal of the Council of the University.

§ 4. Institutions of University

(1) The Institutions of the University are the Library, the Botanical Garden, museums and other institutions the purpose of which, besides education and research, is to provide services.

(16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

(2) The Institutions of the University shall operate on the basis of statutes approved by the Council of the University.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(3) The Director of an Institution of the University shall be appointed to office on the basis of the results of a public competition for up to five years. The conditions and procedure for conducting a public competition shall be established by the Council of the University.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

§ 5. (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

§ 6. University Library

(1) The University Library is a universal research library which is part of the structure of the University and the function of which is to provide information services, develop and preserve a complete collection of Estonian national publications and serve the members of the University.

(29.01.2003 entered into force 10.03.2003 - RT I 2003, 20, 116)

(2) The University Library shall operate on the basis of law and its statutes. The statutes shall be approved by the Council of the University.

§ 7. Residency

(1) Medical training and dentistry training shall be followed by residency in a medical or dentistry speciality.

(2) Residency consists of theoretical and practical training. The bases for the conduct of residency are the framework requirements for residency which are approved by a regulation of the Minister of Social Affairs and a residency training programme which is approved by the Council of the University. Residency training programmes shall be entered in the register of curricula at the Ministry of Education and Research with the approval of the Ministry of Social Affairs pursuant to the procedure established by a regulation of the Ministry of Education and Research.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(3) The conditions and procedure for admission to and exclusion from residency shall be established by the Council of the University.

(4) Residency shall be organised by the University.

(5) The theoretical training part of residency shall be conducted at the University and the practical training shall be conducted at residency teaching hospitals. The University shall specify the residency teaching hospitals and the residency supervisors at those residency teaching hospitals with the approval of the Ministry of Social Affairs. The procedure for the conduct of residency shall be established by a regulation of the Minister of Social Affairs. A residency teaching hospital shall enter into a contract of employment with a resident physician for a specified term corresponding to the duration of the practical training conducted at the residency teaching hospital.

(6) The University shall issue certificates proving the completion of residency in a corresponding medical or dentistry speciality to persons who have completed the residency, and the format and statute of the certificates shall be approved by a regulation of the Government of the Republic. Certificates proving the completion of residency issued by the University shall be entered in the register of graduation documents at the Ministry of Education and Research pursuant to the procedure established by a regulation of the Minister of Education and Research.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 7¹. Resident physician

(1) A resident physician is a person who is admitted to residency following medical training or dentistry training.

(2) Resident physicians have the right:

1) to use the lecture halls, laboratories, computer rooms, libraries, inventory, equipment and other assets of the University free of charge pursuant to the procedure established in the University;

2) in the event of closure of the residency training programme, to continue their residency on the basis of another residency training programme;

3) to elect their representatives and be represented in the collegial decision-making bodies of the University;

4) to obtain study material and other information necessary for the completion of residency;

- 5) to submit a reasoned request to the Rector for the removal of a member of the teaching staff from teaching activities;
- 6) to request the opportunity to take an examination or assessment before a board;
- 7) to exercise other rights arising from law and legislation issued on the basis thereof and from the statutes of the University and other legal instruments of the University.

(3) Resident physicians are required to perform the obligations imposed on resident physicians by law and legislation issued on the basis thereof and by the statutes of the University and other legal instruments of the University, and they are liable for the violation thereof.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71)

§ 7². State-funded residency places

(1) When determining the number of state-funded residency places, the Ministry of Education and Research shall proceed from the proposals of the Ministry of Social Affairs and the University, as well as the funds designated for state-funded residency places in the state budget.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(2) The number of state-funded residency places shall be formalised by a contract under public law entered into by the University and the Ministry of Education and Research pursuant to this Act. The mandatory terms and conditions for the contract are as follows:

(19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

- 1) the number of resident physicians studying in state-funded residency places, by speciality and duration of residency;
- 2) the procedure for the allocation of funds to the University for the provision of state-funded residency places;
- 3) the calculated cost of a state-funded residency place for a resident physician;
- 4) the procedure and terms for the University to submit the information necessary to maintain records concerning resident physicians studying in state-funded residency places to the Ministry of Education and Research;

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

5) the liability of the parties.

(3) The Ministry of Education and Research has an obligation to:

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

- 1) finance state-funded places of resident physicians until the end of their residency in the corresponding medical or dentistry speciality;
- 2) maintain records concerning the resident physicians studying in state-funded residency places and any changes in their employment.

(4) The University has an obligation to:

- 1) create the conditions for resident physicians to complete the residency training programme within the duration of their residency in the corresponding medical or dentistry speciality;
- 2) inform the Ministry of Education and Research of any changes in the employment of resident physicians studying in state-funded residency places.

(16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(5) If a resident physician studying in a state-funded residency place is excluded from residency before the end of his or her residency in the corresponding medical or dentistry speciality, the Ministry of Education and Research shall terminate the financing of that state-funded residency place for a resident physician in the budgetary year following the exclusion from residency.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 7³. Financing of residency

Costs related to residency, including costs related to training conducted at the University, organising costs incurred by the University, organising costs incurred by residency teaching hospitals and the remuneration for resident physicians, shall be covered from the state budget through the budget of the Ministry of Education and Research on the basis of the calculated cost of a state-funded residency place for a resident physician.

(17.01.2001 entered into force 01.09.2001 - RT I 2001, 16, 71; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

§ 8. Right of University to own assets

The University is the owner of its assets and it shall possess, use and dispose of its assets to the extent and pursuant to the procedure prescribed by this Act and the statutes of the University.

§ 9. Composition of assets of University

(1) The University owns:

- 1) assets which are used by the University to perform the functions provided for in its statutes and which are transferred into the ownership of the University by the state pursuant to law;
- 2) assets which are subsequently transferred into the ownership of the University pursuant to law and at the request of the University;
- 3) assets which are transferred by another person for the benefit of the University.

(2) The University has the right to own property which was in the ownership of the University before 16 June 1940.

§ 10. Rights and obligations related to assets

(1) The University shall acquire and transfer assets on the basis of law pursuant to the procedure prescribed by its statutes. Immovable property shall be acquired and transferred pursuant to a decision of the Council of the University.

(26.06.96 entered into force 29.07.96 - RT I 1996, 51, 965)

(2) The assets of the University shall be set out in its balance sheet.

(16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

(3) (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

(4) The University shall provide training services for a charge and conduct research for a charge and the funds received therefrom shall be used to finance the activities of the University as specified in its statutes.

(26.06.96 entered into force 26.07.96 - RT I 49, 953, 327; 15.12.1999 entered into force 10.01.2000 - RT I 1996, 1999, 102)

§ 11. Financing

(1) The training activities of the University shall be financed from the state budget to the extent of the number of state-funded student places and on the same bases as other universities in public law, from the state budget to the extent of the number of state-funded residency places, from the reimbursement of study costs and funds received from the provision of fee-charging services related to the main activity of the University, and from other sources.

(17.01.2001 entered into force 01.09.2001 - RT I 2001, 16, 71)

(2) The procedure for the financing of research costs incurred by the University shall be provided for in the Research and Development Organisation Act (RT I 1997, 30, 471; 1998, 111, 1832; 1999, 10, 157).

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(3) The University Library shall be financed from the state budget for the provision of information services and the collection of publications on the same bases as other corresponding libraries.

(4) (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

§ 12. Supervision and reporting

(1) State supervision over the activities of the University shall be exercised and the University shall report on its activities in accordance with the Universities Act and the Research and Development Organisation Act.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(2) (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

(3) (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

(4) (Repealed - 16.06.98 entered into force 16.07.98 - RT I 1998, 61, 986)

§ 13. Transfer of property into ownership of University

Property which was in the ownership of the University before 16 June 1940, for which the University applies, which can be transferred into the ownership of the University and which is necessary for the University to perform the functions provided for in its statutes shall be transferred to the University without charge by a regulation of the Government of the Republic not later than within one year after the entry into force of this Act.

§ 14. Amendment of earlier Act

The third sentence of § 35 of the Republic of Estonia Education Act (RT 1992, 12, 192; RT I 1993, 35, 547; 40, 593; 63, 892; 1994, 12, 200; 1995, 12, 119) is worded as follows: “The legal status of the assets of universities shall be provided for in the Universities Act and the University of Tartu Act.”

§ 15. Implementing provision

(1) Students matriculated in medical training or dentistry training before the academic year 1997/1998 shall complete studies which consist of:

- 1) medical training with a standard duration of six years or dentistry training with a standard duration of five years;
- 2) internship with a standard duration of one year;
- 3) residency with a standard duration of two to five years.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(2) Students matriculated in pharmacist training before the academic year 1997/1998 shall complete studies which consist of:

- 1) pharmacist training with a standard duration of five years;
- 2) internship with a standard duration of six months.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(3) The completion of internship results in the grant of the profession of general practitioner, dentist or dispensing chemist. The completion of residency results in the grant of the profession of medical specialist.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(4) Internship shall be completed at a teaching hospital which is determined by the Ministry of Social Affairs on the proposal of the University.

(15.12.1999 entered into force 10.01.2000 - RT I 1999, 102, 908)

(5) The costs associated with state-funded internship places shall be covered from the state budget through the budget of the Ministry of Education and Research.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(6) The costs associated with state-funded residency places formed before the academic year 2001/2002 shall be covered from the state budget through the budget of the Ministry of Education and Research.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71; 16.10.2002 entered into force 01.01.2003 - RT I 2002, 90, 521)

(7) Until such time as the body which awards the corresponding professional qualifications is appointed pursuant to the procedure provided for in the Professions Act (RT I 2001, 3, 7), the University shall, on the basis of a certificate proving completion of residency, issue a professional certificate to a person who completes residency proving that the person has acquired the professional qualification of a medical specialist in the corresponding medical or dentistry speciality.

(17.01.2001 entered into force 16.02.2001 - RT I 2001, 16, 71)

¹ RT = *Riigi Teataja* = *State Gazette*