

REGULATION
OF THE MINISTER OF NATIONAL EDUCATION AND SPORT 1)

of 3rd June, 2005,

**on the Nostrification of Academic Degrees and Degrees In the Area of Art Obtained
Abroad**

(Journal of Laws of 14h June, 2005)

Under Para. 4 of Art. 24 of the Act of 14th March, 2003, *on the academic degrees and on the academic title, as well as on the degrees and the title in the area of art* (Item 595 of No. 65 of the Journal of Laws) it is hereby ordered as follows:

§ 1. Nostrification of academic degrees or degrees in the area of art obtained abroad shall be conducted by the council of the organizational unit, hereinafter referred to as "the Council," authorized to confer the academic degree of *doktor habilitowany* in a given academic discipline or the degree of *doktor habilitowany* in a given branch of learning concerned with art study, within the scope as appropriate for a given academic discipline or for a given branch of learning concerned with art study.

§ 2. 1. A person seeking nostrification of the academic degree or of the degree in the area of art obtained abroad, hereinafter referred to as "the applicant", shall submit to the selected Council his/her application with the following attachments enclosed:

- 1) an original copy of the diploma confirming that he/she has obtained the relevant academic degree or the relevant degree in the area of art; and
- 2) a copy of the dissertation being the basis for conferring such an academic degree or such a degree in the area of art upon the applicant; and
- 3) a copy of a higher education diploma, or of a diploma conferring an academic degree or degree in the area of art, on whose basis the holder initiated the procedure leading to conferral of the academic degree or the degree in the area of art the nostrification of which is sought by him/her;
- 4) a CV in the Polish language; and
- 5) a declaration saying that the relevant academic degree or the relevant degree in the area of art, obtained abroad, has not been subject to any nostrification procedure in any Polish higher education institution or in any other institution for academic research.

2. The Council may require that:

- 1) the diploma referred to in Subparagraph 1.1) should be legalized by the competent Consul of the Republic of Poland or by the accredited diplomatic mission or a consular agency of the country within whose education system the higher education institution which conferred the relevant academic degree or degree in the area of art operates;
- 2) documents stating full particulars of the proceeding initiated in order to qualify for the relevant academic degree or for the relevant degree in the area of art should be produced;
- 3) a list of publications constituting the academic or artistic attainments of the applicant should be produced;
- 4) the documents referred to in Subparagraphs 2 and 3 and in Sections 1)-3) of Subparagraph 1 should be translated into the Polish language.

3. The Council may require that the documents referred to in Sections 1)-3) of Subparagraph 1 and in Sections 2) and 3) of Subparagraph 2 should be translated into the Polish language, or – should they already be translated – certified to be true to the original either by the Consul of the Republic of Poland having jurisdiction over the area in question, or by a Sworn Translation entered into the Record of Sworn Translators maintained by the Polish Minister of Justice.

§ 3. 1. Should the Council be found not to have jurisdiction over the case in accordance with the provision of Para. 1, it shall issue a decision refusing to initiate the requested nostrification procedure.

2. The Council's decision refusing to initiate the requested nostrification procedure may be appealed against to the Rector or to the head of the relevant institution for academic research.

§ 4. 1. The nostrification procedure shall end up with the Council's resolution:

1) saying that the relevant academic degree or degree in the area of art, obtained abroad, should be recognized as equivalent to the relevant Polish academic degree or to the relevant Polish degree in the area of art; or

2) refusing to recognize the relevant academic degree or the relevant degree in the area of art obtained abroad;

2. The Council, prior to passing a resolution referred to in Subparagraph 1, may pass a resolution on:

1) the appointment of Readers of the dissertation which was the basis for conferring the relevant academic degree or the relevant degree in the area of art upon the applicant; or

2) the applicant's taking doctoral examinations or the applicant's holding the habilitation colloquium or delivering the habilitation lecture.

3. The provisions on the voting procedure to be followed at doctoral and habilitation proceedings shall apply to the passing of resolutions to which it is referred in Subparagraphs 1 and 2 above.

4. The provisions on the validity of resolutions on the conferral of the academic degree of *doktor* and *doktor habilitowany* shall accordingly regulate the validity of resolutions referred to in Subparagraph 1.1)

§ 5. 1. The applicant may appeal from a resolution referred to in Subparagraph 4.1 to the Central Commission for Academic Degrees and Titles.

2. The provisions governing the submission and the hearing of appeals against resolutions ending the doctoral and habilitation proceedings shall apply to the submission and to the hearing of appeals referred to in Subparagraph 1.

§ 6. 1. After the resolution referred to in Para. 4.1.1) becomes final, the competent organizational unit shall issue a certificate to the applicant saying that the academic degree or the degree in the area of art, obtained abroad, for which he/she sought nostrification has been recognized as equivalent to the relevant Polish academic degree or to the relevant Polish degree in the area of art, in which it shall, in particular, show:

1) the name of the academic degree or of the degree in the area of art, obtained abroad, as well as the reference number and the issuing date of the diploma conferring the degree in question;

2) the name and the head office of the institution which conferred the academic degree or the degree in the area of art, obtained abroad;

3) name of the country within the education system of which the institution referred to in Section 2 operates;

4) full name as well as the date and place of birth of the person who obtained the relevant foreign academic degree or the degree in the area of art;

5) the Polish academic degree or the Polish degree in the area of art to which the relevant academic degree or the relevant degree in the area of art, obtained abroad, is equivalent.

2. The certificate referred to in Subparagraph 1 must be presented together with the original copy of the diploma confirming that its holder had obtained the relevant foreign academic degree or the degree in the area of art, on pain of invalidity.

§ 7. 1. The head of the organizational unit responsible for the nostrification procedure shall specify the amount of the nostrification fee, with due regard, in particular, to the following:

- 1) the costs of the Reader's review of a doctoral or habilitation dissertation, as determined for dissertations in the Polish language and in foreign languages; and
- 2) the costs of a doctoral examination or of a habilitation colloquium.

2. The fee referred to in Subparagraph 1 shall be paid into the bank account of the organizational unit whose Council is responsible for the nostrification procedure, or directly to the Bursar's office.

3. The fee referred to in Subparagraph 1 shall be paid irrespective of the results of the nostrification procedure.

4. When justifiable, the head of the organizational unit responsible for the nostrification procedure may, at the applicant's request, lower the amount of the fee referred to in Subparagraph 1 or exempt the applicant from the obligation to pay it.

§ 7a. Under the Convention setting up the European University Institute, signed in Florence on 19th April 1997, the academic degree of doctor conferred by the European University Institute shall be recognized as equivalent to the relevant Polish doctoral degree with no obligation to initiate any nostrification procedure.

§ 8. 1. The obligation to undergo the required nostrification process may be waived for a person applying for the initiation of the habilitation proceeding who has an academic degree or a degree in the area of art conferred upon him/her in a country being a member of the European Union, of the Swiss Confederation, or of the European Free Trade Agreement (EFTA) and party to the European Economic Area Agreement.

2. It is the Council to which the person referred to in Subparagraph 1 above has applied for initiating the habilitation proceeding that shall decide on exemption from the relevant nostrification procedure.

3. The person to whom it is referred in Subparagraph 1 shall submit to the Council referred to in Subparagraph 2 an application for exemption from the relevant nostrification procedure, with attachments enumerated in Para. 2.1 enclosed.

4. The Council referred to in Subparagraph 2 may also require that attachments enumerated in Subparagraphs 2 and 3 of Para. 3 be enclosed with the application as well.

§ 9. Any nostrification procedure instituted prior to and pending at the date at which this Regulation enters into force shall be continued in accordance with the hitherto existing provisions.

§ 10. This Regulation shall enter into force upon the lapse of a 14-day period commencing at the date of its publishing 2).