

O R D E R
OF THE MINISTER OF EDUCATION AND SCIENCE OF THE REPUBLIC OF LITHUANIA

**ON APPROVAL OF REGULATIONS OF THE APPEAL COMMISSION FOR RECOGNITION
OF EDUCATION AND QUALIFICATIONS CONCERNING HIGHER EDUCATION AND
ACQUIRED UNDER EDUCATIONAL PROGRAMMES OF FOREIGN STATES AND
INTERNATIONAL ORGANISATIONS**

21 March 2012 No V-519
Vilnius

In observance of Article 37 of the Description of the Procedure for Recognition of Education and Qualifications Concerning Higher Education and Acquired under Educational Programmes of Foreign States and International Organisations approved by Resolution No 212 of the Government of the Republic of Lithuania of 29 February 2012 (*Official Gazette*, 2012, No [29-1290](#)), I:

1. A p p r o v e the Regulations of the Appeal Commission for Recognition of Education and Qualifications Concerning Higher Education and Acquired under Educational Programmes of Foreign States and International Organisations (enclosed).

2. D e c l a r e i n v a l i d:

2.1. Order No ISAK-749 of the Minister of Education and Science of the Republic of Lithuania of 2 May 2005 'On Approval of the Regulations of the Appeal Commission for Assessment and Academic Recognition of Qualifications Giving Access to Higher Education and Higher Education Qualifications Acquired Abroad' (*Official Gazette*, 2005, No [58-2058](#));

2.2. Order No ISAK-1362 of the Minister of Education and Science of the Republic of Lithuania of 11 July 2007 'On Amendment of Order No ISAK-749 of the Minister of Education and Science of the Republic of Lithuania of 2 May 2005 'On Approval of the Regulations of the Appeal Commission for Assessment and Academic Recognition of Qualifications Giving Access to Higher Education and Higher Education Qualifications Acquired Abroad' (*Official Gazette*, 2007, No [80-3293](#));

2.3. Order No ISAK-2239 of the Minister of Education and Science of the Republic of Lithuania of 24 July 2008 'On Amendment of Order No ISAK-749 of the Minister of Education and Science of the Republic of Lithuania of 2 May 2005 'On Approval of the Regulations of the Appeal Commission for Assessment and Academic Recognition of Qualifications Giving Access to Higher Education and Higher Education Qualifications Acquired Abroad' (*Official Gazette*, 2008, No [88-3545](#)).

3. The present Order shall come into force as on 1 April 2012.

MINISTER OF EDUCATION AND SCIENCE

GINTARAS STEPONAVIČIUS

APPROVED BY

Order No V-519 of the Minister of
Education and Science of the Republic of
Lithuania of 21 March 2012

**REGULATIONS OF THE APPEAL COMMISSION FOR RECOGNITION OF EDUCATION AND
QUALIFICATIONS CONCERNING HIGHER EDUCATION AND ACQUIRED UNDER
EDUCATIONAL PROGRAMMES OF FOREIGN STATES AND INTERNATIONAL
ORGANISATIONS**

I. GENERAL PROVISIONS

1. The present Regulations govern the competence of the Appeal Commission for Recognition of Education and Qualifications Concerning Higher Education and Acquired under Educational Programmes of Foreign States and International Organisations (hereinafter referred to as 'foreign qualifications' and the 'Commission') and the procedure for organisation of its activities, submission and consideration of appeals, decision-making and appeals against decisions.

2. The Commission is an institution approved by the Minister of Education and Science of the Republic of Lithuania (hereinafter referred to as the ‘Minister’) that deals with the disputes concerning decisions on academic recognition of foreign qualifications taken by the Centre for Quality Assessment in Higher Education (hereinafter referred to as the ‘Centre’) and the Research Council of Lithuania (hereinafter referred to as the ‘Council’). The Commission shall not have the status of a legal person.

3. In its activities, the Commission shall be governed by the laws of the Republic of Lithuania, international treaties, other legal acts and the present Regulations.

4. The Commission shall be composed of the representatives of the Ministry of Education and Science of the Republic of Lithuania (hereinafter referred to as the ‘Ministry’), other ministries, educational institutions, research institutes and Union/Unions of Student Representations of Lithuanian Higher Education Institutions.

5. The activities of the Commission shall be technically supported by the Ministry.

II. FUNCTIONS AND RIGHTS OF THE COMMISSION

6. The Commission shall perform the following functions:

6.1. Consider the appeals of applicants concerning decisions on academic recognition of foreign qualifications taken by the Centre and the Council;

6.2. Provide information, in accordance with the procedure established by legal acts, on decisions made.

7. In performing its functions, the Commission shall be entitled to the following:

7.1. Turn to specialists/experts of respective areas for assistance;

7.2. Invite representatives of the Ministry, institutions operating within the area regulated by the Ministry, educational institutions and research institutes to the sittings;

7.3. Ask additional questions related to consideration of an appeal to the applicant/applicants of an appeal and a representative/representatives of authorities whose decision is being appealed against during the sitting.

III. ORGANISATION OF THE COMMISSION’S ACTIVITIES

8. The Commission shall consist of at least 11, but not more than 15, members.

9. The chair, vice-chair and secretary of the Commission shall be appointed by the Minister. The secretary of the Commission shall be a civil servant or an employee of the Department of Higher Education, Science and Technology of the Ministry. The secretary shall not be a member of the Commission.

10. Activities of the Commission shall be based on the principles of collegiate consideration of issues, democracy, legitimacy, as well as personal responsibility of the Commission members for the activities of the Commission.

11. The members of the Commission may be remunerated for participation in the activities of the Commission in accordance with the procedure established by legal acts.

12. The activities of the Commission shall take the form of sittings organised depending on the need, i.e. taking into account appeals submitted and their consideration deadlines. A sitting may also be convened at a request of at least a third of the Commission members.

13. The sitting of the Commission shall be presided by the chair of the Commission, in his/her absence – by a vice-chair.

14. The secretary of the Commission shall organise the activities of the Commission, handle all its documentation, convene sittings of the Commission in agreement with the chair of the Commission, indicate invited persons.

15. The members of the Commission shall be notified about a sitting at least three working days before the sitting. They shall be also provided with the copies of appeals received, other material related to the appeals considered in the sitting. The applicant/applicants and the representative/representatives of the authority whose decision is being appealed against shall be invited to the sitting of the Commission.

16. The sitting of the Commission shall be deemed legitimate provided it is attended by at least a half of all the members of the Commission. The Commission shall take a decision by a simple majority of votes of the members of the Commission attending the sitting. If the number of votes is equal, the chair shall have a casting vote.

17. The decision of the Commission shall be formalised in the minutes of the sitting which shall be signed by the chair and secretary of the Commission within five working days after the sitting. Copies of the minutes shall be circulated to all the members of the Commission.

IV. PROCEDURE FOR SUBMISSION AND CONSIDERATION OF APPEALS

18. The applicant shall submit a motivated appeal with clear and well-grounded requests and/or demands and motives as to which provision and which legal act were violated in making the decision or which factual circumstances in the decision do not comply with the reality to the Commission within 14 days after the day when the decision taken by an authority carrying out academic recognition of foreign qualifications was received. The appeal shall be submitted in writing via:

18.1. The Centre when a decision concerning academic recognition of a foreign qualification by the Centre is appealed against;

18.2. The Council when a decision concerning academic recognition of foreign doctoral degrees in science/art taken by the Council is appealed against.

19. The Centre/Council shall forward to the Ministry the received appeal, the decision concerning academic recognition of a foreign qualification and documents on the basis of which the decision was taken, copies certified in accordance with the established procedure within three working days after the receipt of the appeal.

20. After registering the appeal and other documents, the Ministry shall submit them to the chair of the Commission, in case of his/her absence – to the vice-chair, within three working days.

21. Depending on the decision that is being appealed against, the Centre or the Council respectively shall submit to the Commission a response to the submitted appeal within five working days after the day when the appeal was received.

22. The person who lodged the appeal and the authority whose decision is being appealed against shall be notified about the time and place of the sitting of the Commission at least three working days in advance.

23. The Commission shall familiarise with the appeal and other submitted documents and take a decision on consideration of the appeal.

24. When the applicant submits to the Commission additional documents which were not submitted to the authority carrying out academic recognition of a foreign qualification, the Commission shall terminate the consideration of the appeal and notify thereof the applicant and the authority whose decision is being appealed against.

25. Failure of the applicant or the authority whose decision is being appealed against to attend the sitting of the Commission, provided they were notified of the sitting in an appropriate manner, shall not be an obstacle for consideration of the appeal and decision-making.

26. The Commission shall investigate the received appeal and take a decision within one month after the day when it was received in the Ministry. The above time limit shall not include July and August.

27. After consideration of the appeal, the Commission shall take one of the following decisions:

27.1. Retain in force the decision of the authority carrying out academic recognition of a foreign qualification and dismiss the applicant's appeal;

27.2. Obligate the authority carrying out academic recognition of a foreign qualification to perform a repeated assessment and academic recognition of a foreign qualification.

28. The applicant and the authority whose decision is being appealed against shall be notified of the decision of the Commission in writing as well as other persons – in accordance with the procedure established by legal acts.

V. FINAL PROVISIONS

29. An applicant who does not agree with the decision of the Commission may appeal against it to the Administrative Court in accordance with the procedure established in the Law on Administrative Proceedings of the Republic of Lithuania (*Official Gazette*, 1999, No [13-308](#); 2000, No [85-2566](#)).