

/National emblem of Ukraine/

CABINET OF MINISTERS OF UKRAINE

DECREE

No. 71 dated 23 January 2024

Kyiv

**On amendments to the Charter of the National Agency for
Higher Education Quality Assurance**

The Cabinet of Ministers of Ukraine **decides:**

1. To amend the Charter of the National Agency for Higher Education Quality Assurance approved by the Decree of the Cabinet of Ministers of Ukraine No.244 dated 15 April 2015 “On establishment of the National Agency for Higher Education Quality Assurance” (Official Bulletin of Ukraine, 2015, No.36, Art. 1070; 2019, No.69, Art. 2398), stating it in attached version.

2. This Decree will come into force from the date of publication, except paragraph 22 of the Charter of National Agency for Higher Education Quality Assurance approved by the Cabinet of Ministers of Ukraine No.244 dated 15 April 2015, as amended, made according to this decree that will come into force from 28 May 2024.

Prime Minister of Ukraine

D. Shmyhal

Ind. 73

APPROVED
by the Decree of the Cabinet of Ministers of
Ukraine
No. 244 dated 15 April 2015
(as amended by the Decree of the Cabinet of
Ministers of Ukraine No. 71 dated 23 January
2024)

CHARTER
of the National Agency for Higher Education Quality Assurance

General part

1. The National Agency for Higher Education Quality Assurance (hereinafter referred to as the National Agency) is a standing collegial body.

2. The National Agency in its activity follows the Constitution and Laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted according to the Constitution and Laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, other regulations and this Charter.

3. The National Agency cooperates with the Cabinet of Ministers of Ukraine, Ministry of Education and Science, other central or local executive bodies, the National Academy of Sciences and national industrial academies of sciences, local self-government bodies, public associations, enterprises, institutions and organizations, scientific institutions and higher education institutions of foreign countries, as well as with international organisations in higher education.

4. The National Agency is non-profit organisation.

5. The National Agency is a legal entity of public law founded by the state.

The National Agency acquires the status of legal entity from the day of its state registration, has independent balance, registered accounts in bodies of Treasury, currency accounts in banks and seal with its name.

The Law of Ukraine “On State Services” does not apply to the Head, Vice Heads or other members of the National Agency, as well as to staff of the National Agency Secretariat.

6. Budget, general fund budget allocation plan, staff list of the National Agency for corresponding year and amendments thereto are approved by the Ministry of Education and Science.

7. The National Agency is entitled, as required by law, to conclude contracts, perform other acts, acquire property and personal non-property rights, perform duties, to be a plaintiff or defendant at the court.

8. Full name of the National Agency:

in Ukrainian language – Національне агентство із забезпечення якості вищої освіти;

in English language – National Agency for Higher Education Quality Assurance.

Powers of the National Agency

9. The National Agency:

1) develops Regulations on Accreditation of Study Programmes, Regulations on Institutional Accreditation of Higher Education Institutions, Regulations on Accreditation of Independent Institutions for Higher Education Assessment and Quality Assurance, Regulations on the Appeals Chamber, as well as amendments to thereto, and submits them for approval to the Ministry of Education and Science;

2) analyses the quality of educational activities of higher education institutions;

3) conducts institutional accreditation;

4) forms sectoral expert councils, which include from nine up to fifteen members, for the period no more than three years of persons who have scientific degree in proper field of knowledge or professional work experience in the field no less than five years, except representatives of student self-government bodies;

5) approves higher education standards developed by the Ministry of Education and Science;

6) conducts a post-accreditation monitoring;

7) conducts accreditation of study programmes under which students are trained;

8) enters the information into the Unified State Electronic Database on Education about certificates (official decisions) on accreditation of study programmes issued by foreign agencies or agencies for higher education assurance quality, which list is approved by the Decree of the Cabinet of Ministers of Ukraine No. 554 dated 10 July 2019;

9) adopts decisions on the accreditation of study programmes (including with definition “exemplary”, conditional (postponed) accreditation, conducting of repeated accreditation examination or denial of accreditation of relevant study programme under results of accreditation examination of study programme and consideration of the accreditation case;

10) issues certificates on accreditation of study programmes (including with definition “exemplary”, conditional (postponed) accreditation and enters information on its issuance into the Unified State Electronic Database on Education;

11) gives explanations to a higher education institution within a post-accreditation monitoring about completion criteria established with the regulations on accreditation of study programmes, gives notice on necessity to perform them and assigns the term for removal of found disadvantages. In case of failure to perform these criteria and failure to remove disadvantages within the prescribed time, the National Agency will terminate the certificate on accreditation of relevant study programme;

12) adopts decisions on institutional accreditation or denial of institutional accreditation for relevant higher education institution, and enters this information into the Unified State Electronic Database on Education;

13) gives explanations to a higher education institution within a post-accreditation monitoring about higher education quality assurance, gives notice on necessity to remove relevant violations and establishes the period for its removal. In the event of failure to correct the violations within the prescribed time, the National Agency revokes the decision on institutional accreditation of higher education institution;

14) revokes the decision of a one-time specialised academic council on awarding the degree of

Doctor of Philosophy, in case of detection in the qualified paper, in accordance with legislation, of facts of academic plagiarism, fabrication, falsification and/or violation of the procedure for defending the thesis in compliance with the Resolution of the Cabinet of Ministers of Ukraine of 12 January 2022, No. 44 “On Approval the Procedure for Awarding the Degree of Doctor of Philosophy and Cancellation of the Decision of the One-Time Specialised Academic Council of Higher Education Institution, Scientific Institution on Awarding the Degree of Doctor of Philosophy” (Official Bulletin of Ukraine, 2022, No. 11, Art. 586);

15) establishes, in accordance with the law, the facts of academic plagiarism, fabrication, or falsification and prepares a request to the Ministry of Education and Science for cancellation the decision of the specialised academic council on awarding the academic degree of Candidate of Sciences or Doctor of Sciences;

16) develops criteria for assessment the quality of educational activities, including scientific achievements, higher education institutions, based on which rankings of higher education institutions may be compiled;

17) develops and submits to the Ministry of Education and Science for approval the procedure for awarding the degree of Doctor of Philosophy and cancellation the decision of the one-time specialised academic council of a higher education institution, scientific institution on awarding the degree of Doctor of Philosophy, for submission to the Cabinet of Ministers of Ukraine in accordance with the established procedure;

18) approves the procedure developed by the Ministry of Education and Science for the recognition of higher education degrees and academic titles obtained in foreign higher education institutions;

19) accredits independent institutions for assessment of higher education and higher education quality assurance, keeps their register;

20) participates in the formation of indicators for the state order for the specialist training with higher education at the levels of higher education and specialties taking into account the middle-term need of specialists on the labour market forecast, according to law;

21) annually prepares and publishes a report on higher education quality in Ukraine, its conformity with tasks of stable innovative development of society, report on its activity, develops proposals on legal support for higher education quality assurance and submits the stated documents to the Verkhovna Rada of Ukraine, President of Ukraine, Cabinet of Ministers of Ukraine and higher education institutions for discussion and appropriate respond;

22) approves the Regulations on the Committees of the National Agency;

23) approves the Procedure for nomination and election of members to sectoral expert councils and regulations thereto;

24) exercises other powers provided for by law.

10. The National Agency for organisation of its activity:

1) facilitates events in anti-corruption at the National Agency and monitoring of its performance according to law;

2) ensures, within its powers provided for by law, implementation of state policy on state secret, monitors its privacy;

3) implements activities on organisation of dialogue with community and creation of conditions for participation of citizens in field of higher education quality assurance;

4) covers on its official website issues of development and functioning of higher education quality assurance system;

5) publishes on its official website regulatory documents related to its activity, as well as information on structure and staff of the National Agency, management of the secretariat, results of its activities (including decisions and meeting minutes), budget and financial report about incomes and use of all received funds, other information required by law.

11. The National Agency is entitled to:

1) involve to the procedure of accreditation of study programme accredited by it an independent institutions for higher education assessment and quality assurance;

2) according to the law, receive information, documents and materials necessary to perform powers assigned by the National Agency from state bodies, local self-government bodies, higher education institutions, scientific facilities;

3) according to the law, receive documents determined by law during accreditation of study programmes, institutional accreditation of higher education institutions, accreditation of independent assessment and higher education quality assurance institutions from higher education institutions, scientific facilities and independent assessment and higher education quality assurance institutions;

4) involve specialists of central or local executive bodies, enterprises, facilities and organisations, as well as involve international experts, representatives of leading foreign higher education institutions and/or experts of institutions, which assure the higher education quality in other countries, to consider issues within the competence of the National Agency, including on a fee basis;

5) to be a member of international organisations in field of higher education quality assurance, receive their accreditation, as agreed with the Cabinet of Ministers of Ukraine pay proper entry, membership or other obligatory fees, including in foreign currency;

6) use, as applicable, information databases of the Ministry of Education and Science;

7) conduct publishing activity;

8) organise and conduct congresses, conferences, symposiums, seminars, meetings, trainings, sessions, including international, on issues within its competence, as well as participate in stated activities from special fund budget resources.

Staff and Structure of the National Agency

12. The National Agency consists of 23 persons appointed by the Cabinet of Ministers of Ukraine based on the decision of Selection Commission of members to the National Agency under results of

competitive selection conducting on compliance the principles of gender balance and industry representation.

13. The National Agency is formed as the following:

1) three persons are selected of the representatives of all-Ukrainian associations of employers organisations;

2) two persons – are of students of first or second level;

3) no less than one representative – is of persons who have a primary employment at:

the National Academy of Sciences;

national sectoral academy of sciences (one representation from each academy);

state higher education institution;

municipal higher education institution;

private higher education institution.

During formation of staff of the National Agency, there should be followed requirement on representation no more than one person in field of knowledge of candidates submitted by entities stated in sub-paragraph 3 of this paragraph.

The person may be submitted as a candidate for members to the National Agency by entities specified in this paragraph or through self-nomination.

14. The powers of a member of the National Agency are terminated in:

1) expiration of his/her appointment;

2) submission of personal application for leaving position;

3) coming into effect a conviction as to him/her;

4) renunciation of citizenship of Ukraine by him/her;

5) declaration him/her as missing or dead person;

6) death;

7) identification of restrictions provided for by Article 19 of the Law of Ukraine “On Higher Education”;

8) in other cases provided for by the law.

15. The term of powers of members of the National Agency is three years. The same person cannot be a member of the National Agency more than two terms.

16. A member of the National Agency, member of its Appeals Chamber cannot be a person:

1) who is identified as incapable or whose capacity is restricted according to the court decision;

2) who has a criminal record if this record is not cancelled or expunged as prescribed by law;

3) who is ineligible for certain office or carry out certain activity according to court decision;

4) who is convicted for corruption offence within a year from the date of coming into force the appropriate court decision;

5) who had administrative penalty related to corruption within a year from the date of coming into force the appropriate court decision;

6) who is subject to parts three and four of Article 1 of the Law of Ukraine “On Lustration”;

7) whose information is entered into the Unified State Register of Persons who are applied the provision of the Law of Ukraine “On Lustration”;

8) who was deprived of academic degree and/or on awarding the academic degree (Doctor of Art);

9) who is included to the category of persons determined by paragraph 1 first part of Article 3 of the Law of Ukraine “On Corruption Prevention” (except academic, scientific staff and students of higher military education institutions (higher education institutions with specific conditions of education), military education subunits of higher education institutions);

10) who is the citizen of aggressor country and/or employee of education institution, scientific institution of the aggressor country, and/or conducted or conducts scientific (academic) activity in any institution, facility, organisation act or acted illegally on temporary occupied territory of Ukraine;

11) who is applied the sanctions according to the Law of Ukraine “On Sanctions”.

The staff of the National Agency cannot include members of the Selection Commission of members for the National Agency, directors and deputy directors of the National Academy of Sciences and national sectoral academies of science, higher education institutions, scientific facilities, founders of private higher education institutions, state officials.

17. Members of the National Agency perform assigned functions based on the concluded civil law contracts with them.

Members of the National Agency and members of Sectoral Expert Councils, during performing duties assigned to them by the Law of Ukraine “On Higher Education”, may be released (in whole or partially) from doing professional duties at primary place of employment with reservation of salary.

Sectoral Expert Councils of the National Agency have not status of legal entity and act based on regulations about it.

18. Members of the National Agency act according to the principles of openness and transparency.

19. The meeting of the National Agency is eligible if no less than two thirds of its members participate.

The meetings of the National Agency may be conducted offline, online or in mixed form.

Decisions on all issues are made by majority of staff of the National Agency.

If a member of the National Agency has a conflict of interests, he/she is obliged to abstain from the vote.

Voting may be secret or by show of hands during the meeting according to the decision of the National Agency.

Except the members of the National Agency, staff of the National Agency Secretariat, representatives of the Ministry of Education and Science, directors and representatives of higher education institutions, as well as public associations, media, subject to prior registration and/or invitation, is entitled to be present.

The participants at the meeting of the National Agency must be registered.

20. Ethics Committee, One-Time Specialised Academic Councils Committee, as well as other committees that are organised of the members of the National Agency are formed as part of the National Agency.

21. The Ethics Committee consider the violations of academic integrity and makes appropriate propositions to the National Agency, as well as perform other powers assigned by the National Agency.

One-Time Specialised Academic Councils Committee considers applications, statements and complaints as to violation of the procedure for defence of thesis for awarding the degree of Doctor of Philosophy established by law, as well as performs other powers assigned by the National Agency.

22. The National Agency forms the Appeals Chamber consisting of five members of persons who have higher education, scientific degree and/or academic rank and professional experience in the field of higher education quality assurance no less than five years.

Members of the Appeals Chamber are elected for two years on competition basis and perform functions assigned based on concluded civil contracts with them.

Members of the National Agency and its sectoral expert councils cannot be included into the staff of the Appeals Chamber.

The Appeals Chamber considers appeals against decision of the National Agency in the manner established by Regulation on the Appeals Chamber.

Board of the National Agency

23. The management activity of the National Agency is performed by its Head and Vice Heads within powers determined in this Charter.

The Head and Vice Heads of the National Agency are elected at the first meeting of the National Agency for the period of three years.

The Head and Vice Heads of the National Agency are assigned to position and discharged from position by the Cabinet of Ministers of Ukraine by application of the National Agency and are permanent employees.

24. The election of Head and Vice Heads of the National Agency is conducted through secret ballot procedure by members of the National Agency.

Decisions about election of Head and Vice Heads of the National Agency are made by the majority of the staff of the National Agency.

25. The meetings of the National Agency are hold if necessary but no less than once in a month.

26. The Head of the National Agency:

- 1) organises the preparation of work plan of the National Agency;
- 2) chairs the meetings of the National Agency;
- 3) signs decisions adopted by the National Agency, documents approved by these decisions, certificates on accreditation of study programmes and minutes of the meetings of the National Agency;
- 4) organises executions of decisions of the National Agency and reports to the members of the National Agency on the status of execution;
- 5) organises preparation of report on work of the National Agency;
- 6) convenes a meeting of the National Agency upon reasonable request of no less than one third of the staff of the National Agency.
- 7) acts without power of attorney on behalf of the National Agency within powers provided for by the law and this Charter;
- 8) convenes and holds meetings of the National Agency, bring issues before meeting, forms meeting agenda project of the meeting of the National Agency and no later than one day before holding the meeting, informs about it all members of the National Agency;
- 9) represents the National Agency in relationships with other bodies, enterprises, institutions and organisations in Ukraine and outside, in particular, with state bodies of foreign states on higher education quality assurance and international organisations, and represents interests of the National Agency before courts of Ukraine;
- 10) makes proposals at the meeting of the National Agency on assignment of duties between his/her deputies;
- 11) makes decision on business trip, including abroad, for the Head, Vice Heads and Head of the National Agency Secretariat without agreement with the Cabinet of Ministers of Ukraine, Ministry of Education and Science and other central executive bodies;
- 12) performs other functions in organisation of National Agency activity.

27. If there is no the Head of the National Agency or he/she is impossible to perform his/her powers for other good reasons, the Vice Head of the National Agency performs his/her duties according to established assignment of duties by the Head.

The competence of the Vice Head of the National Agency covers issues delegated him/her by the Order of the Head of the National Agency within his/her competence or decision of the National Agency. The Vice Head of the National Agency is authorised to sign documents of the National Agency according to their powers.

Secretariat of the National Agency

28. Organisational, financial and economic, material and technical, information inquiry and other support of activity of the National Agency is conducted by the National Agency Secretariat.

Regulations on Secretariat, its structure and staff list are approved by the National Agency.

29. The National Agency Secretariat is headed by the Head.

The Head of the National Agency Secretariat is appointed to a position by the Head of the National Agency based on the decision of the National Agency for period of five years with the right of reappointment.

The same person cannot be the Head of the National Agency Secretariat more than two terms.

The National Agency may make decision on early discharge of the Head of National Agency Secretariat by two thirds of approved staff votes in accordance with labour law.

The Head of National Agency Secretariat is reported to and under the control of the National Agency.

Vice Heads of National Agency Secretariat are appointed to position and discharged by the Head of Secretariat as agreed by the National Agency.

30. The Head of National Agency Secretariat:

1) concludes contracts, perform other acts, represents interests in civil relations, before courts of Ukraine and other government bodies, institutions, organisations on behalf of the National Agency;

2) takes measures on state registration of the National Agency according to the Law of Ukraine “On State Registration of Legal Entities, Individual Entrepreneurs and Public Organisations”;

3) convenes meetings of the National Agency upon reasonable request of no less than one third of its staff provided that the Head or his/her Vice Heads do not convene the meeting within seven calendar days according to requirements provided for by this Charter;

4) organises and controls performance of Constitution and laws of Ukraine, memorandums of the President of Ukraine, Cabinet of Ministries of Ukraine, other acts of legislation by the National Agency Secretariat;

5) employs on the basis of fixed-term employment contract and discharges as provided for by the labour legislation on labour, employees of the National Agency Secretariat, makes decisions on their encouragement, bringing to disciplinary action;

6) issues orders binding upon employees of the National Agency Secretariat and orders on issues within his/her competence;

7) makes decisions on business trips, including abroad, for Vice Heads of Secretariat and employees of the National Agency Secretariat;

8) performs other functions related to activity support of the National Agency Secretariat.

31. As a part of the National Agency Secretariat there are may be created structural sub-units according to structure and staff list approved by the National Agency.

Regulation on the Secretariat structural sub-units and service instructions for its employees are approved by the Head of the National Agency Secretariat as agreed by the Head of the National Agency.

32. The Head and employees of the National Agency Secretariat are permanent employees.

A person who is the member of the National Agency cannot be the Head of Secretariat, Vice Head of Secretariat or member of Secretariat.

Conditions of remuneration for the Head of the National Agency, his/her Vice Heads or employees of Secretariat are determined by the Cabinet of Ministries of Ukraine.

33. Tasks of the National Agency Secretariat are:

- 1) organisation of work in steady following the law requirements by the National Agency;
- 2) provision of information and reference support for Head, Vice Heads and members of the National Agency;
- 3) preparation and holding meetings of the National Agency;
- 4) organisation of keeping documents and archive according to established rules and requirements;
- 5) provision of financial and economic or technical support for activity of the National Agency;
- 6) provision of communication with state bodies, enterprises, institutions, organisations regardless of their ownership and with community;
- 7) performance of other tasks provided for by provisions on secretariat.

34. According to the tasks determined in paragraph 33 of this Charter, the National Agency Secretariat:

- 1) creates adequate conditions and promotes effective exercise of powers by the Head, Vice Heads and members of the National Agency assigned to them;
- 2) as established by law, receives information, materials and papers necessary to exercise assigned powers to the National Agency and its Secretariat;
- 3) keeps the minutes of the meetings of the National Agency, its committees, Appeals Chamber, sectoral expert councils, work groups and commissions;
- 4) implementation of organisational support and technical service for meetings of the National Agency, its committees, Appeals Chamber, sectoral expert councils, work groups and other advisory and consultative or special boards established by the National Agency, as well as actions conducted by the National Agency;
- 5) organises a holding of personal meetings with citizens by the Head of National Agency and his/her Vice Heads;
- 6) registers the representatives of media during meeting of the National Agency based on their submitted applications, organises and holds press conferences, meetings and other actions;
- 7) publishes decisions of the National Agency and covers topical issues of National Agency activity on its official website and in media;
- 8) draws up budget of incomes and expenditures and organises its completion;
- 9) estimates expenditures for actions connected with administrative activity, technical support for the National Agency and determines use of budget funds within appropriate budget programme;
- 10) prepares detailed calculations and justification regarding the need in money for use of appropriate budget programme, use of material resources, in particular financial, according to approved budgets;
- 11) organises keeping of records and archive according to the established rules;
- 12) organises anti-corruption measures at the National Agency, development and implementation of anti-corruption programme of the National Agency, performing by the National Agency other requirements of the Law of Ukraine “On prevention of Corruption”;
- 13) performs other functions related to the activity of the National Agency.

Property and Funds of the National Agency

35. Financing of the National Agency activity is provided at the state budget, funds received as a payment for services in accreditation of study programmes, as well as funds received for other services connected with higher education quality assurance in amounts that are determined by the National

Agency, grants given for improvement of higher education quality in Ukraine, including provided for improvement of the higher education quality assessment system, other sources not prohibited by law.

36. Allocations from state budget for maintenance of the National Agency, including amount of expenditures for remuneration for its staff, are determined annually by the Verkhovna Rada of Ukraine separately during approval of the State Budget of Ukraine for corresponding year.

37. Buildings, constructions, premises, equipment, computers and other equipment, vehicles, means of communication, as well as necessary property according to law may be appointed on the basis of operational management to the National Agency for provision its activity provided for by this Charter.

38. The property of the National Agency is state property and belongs to it on the basis of operational management.

The property cannot be alienated, confiscated, transferred to authorised capital of business organisations. Actions which result is alienation cannot be performed regarding this property.

Property and funds are used according to chartered purposes and tasks as established by law.

According to legislation and this Charter, the National Agency uses main funds assigned to it on the basis of operational management without the right to change form of property, as well as current assets and land plots given to it for constant use according to land legislation.

Accounting and Reporting of the National Agency

39. The National Agency keeps accounting records and submits financial and statistical statements as established by law, reports annually on its activity results.

Procedure on Approval and Amendments to the Charter

40. Amendments this Charter are made according to decision of the Cabinet of Ministers of Ukraine.

Amendments to the Charter are subject to state registration as required by legislation.

Termination of the National Agency

41. The National Agency is terminated by way of reform (by way of merger, absorption, division, transformation) or liquidation according to law. Termination of the National Agency is carried out as prescribed for by legislation.

If the National Agency is terminated by way of liquidation, merger, division, absorption or transformation, assets of the National Agency should be included to income of state budget.

The National Agency is considered as terminated from the day of entering the record on termination of its activity into the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organisations.

QR-code	On amendment to the Charter of the National Agency of Higher Education Quality Assurance Resolution of the Cabinet of Ministers of Ukraine No. 71 dated 23.01.2024 Adoption dated 23.01.2024 Permanent address: https://zakon.rada.gov.ua/71-2024-%D0%BF	Law of Ukraine as on 02.09.2025 is valid [bar-code] 71-2024-p
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Publication of the document

- **Uryadovyy kurier** dated 30.01.2024 – No.21
- **The Official Bulletin of Ukraine** dated 21.02.2024 – 2024, No.16, article 1036, act code 122976/2024