Law No 10 of 2008

Ministry of Higher Education and Scientific Research

Kurdistan Region of Iraq

English translation of the supplied extract | Articles 8 to 17

Chapter Five Universities

Article 8

First: The university is a peaceful and protected sanctuary and an intellectual and cultural centre in whose environment reason develops and the capacity for innovation and discovery grows. Its affairs shall not be interfered with except as permitted by law. It bears direct responsibility for achieving the objectives set out in this Law. Accordingly, it shall continuously undertake studies and research in all fields of humanistic, scientific and practical knowledge, addressing new needs in a manner consistent with technological progress throughout the world and its requirements. This is intended to narrow the scientific and technical gap between our society and developed countries and to keep pace with scientific advances, while taking account of the particular characteristics of Kurdish society.

Second: The university, its colleges and its affiliated institutes shall have legal personality, including financial and administrative independence and legal capacity, as required to achieve their objectives. Their affairs shall be administered by a council.

Third: The university shall comprise academic colleges, research centres, and technical colleges and institutes providing technical education after secondary education or its equivalent, together with any other constituent units required in the fields of theoretical and practical knowledge.

Article 9

The University President shall be appointed by the Council of Ministers, on the recommendation of the Minister, for a term of four years, renewable once. The President shall hold a special grade and meet the following criteria:

First: Hold a doctoral degree.

Second: Hold an academic rank of at least Assistant Professor.

Third: Have at least ten (10) years of service.

Fourth: Possess administrative ability and competence, experience, integrity and academic honesty in the performance of duties.

Article 10

The University President shall exercise the following powers:

First: Chair the University Council, convene its ordinary and extraordinary meetings, implement its decisions, and represent the university before all bodies.

Second: Administer the university's academic, administrative and financial affairs in accordance with the relevant laws and regulations.

Third: Administer movable and immovable property in accordance with the laws, regulations and instructions in force.

Fourth: Enter into contracts with foreign teaching staff and technical personnel.

Fifth: Approve official missions, secondments and study leave on the recommendation of the College or Institute Council.

Sixth: Appoint heads of departments and branches, and Assistant Deans of colleges and institutes, on the basis of nominations made by the Dean.

Seventh: Promote university service employees.

Eighth: Nominate Deans and their assistants.

Ninth: The University President may delegate some of the President's powers to Deans, assistants or any person considered suitable.

Article 11

The University President shall have three Vice Presidents, responsible respectively for administrative and financial affairs, academic affairs and postgraduate studies, and student affairs. They shall be appointed by the Council of Ministers, following nomination by the University President, at the grade of Director General, and shall meet the following criteria:

1. Hold a doctoral degree.
2. Hold an academic rank of at least Assistant Professor.
3. Have at least ten (10) years of university service.

Article 12

The university shall have a Council constituting its highest academic and administrative body. It shall comprise:

First: The University President, as Chair.

Second: The Vice Presidents, as members.

Third: The Deans, as members.

Fourth: A member of the university's teaching staff who does not hold an administrative position and whose academic rank is at least Lecturer, elected by the teaching staff for a term of not less than two years, as a member.[1]

Fifth: The Director of the Scientific Research Centre, as a member.

Sixth: A representative from each relevant ministry shall be added to the Council of Technical Education. Such representatives shall hold a position at least equivalent to Director General. Their experience and specialisation shall be taken into account in their selection, and their membership shall be for a renewable term of two years.

Seventh: A student representative shall attend University Council meetings when matters relating to students are considered.

Article 13

The University Council shall exercise the following functions and powers:

First Academic powers

1. Prepare and implement admission plans for undergraduate studies in the colleges, and prepare admission plans for postgraduate studies.
2. Approve scientific research plans for colleges and their affiliated scientific centres.

3. Approve a plan for providing the requirements of education.
4. Approve plans for opening departments and branches of the scientific centre.
5. Approve the postgraduate studies plan.
6. Confer academic ranks on members of the teaching staff.
7. Monitor curricula.
8. Propose curricula and amendments to them to strengthen academic standards, and submit them to the Ministry for approval.
9. Suspend studies, wholly or partially, for a period not exceeding six (6) days.
10. Establish a mechanism for implementing the Ministry's plan and strategy.
11. Evaluate the performance and quality of the university's institutions.
12. Award academic degrees.

Second Administrative powers

1. Approve and implement plans for bilateral cultural relations with universities and academic institutions outside the Region.
2. Implement the plan for preparing the academic, technical and administrative staff of colleges and scientific centres.
3. Appoint teaching, technical and administrative staff in accordance with the staffing establishment and the availability of posts.

Third Financial powers

1. Prepare the annual budget plan and the investment plan.
2. Ratify the decisions of committees responsible for the write-off, valuation, leasing and sale of the university's movable and immovable property.
3. Approve the final accounts.

Fourth: The Council may delegate some of its powers to the University President.

Article 14

Dean of a college or institute

First: A person appointed as Dean of a college shall hold a doctoral degree, have an academic rank of at least Assistant Professor, and have at least ten (10) years of university service. The Dean shall be appointed at the grade of Director General for a term of four years, on the recommendation of the University President.

Second: A person appointed as Dean of an institute shall hold at least a master's degree, have the academic rank of Lecturer, and have at least ten (10) years of university service. The Dean shall be appointed at the grade of Director General for a term of four years, on the recommendation of the University President.

Third: The Dean shall have an Assistant Dean for administrative and student affairs, whose academic rank shall be at least Lecturer. The Assistant Dean shall be appointed by a decision of the Head of the Authority, on the recommendation of the Dean. An additional Assistant Dean may be appointed whenever necessary.

Article 15

The Dean shall perform the following duties and exercise the following powers:

First Academic powers

1. Monitor the organisation and progress of undergraduate and postgraduate studies, and work to strengthen educational and academic standards.
2. Ratify the recommendations of department and branch councils.
3. Approve the allocation of courses and semester credit units among teaching staff and lecturers, establish thesis defence committees, and determine the dates of the defences.
4. Implement the laws, regulations and instructions governing academic and educational affairs, and the decisions issued by higher authorities.

Second Administrative and financial powers

1. Implement the laws, regulations and instructions relating to administrative and financial affairs.
2. Approve the recommendations of committees formed in colleges and institutes.
3. Register students for undergraduate and postgraduate studies.
4. Approve the purchase and import of laboratory equipment, other supplies, journals and books.
5. Approve the payment of remuneration to persons from outside the university for training, teaching, thesis supervision, and participation in comprehensive examination committees and thesis defence committees, in accordance with the laws in force.
6. Recommend changes to the job titles of technical and administrative personnel within the staffing establishment of the college or institute, in accordance with the laws, regulations and instructions.
7. Recommend the transfer of technical and administrative personnel and their assignment among colleges, institutes and university departments.

Third: The Dean may delegate some of the Dean's academic, administrative and financial powers to heads of departments and Assistant Deans.

Article 16

The college or institute shall have a Council constituting its academic, administrative and financial body. It shall comprise:

First: The Dean, as Chair.

Second: Heads of departments or academic branches, as members.

Third: The Assistant Dean, as a member.

Fourth: A representative of the teaching staff of the college or institute, holding an academic rank of at least Lecturer and elected by the teaching staff for a term not exceeding two years, as a member.

Fifth: The College or Institute Council may add a further member from one of the relevant ministries whose specialisation corresponds to that of the college or institute.

Sixth: A student representative shall attend College or Institute Council meetings when matters relating to students are considered.

Article 17

The College or Institute Council shall perform the following duties and exercise the following powers:

First Academic powers

1. Establish admission plans for undergraduate studies; propose admission plans for postgraduate studies according to the department or academic branch and its specific conditions; and monitor their implementation.
2. Establish plans for scientific research, authorship, translation and publication, and for providing the requirements of education.
3. Establish plans for opening departments, branches and scientific centres; propose their establishment, merger or abolition; and distribute curricula across the academic years.
4. Approve the plans of academic departments concerning invitations to visiting professors.
5. Approve university thesis titles; appoint comprehensive examination committees, supervisors and co-supervisors; approve thesis defence results; and add or remove courses from postgraduate programmes.
6. Approve the appointment of external examiners on the recommendation of the department or academic branch.
7. Recommend the establishment of postgraduate studies, their curricula, and their annual and future plans.
8. Recommend the award of academic degrees.

Second Administrative powers

1. Supervise the affairs of the college or institute and attend to the various aspects of its activities.
2. Prepare the teaching staff establishment of the college or institute before the end of the academic year, in light of proposals submitted by the Dean and department or branch councils.
3. Recommend the granting of study leave for undergraduate and postgraduate studies within the Region to college employees, on the recommendation of the relevant department or academic branch.
4. Propose the secondment of teaching staff, or the granting of leave, fellowships and study missions outside the Region, on the recommendation of the relevant department or academic branch.
5. Approve sabbatical leave for a member of the teaching staff within or outside the Region, in accordance with the specific rules governing such leave.
6. Impose disciplinary penalties on students in accordance with the regulations and instructions in force.
7. Supervise the implementation of regulations and instructions relating to academic affairs in the college or institute.
8. Recommend the assignment of teaching staff and lecturers to postgraduate studies, according to the numbers and needs identified by departments and branches.
9. Prepare a staff development plan for academic and administrative personnel.
10. Prepare a plan for bilateral cultural relations.
11. The Council may establish committees to assist it in performing its academic, administrative, financial and educational duties.
12. Consider any other affairs of the college or institute referred to it by the Dean.

Third Financial powers

1. Propose annual budget plans and import and investment programmes.
2. Recommend approval of the final accounts of the college or institute.
3. Prepare the requirements of the college or institute for engineering works and its own projects within the overall investment budget.

Translation note

[1] Article 12, Fourth: The supplied Kurdish extract specifies a term of not less than two years. The corresponding Arabic text published by the Kurdistan Parliament specifies a term not exceeding two years. The wording of the supplied Kurdish extract is retained in this translation.

Reference for the comparison: Kurdistan Parliament, Law No 10 of 2008, Article 12, Fourth. https://legislation.krd/law-detail/?id=3283