

# **Government Decree No 387/2012 of 19 December 2012**

## **on doctoral schools, doctoral procedures and habilitation**

*as in force on 24 May 2017*

On the basis of the empowerment under points 4(b), 16 and 25 of Section 110(1) of Act CCIV of 2011 on national higher education, exercising its responsibilities defined in Section 15(1) of the Fundamental Law, the Government has adopted the following decree:

### ***1. Conditions and procedure for the establishment of doctoral schools***

#### **Section 1**

(1) Doctoral programmes shall only be delivered by doctoral schools.

(2) When a doctoral school is established, it is necessary to identify the disciplines, including the branches of science or art, in which doctoral programmes are intended to be delivered. The professional activities reflecting the operational framework of a doctoral school shall be identified by naming its intra- or interdisciplinary research field.

(3) Unless otherwise provided in this decree, branches of science shall be understood to include branches of art, academic qualifications shall include PhD and DLA degrees, and scientific activities shall also refer to artistic activities.

#### **Section 2**

(1) The establishment of a doctoral school shall be initiated by at least seven core members. The majority of the core members shall be university professors. No one shall be a core member of more than one doctoral school at the same time.

(2) Multidisciplinary doctoral schools working in at least three branches of science shall have at least three core members per branch of science (doctoral schools working in the field of educational science may have core members from disciplinary fields related to teacher training), the majority of whom shall be university professors performing their research activities in the given branches of science. Interdisciplinary doctoral schools working in two branches of science shall have at least eleven core members, with at least four core members from each branch of science (doctoral schools working in the field of educational science may have core members from disciplinary fields related to teacher training), the majority of whom shall be university professors performing their scientific activities in the given branches of science.

(3) Each core member shall

(a)<sup>1</sup> hold an academic qualification;

(b)<sup>2</sup> perform continuous, high-level scientific activity in a branch of science or research field of the doctoral school, which scientific activity, understood as not including artistic activity, shall be assessed on the basis of the national academic bibliographic database referred to in Section 3(1)(o) of Act XL of 1994 on the Hungarian Academy of Sciences (hereinafter referred to as ‘Database’);

(c) have nationally and internationally known and recognised works, as proven by positive feedback from authoritative international artistic forums, if the core member was awarded habilitation for artistic work;

(d)<sup>3</sup> prove the ability to supervise doctoral students by having at least one doctoral student who obtained a doctoral degree under the supervision of the member, and

(e)<sup>4</sup> be a lecturer, professor or research fellow employed full-time by the given higher education institution, under an employment contract or on a public service employment basis, and shall specify that higher education institution for the purpose of assessing the operating conditions of the given higher education institution under Section 26(3) of Act CCIV of 2011 on national higher education (hereinafter referred to as ‘Act on National Higher Education’).

(4) A Professor Emeritus or Professor Emerita (hereinafter referred to jointly as ‘Professor Emeritus’) within the meaning of Section 32(1) of the Act on National Higher Education may be a core member taken into account for the establishment of a doctoral school in the higher education institution that awarded the title if the Professor Emeritus concerned meets the criteria set out in paragraph 3(a) to (d) and is approved by the doctoral council of the higher education institution (hereinafter referred to as ‘doctoral council’). There may be one Professor Emeritus among the core members required under Section 2(1), and one per branch of science among those required under Section 2(2).

(5) Furthermore, a research consultant and a research professor employed full-time in a research institute, under an employment contract or on a public service employment basis, and holding the title of Doctor of the Hungarian Academy of Sciences may also be a core member if the research consultant or research professor concerned meets the criteria set out in paragraph 3(a) to (d) and if the higher education institution concerned made an agreement with the research institute in that regard. However, there shall not be more than two such members among the core members required under Section 2(1), and one per branch of science among those required under Section 2(2).

### **Section 3**

Each core member shall

(a) comply with Section 2 in at least one programme cycle and during the period of the related degree procedure, and

(b) agree to work as a supervisor at the doctoral school.

#### **Section 4**

(1) The head of a doctoral school shall be elected by the doctoral council, on a proposal by the majority of the core members, from those core members of the doctoral school who are university professors, and shall be appointed by the rector for a period of not more than five years. The appointment may be renewed several times.

(2) The teaching staff of a doctoral school shall comprise lecturers, professors and research fellows who hold academic qualifications and whom, on a proposal from the head of the doctoral school, the doctoral council considers competent to teach, do research and work as a supervisor at the doctoral school.

#### **Section 5**

(1) The documents needed for the establishment of a doctoral school shall be prepared by the core members and must contain:

(a) the classification of the doctoral school by discipline and branch of science;

(b) the master programmes on the basis of which the higher education institution meets the criteria under Section 16(2) of the Act on National Higher Education;

(c) the name of the research field of the doctoral school;

(d) the name of the doctoral degree that may be awarded as a result of the procedure for obtaining a doctoral degree;

(e)<sup>5</sup> the names and scientific or artistic CVs of the person proposed as head of the doctoral school, the core members of the doctoral school, the supervisors proposed for the first four years of operation, other members of the teaching staff of the doctoral school, the Hungarian and foreign lecturers, professors (artists in the case of an artistic doctoral school) and researchers to be invited, and the documentation of their main scientific (scientific or artistic in the case of an artistic doctoral school) achievements in the past five years;

(f)<sup>6</sup> the programme plan of the doctoral school, developed in line with level 8 of the Hungarian Qualification Framework;

(g) the international relations of the doctoral school that are expected to be taken into account during operation;

(h) the quality assurance plan of the doctoral school, and

(i) the rules for the operation of the doctoral school.

(2) The documentation shall be accompanied by the statements of the persons concerned on undertaking the tasks requested and satisfying the relevant criteria prescribed in this decree.

(3) The documentation needed for the establishment of a doctoral school shall include the cooperation agreements made by the higher education institution in connection with the

activities of the doctoral school, in particular the cooperation agreements referred to in Section 2(5).

(4) The person proposed as head of the doctoral school to be established shall obtain a preliminary opinion from the doctoral council before submitting, through the rector, the request for the establishment of the doctoral school for approval to the senate.

## **Section 6**

(1) Following the decision of the senate on the establishment of a doctoral school, the rector of the higher education institution shall apply for the registration of the doctoral school by the Educational Authority (hereinafter referred to as 'Authority').

(2) The application for registration shall be accompanied by

(a) the documents needed for the establishment of the doctoral school;

(b) the opinion of the doctoral council;

(c) the development concept elaborated by the higher education institution for the research field concerned by the establishment of the doctoral school;

(d) the doctoral rules of the higher education institution;

(e) a statement that the doctoral school shall publish information on doctoral programmes regularly (annually) on its website, and that it shall publish the admission requirements annually on its website and as is customary in the higher education; and

(f) a statement that the doctoral school shall update its data continuously in order to ensure that they reflect the state of the doctoral school in an up-to-date manner.

(3) In order to substantiate its expert opinion referred to in Section 67(4), the Hungarian Accreditation Committee (hereinafter referred to as 'HAC') shall examine in particular the fulfilment of the necessary requirements under Section 2(3)(b), the functioning of the agreements mentioned in Sections 2(5) and 5(3), and the fulfilment of other expectations included in its professional assessment criteria.

(4)<sup>7</sup> Paragraphs 1 to 3 shall apply, as appropriate, to the registration of a new branch of science for a doctoral school.

## **Section 7<sup>8</sup>**

Changes in the registered data of doctoral schools shall be notified to the Authority within the time limit specified in Section 11(2) of Government Decree No 87/2015 of 9 April 2015 on the implementation of certain provisions of Act CCIV of 2011 on national higher education.

## **Section 8**

In the event of dissolving a doctoral school, the decision shall be adopted by the doctoral council or, on the initiative of the rector, by the senate. If the dissolution is initiated by the rector, the senate shall obtain the views of the doctoral council before adopting a decision. According to the decision of the senate, the rector shall request the Authority to change the registered data of the doctoral school. The Authority shall delete the doctoral school from the register without carrying out an evidentiary procedure.

## ***2. The doctoral council and the doctoral school council***

### **Section 9**

(1) The senate shall decide on setting up a doctoral council as set out in Section 16(5) of the Act on National Higher Education. Except where doctoral programmes are delivered exclusively in religious studies, the members of the doctoral council shall be selected by ensuring that one third or at least two of the members do not have an employment relationship with the higher education institution operating the doctoral school. For the purposes of this paragraph, a Professor Emeritus of the higher education institution shall be deemed to have an employment relationship with it. With the exception of the representatives of doctoral students, all voting members of the doctoral council shall comply with the criteria of core membership. The voting members of the doctoral council shall be selected with a view to ensuring the proportionate representation of each branch of science in which the higher education institution may award a doctoral degree. A quorum shall exist if the majority of the voting members of the council are present.

(2) The doctoral council

(a) shall give an opinion on the proposals for the establishment of doctoral schools;

(b)<sup>9</sup> shall provide to the senate regular evaluations of the doctoral programmes and the procedure for obtaining a doctoral degree at the university, in particular with regard to Section 84/A(4) of the Act on National Higher Education;

(c) shall, where appropriate, initiate the dissolution of doctoral schools;

(d) may set up disciplinary doctoral councils, in particular for the branches of science and art specified by the doctoral rules (hereinafter referred to jointly as ‘disciplinary doctoral council’), pursuant to Section 16(5) of the Act on National Higher Education, observing the requirements of paragraph 1 regarding the composition and members of doctoral councils;

(e)<sup>10</sup> shall decide on the recognition of credits, the requirements of comprehensive examinations, and the award, nostrification and revocation of the doctoral degrees defined in Section 16(4) of the Act on National Higher Education, and it may delegate these powers to a disciplinary doctoral council, except for the award, nostrification and revocation of doctoral degrees;

(f)<sup>11</sup> shall, in accordance with the doctoral rules and on the proposal of the doctoral schools, designate the members of the doctoral admission board, the members of the board of referees and the official referees, set up the comprehensive examination board and approve doctoral supervisors and the members of the teaching staff of doctoral schools, and it may delegate these powers to a disciplinary doctoral council;

(g) shall define foreign language requirements for obtaining a doctoral degree and in particular the list of foreign languages acceptable as a first foreign language (first language examination), and it may delegate this power to a disciplinary doctoral council;

(h)<sup>12</sup> shall, based on the opinion of the board of referees, decide on applications for defence behind closed doors, and it may delegate this power to a disciplinary doctoral council;

(i) shall give an opinion to the senate on the rector's proposals for awarding the title of honorary doctor or the title of honorary doctor and professor, or for the dissolution of a doctoral school;

(j) shall elect the heads of the doctoral schools operated by the higher education institution, and appoint and dismiss the members of the doctoral school councils.

### **Section 10**

(1) The head of a doctoral school may be assisted by a doctoral school council, the members of which shall be elected by the core members of the doctoral school, and appointed and dismissed by the doctoral council.

(2) The doctoral school council shall

(a) approve the persons who may announce dissertation topics or work as supervisors or members of the teaching staff at the doctoral school;

(b) make proposals for the dissertation topics to be announced;

(c) approve the dissertation topics announced by the persons in charge;

(d) approve the dissertation topics selected by the doctoral students;

(e) carry out performance assessments during a programme.

## ***3. Conditions and procedure for obtaining a doctoral degree***

### **Section 11**

(1)<sup>13</sup> A higher education institution, a doctoral student and a supervisor may enter into an agreement in relation to a doctoral programme.

(2) In accordance with the doctoral rules, the competent credit transfer committee shall not allow the recognition of more than two semesters or sixty credits in doctoral programmes, for the purpose of the core training and professional practice period to be completed by residents participating in the higher vocational education and training system for health specialists, or by central teaching assistants participating in professional training aimed to ensure the renewal of the teaching staff of higher education institutions.

### **Section 12<sup>14</sup>**

For candidates preparing individually for obtaining a doctoral degree,

(a) the procedure for obtaining the doctoral degree shall start on application, by taking a comprehensive examination;

(b) the conditions for accepting applications and for admission shall be laid down in the rules for the operation of the doctoral school organising the comprehensive examination;

(c) if the comprehensive examination is successful, the higher education institution shall recognise the minimum number of credits required for admission and, on request, it may also recognise additional credits for prior learning and competences acquired earlier.

### **Section 12/A<sup>15</sup>**

(1) Pursuant to Section 72(5) of the Act on National Higher Education, comprehensive examinations shall be organised according to the principles defined by the Hungarian Doctoral Council. Comprehensive examination requirements shall be published at the time of announcing doctoral programmes, in the manner specified in the rules for the operation of the doctoral school organising the comprehensive examination.

(2) Comprehensive examinations shall be taken in a public manner, before a board. The board shall have at least members. Except in doctoral schools delivering doctoral programmes exclusively in religious studies, at least one third of the members shall not have an employment relationship with the higher education institution operating the doctoral school. The board shall be chaired by a lecturer, professor or research fellow holding any of the following titles: university professor, university associate professor with habilitation, college associate professor with habilitation, Professor Emeritus, and Doctor of the Hungarian Academy of Sciences. Each member of the board shall hold an academic qualification. The supervisor of the doctoral student taking the examination shall not be a member of the board.

(3) Comprehensive examinations shall comprise two parts:

(a) a theoretical component, in which doctoral students shall demonstrate familiarity with the literature of the relevant branch of science or art, as well as up-to-date theoretical and methodological knowledge, and

(b) a report on academic or artistic progress.

(4) Doctoral students may repeat an unsuccessful comprehensive examination once, within the same examination period.

(5) Comprehensive examinations shall be minuted. Examination results shall be made available on the day of taking the last examination component. The result of a comprehensive examination may be either pass or fail.

### **Section 13**

(1) A dissertation topic shall be a research subfield work on which, under the guidance of a supervisor, shall enable a doctoral student to learn the application of scientific methods and to arrive at an academic result that can be evaluated and demonstrated in the form of academic

publications and academic presentations, followed by a doctoral dissertation. Dissertation topics shall be approved by the doctoral school council.

(2)<sup>16</sup> Doctoral students shall demonstrate the results of the research done in relation to their dissertation topics in academic publications or through (documented) artistic creative activities. The academic publications, published or approved for publishing, or the documentation of artistic creative activities that those submitting a doctoral dissertation are required to have at the time of submission shall be specified in the rules for the operation of the doctoral school where the dissertation is submitted.

(3)<sup>17</sup> The language requirements for obtaining a doctoral degree, the list of foreign languages that may be accepted in fulfilment of the language requirements, and the means of certifying language proficiency shall be laid down in the rules for the operation of the doctoral school. The first foreign language shall be one of the foreign languages prescribed by the doctoral council. Language proficiency shall be proven by a certificate attesting to the completion of a state-recognised complex language examination at level B2 or higher, or by an equivalent document.

(4) Dissertation topics shall be announced by lecturers, professors and research fellows holding academic degrees, and each dissertation topic shall be approved by the doctoral school council before announcement.

(5)<sup>18</sup> Supervisors shall be lecturers, professors and research fellows holding academic degrees, announcing dissertation topics approved by the doctoral school council and, on the basis of that, providing responsible guidance and support to doctoral students in their work on the dissertation topic, studies, research work and preparation for obtaining an academic degree.

(6)<sup>19</sup> With the approval of the doctoral council, a doctoral student may work with two supervisors simultaneously. The name of the supervisor or the names of the supervisors shall be clearly indicated on the front page of the doctoral dissertation.

#### **Section 14**

(1) The results of independent scientific work or independent artistic creative activities shall be summarised in the theses accompanying the doctoral dissertation. The results shall be presented in a coherent system that is comprehensible on its own, while new findings shall be itemised on the basis of the professional publications or artistic works of the candidate.

(2)<sup>20</sup> Obtaining a final certificate (absolutorium) shall be a prerequisite for submitting a doctoral dissertation.

(3)<sup>21</sup> The additional criteria for submitting a doctoral dissertation shall include that the person submitting the doctoral dissertation is not participating in an ongoing procedure for obtaining a doctoral degree in the same branch of science and has not failed to defend a doctoral dissertation in the preceding two-year period. Those submitting a doctoral dissertation shall provide a written declaration of compliance with these additional criteria when submitting the doctoral dissertation.

#### **Section 15**



(1) The doctoral council shall invite two official referees for each doctoral dissertation. One of the referees shall not have an employment relationship with the higher education institution operating the doctoral school.

(2) The two official referees shall, within two months from the submission of the dissertation, before the end of the study period defined in the doctoral rules of the higher education institution, provide a written assessment of the dissertation and declare whether or not it is proposed to be defended in public. If the dissertation is not proposed to be defended in public by either of the referees, the doctoral council shall invite a third referee.

## **Section 16**

(1) Doctoral dissertations shall be defended before a board of referees, in public debate.

(2)<sup>22</sup> For each doctoral dissertation, the doctoral council shall set up a board of referees to conduct the public debate, take a decision on the acceptance of the dissertation, and evaluate the public defence. The board of referees shall have at least three members. The provisions of Section 12/A(2) shall apply, as appropriate, to the selection of the members of the board of referees.

(3)<sup>23</sup> Doctoral dissertations shall be submitted for public debate within two months from the receipt of two proposals in support of a public defence, before the end of the study period. The person who submitted the doctoral dissertation shall receive the assessments in advance and shall respond to them in writing before the defence and ‘viva voce’ in the public debate during the defence.

(4)<sup>24</sup> In the public debate, the person who submitted the doctoral dissertation shall present the theses of the dissertation and then answer to the comments and questions of the participants. If a doctoral dissertation is involved in a patent procedure or contains data classified for national security reasons, it may be defended behind closed doors on the request of the person submitting the doctoral dissertation, subject to the favourable opinion of the board of referees and with the approval of the doctoral council.

(5) After closing the debate, the board shall decide on the acceptance of the dissertation behind closed doors, by secret ballot. Then the chair shall announce the result publicly.

(6)<sup>25</sup> The defence and the decision of the board shall be minuted. The higher education institution shall, on request, provide a certificate of the outcome of the defence, indicating in it that the certificate shall not constitute evidence of obtaining a doctoral degree.

(7)<sup>26</sup> In case of two negative assessments or an unsuccessful defence, submission of a new doctoral dissertation on the same dissertation topic shall not be initiated less than two years later or more than once.

(8) On the basis of the decision entered into the doctoral records, the higher education institution shall issue a diploma attesting to the award of a doctoral degree by the doctoral council, indicating in it the discipline and the branch of science or art within that and simultaneously notifying it to the Authority.

(9)<sup>27</sup>

(10) A doctoral degree shall be revoked upon decision of the doctoral council if it is established that the conditions for the award of the doctoral degree were not fulfilled.

(11)<sup>28</sup>

#### **Section 17**

The official referees and board members involved in a doctoral procedure shall not be

- (a) close relatives of the person concerned, or
- (b) persons who cannot be expected to consider the case objectively.

### ***4. Detailed conditions for awarding the title of doctor with distinction***

#### **Section 18**

(1) The title of doctor with distinction shall be conferred on persons who

(a) only have marks that are excellent (5), including exemplary diligence, in the certificates of compliance with academic requirements received in year 9 and in each subsequent year of education under Section 11 of Act CXC of 2011 on national public education or Section 29 of Act LXXIX of 1993 on public education, as well as in the General Certificate of Secondary Education;

(b)<sup>29</sup> passed all mandatory examinations with an excellent (5) result, or its equivalent in the system of assessment applied by the higher education institution, throughout the two-cycle programme or the single-cycle long programme completed; and

(c)<sup>30</sup> passed all mandatory examinations with an excellent (5) result throughout the doctoral programme completed and, if a doctoral final examination had to be taken under legislation previously in force, passed that examination summa cum laude, and obtained the best available assessment for the doctoral defence.

(2) The requirements of paragraph 1 shall apply to candidates having completed part of their studies abroad in accordance with the system of assessment applied by the foreign higher education institution, following the recognition of the degree attested by the foreign diploma or following the nostrification of the foreign doctoral diploma.

(3) In the case of degrees awarded for the completion of college or university studies, paragraph 1(b) shall also apply to the results of the college or university studies.

(4) The doctoral rules of a higher education institution may provide for other professional criteria in addition to those set out in paragraph 1(b) and (c).

#### **Section 19**

(1) The award of the title of doctor with distinction shall be subject to the approval of the President of the Republic, which approval shall be granted on a proposal by the minister responsible for education, submitted on a proposal by the awarding higher education institution.

(2) For the proposal for approval, the rector of the higher education institution shall send to the minister responsible for education certified copies of the documents attesting to the candidate's compliance with the criteria set out in Section 18.

(3) At the doctoral award ceremony, each person awarded the title of doctor with distinction shall be honoured with a 14 carat gold ring weighing 8 grams and bearing the coat of arms of Hungary.

(4) The costs of awarding the title of doctor with distinction shall be covered by the proposing higher education institutions.

## ***5. Awarding the title of honorary doctor or the title of honorary doctor and professor***

### **Section 20**

On a proposal by the rector and in consultation with the doctoral council, the senate of a higher education institution may confer the title of honorary doctor (Doctor Honoris Causa) or the title of honorary doctor and professor (Doctor et Professor Honoris Causa) on those deserving it on the basis of the doctoral rules and in the light of their work in any of the branches of science in which the higher education institution is authorised to award doctoral degrees.

## ***6. Habilitation***

### **Section 21**

(1) The title of doctor with habilitation or, in abbreviated form, 'dr. habil.' (hereinafter referred to jointly as 'title of doctor with habilitation') shall be awarded as a result of a habilitation procedure carried out on application.

(2) The initiation of a habilitation procedure may be requested by anyone who complies with the following conditions:

(a) the candidate must hold a doctoral degree and must have been performing high-level independent scientific or artistic creative activities since obtaining an academic degree, or for at least five years;

(b) the candidate must have taught at least eight semesters at a domestic or foreign higher education institution;

(c)<sup>31</sup> if habilitation is awarded for scientific work, the candidate must perform regular and high-level publication activities, as proven by articles published in high-ranking international, peer reviewed journals acknowledged as authoritative sources of information in the given

professional field, as well as citations appearing in the same and assessed on the basis of the Database, and must give lectures or present findings at international and domestic scientific events on a regular basis;

(d) if habilitation is awarded for technical work, the candidate must perform regular and high-level creative activities, as proven by implemented patents and designs, peer reviewed journal articles and citations thereof; must give lectures or present findings at international and domestic professional events on a regular basis; must have practical results that are outstanding also in international terms and have received positive domestic and international professional feedback also in printed form;

(e) if habilitation is awarded for artistic work, the candidate must have nationally and internationally known and recognised works, as proven by positive feedback from authoritative international artistic forums.

(3) The application for habilitation shall be accompanied by theses summarising the results of scientific, technical or artistic creative activities performed since obtaining a doctoral degree. The habilitation committee may also require the submission of a habilitation dissertation. The results of selected works shall be presented in a coherent system that is comprehensible on its own. New findings shall be itemised in the customary form of academic theses, with references to selected academic publications or works in the thesis points.

(4) The doctoral degree and the title of doctor with habilitation shall be obtained in the same branch of science. Candidates may request the initiation of a habilitation procedure in a branch of science other than the one in which the doctoral degree was awarded only if it is justified by their activities performed since the award of the doctoral degree.

## **Section 22**

(1) Higher education institutions shall be authorised to carry out habilitation procedures and award titles of doctor with habilitation in the disciplines and, more specifically, in the branches of science and art in which they are authorised to award doctoral degrees.

(2) Universities shall set up habilitation committees for carrying out habilitation procedures and awarding titles of doctor with habilitation. The members of the committee shall be selected by ensuring that

(a) each member who is a lecturer, professor or research fellow employed full-time by the given higher education institution, under an employment contract or on a public service employment basis, holds the title of doctor with habilitation,

(b) at least two thirds of the members are university professors, and

(c) one third or at least two of the members do not have an employment relationship with the given higher education institution.

(3) The chair of the habilitation committee shall be a university professor of the higher education institution. The chair and the members of the habilitation committee shall be

appointed for a term of not more than five years, and their appointments may be renewed several times.

(4) The habilitation committee shall carry out habilitation procedures, including:

(a) the appointment of official referees and the board of referees,

(b) the evaluation of the report by the board of referees, and

(c) taking a decision on awarding the title of doctor with habilitation,

as set out in the applicable rules.

(5) The habilitation procedure shall comprise the following parts:

(a) an assessment of compliance with the criteria set out in Section 21(2),

(b) an assessment of the habilitation theses,

(c) a habilitation lecture delivered in Hungarian and in a foreign language, and its assessment in accordance with Section 108(7) of the Act on National Higher Education,

(d) a public debate and its assessment.

### **Section 23**

(1) The habilitation committee of a higher education institution may set up habilitation committees for branches of science and art by observing the requirements of Section 22(2) regarding the composition and members of such committees. The habilitation committee of the higher education institution may delegate its powers defined in Section 22(4), except the power under Section 22(4)(c), to the disciplinary habilitation committees thus created.

(2) The rules for the organisation and operation of a higher education may provide that the doctoral council shall also perform the duties of a habilitation committee, provided that the composition of the doctoral council satisfies the criteria set out in Section 22(2).

(3) The habilitation committee shall set up a board of referees for the assessment of the habilitation theses and, if submitted, the habilitation dissertation, the public debate and the lecture. The rules laid down in Section Section 22(2) shall apply, as appropriate, to the selection of the members of the board of referees. The board of referees shall be chaired by a university professor or a Professor Emeritus.

### **Section 24**

(1) On the basis of the report by the board of referees and the decision entered into the doctoral records, the higher education institution shall issue a habilitation diploma (*decretum habilitationis*) attesting to the award of the title of doctor with habilitation by the doctoral council, indicating in it the discipline and the branch of science or art within that and simultaneously notifying it to the Authority.

(2) The title of doctor with habilitation shall be revoked upon decision of the habilitation committee if it is established that the conditions for the award of the title were not fulfilled.

(3) The provisions of Section 17 shall apply to habilitation procedures.

(4) The habilitation procedure shall be completed within one year after submission of an application.

## **Section 25**

The detailed rules of habilitation and appeal procedures shall be laid down in the habilitation rules of higher education institutions. The habilitation rules may set a longer period than the one provided for in Section 21(2)(b). The habilitation rules and the doctoral rules may be laid down in a single regulation.

## ***7. Final provisions***

### **Section 26**

(1) This decree shall enter into force on 1 January 2013, and its provisions shall apply to cases opened and procedures repeated after the entry into force of this decree, subject to the exception laid down in paragraph 3.

(2)<sup>32</sup> Higher education institutions shall amend their doctoral rules and the rules for the operation of their doctoral schools by 15 October 2016 in order to bring them into line with Sections 2(3)(b), (d) and (e), 5(1)(e) and (f), 6(4), 9(2)(b), (e), (f) and (h), 11(1), 12, 12/A, 13(2), (3), (5) and (6), 14(2) and (3), 16(2), (3), (4), (6), (7), (9) and (11), 18(1)(c) and 26(3) and (6) of this decree, as enacted by Government Decree No 266/2016 of 31 August 2016 on the amendment of Government Decree No 387/2012 of 19 December 2012 on doctoral schools, doctoral procedures and habilitation and of Government Decree No 87/2015 of 9 April 2015 on the implementation of certain provisions of Act CCIV of 2011 on national higher education. In the academic year 2016/2017, the publication obligation under Section 12/A(1) shall be fulfilled by 31 October 2016.

(3)<sup>33</sup>

(4) When a new doctoral school is established, except in a branch of science in which the given institution is already operating a doctoral school, at least five of the seven core members of the doctoral school, or at least eight core members if it is an interdisciplinary doctoral school, shall comply with the criteria set out in Section 2(3)(d). All core members of these doctoral schools shall comply fully with the criteria laid down in Section 2(3) by the end of the sixth calendar year after the date of establishment.

(5) The title of doctor with habilitation obtained in accordance with the rules of Act LXXX of 1993 on higher education or Act CXXXIX of 2005 on higher education shall be equivalent to the title of doctor with habilitation awarded under this decree.

(6)<sup>34</sup> Doctoral students and doctoral candidates having acquired their doctoral student or doctoral candidate status before the academic year 2016/2017

(a) may obtain a doctoral degree in accordance with the provisions of the Act on National Higher Education and this decree, as in force on 31 August 2016, or

(b) may apply for admission along with recognition of their previous doctoral studies under Section 12, on condition that the period of state-funded studies, including the doctoral studies funded previously, shall not exceed eight semesters, as provided for in Section 47(2) of the Act on National Higher Education.