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**LAW**

**on National Qualifications Framework in Serbia**

"Official Gazette of RS” no. 27/2018 of 6th April 2018, 6th to 24th January 2020

I GENERAL PROVISIONS

**Scope**

Article 1

This Law shall set forth the National Qualifications Framework in Serbia (hereinafter: the NQFS) as the system for regulating the qualifications, its purpose, objectives and principles, types and levels of qualifications, methods of acquiring the qualifications, descriptions of knowledge, skills, abilities and attitudes (hereinafter: descriptors) qualification levels, bodies and organizations responsible for the implementation and development of NQFS, quality assurance in implementing NQFS and its referencing to the European Qualifications Framework (hereinafter: the EQF).

Terms used in this Law in grammatical masculine gender shall include natural masculine and feminine gender of persons they refer to.

**General terms and definitions**

Article 2

Individual terms used in this Law shall have the following meaning:

1) Qualification – formal recognition of acquired competences. An individual shall acquire a qualification when a competent body determines that he/she achieved the learning outcomes of a certain level, corresponding the designated qualification standard, as acknowledged by a public document (a diploma or a certificate);

2) Competence – integrated set of knowledge, skills, abilities and attitudes, that enable efficient performance of an individual, in accordance with the qualification standard;

3) Key competences for lifelong learning – ability to implement acquired knowledge, skills and attitudes required for personal, social and professional development and continued learning. These competences have become the integral part of objectives and standards at all educational levels as new fields, relevant for the continual acquisition of competences, managing one’s private and social life, profession and coping with actual problems and challenging situations;

4) Learning outcomes – are distinct statements of what an individual is expected to know, understand and be able to demonstrate and/or perform after having completed a learning process. They allow for the verification of levels of acquired competences and/or obtained knowledge, skills, attitudes and abilities;

5) Qualification standard – a document established under this Law, containing the description of learning objectives and outcomes, including the details of a qualification constituting the foundation for determining its level, classification and evaluation;

6) Occupational standard – a document that contains the description of duties and tasks, including the competences required by an individual to efficiently perform assignments of a job, in keeping with regulations governing employment;

7) NQFS Register (hereinafter: the Register) – the Register of NQFS containing a sub-register of national qualifications, sub-register of qualification standards and sub-register of publicly recognized organizers of adult education activities related to registration (hereinafter: PROAEA), with employers at which PROAEA carries out practical work and/or practical education;

8) European Higher Education Area (hereinafter: EHEA) – a common European reference framework connecting national qualification systems and acting as a mechanism for comparison and/or easier understanding and interpreting of qualifications among different countries and educational systems in Europe;

9) Qualifications Framework for the European Higher Education Area (hereinafter: QF-EHEA) – the qualifications framework under Bologna process. Defined with four major cycles (short cycle, first, second and third cycles) described by the Dublin descriptors;

10) Formal education shall mean organized learning processes achieved based on teaching and learning plans and programs of primary and secondary education and higher education study programs;

11) Non-formal learning shall mean organized processes of adult learning achieved through special programs, aimed at acquiring knowledge, skills, abilities and attitudes focused on work and personal and social development;

12) Informal learning shall mean the process of self-initiated acquisition of knowledge, skills, values, attitudes and abilities of adults, in everyday living, professional and social environment;

13) Lifelong learning – includes all forms of learning and involves the participation in different forms of educational activities throughout one’s life, with the aim of a continuing improvement of the required personal, civic, social and work-related competences;

14) Recognition of Prior Learning – Adult education activity achieved by the assessment of knowledge, skills and abilities acquired through the education, life or professional experience that enables further learning and improvement of competitiveness on the labour market. This term is deemed equal with the term “Validation of non-formal and informal learning” in line with the European guidelines for validating of non-formal and informal learning.

**NQFS Objectives**

Article 3

NQFS objectives are:

1) ensuring comprehensiveness, visibility and transparency of qualifications, including their referencing;

2) developing qualification standards based on the requirements of the labour market and the society, as a whole;

3) ensuring the focus of entire education on learning outcomes that underpin the competences defined by the standard related to a particular qualification;

4) enhancing the approach, flexibility of pathways and progression within the system of formal and non-formal education;

5) ensuring the recognition and acknowledgement of non-formal and informal learning;

6) affirmation of the significance of key, general and cross-curricular competences for the lifelong learning;

7) improving the cooperation among relevant stakeholders and/or social partners;

8) introducing the quality assurance system in the processes of qualification development and acquisition;

9) ensuring comparability and recognition of qualifications acquired in the Republic of Serbia with the qualifications acquired in other countries.

**NQFS Principles**

Article 4

NQFS is based on the following principles:

1) lifelong learning – appreciation of needs and abilities of individuals with regard to lifelong learning and development;

2) individuality – acquisition of qualifications in keeping with the needs, interests, social and living roles and developmental characteristics of individuals;

3) equal possibilities – acquiring of qualifications regardless of age, gender, difficulties or developmental disabilities, racial, national, social, cultural, ethnic or religious orientation, language, sexual orientation, place of residence, financial or health condition and other personal traits;

4) availability – equal rights and conditions for the involvement in all levels and types of qualifications;

5) transparency – transparency of the process of development and acquisition of qualifications;

6) relevance – referencing of qualifications to labour market requirements, scientific, research and arts work, and/or the society on the whole;

7) openness – different methods of acquiring the qualifications and opportunities for horizontal and vertical progression in the qualifications system, including academic mobility;

8) partnerships and cooperation – partnership and cooperation between the owners and participants in the qualifications system;

9) quality assurance – managing the process of qualification development based on learning standards and outcomes, including the quality system with respect to the process of qualification acquisition and assessment;

10) comparability – referencing of NQFS to EQF.

II QUALIFICATIONS FRAMEWORK

**Qualification levels**

Article 5

Qualifications within the NQFS are classified into eight (8) levels and four (4) sub-levels:

1) the first level (Level 1), acquired by completing primary education, primary adult education, primary education in music and/or primary ballet education;

2) the second level (Level 2), acquired by professional training, in the period of up to one year, education for the job in the period of up to two years, and/or non-formal adult education that lasted from 120 to 360 hours of training. The precondition for the acquisition of this level is the previously acquired level 1 of NQFS;

3) the third level (level 3), acquired by completing the three-year secondary vocational education, and/or non-formal adult education that lasted minimum 960 training hours. The precondition for the acquisition of this level is the previously acquired Level 1 of the NQFS;

4) the fourth level (Level 4), acquired by completing the four-year secondary education (vocational, art and/or gymnasium). The precondition for the acquisition of this level is the previously acquired Level 1 of the NQFS;

5) the fifth level (Level 5), acquired by completing the two-year and/or one-year crafts and/or specialist education and six-month non-formal adult education. The precondition for the acquisition of this level is the previously acquired Level 4 and/or Level 4 of NQFS or previously acquired NQFS Level 4 for non-formal adult education;

6) the sixth level, sub-level one (Level 6.1), acquired by completing undergraduate academic studies (hereinafter: UAS) with minimum 180 ESPB credits and/or undergraduate professional studies (hereinafter: UPS) with 180 ESPB credits. The precondition for the acquisition of this level is the previously acquired Level 4 of NQFS and the passed professional Matura exam and/or Matura in arts, in line with the laws regulating secondary education and higher education;

7) the sixth level, sub-level two (Level 6.2), acquired by completing UAS with minimum 240 ESPB credits, and/or specialist professional studies with minimum 60 ESPB credits. The precondition for the acquisition of this level is the previously acquired Level 4 of NQFS and passed professional or general Matura exam and/or Matura in arts, in line with the laws regulating secondary education and higher education, and/or Level 6.1 (UPS with 180 ESPB credits);

8) the seventh level, sub-level one (Level 7.1), acquired by completing integrated academic studies with 300 to 360 ESPB credits, master academic studies (hereinafter: MAS) with minimum 60 ESPB credits, upon previously acquired UAS with 240 ESPB, MAS with minimum 120 ESPB (upon previously acquired UAS with 180 ESPB) and/or professional master studies with minimum 120 ESPB credits (upon previously acquired UPS with 180 ESPB credits);

9) the seventh level, sub-level two (Level 7.2), acquired by completing specialist academic studies with minimum 60 ESPB credits (upon previously acquired master academic studies);

10) the eighth level (Level 8), acquired by completing doctoral studies with 180 ESPB credits (upon previously completed integrated academic and/or master academic studies).

Levels of NQFS related to individual qualification levels under Paragraph 1, Items 6) - 8), are marked in the Registry and public documents by indicating the types of qualifications, specifically:

1) sub-level 6.1 acquired by completing UAS with minimum 180 ESPB credits, marked with 6.1 A;

2) sub-level 6.1 acquired by completing UPS with 180 ESPB credits marked with 6.1 S;

3) sub-level 6.2 acquired by completing UAS with minimum 240 ESPB credits, marked with 6.2 A;

4) sub-level 6.2 acquired by completing specialist professional studies with 60 ESPB credits, shall be marked with 6.2 S;

5) sub-level 7.1 acquired by completing integrated academic studies ranging from 300 to 360 ESPB credits and MAS, shall be marked with 7.1 A;

6) sub-level 7.1 acquired by completing master professional studies, shall be marked with 7.1 S.

**Descriptors of qualification levels**

Article 6

Each level and sub-level of qualifications referred to in Article 5 hereof, have been assigned a descriptor required for performing a job or for further learning. The qualifications are classified per levels, based on the complexity of learning outcomes.

Descriptors of qualification levels referred to in Item 1 of this Article have been provided in Annex 1 to this Law and constitute its integral part.

**Types of Qualifications**

Article 7

The types of qualifications within the NQFS are classified as follows:

1) general – primary education and gymnasium education comprising any type or profiles of gymnasiums, including the specialized gymnasiums, in keeping with the laws regulating the basic educational systems and the primary and secondary education;

2) vocational – vocational secondary education, secondary artistic education and trainings, in line with the law regulating the foundations of education system, vocational education, dual education and adult education;

3) academic – higher education acquired by completing the undergraduate academic studies, the master academic or doctoral studies, in line with the law regulating the higher education;

4) professional – higher education acquired at undergraduate professional, specialist professional and master professional studies, in line with the law regulating the higher education.

**Qualifications classification system**

Article 8

The system that governs the classification and coding of qualifications within the NQFS (hereinafter: CLASSNQFS), has been harmonized with the International Standard Classification of Education ISCED 13-F and contains the names of departments, sub-divisions and sub-sections in education and training to which the qualifications have been classified, including their numerical codes determining the qualification codes.

CLASSNQFS shall be set up by the Minister responsible for education.

The provisions of Paragraph 2 of this Article also lay down the relationship between CLASSNQFS and the field of work, i.e. scientific, artistic and/or professional fields within the educational and scientific and/or educational and artistic fields, set forth by the effective date of this Law.

**Method of acquiring the qualifications**

Article 9

Qualifications may be acquired through a formal or non-formal education and by recognizing prior learning.

In formal education, the general, professional, academic and vocational qualifications are acquired by completing the primary, secondary and/or higher education at verified educational institutions and/or accredited higher education institutions and study programs, which is followed by issuing of appropriate public document, in accordance with the laws regulating primary education, secondary education and higher education.

In non-formal education, professional qualifications are acquired through various activities of adult education with the PROAEA, which is followed by issuing of appropriate public document or certificate, in accordance with the law regulating adult education and/or any other law, in line with Article 39, Paragraph 3 hereof.

Upon the recognition of prior learning, professional qualifications are acquired with the PROAEA by implementing a special procedure for assessing of knowledge, skills and attitudes acquired through a working or life experience, in keeping with the qualifications standard, which is followed by issuing of appropriate public document or certificate, in accordance with the law regulating adult education.

**Career management and counselling**

Article 10

The services of career management and counselling shall provide the support to individuals in achieving progression through NQFS levels, thereby enabling the implementation of lifelong learning concept and facilitating labour mobility.

The services of career management and counselling shall be provided in line with the standards related to the career management and counselling adopted by the Minister responsible for education.

The services of career management and counselling shall be provided by the National Employment Agency and PROAEA, as provided by the law regulating adult education and higher education institutions, in accordance with the law regulating higher education.

The professional orientation program and/or career management and counselling of students, shall be implemented by primary and/or secondary schools, in accordance with the law regulating the primary and/or secondary education and the standards referred to in Paragraph 2 of this Article.

III BODIES AND INSTITUTIONS RESPONSIBLE FOR DEVELOPMENT AND IMPLEMENTATION OF NQFS

**NQFS Council**

Article 11

The NQFS Council (hereinafter: the Council) shall be established as the counselling body providing recommendations regarding the process of planning and development of human resources, in line with public policies in the field of lifelong learning, employment, career management and counselling.

**Composition of the Council**

Article 12

The Council shall have 25 members appointed by the Government, or specifically:

1) six members proposed by: the Ministry responsible for education, Ministry responsible for labour and employment, Ministry responsible for economy, Ministry responsible for youth, Ministry responsible for public administration and local self-government and Ministry responsible for health;

2) three members proposed by: the provincial secretariat responsible for education, provincial secretariat responsible for higher education and provincial secretariat responsible for labour and employment;

3) one member proposed by: the National Employment Agency;

4) two members proposed by: the Serbian Chamber of Commerce;

5) five members – representatives of higher education institutions, three of whom shall be proposed by the Conference of Universities and two by the Conference of Academies of Vocational Studies and Higher Education Institutions (hereinafter: the Conference of Academies and Higher Education Institutions);

6) two members – representatives of professional schools at the proposal of the association of professional schools;

7) one member – representative of gymnasiums, at the proposal of the association of gymnasiums;

8) two members, at the proposal of representative trade unions being the members of the Social and Economic Council of the Republic of Serbia;

9) two members, at the proposal of the representative employer associations, being the member of the Social and Economic Council of the Republic of Serbia;

10) one member – representative of civil society organizations, at the proposal of the body responsible for the coordination with CSOs.

The Council member’s term of office shall last four years.

The Council shall be chaired by a member representing the Ministry responsible for education.

The Government shall dismiss the Council member before the expiry of the term of office:

1) at personal request;

2) if the member fails to fulfil the duties of a Council member, or acts in the manner that harms the reputation of member’s duties, at the proposal of the organization that suggested his/her appointment.

In the event of a dismissal referred to in Paragraph 4 of this Article, the authorized proposing party shall propose to the Government the appointment of another member, within 30 days as of the date of the dismissal decision and the Government shall appoint the new member for the period until the end of the Council’s mandate, within 30 days as of the date of the proposal presented by the authorized proposing party.

The Council shall present to the Government their Work Report, no less than once in a year.

The Council shall adopt their own Rules of Procedure.

The administrative and technical activities of the Council shall be performed by the Qualifications Agency (hereinafter: the Agency).

**Responsibilities of the Council**

Article 13

The Council shall:

1) propose qualifications standards for all the levels within the NQFS;

2) propose to the Government the establishment of the sector skills council for the specific sector of work and/or activities;

3) provide recommendations about the processes of planning and development of human resources, in accordance with the strategic documents of the Republic of Serbia;

4) provide recommendations about the improvements in referencing the education to the labour market requirements;

5) provide opinion to the Ministry responsible for education on the recommendations of sector skills councils for the enrolment policy in secondary schools and higher education institutions;

6) monitor the work of sector skills councils and provide recommendations for improving the work, based on regular reports on the work of the sector skills councils;

7) provide opinion about the standards for self-assessment and external quality assurance of PROAEA;

8) perform other activities, in line with this Law.

**Agency**

Article 14

The Government shall establish the Agency, to perform the activities of quality assurance and providing professional support to the Council and other responsible organizations in relation to all aspects of the development and implementation of the NQFS.

The Agency shall have the status of a legal entity.

The work of the Agency shall be funded from the RS budget, its own resources, gifts (donations), contributions and other revenues generated in accordance with the law.

The Agency shall present to the Government the Report on its work for the previous year**, no later than until 1st March\* of the current year**, and exceptionally, periodical reports or reports on any performed assignment, at the request of the Ministry responsible for education that shall be delivered within the period of no less than 20 days.

The establishment, management and operation of the Agency shall be governed by the law regulating the public agencies.

**\*Official Gazette of RS no. 6/2020**

**Responsibilities of the Agency**

Article 15

The Agency shall:

1) consider initiatives for introducing new qualifications;

2) offer professional support to sector skills councils and prepare the proposal for qualification standards;

3) provide administrative and technical support to the work of sector skills councils;

4) maintain the Register and manage the entry of data into appropriate sub-registers;

5) classify and encode qualifications according to the CLASSNQFS system;

6) perform recognition of documents issued by foreign schools;

7) carry out the procedure for the recognition of a foreign higher education document for employment purposes (hereinafter: professional recognition), in accordance with this Law and the law regulating the higher education;

8) perform the first evaluation of a foreign study program under the procedure referred to in Item 7) of this Paragraph, in accordance with this law and the law regulating higher education;

9) issue approvals to other organizations for the purpose of obtaining the status of the PROAEA;

10) **determine the amount of fee for public services referred to in Items 6), 7) and 9) of this Paragraph;**

11) maintain records of professional recognition, in accordance with this law and the law regulating higher education;

12) conduct external quality assurance of the PROAEA, **minimum once within** the five-year validity period of the approval;

13) at request of the Ministry responsible for education, issue the report on compliance with the adult education curricula and the performance of the program and the staff;

14) prepare developmental policies, analyses and research relevant for the development of qualifications;

15) monitor and measure effects of the implementation of (new) qualifications, on the employment and lifelong learning;

16) propose improvement measures for quality assurance throughout the system;

16a) **provide information to persons who acquired professional recognition of their foreign higher education document, on the availability of professions laid down by individual regulations;\***

17) perform other assignments in accordance with the law.

The Agency shall perform the assignments referred to in Paragraph 1, Items 4), 6), 7), 9), 10) and 11) of this Article as the entrusted assignments.

**\*Official Gazette of RS no. 6/2020**

**Article 15a**\*

**The Qualifications Agency may form special expert commissions and teams for performing external quality assurance of PROAEA operations, verification of compliance of the adult education curricula activities in keeping with the qualifications standard in the process for acquiring the status of PROAEA and other operations under the responsibility of the Agency.\***

**The persons that qualify for appointment to special expert commissions referred to in Paragraph 1 of this Article are:**

**1) persons with appropriate education and minimum three years of professional experience in the field;\***

**2) employees of the Institute for Improvement of Education involved in the development of education;\***

**3) employees of the Institute for Education Quality and Evaluation, performing the evaluation of education quality;\***

**4) persons fulfilling the requirements for the job of a pedagogical advisor, as well as persons appointed as advisors – external associates, in accordance with the law laying down the fundamental system of education;\***

**5) teachers of higher education institutions, appointed as reviewers of the National Council for Higher Education, in accordance with the law regulating the higher education.\***

**Persons referred to in Paragraph 2, Item 1) of this Article shall be selected by way of a job competition.\***

**Persons referred to in Paragraph 2 of this Article may be appointed to expert teams providing support to Sector Skills Councils.\***

**Persons referred to in Paragraph 2 of this Article shall be entitled to remuneration in the amount defined by the Government.\***

**\*Official Gazette of RS no. 6/2020**

**Governing Bodies of the Agency**

Article 16

The Qualifications Agency has its governing body, management board, professional bodies and services performing administrative and technical operations.

The detailed requirements in terms of its operation, method and procedure of appointing and dismissing the Agency bodies shall be established by its Memorandum of Association and Articles of Association.

**Management Board**

Article 17

The Management Board has five members.

The Management Board president and members shall be appointed by the Government, **to the period of five years, with the option of two additional elections\***, specifically: three at the proposal of the Ministry responsible for education, one at the proposal of the Ministry responsible for labour and employment and one at the proposal of the Ministry responsible for economy.

**Persons appointed to the Management Board of the Agency may be those who fulfil the requirements for employment with the state authority, having higher education degree, minimum nine years of professional experience at the jobs of one or more than one fields under the responsibility of the Agency, who have not been employed in the Agency.**

A member of the Management Board of the Agency may not be a person convicted of a criminal act against legal conducting of traffic, against official duty, or of any other criminal act for which a sanction exceeding five years of imprisonment or a more severe sanction has been prescribed, unless such sanction has been cancelled in accordance with the law.

A member of the Management Board shall not be a person elected, appointed or nominated for a position in a state authority, body of the autonomous province or a local self-government, body of a political party or to perform a duty of managing an education institution and/or a higher education institution, nor a person being a member of the Council for Vocational and Adult Education, National Council for Higher Education, National Employment Agency or holding any managerial position at a legal entity or an entrepreneur performing education-related activities.

The Government shall dismiss a Management Board member prior to the expiry of his/her term of office:

1) at personal request;

2) if the member fails to fulfil the duties of a Management Board member, fails to meet the conditions for his/her nomination, fails to fulfil the obligations set forth by this law or a special law or the Memorandum of Association or if he/she has been convicted of a criminal act and sentenced to a prison for minimum six months;

**3) upon a reasoned request of an authorized proposing party.\***

In the event of a dismissal referred to in Paragraph 6 of this Article, the authorized proposing party shall propose to the Government the appointment of another member, within 30 days as of the date of the dismissal decision and the Government shall appoint the new member for the period until the end of the Management Board’s mandate, within 30 days as of the date of the proposal presented by the authorized proposing party.

**\*Official Gazette of RS no. 6/2020**

**Responsibilities of the Management Board**

Article 18

The Management Board shall:

1) adopt the annual Work Program of the Agency;

2) adopt the Financial Plan of the Agency;

3) adopt reports that the Agency presents to the founder;

4) adopt regulations and other general bylaws of the Agency, other than the Rulebook on internal organization and job classification of the Agency;

5) guides the work of the Director and issues work instructions for the Director;

6) monitors the operations of the public agency;

**7) establish the amount of fee charged for public services referred to in Article 15, Paragraph 1, Items 6), 7) and 9) hereof; \***

**8) propose the amount of fee charged to persons referred to in Article 15a, Paragraph 2 hereof, established by the Government;\***

9) perform other activities set forth by this law, the law regulating the work of public agencies or by the Memorandum of Association of the Agency.

The Management Board member shall be entitled to the remuneration for the work performed, in the amount established by the Government.

**\*Official Gazette of RS no. 6/2020**

**Director**

Article 19

The Director shall be appointed by the Government, to the period of five years, **with the possibility of two re-elections\***, in line with the law governing the public agencies.

**Responsibilities of Director**

Article 20

The Director shall:

1) represent and act on behalf of the Agency;

2) manage the work and operations of the Agency;

3) adopt the Rulebook on internal organization and job classification of the Agency;

4) adopt individual bylaws of the Agency;

5) decide on the rights, obligations and duties of the Agency staff;

6) prepare and implement the decisions adopted by the Management Board;

7) **deleted (see Article 7 of the Law - 6 / 2020-3);**

8) perform other assignments set forth by this law, the law regulating the public agencies or the Memorandum of Association of the Agency.

**Sector Skills Council**

Article 21

Sector Skills Council is the body established by the Government, at the proposal of the Council, operating as a social partnership.

The Government shall nominate the members of the Sector Skills Council from the field for which a council is being established, at the proposal of:

1) Serbian Chamber of Commerce and representative associations of employers whose companies are related to the field for which the sector skills council has been established;

2) Professional chambers and/or associations;

3) Council for vocational and adult education, among the experts in the field of vocational education and adult education;

4) Conference of Universities and Conference of Academies and Higher Education Institutions, among the teachers of higher education institutions;

5) National Employment Agency;

6) Ministries responsible for: education, employment and labour and activities for which the sector skills council is being established;

7) associations of vocational schools;

8) representatives of branch trade unions;

9) Institute for Improvement of Education, among the employed experts in the field for which the Sector Skills Council has been established and from other institutions, bodies and organizations relevant for the respective field of the Sector Skills Council.

The terms of office of Sector Skill Council members shall be five years.

The Government shall dismiss a member of the Sector Skills Council prior to the expiry of his/her term of office:

1) at personal request;

2) if the member fails to fulfil the duties of a Sector Skills Council member, or acts in the manner that harms the reputation of that duty, at the proposal of the organization that suggested his/her appointment.

**3) upon a reasoned request of an authorized proposing party.\***

In the event of a dismissal referred to in Paragraph 4 of this Article, the authorized proposing party shall propose to the Government the appointment of another member, within 30 days as of the date of the dismissal decision and the Government shall appoint the new member for the period until the end of the Sector Skills Council’s mandate, within 30 days as of the date of the proposal presented by the authorized proposing party.

Sector Skills Council may propose to the Agency to form the expert teams for the purpose of implementing the activities related to the specific qualifications.

The Sector Skills Council shall submit an annual Report on the work of the Agency to the Ministry responsible for education and to the Government, no later than by March 1st of the current year, for the previous calendar year.

The members of the Sectoral Skills Council and expert teams are entitled to the remuneration in the amount established by the Government.

**\*Official Gazette of RS no. 6/2020**

**Responsibilities of Sector Skills Councils**

Article 22

Sector Skills Council shall:

1) analyse the existing qualifications and define the required qualifications in the particular sector;

2) identify qualifications that need to be updated;

3) identify qualifications that no longer correspond to the needs of the sector;

4) adopt decisions on drafting the qualification standards within the sector;

5) provide opinion on expected outcomes of knowledge and skills within the sector;

6) promote a dialogue and direct cooperation between the labour and education;

7) promote possibilities for education, training and employment within the sector;

8) identify the possibilities for adult training within the sector;

9) consider the impact of the NQF on the qualifications within the sector;

10) propose the lists of qualifications per levels and types that may be acquired by the recognition of prior learning;

11) perform other activities in accordance with this Law.

**Ministry responsible for education**

Article 23

Ministry responsible for education shall:

1) monitor the implementation of this Law;

2) adopt the methodology of the qualification standard, at the proposal of the Agency;

3) reference the NQFS to EQF;

4) adopt the qualification standard;

5) adopt standards for self-assessment and external quality assurance of PROAEA;

6) promote the NQFS and different possibilities for learning and achieving the qualification standard;

7) perform the activities of the National coordination items;

8) perform other activities in accordance with this Law.

**Cooperation of institutions**

Article 24

The Council, Agency, competent ministries, National Employment Agency and Statistical Office of the Republic of Serbia shall align the activities with the aim of supporting the development and implementation of the NQFS and exchange the data from the records and databases maintained in accordance with the law.

IV QUALITY ASSURANCE IN THE IMPLEMENTATION OF NQFS

**Qualification standard**

Article 25

The qualification standard shall, based on this law and in keeping with the methodology referred to in Article 23, Paragraph 1, Item 2) hereof, in addition to the basic qualification data, include the data related to referencing the qualifications to the standard of a profession, thereby enabling the referencing of data from the educational system to the information from the labour market.

The qualification standard is the basis for the development of the education program for acquiring the qualifications, at all levels of education.

**Taking initiative in developing and adopting the qualification standard**

Article 26

The initiative in developing and adopting the qualification standard for a new qualification (hereinafter: the initiative) may be taken by the Sector Skills Council, Council for Vocational and Adult Education, National Education Council, National Council for Higher Education, National Employment Agency, higher education institutions, state authorities and other legal entities (companies, PROAEA and other).

The initiative referred to in Paragraph 1 of this Article shall contain an assessment of adequacy of a qualification, along with the initial proposal of qualification standard and it shall be presented to the Agency in the template whose content and form shall be defined by the Minister responsible for education.

If the qualification proposed at the initiative referred to in Paragraph 1 of this Article has been covered by some other qualification contained in the Register, the Director of the Agency shall accordingly notify the initiating party thereof, within 15 days as of the date of taking the respective initiative.

Where the qualification standard proposed by the initiative referred to in Paragraph 1 of this Article has not been covered by another qualification standard from the Register, the Agency shall submit the recommendation for the development of the qualification based on the initiative referred to in Paragraph 1 of this Article, to the appropriate sector skills council, within 15 days.

Where the Sector Skills Council is the initiating party, the Agency shall, based on the recommendation under Paragraph 4 of this Article, develop the qualification standard pursuant to the provisions of Article 27, Paragraph 5 hereof.

**Drafting of proposal for qualification standard**

Article 27

Within 30 days as of the date of submitting the recommendation referred to in Article 26, Paragraph 4 hereof, the Sector Skills Council shall adopt the decision on drafting the proposal for qualification standard and submit it to the Agency for the purpose of preparing the proposal.

If it concludes that the adoption of the proposed qualification standard is not justified, the Sector Skills Council shall pass a decision to reject such initiative, along with the appropriate explanation, and accordingly notify the Agency within 30 days as of the date of submitting the recommendation referred to in Article 26, Paragraph 4 hereof.

When the initiating party are the Ministry responsible for education, Ministry responsible for labour and employment, Ministry responsible for economy, the National Education Council, Council for Vocational and Adult Education and National Council for Higher Education, and higher education institutions, the decision referred to in Paragraph 2 of this Article shall, in addition to the explanation of the rejection, mandatorily contain the instructions for adjustments, including the deadline for submitting the adjusted initiative, about which the Sector Skills Council would adopt a decision, as referred to in Paragraph 1 of this Article.

The deadline for submitting the adjusted initiative referred to in Paragraph 3 of this Article may not be less than 30 days.

Within 60 days as of the date of receiving the decision referred to in Paragraph 1 of this Article, the Agency shall submit the qualification standard to the Council, in order to determine the proposal, and/or within eight days as of the date of submitting the decision referred to in Paragraph 2 of this Article, the Agency shall notify the initiating party thereof.

If the initiating party referred to in Paragraph 3 of this Article fails to submit the amended initiative within the deadline specified in Paragraph 4 of this Article, the initiative shall be deemed rejected.

Upon receiving the notification referred to in Paragraph 5 of this Article and Article 26, Paragraph 3 hereof, the initiating party may file a complaint to the Ministry responsible for education, within 15 days as of the date of receiving such notification.

**Complaint procedure**

Article 28

The Ministry responsible for education shall, within 30 days as of the date of submitting the complaint referred to in Article 27, Paragraph 7 hereof, appoint the Commission for providing the expert opinion about the initiative, formed by the employees of the Ministry and the Agency who have been performing the jobs related to the qualifications.

The members of the Sector Skills Council that adopted the decision to reject the initiative may not be appointed as members of the Commission specified in Paragraph 1 of this Article.

The Commission specified in Paragraph 1 of this Article shall submit to the Ministry the Report and the proposal for the adoption of the decision, within 30 days as of the date of appointment.

Within 30 days as of the date of submitting the proposal specified in Paragraph 3 of this Article, the Ministry shall undertake to return the initiative to the Agency and/or to the Sector Skills Council for the repeated decision making, and/or to notify the initiating party that the complaint is ungrounded.

The Agency and/or the Sector Skills Council shall undertake to adopt a decision within 30 days as of the date of returning the initiative for a repeated decision making, in keeping with the legal position of the Ministry.

If the Agency and/or the Sector Skills Council fails to act in accordance with the legal position of the Ministry, at the proposal of the initiating party, the Minister shall make a decision about the initiative within 30 days as of the date of receiving the proposal.

Where the Ministry adopts a decision to accept the initiative, as referred to in Paragraph 6 of this Article, it shall order to the Agency and/or the Sector Skills Council, to draft the proposed standard for the initiated qualification and submit it to the Council for the purpose of determining the proposal for the qualification standard, within 60 days as of the date of submitting such decision.

**Adoption of the qualification standard**

Article 29

Within 30 days as of the date of receiving the material referred to in Article 27, Paragraph 5 hereof, the Council shall determine the proposed qualification standard and submit it to the Ministry responsible for education.

Within 30 days as of the date of receiving the proposal referred to in Paragraph 1 of this Article, the Ministry responsible for education shall pass a bylaw to adopt the qualification standard and submit it to the Agency for the purpose of its entry into the Register.

The bylaw referred to in Paragraph 2 of this Article shall be published in the "Official Gazette of the Republic of Serbia – the Education Gazette".

If the Council fails to submit to the Ministry responsible for education the proposal referred to in Paragraph 1 of this Article within the specified deadline of 60 days as of the date of receiving the material as specified in Article 27, Paragraph 5 hereof, the Minister responsible for education shall adopt the decision on the initiative for adopting the qualification standard without the proposal by the Council.

**Register**

Article 30

The Register is composed of the sub-registers of national qualifications, sub-register of qualification standards and sub-register of the PROAEA with the employers with whom the PROAEA carries out the practical work.

The sub-register of national qualifications shall be set up, to enable the management of qualification data, classified per levels and types, in line with the CLASSNQFS.

The sub-register of qualification standard is set up to enable the management of data on qualification standard.

The PROAEA sub-register is set up for the purpose of managing the data about the PROAEA to whom the approvals have been either given or revoked, about the approved adult education activities and employers with whom the PROAEA carries out the practical work.

The Register referred to in Paragraph 1 of this Article is maintained by the Agency, in an electronic form.

The data from the Register referred to in Paragraph 1 of this Article shall be open and available over the official website of the Agency managed bilingually – in Serbian and English languages.

The content and method of maintaining the Register and sub-registers, including any other issues relevant for maintaining the Register, shall be set forth by the Minister responsible for education.

**Entry of qualifications in sub-register of national qualifications**

Article 31

The general and professional qualifications under levels 1 to 5 of the NQFS shall be entered by the Agency into the sub-register of national qualifications within eight days as of the date of receiving the bylaws referred to in Article 29, Paragraph 2 hereof.

The Agency shall enter the academic and vocational qualifications covering the levels 6.1 to 8 of the NQFS, accredited in accordance with the law regulating higher education, into the sub-register of national qualifications, upon receiving the notification on accreditation from the National Accreditation Body and Quality Assurance in higher education.

**Entry of standards into the sub-register of qualification standards**

Article 32

The Agency shall enter the standards of general, professional, academic and vocational qualification levels from 1 to 8 of the NQFS into the sub-register of qualification standards following the adoption of the bylaws referred to in Article 29, Paragraph 2 hereof.

V REFERENCING OF NQFS TO EQF

Article 33

Referencing of NQFS to EQF is the official process of establishing the relationship between appropriate levels of these two systems.

The information about referencing of NQFS levels to the EQF levels shall be entered into the respective box in the public document of acquired qualification at all levels, in line with the law and regulations governing the content and structure of the forms of public documents in secondary education, adult education and higher education.

To implement the process of referencing the NQFS to EQF and EHEA, the National Coordination Point shall be established (hereinafter: NCP), and it shall be responsible for:

1) drafting of the Report for referencing the NQFS to EQF;

2) presenting the Report to the EQF Advisory Group;

3) maintaining the communication with the EQF Advisory Group.

The activities of NCP shall be carried out within the Ministry responsible for education.

VI RECOGNITION OF FOREIGN SCHOOL DOCUMENTS

Article 34

A Republic of Serbia citizen who completed the primary or secondary school or individual classes of the school abroad, and/or who completed a foreign primary or secondary school in the Republic of Serbia, shall be entitled to request the recognition of acquired secondary school document.

A foreign citizen and a person without a citizenship, shall be entitled to request the recognition of a foreign school document, where this is in his/her legal interest.

A citizen of the Republic of Serbia, a foreign citizen or a person without a citizenship, having no appropriate foreign school document required for the process of recognition, may enrol in the appropriate class of the primary school, based on the previously assessed knowledge.

Upon its recognition, a foreign school document shall become equal to the appropriate public document acquired in the Republic of Serbia.

The procedure for the recognition of a foreign school document shall be conducted by the ENIC/NARIC centre, being the organizational unit of the Agency.

The procedure for the recognition of a foreign school document shall be carried out in line with the provisions of this law, unless otherwise prescribed by international agreements.

**Procedure for the recognition of a foreign school document**

Article 35

The process of the recognition of a foreign school document shall be governed by the provisions of the law regulating the general administrative procedure, unless otherwise laid down by this law.

The procedure referred to in Paragraph 1 of this Article shall take into consideration: the education system of the foreign country, duration of education, curricula and entitlements provided to the holder by such foreign school document and other circumstances relevant for decision making on that matter.

If after completing the procedure it is determined that the foreign curriculum significantly deviates from the national curriculum it has been compared with, its recognition shall require passing of specific exams, producing specific papers or knowledge assessment.

The Agency may entrust the arrangement of an exam and assessment of abilities and skills referred to in Paragraph 3 of this Article to an expert commission of the respective school.

The exams determined to be the precondition for the recognition of a foreign school document shall be taken in the respective school no later than by the date set by the Agency.

The prior assessment of knowledge referred to in Article 34, Paragraph 3 and Paragraph 3 of this Article shall be conducted by a team composed of class teachers and/or subject teachers, pedagogist and psychologist of the school, observing the standard of achievement and considering the best interest of the student.

A special expert commission referred to in Paragraph 4 of this Article shall be appointed in keeping with Paragraph 6 of this Article.

**Conditional enrolment**

Article 36

A student that filed an application for the recognition of the foreign primary school document may be conditionally enrolled in the next grade, if the procedure has not been completed by the beginning of the school year.

In the event referred to in Paragraph 1 of this Article, the school is obliged to immediately admit a student to the appropriate grade.

A person whose right to recognition of a foreign secondary school document is being considered, may be conditionally enrolled in the next grade, if the procedure has not been finalized by the expiry date for the enrolment of that student in the school.

A person whose right to recognition of a foreign secondary school document is being considered, may be conditionally enrolled in the first year of studies at a higher education institution, if the procedure has not been finalized by the expiry date for the enrolment of students.

**Decision on the recognition**

Article 37

A person requesting the recognition of a foreign school document shall enclose the original copy, **and/or a certified copy\*** of that document and its translation by a certified translator.

The decision on the recognition shall be final in the administrative procedure.

**The decision on professional recognition shall have the legal effect of a public document.\***

A summary of the decision shall be written on the original copy of the school document and on the copy of the translation (the recognition clause).

The decision on the recognition of a foreign school document on the completed secondary education shall contain the level of the NQFS to which the recognized qualification corresponds.

The Agency shall maintain records and permanently keep the documents on the recognition of the foreign school document both in an electronic for and as a hard copy.

The records referred to in Paragraph 5 of this Article shall include: family name, name of one parent and first name, date and place of birth, citizenship, name of the foreign institution that issued the document, place and state, duration, type and degree of education, number and date of the document on additional exams, number and date of the document on passing of additional exams, number and date of the Decision on the recognition of the foreign school document, a summary content of the wording from the Decision and the name and level of the NQFS that the recognized qualification corresponds to.

**\*Official Gazette of RS no. 6/2020**

VII PROFESSIONAL RECOGNITION OF FOREIGN HIGHER EDUCATION DOCUMENTS

**Procedure for the professional recognition**

Article 38\*

**The interested party shall file the request for the professional recognition to the Agency.\***

**Professional recognition shall be performed by the ENIC/NARIC centre, as the organizational part of the Agency, as per the prior assessment of a foreign study program, in line with this law and the law regulating the higher education.\***

**The assessment of a foreign study program referred to in Paragraph 2 of this Article, shall be conducted based on the type and level of achieved competences acquired upon completing the study program, unless otherwise laid down by an international agreement, taking into consideration the education system and/or the qualifications system in the country where the higher education document has been acquired, terms of enrolment, rights arising from the foreign higher education document in the country of its acquisition and other relevant facts, without reviewing the formal characteristics and the structure of the study program, in line with the principles of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (“Official Gazette of Serbia and Montenegro – International Agreements”, no. 7/03).\***

**A decision on the professional recognition shall specifically include: name, type, degree and duration (scope) of the study program and/or qualification specified in a foreign higher education document – in the original language and translated into Serbian, including the scientific, artistic and/or expert field within which the study program has been completed, and/or the type and level of the national qualification and the level of the NQFS to which that qualification corresponds.\***

**The Agency Director shall adopt a decision on the professional recognition within 60 days as of the date of receiving the duly filed request.\***

**The decision referred to in Paragraph 4 of this Article shall not release the holder from fulfilling special requirements for discharging the respective profession regulated by a separate law.\***

**The decision on the professional recognition shall be final.\***

**By way of derogation from Paragraph 3 of this Article, if the higher education document has been acquired at one of the top 500 universities ranked at one of the most recently announced world university rankings Shanghai ranking consultancy, US News and World Report Ranking or The Times Higher Education World University Rankings, the decision on professional recognition shall be adopted without conducting the procedure for assessment of the foreign study program referred to in paragraph 2 of this Article, within eight days as of the date of receiving the duly filed request.\***

**Unless otherwise set forth, the procedure of professional recognition shall be governed by the law regulating the general administrative procedure.\***

**The decision on the professional recognition shall have the legal effect of a public document.\***

**More detailed conditions concerning the procedure for the professional recognition shall be prescribed by the Minister responsible for education.**

**\*Official Gazette of RS no. 6/2020**

VIII ACQUISITION OF THE STATUS OF PUBLICLY RECOGNIZED ORGANIZER OF ADULT EDUCATION ACTIVITIES

**Publicly recognized organizer of adult education activities**

Article 39

The publicly recognized organizer of adult education in terms of this law shall be a legal entity (other institution, public agency, public enterprise, an employment organization, employment agency, company, organizations performing professional rehabilitation, entrepreneur, trade union, association, expert company, organization providing adult education (people’s, labour, open university, university of the third age etc.) centres and organizations for professional development, learning of foreign languages, information and communication technologies, training and development of human resources, training of drivers, chamber of commerce, centre for career management and counselling, employer associations, cultural and educational centres, cultural centres, hereinafter: other organizations) that has obtained the status of the PROAEA in accordance with this law.

A primary or secondary school may acquire the status of the PROAEA if they meet the detailed requirements for performing the adult education activities laid down in line with this law and have the decision on verification issued in compliance with the law regulating the fundamentals of education system.

By way of derogation from Paragraph 1 of this Article, the status of the publicly recognized organizer of activities shall be held by the state authorities and institutions that in accordance with the respective law perform professional training and other activities related to adult education, and/or other organizations that obtained the license from the competent state authority to perform professional training and other adult education activities, in line with the respective law.

More detailed requirements in terms of the program, staff, premises, equipment and teaching tools shall be prescribed by the Minister responsible for education.

**Adult education activities requiring the issuance of approvals**

Article 40

The status of a publicly recognized organizer of activities may be obtained for the following activities:

1) non-formal adult education whereby the adults acquire competences and/or qualifications for the performance, professional development or change of profession, job, function or operation, for the levels from 1 to 3 and 5 of the NQFS;

2) adult education improving the knowledge, skills and abilities, for the purpose of personal and professional development and socially responsible behaviour, improving the quality of life, general education and culture (through the non-formal and informal education) for the levels from 1 to 3 of the NQFS;

3) career management and counselling;

4) recognition of prior learning, involving a special procedure to assess the knowledge, skills and attitudes acquired through education, life or professional experience, for the levels from 1 to 3 and 5 of the NQFS, in keeping with the qualification standard and regulations adopted based on this law.

The request for obtaining the status of the PROAEA referred to in Paragraph 1, Item 4) of this Article may be filed exclusively by the primary and secondary school having the status of the PROAEA for the activities referred to in Paragraph 1, items 1)-2) of this Article.

By way of derogation, it is possible to acquire the qualification level 4 of the NQFS at the secondary school referred to in Paragraph 2 of this Article, in the procedure for the recognition of prior learning, provided that the candidate has completed the program for acquiring the competences, in line with Article 63a of the Law on Secondary Education ("Official Gazette of RS ", no. 55/13 and 101/17).

Standards and methods of conducting the procedure for the recognition of prior learning shall be prescribed by the Minister responsible for education.

**Procedure for issuing the approval to primary and secondary schools**

Article 41

The primary and secondary schools shall obtain the status of the PROAEA in the procedure for obtaining the approval for expanded activities, in line with the provisions of the law regulating the fundamentals of education system and with this law.

In the procedure referred to in Paragraph 1 of this Article, the Ministry responsible for education shall obtain the report on eligibility in terms of the plan and program of adult education activities, method of their acquisition and the staff, including the report on the completed verification of eligibility in terms of premises, equipment, teaching tools, pursuant to the provisions of Article 42, Para 2, 3, 5, 6. and 7 hereof.

The validity of the approval issued to the primary and secondary schools shall be five years.

Any external verification of quality, self-assessment or revocation of the approved status of the PROAEA imposed to the primary and secondary schools shall be governed by this law.

**Procedure for issuing approvals to other organizations**

Article 42

Other organizations shall file their requests for issuing approvals for the status of the PROAEA to the Agency.

The request referred to in Paragraph 1 of this Article shall contain: name, business activity, seat of the applicant, including the proposed program of adult education activities.

The proposed adult education activities program shall contain the plan and program of adult education activities and the method of their achievement, conditions prescribed for conducting the adult education activities regarding the space in which such activities will be carried out, the required equipment and resources, including the number of required experts who will be engaged in performing the adult education activities.

The request shall be accompanying with the evidence of eligibility and the proof of the payment of national administrative fee.

Within 45 days as of the date of receiving the duly filed request, the Agency shall make a report about the eligibility in terms of the plan and program for adult education activities, method of their accomplishment and the staff, in keeping with the qualification standard.

Where the Agency determines the eligibility of the plan and program for adult education activities and the method of their accomplishment, it shall refer the request to the education inspection for the purpose of establishing the eligibility in terms of space, equipment and teaching tools in order to issue the approval.

Where the report referred to in Paragraph 5 of this Article is negative, the Agency Director shall pass a decision rejecting the request.

Within 30 days as of the date of receiving the request referred to in Paragraph 6 of this Article the education inspector shall submit to the Agency the Report on completed verification of eligibility.

Within ten days as of the date of receiving the report of the education inspector referred to in Paragraph 8 of this Article the Agency Director shall adopt a decision about the request for issuing the approval.

The Decision referred to in **Paragraphs 7 and 9\*** of this Article shall be final in the administrative procedure.

The approval validity shall be five years.

Any other organization shall also file the request for amending the approval in the case of undergoing any status change, upon changing a seat and/or premises or introducing a new adult education activity.

**\*Official Gazette of RS no. 6/2020**

**Revocation of approval**

Article 43

The approval shall be revoked to other organizations if it:

1) no longer fulfils the requirements for issuing the approval or the adult education activities are conducted contrary to this law and the law regulating adult education, as indicated in the report of the education inspector;

2) in the course of performing the activities, it conducts an offence of a criminal act in relation to the adult education activities;

3) in the course of external quality assurance, it is determined that it no longer fulfils the obligations related to the quality.

The decision on revocation of approval of the PROAEA status to other organizations shall be passed by the Agency Director.

The Decision referred to in Paragraph 2 of this Article shall be final.

The PROAEA that has been revoked the approval for the reasons specified in Paragraph 1 of this Article shall be allowed to initiate the procedure for obtaining the approval for acquiring the status of the PROAEA only after the expiry of two years as of the date of work approval revocation.

IX SUPERVISION

Article 44

The supervision over the implementation of this law shall be conducted by the Ministry responsible for education, in accordance with the law.

X TRANSITORY AND FINAL PROVISIONS

**Deadline for adopting subordinate legislation**

Article 45

The subordinate legislation for implementing this law shall be adopted within one year as of the effective date of this law.

**Deadline for establishing the Council**

Article 46

The Government shall appoint the members of the Council within three months as of the effective date of this law.

By the time the Agency starts operating, the administrative and technical assistance for the Council shall be provided by the Minister.

**Deadline for establishing the Agency**

Article 47

The Government shall adopt Memorandum of Association for the Agency, within nine months as of the effective date of this law.

As of the date of starting its operations, the Agency shall take over the employees of the ENIC/NARIC centre from the Ministry of Education, Science and Technological Development, including the funds for the salaries, allowances and other remunerations for these employees, as well as the rights, obligations, resources, equipment, items required for their work and the archives for performing the work as set forth by this law.

As of the date of starting its operations, the Agency shall take over from the Institute for Improvement of Education from the Centre for Vocational and Adult Education that perform the preparation of qualification standards for education profiles in vocational education, funds for the salaries, allowances and other remunerations for these employees, including the rights, obligations, resources, equipment, items required for their work and the archives for performing the work as set forth by this law.

**Alignment of operations**

Article 48

Responsible institutions, organizations and bodies shall undertake to align their work and organisation with this law, within the period of one year as of the effective date hereof.

**Equivalence of existing qualifications**

Article 49

Degree of vocational education and/or education degrees, professional, academic or scientific titles acquired according to regulations in place by the time of adopting this law, shall be equivalent to the levels of the NQFS set forth by this law, in particular:

1) primary education shall be equivalent to level 1 of the NQFS;

2) one-year vocational training that until the effective date of this law corresponded to the first degree of vocational education and the two-year education for work that by the time of adopting this law corresponded to the second degree of vocational training, shall be equivalent to level 2 of the NQFS;

3) three-year secondary education that by the effective date of this law corresponded to the third degree of vocational education, shall be equivalent to level 3 of the NQFS;

4) four-year secondary education that until the effective date of this law corresponded to the fourth degree of vocational education, shall be equivalent to level 4 of the NQFS;

5) education acquired in school for talented student that by the effective date of this law corresponded to the fourth degree of vocational education, shall be equivalent to level 4 of the NQFS;

6) specialized education that by the effective date of this law corresponded to the fifth degree of vocational education, shall be equivalent to level 5 of the NQFS;

7) professional title acquired by the completion:

(1) up to three-year college studs that by the effective date of this law corresponded to the professional title of the first-degree vocational studies, shall, considering the rights arising from that education, be equivalent to level 6.1 of the NQFS,

(2) the part of study program of undergraduate studies at faculties, that after its completing a person acquires the first degree of higher education, that by the effective date of this law, considering the rights arising from that education was equal to the professional title of the undergraduate studies with minimum 180 ESPB credits, shall be equivalent to level 6.1 of the NQFS,

(3) undergraduate studies at the faculties, in the duration of minimum three years, that by the effective date of this law, considering the rights arising from that education was equal to the professional title of undergraduate academic studies with minimum 180 ESPB credits, shall be equivalent to level 6.1 of the NQFS,

(4) specialist vocational studies of the second degree, in accordance with the Law on Higher Education ("Official Gazette of RS", no. 76/05, 100/07 – authentic interpretation, 97/08, 44/10, 93/12, 89/13, 99/14, 45/15 – authentic interpretation, 68/15, 87/16 and 88/17 - state law), shall be equivalent to level 7.1 of the NQFS,

(5) undergraduate studies at the faculties in the duration from four to six years, that that by the effective date of this law, considering the rights arising from that education was equal to the professional title of a master and/or graduate master, shall be equivalent to level 7.1 of the NQFS;

8) academic title acquired after completing the specialist studies at the faculty, that that by the effective date of this law, considering the rights arising from that education was equal to the academic title of a second-degree specialist of academic studies, shall be equivalent to level 7.2 of the NQFS;

9) academic title of the Master of Sciences acquired after completing the master studies and/or selected master theses, that by the effective date of this law, considering the rights arising from that education was equal to the scientific title of the master of sciences, shall be equivalent to level 7.2;

10) the scientific degree of the Doctor of Sciences, acquired after completing the doctoral studies and/or selected doctoral theses, that by the effective date of this law, considering the rights arising from that education was equal to the scientific title of the doctor of sciences, shall be equivalent to level 8.

**Proposed qualification standard by the establishment of the Sector Skills Council**

Article 50

By the time of establishing the Sector Skills Council in accordance with this law, the decision about drafting the proposed qualification standards shall be passed by the Agency at the proposal of the special commission formed for each individual initiative for the adoption of a qualification standard.

The Agency shall appoint the commission referred to in Paragraph 1 of this Article, pursuant to the provisions of Article 21 hereof, within 30 days as of the date of submitting the recommendation specified in Article 26, Paragraph 4.

By the adoption of the standard for professions, in accordance with the employment-related regulations referencing of qualification standards to the labour market shall be established based on the particulars about professions established based on the labour and employment regulations until the effective date of this law.

**Initiated procedures**

Article 51

Until the beginning of the work of ENIC/NARIC centre in accordance with this law, the procedure for professional recognition shall be conducted in keeping with the law regulating the higher education.

The procedure for professional recognition of a foreign higher education document, and/or for the assessment of a foreign study program for the purpose of employment, initiated before the beginning of the work of ENIC/NARIC centre in accordance with this law, shall be completed as provided in the relevant regulations.

Any initiated procedures for issuing the approval for acquiring the PROAEA status according to the regulations that were applied until the effective date of this law, shall be completed as provided in those regulations.

Until the beginning of the work of the Agency in accordance with this law, the procedure for issuing the approval for acquiring the PROAEA status shall be conducted in line with the Law on Adult Education ("Official Gazette of RS", no. 55/13 and 88/17 - state law).

Until the beginning of the work of ENIC/NARIC centre in accordance with this law, the procedure for the recognition of foreign school documents shall be published in line with the law regulating the primary education and the law regulating the secondary education.

Procedures for the recognition of foreign school documents initiated by the effective date of this law, shall be completed in keeping with those regulations.

**Establishment of the Register**

Article 52

Until the establishment of the Register, the Ministry shall maintain the electronic database of qualifications.

Upon the establishment of the Register, the Agency shall take over the database referred to in Paragraph 1 of this Article and maintain the sub-register of national qualifications.

**Ineffectiveness of other regulations**

Article 53

As of the beginning of operation of the Agency, in accordance with this law, the following regulations shall become ineffective:

1) provisions of Art. 17-19, 24-27, 42 and 65 of the Law on Adult Education ("Official Gazette of RS", no. 55/13 and 88/17 – state law), in the part referring to the procedure for issuing the approval to other organizations performing the activities and having the seat within the territory of autonomous province;

2) provision of Article 41, Para 1, Item 3) Law on Foundations of Education System ("Official Gazette of RS", number 88/17).

The subordinate legislation bylaw adopted based on Article 17 of the Law on Adult Education shall be applied by the time of adopting the subordinate legislation bylaw in accordance with this law.

As of the beginning of operation of the ENIC/NARIC, in accordance with this law, the following regulations shall become ineffective:

1) provisions of Art. 130, Para 1, in the part referring to the recognition of the foreign higher education document for the purpose of employment, Article 131, Para 3, in the part regulating that the ENIC/NARIC centre constitutes the organizational unit of the Ministry, Article 131, Para 4 and Article 133 of the Law on Higher Education ("Official Gazette of RS", number 88/17);

2) provisions of Art. 86-89 of the Law on Secondary Education ("Official Gazette of RS", no. 55/13 and 101/17);

3) provisions of Art. 96-99 of the Law on Primary Education ("Official Gazette of RS", no. 55/13 and 101/17).

**Effective date**

Article 54

This law shall enter into force on the eighth day as of the date of its publishing in the “Official Gazette of the Republic of Serbia”.

**PROVISIONS NOT INCLUDED IN THE “CONSOLIDATED TEXT” OF THE LAW**

***Law on Amendments to the Law on National Qualifications Framework in Serbia: "Official Gazette of RS” no. 6/2020-3***

**Article 13**

**The Agency shall announce the competition referred to in Article 3 hereof, within 30 days as of the effective date of this law.**

**Article 14**

**The process of professional recognition of foreign higher education documents shall commence as of the effective date of this law and it shall be finalized in accordance with the provisions of this law.**

**Article 15**

**The following provisions shall be superseded as of the effective date of this law:**

1. **Article 150, Paragraph 7 of the Law on Higher Education (“Official Gazette of RS”, no. 88/17, 27/18 – other law, 73/18 and 67/19);**
2. **Article 62 in the part referring to expert-pedagogical control and Article 63 of the Law on Adult Education (“Official Gazette of RS”, no. 55/13, 88/17 – other law and 27/18 – other law);**

**Article 16**

**This Law shall enter into force on the eighth day as of its announcement in the “Official Gazette of the Republic of Serbia”.**

***PUBLISHER’S NOTE: New Annex 1 has been introduced by the Law on Amendments to the Law on National Qualifications Framework in Serbia: "Official Gazette of RS” no. 6/2020) in lieu of the former Annex 1 (see Article 12 of the Law – 6/2020-3).***

ANNEX 1

|  |  |  |  |
| --- | --- | --- | --- |
| **LEVEL** | KNOWLEDGE | SKILLS | ABILITIES AND ATTITUDES |
|  | A person with acquired qualification level: |  |  |
| **1.** | Has basic general knowledge enabling a continual learning | Applies skills required for performing simple and predictable tasks | Performs tasks or learns following simple oral or written instructions, under a direct supervision |
| **2.** | Has general and professional knowledge about facts and basic principles required for work and/or learning | Applies skills required for performing less complex, predetermined technical assignments;  Handles tools and machines with detailed technical instructions, using the prescribed materials for the work | Performs tasks in line with the determined technical and technological procedures, with occasional supervision; Responsible for the implementation of defined procedures, means and organization of own work |
| **3.** | Has general and expert knowledge about facts, basic principles and processes required for work and/or learning | Applies skills required for performing medium complex, diverse and occasionally non-standard technical assignments; Collects and selects relevant information; Handles the specialized equipment, machines and plants using different materials | Independently performs the work, observing the technical and technological procedures;  Organizes own work and/or the work of others; Responsible for the choice of procedures and means used for own work; Takes initiative at work |
| **4.** | Has systematic and comprehensive knowledge required for work and/or learning | Applies skills required for performing complex, varied, often non-standard assignments using different methods and techniques;  Conducts critical selection of relevant information collected from different sources to be applied in work or learning;  Handles different types of equipment, machines and plants using different materials | Independently performs the work with occasional consultations;  Organizes and controls own work and/or the work of minor groups; Identifies problems and participates in their solving; Responsible for the choice of procedures and means used for own work and/or the work of others |
| **5.** | Has specialized expert knowledge required for the work | Applies skills required for performing complex, specific and prevailingly non-standard assignments requiring the participation in creating new solutions; Handles the specialized equipment, machines and plants using different materials | Performs work with a high degree of independence in decision making; Organizes, controls and performs self-assessment of own work and/or work of others, including the training of others for work; takes on the responsibility for defining own way and method of work, including the technical work of others;  Demonstrates initiative in enhancing the work process and problem solving under unpredictable situations |
| **6.1** | Has progressive academic and/or expert knowledge related to the theory, principles and processes including the evaluation, critical understanding and implementation in the field of learning and/or work | Solves complex problems in the field of learning and/or work under standard circumstances; Applies the skills of effective communication in the interaction and cooperation with others belonging to different social groups;  Uses equipment, instruments and devices relevant for the field of learning and/or work | Takes initiative in solving problems under standard circumstances; Independently and with full responsibility manages complex projects; Implements ethical standards of his/her profession; Organizes, controls and trains others for work; Analyses and evaluates different concepts, models and principles of theory and practice; Demonstrates a positive attitude towards the importance of lifelong learning in personal and professional development |
| **6.2** | Has progressive academic and/or expert knowledge related to the theory, principles and processes including the evaluation, critical understanding and implementation in the field of learning and/or work | Solves problems in the field of learning and/or work under extraordinary circumstances; Applies skills of effective communication in the interaction and cooperation with others belonging to different social groups;  Uses equipment, instruments and devices relevant for the field of learning and/or work | Takes initiative in solving problems under extraordinary circumstances; Independently and with full responsibility manages complex projects; Implements ethical standards of his/her profession; Organizes, controls and trains others for work;  Analyses and evaluates different concepts, models and principles of theory and practice, by enhancing the existing practice;  Demonstrates a positive attitude towards the importance of lifelong learning in personal and professional development |
| **7.1** | Has highly specialized academic and/or expert knowledge related to the theory, principles and processes including the evaluation, critical understanding and implementation in the field of learning and/or work | Solves complex problems in an innovative way, thus contributing to development in the field of learning and/or labour; Manages and conducts complex communication, interaction and collaboration with others belonging to different social groups;  Applies complex methods, instruments and devices relevant to the field of learning and/or work | Displays entrepreneurial skills and takes on managerial tasks and duties; Manages the most complex projects independently and with full responsibility; Plans and implements scientific and/or applied research; Controls the work and evaluates the performance of others in order to improve the existing practice |
| **7.2** | Has highly specialized academic knowledge related to the theory, principles and processes including the evaluation, critical understanding and implementation in the field of learning and/or work | Solves complex problems in an innovative way, thus contributing to development in the field of labour;  Manages and conducts complex communication, interaction and collaboration with others belonging to different social groups;  Applies complex methods, instruments and devices relevant to the field of learning and/or work | Displays entrepreneurial skills and takes on managerial tasks and duties;  Manages the most complex projects independently and with full responsibility;  Controls the work and evaluates the performance of others in order to improve the existing practice |
| **8.** | Has exceptional theoretic and practical knowledge required for a critical analysis and original research in fundamental and applied sciences, with the aim of expending and redefining the existing knowledge, science or the field of work. | Applies progressive and specialised skills and techniques in solving crucial problems in the research and required for the expansion of and redefining the existing knowledge or the field of work; Implements communication skills in explaining and criticizing the theories methodologies and conclusions, including the presentation of results of research with reference to international standards and scientific community; Develop new tools, instruments and mechanisms relevant for the field of science and work | Independently evaluates the contemporary results and achievements in order to improve the existing and create new models, concepts, ideas and theories;  Demonstrates innovations, scientific and professional integrity and commitment to the development of new ideas and/or processes in the focus of work or science, applying the principle of self-evaluation of their work and achievements;  Design, analyse and implement research that makes a significant and original contribution to general knowledge and/or professional practice;  Manages interdisciplinary and multidisciplinary projects;  Able to independently initiate national and international cooperation in science and development. |