

The Law of Georgia on the Establishment of a Legal Entity under Public Law - the Institute of Technology

Article 1- Aim of the Law

The aim of this Law is to define legal characteristics of the establishment and operation of a legal entity under public law - the Institute of Technology (the Institute of Technology) as an educational complex for fundamental and applied sciences.

Article 2- Legal grounds for the activities of the Institute of Technology

1. Legal grounds for the activities of the Institute of Technology are: the Constitution of Georgia, the international Agreements of Georgia, this Law, the statute of the Institute of Technology and other legal acts.
2. The current legislation of Georgia in the fields of science and education shall be applied to the Institute of Technology by taking account of the characteristics defined by this Law.

Article 3- Legal status and structure of the Institute of Technology

1. The Institute of Technology is a legal entity under public law, independent from state government bodies, and subject to state control by the Government of Georgia, and established by this Law, which delivers educational programmes and conducts scientific research independently.
2. The structure and powers of the organisational units of the Institute of Technology, as in a higher educational research institution, shall be determined by the statute of the Institute of Technology, which shall be approved by the Government of Georgia upon the recommendation of the executive director of the Institute of Technology (the Executive Director) in agreement with the International Advisory Council of the Institute of Technology (the International Advisory Council) and with the Scientific Council of the Institute of Technology (the Scientific Council).
3. The Institute of Technology shall be construed as authorised upon the approval of the statute of the Institute of Technology and of the regulations of the Scientific Council.

Article 4- Goals and fields of activities of the Institute of Technology

1. The goals of the Institute of Technology are: Creation of an up-to-date scientific-theoretical and experimental base to ensure the existence of an efficient model for the integration of science and education in Georgia; development of higher education and inter-sectoral study and research programs; foster training of highly qualified scientific personnel and the development of an innovative economy .
2. Fields of activities of the Institute of Technology are: ensuring opportunities for the implementation of multi-profile, multi-methodological, and inter-sectoral scientific research on the basis of the development of research infrastructure; the introduction of research outcomes in medicine and other sectors of science, the training of the competitive personnel in specialisations such as physics, chemistry, biology, computer science and engineering, and awarding them relevant academic degrees.
3. The joint educational and research programs between the Institute of Technology and other research and educational institutions shall be carried out on the basis of mutual agreement.

Article 5- The functions of the Institute of Technology

The functions of the Institute of Technology are:

- a) support the development of scientific research for the Hadron therapy method;
- b) define fundamental research fields on the basis of the business profile of the Institute of Technology and gain international recognition; encourage students to realise their personal potential, to develop creative skills and to gain competences in compliance with modern requirements;
- c) train research personnel and ensure appropriate conditions for the implementation of up-to-date scientific and experimental research;
- d) ensure appropriate conditions for the continuous improvement of the quality of education and science;
- e) deliver Doctoral Educational Programmes, Master's Educational Programmes and postgraduate research programmes;
- f) facilitate the introduction of technologies;
- g) participate in international scientific research practices and implement activities coordinated with donor organisations;
- h) create sectoral and inter-sectoral educational programmes and define new directions for scientific research;
- i) carry out consulting activities with foreign partners, and collaborate with other international educational and scientific organisations.



Article 6 - Managerial bodies of the Institute of Technology

Managerial bodies of the Institute of Technology are: the Executive Director, the International Advisory Council and the Scientific Council.

Article 7 - Executive Director

1. The Prime Minister of Georgia, upon the recommendation of the Scientific Council, shall appoint the Executive Director for a five year term of office and shall dismiss him/her from the office.
2. The Executive Director shall:
 - a) manage the activities of the Institute of Technology and represent it in relations with third parties;
 - b) conclude transactions, contracts, and agreements on behalf of the Institute of Technology in academic and scientific fields in the country, as well as abroad;
 - c) make decisions and issue individual legal acts within its authority;
 - d) develop the statute of the Institute of Technology and submit it for approval to the Government of Georgia in agreement with the International Advisory Council and the Scientific Council;
 - e) select candidates for the membership on the International Advisory Council from among the world's leading scientists and nominate them to the Scientific Council for approval;
 - f) create teaching and scientific research quality assurance mechanisms on the basis of the recommendations of the International Advisory Council;
 - g) approve educational programmes in agreement with the International Advisory Council and the Scientific Council;
 - h) define international partnership relations;
 - i) review the opinions and recommendations of the International Advisory Council;
 - j) organise conferences, seminars, symposia and other events;
 - k) manage the funds and property of the Institute of Technology in the manner laid down in the legislation of Georgia;
 - l) exercise other powers defined by the statute of the Institute of Technology and the legislation of Georgia.

Article 8 - International Advisory Council

1. The Scientific Council, upon the recommendation of the Executive Director, shall approve the composition of the International Advisory Council for a five-year term.
2. The International Advisory Council is an authority for the control of quality of teaching and scientific activities of the Institute of Technology, which shall:
 - a) assess the compliance of educational programmes with the requirements for external referral and peer review;
 - b) approve the statute of the Institute of Technology;
 - c) carry out periodic monitoring of educational and scientific activities of the Institute of Technology and discuss results of such monitoring during conferences.
3. Other powers and rules of procedure of the International Advisory Council shall be defined by regulations of the International Advisory Council, which shall be approved by the International Advisory Council upon the recommendation of the chairperson of the International Advisory Council.
4. The International Advisory Council shall elect the chairperson of the International Advisory Council for the term of office of the International Advisory Council from among the members of the International Advisory Council by a majority of votes.

Article 9 - Scientific Council

1. The scientific Council is a self-government body of the Institute of Technology. Scientific and academic positions of the Institute of Technology are held by persons (professors and emeritus professors) who directly participate in the educational processes, or who carry out scientific research. A meeting of the Scientific Council shall be convened once a month. An extraordinary meeting of the Scientific Council shall be convened at the request of the Executive Director.
2. The chairperson of the Scientific Council shall head the meetings of the Scientific Council, who shall be elected by the Scientific Council from among its members by a majority of votes.



3. The Scientific Council shall:

- a) review and approve the strategic development plan of the Institute of Technology;
- b) approve the statute of the Institute of Technology;
- c) approve the composition of the International Advisory Council;
- d) select a candidate for Executive Director through procedures defined by the statute of the Institute of Technology and nominate him/her to the Prime Minister of Georgia for appointment to the office;
- e) exercise other powers defined by the statute of the Institute of Technology.

Article 10 - Specifics of the educational activities carried out by the Institute of Technology

- 1. The Institute of Technology shall deliver higher educational programmes and postgraduate research programmes independently, in compliance with international standards, which may not be lower than the standards established by the State in the relevant field.
- 2. The Institute of Technology shall develop procedures for the employment of persons with academic degrees (scientific staff, post-doctoral students, associated employees and other persons) on the basis of term labour contracts.
- 3. The procedure for the election of professors, and matters related to the awarding of academic degrees, recognising academic credits and other organisational and structural matters associated with the activities of the Institute of Technology shall be defined by the statute of the Institute of Technology.
- 4. The International Advisory Council, on the basis of the recommendation of the Executive Director, shall assess the compliance of educational programmes with the requirements for external referral and peer review. In the case of a positive opinion of the International Advisory Council, the educational programmes shall be approved by the Executive Director, following which the educational programmes shall be deemed accredited.
- 5. The educational programmes delivered by the Institute of Technology shall be recognised by international accreditation agencies within 10 years after their accreditation.
- 6. The Institute of Technology may establish additional requirements to be introduced in the Institute in appropriate fields for doctoral students, and candidates for doctor's and master's degrees.
- 7. The document certifying an academic degree (diploma) awarded by the Institute of Technology shall be issued for persons who have completed a full course of relevant educational programmes delivered by the Institute of Technology in accordance with the procedures established by the legislation of Georgia.
- 8. The document certifying an academic degree (diploma) awarded by the Institute of Technology shall be recognised by the State.

Article 11 - Property of the Institute of Technology

The State shall transfer appropriate property to the Institute of Technology upon the foundation of the Institute in the manner laid down by the legislation of Georgia.

Article 12 - Financing of the Institute of Technology

- 1. The sources of financing of the Institute of Technology are:
 - a) target funds allocated from the State Budget of Georgia;
 - b) income received from works performed under contract;
 - c) grants;
 - d) donations;
 - e) other income permitted by the legislation of Georgia.
- 2. Funds and income provided for by paragraph 1 of this article shall only be used for implementing the goals of the Institute of Technology and for the performance of its functions.

Article 13 - State control of the Institute of Technology

- 1. The Government of Georgia shall implement state oversight of the Institute of Technology.
- 2. The Executive Director once a year shall submit to the Government of Georgia a report on the activities implemented by the Institute of Technology.



Article 14 - Procedures for the termination of activities and for the liquidation of the Institute of Technology

Termination of the activities of the Institute of Technology and its liquidation shall be carried out in the manner laid down by the legislation of Georgia.

Article 15 - Transitional Provisions

1. The Prime Minister of Georgia shall:

- a) appoint the Executive Director within 10 days after the entry into force of this Law, before the appointment of the Executive Director in the manner laid down in Article 7(1) of this Law;
- b) appoint the Chairperson of the International Advisory Council within 10 days after the entry into force of this Law, before the appointment of the Chairperson of the International Advisory Council in the manner laid down in Article 8(4) of this Law;
- c) approve members of the International Advisory Council upon the recommendation of the Chairperson of the International Advisory Council within one month after appointment of Chairperson of the International Advisory Council, before approval of the members of the International Advisory Council in the manner laid down in Article 8(1) of this Law.

2. The Government of Georgia shall approve the statute of the Institute of Technology upon the recommendation of the Executive Director within three months after the appointment of the Executive Director, before the approval of the statute of the Institute of Technology in the manner laid down in Article 3(2) of this Law.

3. The International Advisory Council shall approve its regulations within two months after approval of the members of the International Advisory Council.

4. The Institute of Technology shall:

- a) approve and carry out infrastructure projects and create base laboratories within two years after its authorisation;
- b) ensure designing, installation and putting in operation of the Hardon Accelerator within three years after the creation of infrastructure projects and after the establishment of base laboratories.

5. The manager of state property shall ensure the transfer of relevant property to the Institute of Technology within one month after its request.

Article 16 - Entry into force of the Law

1. This Law, except for Article 5(e) of this Law, shall enter into force on the 15th day after its promulgation.

2. Article 5(e) of this Law shall enter into force as of 1 January 2017.

President of Georgia

Giorgi Margvelashvili

Kutaisi

25 November 2015

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