

**MINISTRY FOR SCIENCE, TECHNOLOGY
AND HIGHER EDUCATION**

Regulatory Order No. 42/2008

Considering that, under the terms of Article 172 (1) of Law No. 62/2007 of 10 September, higher education institutions must review their statutes so that they comply with the new legal framework for higher education institutions;

As the New University of Lisbon has approved its new Statutes under the terms of the said Article 172 and submitted them for ministerial ratification;

As they were assessed under the terms of the said law;

Under the terms of Article 69 of Law No. 62/2007 of 10 September:

I determine as follows:

1. The Statutes of the New University of Lisbon are ratified and will be published in the appendix to this order.

2. This order shall enter into force on the day after its publication in the *Diário da República*.

18 August 2008. The Minister for Science, Technology and Higher Education, *José Mariano Rebelo Pires Gago*.

Diário da República, 2nd series – No. 164 – 26 August 2008

APPENDIX

Statutes of the New University of Lisbon

CHAPTER I

Identity and mission

Article 1.

Identity

The New University of Lisbon (*UNL – Universidade Nova de Lisboa*) is identified as a university institution with internationally recognised research and quality teaching, progressively oriented towards second and third cycle education, capable of providing high levels of professional success to its students and providing relevant services to the community, national and international; a university with distinct elements at national level, both in training programmes and in pure and applied research, and with strategic partnerships of excellence.

Article 2.

Mission

The mission of UNL, as a university institution that wishes to be a reference, is broken down as follows:

a) Competitive research at international level, specialising in interdisciplinary areas, including research aimed at resolution of the problems that affect society;

b) Teaching of excellence, with a growing emphasis in the second and third cycles, but based on solid primary cycle levels, through competitive academic programmes at national and international level, praising merit as the essential measure of assessment;

c) A broader base of inter-institutional participation, geared towards integration of the various scientific cultures, with a view to creating innovative synergies for teaching and for research;

d) The provision of quality services, both nationally and internationally, capable of making a relevant contribution to social development and to qualification of human resources, giving particular attention to the countries where Portuguese is spoken.

Article 3

Evaluation

1. Apart from participation in the processes of evaluation of teaching and research, in collaboration with the competent bodies, the UNL promotes and applies instruments of self-assessment, intended to ensure the permanent quality of its activities.

2. The results of the evaluation and of the self-assessment are necessarily reflected in the allocation of resources and the adoption of quality improvement measures.

CHAPTER II

Bodies

Article 4.

Enumeration

1. The UNL is made up of the following bodies:

- a) General Council;
- b) Rector;
- c) Board of Deans;
- d) Student Council;
- e) Disciplinary Council;
- f) Management Council;
- g) Student Ombudsperson.

2. *Ad hoc* bodies may be created at the initiative of the Rector, for defined activities and for a specific period.

Article 5.

Composition and election of the General Council

1. The General Council consists of twenty one members, made up of eleven teaching staff and researchers, three students and seven persons of recognised merit with no connection to UNL, co-opted by the elected members.

2. The lists of teaching staff and researchers who are candidates to the elections for the General Council shall obey the following requirements:

- a) The first five names on each list shall belong to five distinct academic units;
- b) The first three names of each list shall be full professors or coordinating researchers.

3. The professors and researchers of UNL have active electoral capacity, adopting the proportional representation electoral system.

4. The lists of students who are candidates for the elections shall comply with the following requirements:

- a) The three names will belong to three distinct academic units
- b) Students in the first registration in the first cycles of studies are not eligible.

5. UNL students have active electoral capacity, adopting the electoral system of proportional representation.

6. The lists of teaching staff and researchers and students shall each include three substitutes.

7. The substitutes shall be called to exercise functions in the order appearing in the list to which the terminating or precluded acting member belongs.

8. The seven persons of recognised merit without connection to UNL shall be co-opted jointly by the elected members, by absolute majority, based on grounded proposals supported by at least one third of those members;

9. The mandate of the elected or appointed members is four years, except in the case of students, in which it is two years, and they may only be removed from office by the general council itself, by absolute majority, in the event of serious fault, under the terms of the regulations of the body itself.

10. The elected members may only be re-elected once.

11. The members of the General Council can not belong to other bodies of the UNL, shall not represent groups or sectoral interests and are independent in the exercise of their functions.

12. The result of the calculation referring to the election of the students, where there is a decimal part, shall be rounded down to the closest full number.

Article 6.

Competence of the General Council

1. The General Council has competence over the following;

- a) To approve its rules of procedure;
- b) To approve the regulations concerning election of the Rector;

- c) To elect its Chairperson, by absolute majority, from among the co-opted members;
- d) To approve amendments of the statutes;
- e) To propose to the Rector processes of global or sectoral assessment, concerning UNL, academic units or research centres;
- f) To propose to the Rector strategies for attracting funds for the UNL;
- g) To propose to the Rector appropriate measures to strengthen the relationship between the UNL and the community;
- h) To audit the management of the UNL;
- i) To issue statement on individuals external to the UNL indicated by the Rector to complete the boards of academic units;
- j) To approve the proposal to transform the UNL into a foundation;
- k) To assess the acts of the Rector and of the Management Council;
- l) To propose the initiatives that it considers necessary for the effective functioning of the institution;
- m) To perform the other functions provided by law.

2. The General Council has competence, on a proposal of the Rector, as follows:

- a) To approve, on a proposal of the Rector, the *Charter of Principles* of the UNL;
- b) To approve the medium term strategic plans and the plan of action for the four year period of the mandate of the Rector;
- c) To approve the general guidelines of the institution regarding science, education, finance and property;
- d) To create, transform or close down academic units;
- e) To approve the annual activity plans and assess the annual report on activities of the institution;
- f) To approve the budget proposal;
- g) To approve the annual consolidated accounts, accompanied by the statement of the statutory auditor;
- h) To establish the fees due from the students;
- i) To propose or authorise, in accordance with the provisions of law, the acquisition or transfer of real property of the institution, as well as the credit operations;
- j) To deliberate on the other matters that are presented to it by the Rector, particularly the constitution of partnerships involving the UNL.

3. Where the General Council does not make a decision within the period of 90 days it shall be deemed that the request is satisfied, the initiative complied with or the proposal of the Rector approved.

4. The deliberations referred to in Section 2 (b), (e) and (g) must be preceded by assessment of a statement, to be drawn up and approved by the co-opted members.

5. In cases where the statement of the co-opted members of the General Council is required, the Rector shall send the request, initiative or proposal directly, and they shall have 30 days to send it to the Chairperson of the Council.

6. The deliberations of the General Council shall be approved by simple majority, except in the cases set out in Section 1(d) and (j) and in paragraph 2(d), in which a two thirds majority is required.

7. In all matters within its competence, the General Council may seek opinions from other bodies of the institution or of its academic units.

Article 7.

Rector

The Rector is the higher body of government and external representation of the university, with responsibility for carrying out the policy of the institution and the presidency of the Management Council.

Article 8

Mandate of the Rector

1. The mandate of the Rector has a duration of four years and may be renewed once.
2. The electoral process begins three months before the end of the mandate.
3. In the event of early termination of the mandate, the new Rector will begin the new mandate.

Article 9.

Coadjuvancy and substitution of the Rector

1. The Rector may freely appoint up to four Vice-Rectors and, to assist in specific areas or determined projects, up to four Pro-Rectors; these shall terminate their functions at the end of the mandate of the Rector, who may remove them at any time.
2. In the event of temporary incapacity of the Rector, his functions shall be taken over by the Vice-Rector appointed by him or, in default, by the most senior of them.
3. Where the situation of incapacity continues for more than 90 days, the General Council must deliberate on whether there should be election of a new Rector.
4. Where the position of Rector becomes vacant or where this latter becomes incapable of exercising his functions, the Vice-Rectors shall remain in office until the beginning of the mandate of the new Rector, elected under the terms of Article 91(3) of Law No. 62/2007 of 10 September.
5. Where the Rector cannot be substituted by any of the Vice-Rectors, this shall be done by the most senior professor of the UNL.

Article 10.

Competence of the Rector

1. The Rector has the following competences:
 - a) To appoint persons external to the UNL who will be members of the boards of the academic units;
 - b) To appoint the Student Ombudsperson;

- c) To appoint the Administrator of the Students Social Welfare Services;
- d) To draw up and present to the General Council the following proposals:

Medium term strategic plan and action plan for the four years of the mandate;
General guidelines of the institution with regard to science and education;
Annual activity plan and report;

Budget and consolidated annual accounts, accompanied by the statement of the statutory auditor;

Acquisition or transfer of real property of the institution, and realisation of credit operations;

Creation, transformation or closing down academic units;

Fees due from students.

e) To approve the creation, suspension and termination of courses;

f) To approve the maximum values of new admissions and registrations referred to in Article 64 of the Law 62/2007 of 10th September;

g) To supervise the academic management deciding, specifically, with regard to the opening of competitions, the appointment and contracting of staff, the appointment of panels for competitions and academic juries and the system and regulations for assessing teaching staff and students;

h) To provide guidance and supervision in the administrative and financial management of the institution, ensuring efficiency in the use of its means and resources;

i) To provide support to students in the context of social welfare services, in accordance with the law;

j) To approve the concession of honorary titles or distinctions;

k) To institute academic and professional awards and incentives;

l) To ratify the statutes of the academic units, as well as the electoral results and the appointment of the members of the management bodies, which can only be denied on the basis of illegality;

m) To appoint and remove, in accordance with the law and the statutes, the Administrator of the UNL and the Deans of the services and confer office on the members of the management bodies of the academic units;

n) To re-assign teaching staff, researchers or others between academic units, under the terms of Article 126(3)(a) of Law No. 62/2007 of 10 September;

o) To ensure observance of the decisions taken by the boards of the UNL;

p) To ensure observance of the laws, statutes and regulations;

q) To propose the initiatives that are considered necessary to the proper functioning of the institution;

r) To communicate to the relevant minister all of the data necessary for the exercise of this ministry, specifically the plans and budgets and activity reports and accounts;

s) To take the measures necessary to guarantee the quality of teaching and research in the institution and in its academic units;

t) To represent the institution in court and out of it.

2. The Rector also has all of the competences that are not attributed to other bodies of the UNL by law or by these statutes.

Article 11.

Disciplinary competence of the Rector

1. The disciplinary function falls to the Rector, the exercise of which may be delegated to the respective Dean of each academic unit and in relation to disciplinary proceedings.
2. The disciplinary sanctions may only be applied by the Rector, upon considering the opinion of the Disciplinary Council.
3. The expulsion sanctions shall only be applied where this is supported in the opinion of the Disciplinary Council.
4. The opinions of the Disciplinary Council shall be dispensed with if they are not issued within the period of 30 days.
5. With the exception of the application of the sanctions referred to in Section 3, the power to sanction may only be delegated by the Rector to a Vice-Rector.

Article 12.

Regulatory competence of the Rector

1. The Rector shall have competency to approve the regulations applicable to the university as a whole, to two or more academic units or to the services of the Rector.
2. The Rector also has competence to ratify the regulations concerning the admission and career of teaching staff and researchers.

Article 13.

Delegation of competences

1. The Rector may delegate to the Deans of the academic units, in full or in part, the competences that are attributed to him in Article 92(1) (c), (d), (e) and (f) of the Law 62/2008 of 10th September.
2. The Rector may delegate to the Vice-Rectors or Pro-Rectors and also to the Administrator of the UNL, in relation to the services of the Office of the Rector, the competences that are attributed to it by Article 92(1)(e) of the Law 62/2008 of 10th September.

Article 14.

Composition of the Board of Deans

1. The Board of Deans is made up of the Deans of the academic units of the UNL and is chaired by the Rector.
2. The Board may include other members connected to the UNL, appointed for a specified period, on the initiative of the Rector and the majority of the Deans.
3. Other persons may participate in the meetings of the Board, without voting rights, where their knowledge is relevant to the matters in discussion, either on the initiative of the majority of the Deans, or of the Rector, with their agreement.

Article 15.

Competence of the Board of Deans

1. The Board of Deans has competence to deliberate on any matters that are submitted to it by the Rector.
2. The Board must be consulted in relation to the following matters:
 - a) Medium term strategic plan and action plan for the four years of his mandate;
 - b) General guidelines of the institution in relation to science and education;
 - c) Annual plan and activity report;
 - d) Budget and consolidated annual accounts, accompanied by the opinion of the statutory auditor;
 - e) Acquisition or transfer of real property of the institution and credit operations;
 - f) Creation, transformation or closing of academic units;
 - g) Creation, suspension and termination of courses;
 - h) Re-assignment of teaching staff, researchers or others between academic units;
 - i) Fees due from the students;
 - j) Assessment processes of the UNL;
 - k) Regulations that are within the competence of the Rector, with the exception of those that are only applicable to the services of the Office of the Rector;
 - l) Projects that involve various academic units;
 - m) Realisation of operations to finance the UNL;
 - n) Allocation of academic titles, honorary distinctions and prizes.
3. The obligatory opinions of the Board must be approved within the period of 30 days; once this period has expired, the Rector may take decisions without further hearings.
4. In cases of urgency, the period of consultation may be reduced by half by the Rector.

Article 16.

Student Council

1. The Student Council is the consultative body of the UNL in matters that relate directly to the life of the students.
2. The Student Council is made up of the Rector, who shall act as chairperson, by the President of the Academic Federation of the UNL, by the presidents of the student associations of the academic units of the UNL and by the Administrator of the Students Social Welfare Services of the UNL.
3. Other persons may participate in the meetings of the Student Council, without voting rights, where their knowledge is relevant to the matters in discussion, either on the initiative of the Rector or of the majority of the student representatives.

Article 17.

Competence of the Student Council

1. The Student Council shall deliberate, at the request of the Rector, on any matters that come within its sphere of competence.
2. The Student Council must be consulted in relation to the following matters:
 - a) Social services, namely canteens, residences, sports facilities;
 - b) Establishing the prices of the services provided by the Social Welfare Services;
 - c) Appointment of the student members of the Social Welfare Council;
 - d) Granting subsidies to activities promoted by the students of UNL;
 - e) Acts of indiscipline and other disturbances of academic life related to the so-called academic initiation;
 - f) Sports plan of the UNL;
 - g) Appointment of the Student Ombudsperson.
3. The compulsory opinions of the Student Council must be approved within the period of 30 days; once this period has expired, the Rector may take decisions without further hearings.
4. In cases of urgency, the period of consultation may be reduced by half by the Rector.

Article 18.

Disciplinary Council

1. The Disciplinary Council is the consultative body of the UNL in disciplinary matters.
2. The Disciplinary Council is made up of three teaching staff or researchers, chosen by the Rector; of one non-teaching staff, appointed by the Administrator of the UNL; and by a student, appointed by the Student Council.
3. The teaching staff members or researchers must belong to separate academic units and one of them will be a PhD in law.
4. One of the teaching staff or research members will be appointed as chairperson by the Rector.
5. The mandate of the student member has duration of two years and that of the other members has duration of four years.

Article 19.

Management Board

1. The Management Board is chaired by the Rector and made up of one to three members of the team of the Office of the Rector and by the Administrator of the UNL.
2. The Management Board has competence to do the following:

a) To carry out the management of the administration, property, finance and human resources of the UNL, and shall be subject to the legislation in force for public bodies that have administrative autonomy.

b) To establish the rates and fees.

3. The Management Board may delegate to the administrative bodies of the academic units and to the Deans of the services the competences considered necessary for more efficient management.

Article 20.

Student Ombudsperson

1. The Student Ombudsperson shall be appointed by the Rector, after consultation with the Student Council, for a period of four years, and may be re-appointed only once.

2. The Student Ombudsperson shall assess the claims brought by the students against acts or omissions of the bodies of the UNL or of its departments, and may make such recommendations to these latter as he deems fit.

Article 21

Students Social Welfare Services

1. The UNL has students social welfare services (SAS) that have administrative and financial autonomy.

2. The SAS shall have competence to ensure and provide direct and other support to the students of the UNL, under the terms established by the Law 62/2008 of 10th September.

CHAPTER III

Academic Units

Article 22.

Numbering and Status

1. The UNL, apart from the Rectorate, is made up of the academic units set out in the appendix, all with public legal status and administrative and financial autonomy.

2. The list appearing in the appendix shall be deemed to be automatically updated as a result of the creation, closure or amendment of academic units.

Article 23.

Organisation

1. Each academic unit of the UNL shall have a representative board, made up of ten to fifteen members, in accordance with the respective statutes; this board shall be called the Faculty Council, Institute Council or School Council, depending on the name of the academic unit.

2. The composition of the board referred to in the above section shall comply with the following rules:

- a) One student;
- b) Six teaching staff or researchers, in the event of minimum composition;
- c) Seven teaching staff or researchers, for a total number of 11 members;
- d) Eight teaching staff or researchers, for a total number of 12 or 13 members;
- e) Nine teaching staff or researchers, for a total number of 14 or 15 members;
- f) Three to five persons external to the UNL.

3. The students and teaching staff and researchers shall be elected by the respective bodies.

4. Where elections take place on the basis of the presentation of lists, the first two names, at least, of each list competing for the elections to the body representing teaching staff and researchers shall be full professors or coordinating researchers.

5. Where there is no presentation of lists, at least two of the teaching staff or researchers elected shall be full professors or coordinating researchers.

6. Where the department has five or less full professors or coordinating researchers, the minimum number of these shall be reduced to one.

7. The mandate of elected members who are teaching staff and researchers is four years, which may be renewed only once.

8. The mandate of elected members who are students is two years, which may be renewed only once.

9. Students in the first registration in the first cycles of studies are not eligible.

10. The persons who are external to the UNL shall be appointed by the Rector, after obtaining the statement of the General Council and the competent bodies of the academic unit.

11. Apart from the election of the Dean, this body shall have the competences established for it in the statutes of each academic unit.

12. The Dean need not belong to the staff of the academic unit.

13. The statutes of the academic units may provide for the existence of other consultative bodies.

CHAPTER IV

Internal organisation

SECTION I

Rules concerning meetings and decisions

Article 24.

Meetings

1. When, at the scheduled time for the meeting, there is no quorum, it may be held an hour later, provided that one third of the acting members of the board are present.

2. The minutes of the board meetings must only set out the decisions taken, mention of the approval and the results of the voting, where these exist; votes of rejection shall only appear where the authors thereof so request.

Article 25.

Deliberations

1. The decisions of the boards shall be taken by absolute majority of the expressed votes of the members present and not precluded.

2. Where an absolute majority is not formed, the will of the body shall be ascertained by relative majority.

3. Secret voting shall only be used in elections in the cases set out in the Code of Administrative Procedure.

4. The chairperson of the body shall have the casting vote; except for the Rector when chairing the Management Board, in which he has the casting vote.

SECTION II

Administrator and services

Article 26.

Administrator

The UNL has one Administrator, with the status set out in Article 123 of Law No. 62/2007 of the RJIES.

Article 27.

Services

1. The UNL has the services necessary to ensure the pursuit of its powers and the exercise of the competences of its bodies and, moreover, to provide appropriate support to the departments.

2. The services of the UNL cover, in particular, the areas of planning, human and financial resources, international relations, information management, legal consultancy and inter-institutional development support in the areas of quality promotion, research, innovation and entrepreneurship.

3. The organisation of the services of the UNL shall be based on light and flexible structures, predominantly mission units and project teams.

4. The organisation of the services of the Office of the Rector of the UNL is determined and freely altered by the Rector and set out regulations approved by it.

CHAPTER V

Resources

Section I

Human resources

Article 28.

Principles

In relation to human resources, the UNL shall:

- a) Promote observance for the principle of equality;
- b) Encourage quality and innovation and the recognition of initiative and dedication;
- c) Use merit, established by transparent assessment methods, as the basis for establishing remuneration and for career progression.
- d) Implement individual responsibility in the performance of the established objectives.

Article 29.

Discipline

Discipline is an instrument to guarantee the conditions for the pursuit of the objectives of the UNL; the exercise of disciplinary power also has an educational function and is determined by the fundamental objective of preventing or sanctioning the damages caused to the university community by attitudes that infringe academic and professional duties; the application of disciplinary sanctions shall at all times observe the right of defence.

SECTION II

Financial and property resources

Article 30.

Assignment of resources

The UNL shall assign its financial resources to its expenses:

- a) In the context of the pursuit of its mission;
- b) Always observing the principle of economic rationality and efficiency, balancing the opportunity costs of options passed over and seeking to ensure that each expenditure provides the greatest benefit at all times;
- c) In the performance of the applicable legal standards.

Article 31.

Property

Included in the real estate of the UNL, is the collection of property and rights assigned to the performance of its mission by the State and by any other bodies as well as the property that it acquires free of charge or for valuable consideration.

CHAPTER V

Final and transitional provisions

Article 32.

Constitution of the UNL bodies

1. The UNL bodies set out in these statutes must be constituted or endowed and in conditions to initiate its functions within the period of two months from the date of their entry into force, and the Rector shall have responsibility to carry out, or arrange to be carried out, all of the acts and initiate and conduct all of the procedures necessary for this.

2. The first election to the General Council shall be subject to the Electoral Regulations of the Statutory Assembly of the UNL, with the necessary adaptations.

3. Where the current Rector is the candidate for a new mandate, all acts relating to the respective election shall be carried out by the Vice-Rector with the greatest seniority who is not a candidate.

Article 33.

Statutes of the academic units

1. The statutes of the academic units that make up the UNL must be reviewed, so that they comply with the Law 62/2008 of 10th September and with the statutes

herein, within the period of four months, counted from the date of entry into force of these.

2. The period established in the above section may be extended by the Rector for a maximum of two months, on a proposal with grounds from the director of the academic unit.

3. The process of statutory review shall be carried out by a statutory assembly, composed of a maximum of 21 members and chaired by the chairperson, to which shall be applicable, with the necessary adaptations, the provisions of Article 172(2) and (6) of the Law 62/2008 of 10th September and Article 23(4) and (6) of these statutes.

4. The Rector shall have competence to determine the number of members of each statutory assembly, on a proposal of the Dean of the academic unit.

5. Based on a proposal of the Dean of the academic unit, the Rector may opt to transform the assembly of representatives to have statutory assembly functions.

6. The statutes shall be approved by an overall final vote by absolute majority of the number of members of the assembly and submitted to the Rector for ratification.

7. The bodies set out in the statutes of each academic unit must be constituted or endowed and in conditions to initiate its functions within the period of two months from the date of their ratification by the Rector.

Article 34.

Applicable transitional regulations

Until publication of the new regulations of the UNL, the current regulations shall remain in force, insofar as they do not contradict the law and the statutes herein, with the necessary adaptation.

Article 35

Transformation of the UNL into a foundation

1. The UNL may, at any time, decide to transform itself into a public foundation governed by private law.

2. The transformation into a foundation shall only be determined where this, apart from fulfilling the legal requirements, corresponds to the will of its bodies and academic units and where it is considered by the Rector and by the General Council to be appropriate to the development of the mission of the UNL and to the activities developed by it and is appropriate for the better management of its resources.

Article 36

Updating the UNL inventory

1. Within 30 days following the entry into force of these statutes the Rector will appoint a working group to update the inventory of the real property of the UNL and of the State property assigned to it.

2. The working group will present its report by 10 March 2009, which must set out the reasons why the property is needed for the mission and activities of the UNL.

APPENDIX

The UNL is made up of the following academic units:

- a) Faculty of Sciences and Technology (*FCT – Faculdade de Ciências e Tecnologia*);
- b) Faculty of Social Sciences and Humanities (*FCSH – Faculdade de Ciências Sociais e Humanas*);
- c) Faculty of Economics/School of Economics and Management (*FE - Faculdade de Economia*);
- d) Faculty of Medical Sciences (*FCM - Faculdade de Ciências Médicas*);
- e) Faculty of Law (*FD – Faculdade de Direito*);
- f) Institute of Hygiene and Tropical Medicine (*IHMT - Instituto de Higiene e Medicina Tropical*);
- g) Higher Institute of Statistics and Information Management (*ISEGI – Instituto Superior de Estatística e Gestão da Informação*);
- h) Institute of Chemical and Biological Technology (*ITQB – Instituto de Tecnologia Química e Biológica*);
- i) National School of Public Health (*ENSP – Escola Nacional de Saúde Pública*).