



**REGULATIONS GOVERNING THE INTERNAL PROCEDURES OF THE UNIVERSITY OF BARCELONA WITH REGARD TO THE OFFICIAL RECOGNITION OF FOREIGN HIGHER DEGREES AS EQUIVALENT TO THE AWARD OF DOCTOR**  
**Signed by the Governing Board on 11 November, 2005**

In accordance with that set out in Article 36.2.b) of Constitutional Law 6/2001, of 21 December, that covering universities (hereinafter, LOU), and in virtue of the powers that article 149.1.30 of the Spanish Constitution attributes exclusively to the State in order to regulate the conditions for obtaining and officially recognising academic and professional qualifications, Royal Decree (RD) 285/2004, of 20 February, which governs the conditions for officially recognising and accrediting foreign higher degrees, was approved on 18 March 2005.

This Royal Decree was modified by RD 309/2005, of 18 March, which brought the procedures for regulating the official recognition of foreign qualifications into line with the new structure of university teaching resulting from the publication in the BOE (Official Gazette of the Spanish State), of 25 January 2005, of RD 55/2005, of 21 January, which established the structure of university teaching and governs university degrees, and of RD 56/2005, of 21 January, which governs postgraduate studies. The most important aspect of the modification introduced by RD 309/2005 is that, for the first time, it directly grants universities the power to officially recognise foreign qualifications as equivalent to Spanish postgraduate degrees and qualifications.

On 11 May 2005 the Academic and Planning Committees of the Council for University Planning agreed the criteria for applying these new university powers with respect to the documents that must accompany applications and the application form itself.

The second final provision of RD 309/2005 empowers universities, within the range of their authority, to draw up the necessary rules for developing and applying the official recognition procedures, the management of which is attributed to universities by the RD.

Given that, in accordance with that set out in article 5 of RD 309/2005, of 18 March, foreign qualifications cannot be officially recognised as being equivalent to Spanish qualifications for which the academic syllabus has yet to be fully implemented in at least one Spanish university, and given that, at present, no Master's degree in line with that set out in RD 56/2005 has yet to be implemented in any Spanish university, it is decided to restrict, at this stage, the scope of these regulations exclusively to applications for the official recognition of foreign qualifications and studies as equivalent to the qualification of Doctor.

Therefore, the Doctoral Committee of the Governing Board of the University of Barcelona agreed, on 4 November 2005 and in view of the powers granted it by article 96.3 of the current university statute, to propose to the Governing Board the following **Regulatory procedures for the official recognition of foreign higher degrees as equivalent to the award of Doctor**.



## **Article 1. Object**

These regulations govern the internal procedures of the University of Barcelona (UB) with regard to the official recognition of higher degrees awarded by foreign education systems, rendering them equivalent to:

- a) The current award of Doctor, until such time as this is replaced by the award proposed in RD 56/2005, of 21 January, which regulates postgraduate university studies.
- b) The new university awards of Doctor that are established in accordance with RD 56/2005.

## **Article 2. Exclusions**

2.1. Official recognition by the University of Barcelona of qualifications awarded by foreign educational systems shall not be offered with respect to:

- a) The degrees and diplomas that Spanish universities themselves award in accordance with article 34.3 of Constitutional Law 6/2001, of 21 December covering universities.
- b) Those Spanish degrees for which the syllabus is no longer binding or has yet to be fully implemented in at least one Spanish university.

2.2. The following foreign degrees or studies shall not be subject to official recognition by the University of Barcelona:

- a) Those which are not officially validated in the host country.
- b) Those corresponding to foreign studies conducted entirely or partially in Spain when the institutions concerned lack the mandatory authorisation to teach these courses, or when the studies approved for the award of the foreign qualification for which official recognition is sought were yet to be effectively implemented in the foreign university or higher education institution at the time the award was issued, in accordance with that set out in article 86 of the Act of Parliament 6/2001, of 21 December, covering universities. However, when these circumstances affect only part of the studies carried out, the part not affected may be eligible for accreditation, where appropriate.
- c) Awards that have already been officially recognised in Spain, or the studies completed in order to obtain them that have already been accredited in order to continue studying in Spain.

2.3. Those foreign degrees and diplomas that have no direct relationship with the content of studies taught in the University of Barcelona shall not be eligible for official recognition.

## **Article 3. Criteria for official recognition**

3.1. Decisions regarding the official recognition of foreign awards shall be reached by examining the academic record of the student, and will take into account:

- a) The correspondence between the academic level required to begin the studies that comprise the foreign award and that for the Spanish award.



- b) The duration and workload of the study period required to obtain the foreign award for which official recognition is sought.
- c) The correspondence between the academic level of the foreign award and the Spanish award with respect to which recognition is sought.
- d) The content of the studies completed in order to obtain the foreign award.

3.2. When the studies corresponding to the Spanish award are regarded as equivalent under European Community Directives, the official recognition shall depend on the requirements of these Directives being fulfilled.

#### **Article 4. Examination of the application**

The Academic Management Board of the University of Barcelona shall be responsible for examining the application. This procedure will be carried out in accordance with that set out in Act 30/1992, of 26 November, governing the legal system of public administrations and common administrative procedures.

#### **Article 5. Fees**

The fees to be paid by the applicant in order to initiate the accreditation procedure shall be regarded as mandatory by the Rector. Proof of payment of fees will be required prior to the processing of all applications.

#### **Article 6. Application**

6.1 The first step in the official recognition procedure involves presenting the application, which must be addressed to the Rector, at the General Registry of the UB.

6.2 The application for official recognition will be made using the standard application form.

6.3 The applicant may not apply for official recognition at more than one university at a time. However, if official recognition is refused, the applicant may then present a new application at a different Spanish university.

#### **Article 7. Documents that must accompany the application**

7.1. The application for official recognition must be accompanied by the following documents:

- a) Official proof of the applicant's nationality (certified photocopy of ID card or passport).
- b) Certified photocopy of the certificate issued in recognition of the award for which official recognition is sought, or of the document authorising its issue.
- c) Certified photocopy of the academic transcript for the studies completed by the applicant in obtaining the award for which official recognition is sought, which must include the official duration,



in academic years, of the study program followed, the subjects completed, the number of hours devoted to each and the grade obtained, and the grade obtained in the doctoral thesis.

d) A copy of the doctoral thesis, together with an explanatory report written in one of the official languages of the University of Barcelona, the latter to include a summary of the doctoral thesis, offering a detailed description of its content, and the names of the examining board members who assessed the thesis. The summary of the doctoral thesis shall include an introduction and conclusions, and its length must be at least 10% of the thesis as a whole. A copy in electronic format must also be presented.

e) Proof of payment of the relevant fees.

f) Signed declaration to the effect that the award has not been officially recognised in Spain, that the applicant has not simultaneously sought official recognition of the same award in another university, and that the studies corresponding to the award for which official recognition is sought have not been accredited in order to continue studying in Spain. The signed declaration must be written in one of the official languages of the University of Barcelona.

g) In the event that official recognition has been sought and refused in another university, a copy of this university's ruling must also be presented.

h) The applicant's curriculum vitae, written in one of the official languages of the University of Barcelona.

7.2 The UB may require applicants to provide other documents as deemed necessary.

### **Article 8. Requirements as regards the documents**

Documents issued abroad must fulfil the following requirements:

a) They must be official and have been issued by the competent authorities, in accordance with the laws of the country in question.

b) They must be legally approved by the relevant diplomatic authorities or, where necessary, by means of the Hague Convention apostille. This requirement is not binding for documents issued by authorities pertaining to European Union member states, or signatories to the agreement regarding the European Economic Area.

c) They must be accompanied, where necessary, by the corresponding sworn translation into Spanish or Catalan. A sworn translation of the copy of the doctoral thesis is not required.

### **Article 9. Validation of documents**

In the event of doubt regarding the authenticity, validity or content of the documents provided, the University of Barcelona may initiate appropriate proceedings to clarify this matter, require the applicant to provide the necessary information, or contact the competent authority responsible for issuing the documents in order to resolve any outstanding doubts.

### **Article 10. Amendments to the application**



If the application does not fulfil the requirements and/or one of the documents listed above is not presented, the applicant shall be required, within a period of no more than ten days, to amend the application and/or provide the mandatory documents, it being made clear, further to a decision being pronounced to this effect, that failure to do so will render the application invalid. The maximum period for reaching a decision with regard to the application shall be determined either by the time elapsed between the applicant being notified of the required amendment and its observance, or by the expiry of the authorised period.

## **Article 11. Reports**

11.1 The decision regarding official recognition shall be pronounced by the Rector of the UB further to a report drawn up by the Doctoral Committee of the Governing Board. This report, which must be drawn up in accordance with the criteria set out in article 3 of these regulations and the exclusion criteria established in article 2, will pronounce in favour or against the application.

11.2 The report of the Doctoral Committee of the Governing Board shall be decisive and binding in accordance with article 42.5 of Act 30/1992, of 26 November, covering the legal system of public administrations and common administrative procedures, and must be issued within a period of no more than three months from the date on which the application was presented.

11.3 The Doctoral Committee of the Governing Board may appoint various committees of experts for the different areas of knowledge in order to assess applications. The committees of experts shall comprise a lecturer from each of the centres related to the committee's area of knowledge, to be appointed by the Doctoral Committees of the centres from among their members. The committees of experts may call on other expert advisors in order to assess the applications for official recognition.

## **Article 12. Exceptions to the need for a report**

The Rector may reach a decision on an application without the need to request a report from the Doctoral Committee of the Governing Board in the following circumstances:

- a) When one or more of the exclusion criteria set out in article 2 of these regulations are met.
- b) When the University of Barcelona has previously reached a decision regarding the official recognition of an identical foreign higher degree.

## **Article 13. Decision**

13.1 Once the application has been considered, and, where necessary, having interviewed the applicant, the Rector shall decide to accept or reject the official recognition being sought.



13.2 The period for deciding on and informing the applicant of the decision regarding the application is six months, as from the date on which the application was deposited in the Registry of the University of Barcelona.

13.3 In accordance with that set out in additional provision number 29 of Act 14/2002, of 29 December, covering tax and administrative measures and the social order and in Appendix 2 therein, the lack of an express decision within the period indicated shall be regarded as a rejection of the application for official recognition.

13.4 In challenging the Rector's decision, which in administrative terms shall be regarded as final, regardless of its immediate enforcement, and in accordance with article 8 of Act 29/1998, of 13 July, which governs the jurisdiction for suits under administrative law, interested parties may bring administrative proceedings before the administrative courts of Barcelona.

However, interested parties may opt to file an appeal for reversal of the decision, to be presented before the same body that has pronounced the decision within one month from the day after notification was received. In this case, no suit may be brought before the administrative courts until an express or presumptive decision has been reached with regard to the appeal for reversal, in accordance with that set out in articles 116 and ff. of Act 30/1992, of 26 November, the Legal Regimen of Public Administrations and the Common Administrative Procedure Act, modified by Act 4/1999, of 13 January.

#### **Article 14. Documentation**

14.1 The official recognition of foreign higher degrees will be authorised through an appropriate bilingual (Catalan and Spanish) document issued by the Rector of the UB, in accordance with the form agreed upon by the Council for University Coordination, and this document shall include reference to the foreign award held by the applicant.

14.2 Prior to this document being issued, the University will report its decision to the Deputy General Secretary for Academic Qualifications, Accreditations and Official Recognitions of Spain's Ministry of Education and Science, in order that the award in question may be recorded in the special section of the national register of academic qualifications. The University shall keep a record of the documents issued.

14.3 From the date on which it is agreed and the corresponding document issued, the official recognition gives the foreign award the same status as the award of Doctor throughout Spain, in accordance with current regulations.

14.4 The official recognition of the award of Doctor does not, in any circumstances, imply the official recognition of the foreign undergraduate degree or equivalent academic award held by the interested party.



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14.5 When official recognition is withheld, the applicant may present a new application to another Spanish university.

14.6 The document authorising the official recognition shall be presented to the applicant through procedures similar to those used for other official qualifications.

### **Additional provision**

Any doubt or dispute that arises with respect to the interpretation of the present regulations shall be submitted to the Vice-Rector responsible for doctorates.

### **Final provision**

These regulations shall come into force on the same day as they are approved by the Governing Board of the University of Barcelona.