

Act on the implementation of the Universities Act 559/2009

Section 1. Coming into force of the Universities Act

1. The Universities Act (558/2009), hereinafter the new Universities Act, will come into force on the first of January 2010. Section 10 of the Act will be in force until the 31st of December 2014.
2. However, Sections 40—42 and Section 43, as regards forfeiture of the right to study in a situation where the student has not completed his or her studies in the time referred to in Section 41 or Section 42, shall apply only to students who have started their studies in the academic year 2005—2006 and after it.
3. Notwithstanding the provisions of Section 38(1) of the new Universities Act, the right of a student to accept a study place shall be governed by the provisions in force at the coming into force of the said Act until the 31st of July 2010.

Section 2. Acts to be repealed

1. At the coming into force of the new Universities Act, the following Acts shall be repealed, all except the Act referred to in para 5 with their subsequent amendments:
 - (1) The Universities Act of the 27th of June 1997 (645/1997), hereinafter the old Universities Act;
 - (2) Act on the implementation of the Universities Act of the 27th of June 1997 (646/1997);
 - (3) Act on higher education development of the 31st of December 1986 (1052/1986);
 - (4) Act on the filling of university professorships and associate professorships of the 24th of May 1991 (856/1991); and
 - (5) Act on the coordination of Swedish-language higher education of the 28th of December 1990 (1354/1990).
2. However, Section 9 of the old Universities Act, to be repealed under subsection 1, para 1, shall continue to apply in regard of the language of instruction in the constituent Universities of Aalto University.

Section 3. Acts still in force

1. Notwithstanding the provisions of Section 2, the following statutes shall remain in force:
 - (1) Government Decree regarding university degrees (794/2004, *yliopistojen tutkinnoista annettu valtioneuvoston asetus*);
 - (2) Ministry of Education Decree regarding university Master's programmes (767/2008, *yliopistojen maisteriohjelmista annettu opetusministeriön asetus*);
 - (3) Ministry of Education Decree regarding the educational responsibility of universities, university degree programmes and specialist training (568/2005, *yliopistojen koulutusvastuun täsmentämisestä, yliopistojen koulutusohjelmista ja erikoistumiskoulutuksista annettu opetusministeriön asetus*);
 - (4) Government Decree regarding specialist degrees in veterinary medicine and the right to practice as a specialised veterinary surgeon (275/2000, *erikoiseläinlääkärin tutkinnosta ja oikeudesta toimia erikoiseläinlääkärinä annettu valtioneuvoston asetus*);
 - (5) Decree regarding specialist degrees in medicine (678/1998, *erikoislääkärin tutkinnosta annettu asetus*); and
 - (6) Government Decree regarding specialist degrees in dentistry (316/2003, *erikoishammaslääkärin tutkinnosta annettu valtioneuvoston asetus*).

Section 4. Transition of universities to operating as universities under the new Universities Act

1. The universities referred to in the old Universities Act (old universities) shall terminate their operations by transferring to operate, with their activities, personnel and students, as independent legal persons (new universities) under Section 1 of the new Universities Act as from the first of January 2010.
2. The operations and activities, personnel and students of the University of Kuopio and the University of Joensuu shall transfer to the University of Eastern Finland on the first of January 2010. The operations and activities, personnel and students of the University of Turku and Turku School of Economics shall transfer to the University of Turku referred to in the provisions of the new Universities Act on the first of January 2010. The operations and activities, personnel and students of Helsinki School of Economics and Business Administration, the University of Art and Design and Helsinki University of Technology shall transfer to Aalto University on the first of January 2010. (merging universities)

3. At the coming into force of the new Universities Act, a matter being dealt with in an old university shall transfer to be dealt with by the corresponding new university. Similarly, this university shall represent the old university and act as a litigant in legal proceedings initiated during the time of the old university in which the old university was a litigant.

Section 5. Commitments, authorisations and receivables of an old university

1. The new university shall be responsible for the debt, service, procurement and delivery contracts and other commitments undertaken by the old university which concern the property and operations conveyed to the new university. The responsibility of the State of Finland for these commitments shall remain in effect. The new university and the State of Finland shall also be responsible, after this Act comes into force and before the new Universities Act comes into force, for agreements concluded by the old universities.
2. The authorisations to operate and to provide education and other licences awarded by authorities and the receivables of the old university shall transfer to the new universities on the first of January 2010.

Section 6. Organisation of a university into a corporation under public law

1. An old university transferring to operate as a university under public law (public university) shall arrange the administrative and other support services so as to be able to become organised and begin operating in its entirety as a university referred to in the new Universities Act at the coming into force of the said Act. Merging universities shall be jointly responsible for arranging their joint operations.
2. The board of an old university transferring to operate as a public university shall decide on the number of members on the university collegiate body referred to in Section 22 of the new Universities Act until the regulations of the new university have been adopted. The board of the old university transferring to operate as a public university shall elect the collegiate body of the new university for the first time in accordance with the provisions of Section 22(1) of the new Universities Act. No deputies will, however, be elected for the members of the university collegiate body. The university collegiate body shall elect the members referred to in Section 15(2) of the new Universities Act for the first board of the new university in the same proportion as they are represented on the board of the old university.
3. The first university collegiate body of the University of Helsinki shall be elected in the same proportion as provided for in regard of the University of Helsinki electoral college at the coming into force of the new Universities Act.

4. The merging universities shall agree upon the number of members on the university collegiate body of the new university and upon the proportion of members representing the different groupings in the university community until the regulations of the new university have been confirmed. The boards of the merging universities shall elect the members of the collegiate body of the new university in a mutually agreed manner from amongst the groupings in the old university communities.
5. A university collegiate body elected in the manner referred to subsections 2—4 shall elect the board of the new university and the board shall elect the rectors of the university as provided in the new Universities Act. The organs thus elected may undertake decisions, commitments and legal action in the name of the new university.

Section 7. Organisation of university operations in a foundation university

1. Helsinki School of Economics, the University of Art and Design and Helsinki University of Technology, in cooperation with the Aalto University Foundation, shall undertake to effect the organisation of Aalto University by the first of January 2010 and to organise the joint operations of the merging universities. The boards of the merging universities shall elect the first board of Aalto University
2. Tampere University of Technology, together with the TTY Foundation, shall be responsible for arranging administrative and other support services for the new university in order for the new university to be able to become organised in its entirety by the first of January 2010. The board of the old university shall elect the first board of the new university.

Section 8. Student unions

1. The student unions of the old universities shall continue their operations as student unions of the new universities.
2. The student unions of the merging universities shall merge into the student union of the new university (new student union) on the first of January 2010. The student unions of the merging universities shall be responsible for the organisation of the new student union. The student unions of the merging universities may take measures needed for the organisation before the coming into force of the new Universities Act.
3. The rectors of the merging universities shall confirm the rules to be followed in the merging of the student unions. If a rector has been elected for the new university, he or she shall confirm the said rules. Unless they have otherwise agreed, the merging student unions shall organise the election of the representative council of the new student union as soon as possible after this

Act comes into force. The size of the representative council shall be 41 representatives and 41 deputy representatives.

4. The representative council shall elect a chairperson and a vice-chairperson from amongst its members. The election of the representative council is a proportional and secret ballot. There are no constituencies in the election. The central electoral committee shall confirm the electoral rules. The central electoral committee is composed of the chairpersons, representative council chairpersons and secretaries general of the merging student unions. The central electoral committee shall elect a chairperson from amongst its members and invite a secretary to the committee. The student union members who are students registered as present in the merging universities shall have universal and equal vote in the election. Every elector has one vote in the election.
5. The representative council of the new student union and the organs it has appointed shall make the decisions regarding the new university and student union. The merging student unions shall have the duty to provide administrative and other support services for the new student union so as to enable the new student union to be organised in its entirety on the first of January 2010.
6. The property of the old student union shall transfer to the new student union. The new student union shall be accountable for the debt, service, procurement and other commitments which the student unions of the merging universities have undertaken and which concern the property and operations transferring to the new student union.
7. Authorisations to operate and to provide education and other licences awarded by authorities and the receivables of the merging student unions shall transfer to the new student unions on the first of January 2010. The members and personnel of the merging student unions shall transfer to the new student unions on the first of January 2010.

Section 9. Student union of Helsinki University of Technology

1. The student union of Helsinki University of Technology shall transfer to Aalto University on the first of January 2010.

Section 10. Employment relation of university personnel

1. The posts of the universities shall terminate and the civil service and fixed-term employment relations based on them shall terminate without notice of termination of employment on the 31st of December 2009 and the personnel shall be employed by the new universities as from the first of January 2010. The termination of the posts and civil service employment relations do not require consent. The university posts based on employment contracts shall

transfer to and the personnel holding them enter into employment relations with the new universities on the first of January 2010. Personnel in fixed-term civil service and employment relations shall be taken or transfer into a fixed-term employment relation with the new universities for the remainder of their fixed term.

2. Employees and the terms of employment shall be governed by the provisions and regulations enacted in or by virtue of legislation and the terms of the collective labour agreement and the employment contract.
3. The new university shall award the title of *dosentti* (adjunct professor) without application to a person who has been appointed *dosentti* before the coming into force of the new Universities Act.

Section 11. Pension security of the personnel

1. Persons in the employ of the universities who were born before the first of January 1980 shall be governed by the State Pensions Act (1295/2006). Other persons in the employ of the universities shall be governed by the Employees Pensions Act (395/2006).

Section 12. Conveyance of property to new universities

1. The Government shall determine the movable property to be conveyed to the new universities, its value and the terms on which it is to be conveyed. The Government shall also determine other arrangements relating to the conveyance of property.
2. The property of university funds referred to in Section 39 of the old Universities Act shall transfer in its entirety on the first of January 2010 to the new university continuing the operations of the university concerned.
3. The asset transfer tax and gift tax incurred from the transfer of government property shall be covered from funds separately allocated to universities in the state budget.

Section 13. Appropriation transfer relating to the coverage of value added tax

1. In the calculation of funding for the universities for 2010, the compensation of the value added tax referred to in Section 49(4) of the new Universities Act shall be effected through a transfer to the overall funding of universities from the appropriation in the value added tax item 29.01.29 in the Ministry of Education main class. The amount of the appropriation transferred is based on the 2008 accounting.

Section 14. National Library and university practice schools

1. The boards of directors of the National Library and the university practice schools shall continue until the end of their terms of office.

Section 15. Transfer provision relating to the reform of degree structure

1. A student admitted to study for the degree of Master of Science (Architecture), Master of Science (Technology), Master of Science (Landscape Architecture), Licentiate of Veterinary Medicine, Licentiate of Dentistry and Licentiate of Medicine before the first of August 2005 shall have the right to continue his or her studies in accordance with the regulations in force before the said date. However, the student shall transfer to pursue his or her studies in accordance with the new Universities Act unless he or she has completed his or her studies by the 31st of July 2010 at the latest.

Section 16. References to the Universities Act

1. The references in other legislation to the old Universities Act and universities referred to in it shall be considered references to the new Universities Act and universities referred to in it. The provisions in other Acts or Decrees concerning the University of Kuopio or the University of Joensuu shall refer to the University of Eastern Finland as from the first of January 2010. The provisions in other Acts or Decrees concerning the University of Turku or Turku School of Economics shall refer to the University of Turku as from the first of January 2010. The provisions in other Acts or Decrees concerning Helsinki School of Economics, the University of Art and Design or Helsinki University of Technology shall refer to Aalto University as from the first of January 2010.

Section 17. Coming into force

1. This Act shall come into force on the first of August 2009.
2. Measures required for the implementation of this Act may be undertaken before the coming into force of this Act.