

# Regulations

## REGULATION FOR THE APPLICATION OF THE INTERNATIONAL STUDENT STATUTE OF THE UNIVERSITY OF PORTO

**This document is of strictly informational nature. As such, it holds no legal value and shall not be understood as legally binding.**

Following the alterations made to Decree-Law n° 36/2014, of 10 March, which establishes the International Student Statute, through the amendments introduced by Decree-Law n° 62/2018, of 6 August, it is necessary to review and adjust the Regulation for the Application of the International Student Statute of the University of Porto currently in force.

Thus, in compliance with Article 98 of the Code of Administrative Procedure, approved by Decree-Law n° 4/2015, of 7 January, and in accordance with Article 110(3) of the Higher Education Institutions Legal Regime, approved by Law n° 63/2007, of 10 September, the beginning of the amendment procedure for this regulation was advertised pursuant to the subsequent terms; Taking into consideration the provisions set out in Articles 8 and 92(o) of the Higher Education Institutions Legal Regime, together with the provisions of Articles 1 and 9 of the Statutes of the University of Porto and within the framework of competences established in paragraph 1(n) of Article 38 of the mentioned Statutes, I approve the amendment to the Regulation for the Application of the International Student Statute of the University of Porto.

### Article 1

#### **Scope of application and concepts**

1. The present regulation is exclusively applicable to students who apply to the cycles of studies of the University of Porto under the International Student Statute, specifically those who fulfil the requirements set out in Article 3 of Decree-Law n° 36/2014, as amended by Decree-Law n° 62/2018, of 6 August. This regulation also establishes the specific access, admission and attendance requirements, in compliance with the general principles defined in said Decree-Law.
2. In accordance with the provisions of Article 3 of the Decree-Law mentioned in the previous paragraph, a student is considered an international student when they do not have Portuguese nationality, except as provided for in the same Article.
3. The International Student Statute does not cover the “family members of Portuguese nationals or of foreign nationals from a Member State of the European Union”. Therefore, the concept of “family member” shall be understood as provided by Law n° 37/2006, of 9 August, specifically:
  - i) The spouse of a citizen of the European Union;

ii) The partner with whom a citizen of the European Union lives in a non-marital union established according to law or with whom the citizen of the European Union maintains a durable relationship, duly attested by the competent Member State where the citizen resides;

iii) The direct descendants under 21 years of age or dependant of a citizen of the European Union, as well as those of the spouse or partner within the meaning of the previous subparagraph;

iv) The dependant direct relatives in the ascending line of a citizen of the European Union, as well as those of the spouse or partner within the meaning of subparagraph ii);

4. If a student has two or more nationalities and one of them is Portuguese, only the latter is relevant for the purposes of this Regulation.

5. If a student has two or more nationalities but none of them is Portuguese, one of them is of a Member State of the European Union and another of a State outside this Union, they may opt for one of them.

6. In the case mentioned in the previous paragraph, if the student chooses the nationality of a State outside the European Union, they will maintain the status of international student until the end of the cycle of studies in which they have initially enrolled or which they have changed to, even if, during the attendance of that cycle of studies, they are granted the Statute of Equal Rights and Obligations under an international treaty between the Portuguese State and the State whose nationality they have opted for.

7. The provisions laid down in the previous paragraph are not applicable to international students who acquire the nationality of a Member State of the European Union after their admission to the cycle of studies.

8. The termination of the validity of the International Student Statute due to the provisions laid down in the previous paragraph shall take effect in the academic year following the date in which the acquisition of the nationality was verified.

## Article 2

### **Access and admission requirements**

1. The access and admission of international students to all first cycles of studies (*Licenciaturas*) and integrated cycles of studies leading to a Master's Degree (*Mestrados Integrados*) is exclusively carried out through a special call for access and admission regulated by Decree-Law n° 36/2014, of 10 March, as amended by Decree-Law n° 62/2018, of 6 August, and by the present regulation, with the exception of the special regimes defined in Decree-Law n° 393-A/99 as well as the Readmission and Transfer/Course Change regimes. It is also subject to verification of compliance with the general access and admission requirements set out in Articles 5 and 6, respectively, of the aforementioned Decree-Law.

2. The international students who meet the following requirements may apply for enrolment and registration in the first cycles of studies and integrated cycles of studies leading to a Master's Degree:

- a) Holders of a qualification providing access to Higher Education, here understood as any diploma or certificate issued by a competent authority attesting to the candidate's approval in a secondary level education programme of another country and granting them the right to apply and be admitted to a higher education institution of that country where it was conferred;

- b) Holders of a Portuguese secondary education diploma or legally equivalent qualification.
3. The qualification set out in Article 2(a) of this regulation must be attested through:
- a) A declaration issued by the official education services of the country of origin and, when necessary, translated into English, French, Spanish or Italian, ascertaining that the secondary level qualification they hold, obtained in that country, is enough for the candidate's admission to the country's official higher education programmes that are similar to the ones the applicant wishes to apply to, or an attestation of equivalence to the Portuguese secondary education issued by a competent national authority;
  - b) When providing foreign documentation or documentation issued in a foreign country during the application process, the applicant must submit a copy of the original documents authenticated by the official education services of that country and recognised by a diplomatic or consular Portuguese authority or, in the case of countries that have adhered to the Hague Convention, with the Apostille of the Hague Convention.
  - c) If, for the purposes of streamlining the process, non-certified and/or non-recognised documentary evidence is accepted, its authenticity must be verified until the day in which the provisional results are posted, in accordance with the set calendar;
  - d) The student shall present the original version of the documents referred to in the previous paragraphs at the time of enrolment or before the beginning of the academic year, if such is required by the organic unit and set out in the public notice of the call.
4. The following conditions are specifically required by the University of Porto for the admission of international students to the first cycles of studies and integrated cycles of studies leading to a Master's degree of the University:
- a) Verification of the specific academic qualification for admission to the cycle of studies, in accordance with the specifications included in the call's public notice:
    - i. It shall focus on the subjects covered by the entrance exams defined for the cycle of studies in question as part of the general access and admission regime, as way of ensuring that only students who demonstrate having knowledge of the subjects covered in entrance exams of equivalent level and content to those taken by students admitted through the Portuguese general access and admission regime are thus admitted;
    - ii. The rules regarding the period of validity of the secondary level exams adopted by the National Committee of Access to Higher Education are, however, not applicable.
  - b) Verification of knowledge of the language(s) in which the cycle of studies is taught and, where necessary, oral competence may be verified by video conference;
  - c) Verification of fulfilment of the pre-requisites established for the mentioned cycle of studies as part of the general regime for access and admission to the Portuguese higher education.
5. The verification of fulfilment of the requirements set out in subparagraphs (a) and (b) of the previous number shall be carried out through the submission of documentary evidence by the applicant at the time of submission of the application or, when applicable, through written exams taken in the respective organic unit and, when defined in the call's public notice, complemented by oral or practical exams.

6. The subjects of the written, oral or practical exams mentioned in the previous paragraph must be included in the public notice regarding the opening of applications.
7. With the aim of simplifying the procedures for the most frequent situations, the University of Porto may conclude institutional agreements in which special requirements are fixed, namely in respect to paragraph 2(a) and (b).
8. The specific admission requirements for the second and third cycles of studies of the University of Porto are those set out in the legal provisions and regulations of the University of Porto currently in force, as well as those defined in the public notice regarding the opening of applications.

#### Article 3

##### **Applications and enrolment**

1. The application for admission and enrolment is submitted to the Academic Affairs Office of each organic unit; electronic platforms may also be used.
2. The application is submitted upon personal or electronic delivery of the respective request, accompanied by the documents set out in the previous Article and the payment of due fees.
3. The application deadline is annually fixed in a public notice regarding the opening of applications which is made public no less than a month before its starting date and disseminated in the webpages of the respective organic units.

#### Article 4

##### **Student in an emergency situation for humanitarian reasons**

1. In accordance with the provisions of Decree-Law n<sup>o</sup> 36/2014, of 10 March, as amended by Decree-Law n<sup>o</sup> 62/2018, of 6 August, for the purposes of the present regulation, students in an emergency situation for humanitarian reasons are those originating from countries or regions in which a recognised situation of armed conflict, natural disaster, generalised violence or violation of human rights prevails and from which the need for a humanitarian response arises.
2. The status of student in an emergency situation for humanitarian reasons may be requested by those who find themselves in any of the following situations:
  - a) Have been granted the refugee status referred to in Law n<sup>o</sup> 27/2008, of 30 June, in its current wording;
  - b) Have been granted the subsidiary international protection status referred to in Law n<sup>o</sup> 27/2008, of 30 June, in its current wording;
  - c) Originate from countries or regions the United Nations High Commissioner for Refugees or the International Organization for Migration have declared to be in an emergency situation requiring a humanitarian response.
3. Furthermore, the status of student in an emergency situation for humanitarian reasons may be requested by those who:
  - a) Have been granted the temporary residence permit referred to in Article 27 of Law n<sup>o</sup> 27/2008, of 30 June, in its current wording;

- b) Hold a residence permit granted to those who are or have been victim of criminal offences related to human trafficking or facilitation of illegal immigration referred to in Article 109 of Law nº 23/2007, of 4 July, in its current wording.

4. The request for application of the status of student in an emergency situation for humanitarian reasons is submitted directly to the Academic Affairs Office of each organic unit and must be accompanied by documentation issued by the Portuguese Immigration and Borders Service (SEF) or the High Commissioner for Refugees or the International Organization for Migration attesting that the applicant is in one of the situations referred to in paragraphs 2 and 3.

5. The tuition and other fees regime fixed by the University of Porto for national students also applies to students in an emergency situation for humanitarian reasons enrolled at the University.

6. The competent bodies of each organic unit shall define and make public the potential implementation of alternative procedures in order to verify the compliance with the access and admission requirements (for instance, interview or written exam) mentioned in Article 2, in the case of students in an emergency situation for humanitarian reasons whose qualifications cannot be attested through documentation.

#### Article 5

### **Application and Tuition Fees**

1. Application fees are due in accordance with the provisions laid down in the University of Porto's *Table of Fees*.

2. Tuition fees are due for the enrolment and registration in cycles of studies. These may differ for the same type of cycles of studies because of their real costs and shall be annually fixed by the General Council upon proposal by the Rector.

#### Article 6

### **Places and deadlines**

1. Annually and within the deadlines set in the calendar of the University of Porto, the faculties present their proposals for number of places and functioning of the cycles of studies, which include information on the applications of international students regarding the special call for access and admission to the first cycles of studies and the integrated cycle of studies leading to a Master's degree, in compliance with the limits imposed by Decree-Law nº 36/2014, of 10 March, in its current wording, as well as regarding the second and third cycles of studies.

2. The process for establishing and disseminating the number of places and application deadlines is set out by Dispatch of the Rector, namely considering the following, in accordance with Article 7 of Decree-Law nº36/2014:

- a) The limits stemming from the legal criteria established for the functioning of education institutions and the accreditation of cycles of studies, including the limits that have been approved at the moment of accreditation;
- b) The human and material resources of the institution, in particular when it comes to the suitability of the teaching staff;
- c) The number of places set out for the general access regime and the remaining special access calls;

- d) The limits previously set out by Dispatch of the branch of government responsible for higher education, issued until the 1st October of the year preceding the beginning of the academic year, which may stipulate that some cycles of studies shall not have places available;
  - e) The general guidelines previously established by the branch of government responsible for higher education after discussion with the representative bodies of the institutions, namely considering the national policy on human resource training.
3. The University of Porto shall communicate the number of places it wants to establish in compliance with the previous number to the Directorate-General for Higher Education, accompanied by its respective substantiation.
  4. Places may be open for calls at different periods, according to the geographical origin of the candidates and the calendar of the University of Porto.
  5. The Directorate General for Higher Education shall make public the number of places fixed.
  6. The places referred to in this Article are not transferable between access and admission regimes, cycles of studies or institutions.

#### Article 7

##### **Social Services**

International students benefit exclusively from indirect social support, except for international students with the status of student in an emergency situation for humanitarian reasons, who benefit from all the support provided within the framework of direct and indirect financial support.

#### Article 8

##### **Social and cultural integration**

The University of Porto promotes initiatives with the purpose of academically and socially integrating its admitted students through the organisation of befitting activities, namely in the areas of language, culture, science, technology and sports.

#### Article 9

##### **Readmission and transfer or course change**

The provisions of articles 7 and 8 of this Regulation apply to international students admitted through the readmission and transfer/course change regimes referred to in the Ministerial Decree n<sup>o</sup> 181-D/2015, of 19 June, on the readmission and transfer/course change regimes in higher education, in its current wording.

#### Article 10

##### **Doubts and omissions**

The situations not mentioned in this Regulation follow the provisions of Decree-Law n<sup>o</sup> 36/20014, of 10 March, as amended by Decree-Law n<sup>o</sup> 62/2018, of 6 August, the cases omitted being decided by Dispatch of the Rector.

#### Article 11

##### **Entry into force**

The present regulation enters into force after being approved by the Rector and published in the Official Journal of the Portuguese Republic.

University of Porto, 24 September 2018

The Rector,

Professor Doctor António de Sousa Pereira