

Decree-Law No. (6) of 2018 on Higher Education

**President of the State of Palestine
Chairman of PLO Executive Committee**

In accordance with the provisions of the Amended Basic Law of 2003 as amended, in particular the provisions of Article (43) thereof,

And after having reviewed:
The provisions of Law No. (11) of 1998 on Higher Education;

AND based on the recommendation of the Council of Ministers dated 27/12/2017;
And in accordance with the powers vested in us,
And in pursuit of the public interest,
And in the name of the Palestinian Arab People,

We hereby promulgate the following Law:

CHAPTER ONE DEFINITIONS

Article (1)

The terms and expressions mentioned in this Decree-Law shall have the meanings ascribed thereto below, unless the context indicates otherwise:

State	The State of Palestine
Ministry	The Ministry of Education and Higher Education
Minister	The Minister of Education and Higher Education
Council	The Higher Education Council
Chairperson of the Council	The Chairperson of the Higher Education Council
Institution	Any higher education institution that provides services in the field of higher education
President of the Institution	The president of a higher education institution
Commission	The National Commission for Accreditation, Quality, and Standards
Higher Education	Any academic or professional study at a recognized higher education institution, the duration of which is not less than one full academic year or two semesters, undertaken after obtaining the General Secondary Education Certificate or its equivalent

General Education	Formal school education that extends through the basic education stage from grades one to ten, or their equivalents in non-formal education, and the secondary education stage from grades eleven to twelve, including all its scientific, humanities, and vocational tracks. Educational Program: A set of academic courses with a duration of no less than two semesters at any institution, offered for the purpose of obtaining a certificate or academic degree
Equivalency	The process by which the Ministry equates an academic degree granted by non-Palestinian higher education institutions with its corresponding academic degree in accordance with the Degree Equivalency System

1. This Article was amended pursuant to Article (2) of Decree-Law No. (19) of 2023 amending Decree-Law No. (6) of 2018 on Higher Education.
2. The name "Ministry of Higher Education and Scientific Research" has been amended to "Ministry of Education and Higher Education" in this Article pursuant to Article (1) of Decree-Law No. (16) of 2024 concerning the amendment of the names of the Ministry of Education and the Ministry of Higher Education and Scientific Research.
3. The title "Minister of Higher Education and Scientific Research" has been amended to "Minister of Education and Higher Education" pursuant to Article (2) of Decree-Law No. (16) of 2024 concerning the amendment of the names of the Ministry of Education and the Ministry of Higher Education and Scientific Research.

Article (2)

Right to Higher Education

Higher education is a right for every individual who fulfills the admission requirements determined by the Ministry and the institution, in a manner that does not hinder the individual's ability to exercise this right.

Article (3)

Freedom of Scientific Research

Academic freedom and scientific research are guaranteed in accordance with the provisions of this Decree-Law.

Article (4)

Objectives of Higher Education

Higher education aims to achieve the following:

1. Preserve the national identity of the Palestinian people and strengthen its unity and cohesion across all areas of its presence.
2. Promote the role of the Arabic language in all stages of instruction, research, and translation.
3. Prepare qualified human resources of specialists, researchers, experts, and technicians across various fields of knowledge in line with the requirements of sustainable development.
4. Encourage and develop authorship, translation, and scientific research, and support continuing education programs offered by institutions.
5. Ensure that all students have the opportunity to be admitted in higher education.
6. Enhance cooperation among local, regional and international institutions of higher education in accordance with national needs and priorities.
7. Strengthen and activate the vocational and technical education system, and enhance the cohesion and integration of its components.
8. Support and develop the institution and the scientific research centers.
9. Foster students' spiritual, ethical, and humanitarian values, and create a university environment free of violence.

Article (5)

Duties and Powers of the Ministry

The Ministry shall exercise the following duties and powers:

1. Implement higher education policies in all areas in accordance with the provisions of this Decree-Law.
2. Conclude agreements related to higher education, scientific research, and nationally oriented cultural exchange programs, and follow up on their implementation with all local, Arab, regional, and international entities.
3. Represent the State in international and regional conferences in the field of higher education and scientific research.
4. Monitor institutions, their programs, academic systems, services, and the quality of their performance and outputs.
5. Review applications for licensing higher education institutions submitted by the Commission.
6. Recognize non-Palestinian higher education institutions.
7. Regulate the operation of student service offices and monitor their affairs.
8. Implement policies related to scholarships, grants, and financial aid for study inside and outside the country.
9. Issue data and statistics related to institutions.
10. Provide financial resources within the state's general budget to cover institutions and research expenses, and disburse them in accordance with policies determined by the Council.
11. Equivalize certificates issued by higher education institutions and non-Palestinian general secondary education certificates, and certify them.
12. Certify degrees awarded by institutions in accordance with the instructions issued under this Decree-Law.
13. Supervise student counseling and career guidance programs for choosing academic majors.

14. Coordinate with ministries and relevant bodies to develop licensing systems for professions requiring academic qualifications.
15. Follow up on the affairs of Palestinian students studying abroad and international students studying in the State.
16. Form committees to assist in resolving disputes between universities and their staff or students.
17. Coordinate between institutions and general education institutions to ensure integration between them.

Article (6) **Higher Education Council**

1. A Higher Education Council shall be established in Palestine pursuant to the provisions of this Decree-Law. It shall enjoy independent legal personality.
2. The members of the Council shall be appointed by a decision of the President of the State based on the recommendation of the Council of Ministers upon the request of the Minister.
3. The Council shall be chaired by the Minister and shall consist of the following members:
 - a. Six university presidents, selected by the Council of University Presidents on a rotating basis, including at least one president from a public university.
 - b. Two chairpersons of boards of trustees, selected by the Minister on a rotating basis or their alternates, provided that their respective universities are not represented in the Council.
 - c. One distinguished academic figure representing the Palestinian diaspora, nominated by the Council of University Presidents in consultation with the Minister.
 - d. One distinguished academic figure from within the Palestinian territories, nominated by the Council of University Presidents in consultation with the Minister.
 - e. One dean from university colleges or vocational and technical community colleges on a rotating basis, nominated by the Minister.
 - f. One representative from the Scientific Research Council holding a professorship, nominated by the Scientific Research Council.
 - g. The President of the National Commission for Accreditation and Quality Assurance.
 - h. Three distinguished academic figures selected by the Minister.
 - i. Four members: two from civil society institutions and two from the private sector with relevant expertise, selected by consensus between the Minister and the Council of University Presidents in consultation with relevant institutions.
 - j. The Deputy-Minister.
 - k. The Deputy-Minister of the Ministry of Education and Higher Education.
 - l. The Deputy-Minister of Finance.
 - m. The Assistant Deputy-Minister for Higher Education Affairs.
4. In selecting the Council's membership, gender representation and diversity of disciplines shall be taken into consideration.
5. The term of membership shall be two years, renewable once.
6. The Council may invite any person it deems appropriate to attend specific portions of its meetings to consult on agenda topics, without granting voting rights.

Paragraph (3) of this Article was amended pursuant to Article (3) of Decree-Law No. (19) of 2023 amending Decree-Law No. (6) of 2018 regarding Higher Education.

The name “Ministry of Education” was amended to “Ministry of Education and Higher Education” pursuant to Article (1) of Decree-Law No. (16) of 2024 regarding the amendment of the names of the Ministry of Education and the Ministry of Higher Education and Scientific Research.

Article (7)

Powers of the Council

The Council shall exercise the following powers:

1. Approve and develop the general policy for higher education and scientific research in Palestine.
2. Issue governance standards for institutions.
3. Establish general rules for student admissions to institutions.
4. Monitor institutions' compliance with Council decisions regarding student admissions and enrollment numbers, according to instructions set by the Chairperson.
5. Propose new higher education legislation or amendments in light of national policy developments.
6. Coordinate between institutions and scientific research centers.
7. Make appropriate recommendations for improving institutional performance.
8. Submit an annual report to the Council of Ministers on the status of higher education in the State.
9. Develop funding policies to support the higher education sector in various fields, to be used in determining areas and amounts of government support to institutions.
10. Standardize academic, financial, administrative, and research criteria across institutions.
11. Prepare the necessary financial and administrative regulations for the Council and its committees.
12. Propose regulations and submit them to the Council of Ministers for issuance.

Article (8)

Council Meetings

1. The Council shall hold its ordinary meetings once every two months upon an invitation by its Chairperson or vice-chairperson in the absence of the Chairperson. The meeting shall be legally valid if attended by two-thirds of the members, provided that either the Chairperson or Vice-Chairperson is present.
2. Extraordinary meetings may be held upon the request of the Chairperson or upon a written request signed by two-thirds of the members, stating the agenda.
3. The Council shall adopt its decisions by a majority vote of the members present. In case of equality of votes, the Chairperson shall have a casting vote. However, any decision to revoke accreditation of one or more programs, or to suspend admissions at an institution shall require approval of three-quarters of the members present.

Article (9)
Powers of the Council Chairperson

The Chairperson of the Council shall exercise the following powers:

1. Represent the Council before official and non-official entities inside and outside the State.
2. Preside over and manage meetings.
3. Call for regular and extraordinary meetings of the Council.
4. Propose priority issues for inclusion in the Council's agenda.
5. Sign agreements inside and outside Palestine on behalf of the Council and approve them.
6. Issue decisions and recommendations adopted by the Council.
7. Issue the instructions necessary for implementing the provisions of this Decree-Law.

Article (10)
Vice-Chairperson of the Council

1. The Council shall elect a Vice-Chairperson from among its members for a term consistent with Article 5(6) of this Decree-Law.
2. The Vice-Chairperson shall assume the powers of the Chairperson in their absence.

Article (11)
Secretary General of the Council

The Council shall appoint a Secretary General from among the staff of the Ministry, upon recommendation of the Minister. He/she shall assume the following duties:

1. Preparing the agenda for the Council's meetings.
2. Following up on administrative matters related to the work of the Council.
3. Monitoring the implementation of the Council's decisions and submitting them to the Chairperson of the Council for issuance.
4. Following up the work of the subcommittees formed by the Council.
5. Reviewing correspondence received by the Council and presenting it at Council meetings.
6. Attending the Council meetings and its subcommittee meetings, and recording their minutes, without voting rights.
7. Any other tasks assigned or delegated to him by the Council.

Article (12)
Council Committees

The Council shall have the authority to establish standing or ad hoc committees and working groups, as it deems appropriate, to examine matters referred to them and to submit recommendations thereon to the Council.

Article (13)

Council Units

The Council shall establish its own units to support and inform its decision-making. The organization and operation of these units shall be governed by instructions issued by the Chairperson of the Council.

Article (14)

Remunerations

Council members referred to in subparagraphs (c), (d), (f), (h), and (i) of Article 6(3) of this Decree-Law shall be entitled to remuneration, to be determined by a regulation issued by the Council of Ministers upon the recommendation of the Chairperson of the Council.

Article (15)

Cessation of Membership

1. A person shall cease to be a member of the Council in any of the following circumstances:
 - a. Upon expiry of their term of office or the conclusion of their rotational period.
 - b. Upon resignation.
 - c. Upon death.
 - d. Upon being absent from three meetings in any calendar year without reasonable excuse accepted by the Council.
 - e. Upon being replaced by the institution that nominated them.
 - f. Upon being convicted of an offense involving dishonesty or deception, unless and until they are deemed rehabilitated in accordance with the law.
2. Where a vacancy arises, a replacement member shall be appointed using the same procedure as for the original appointment, and shall serve for the remainder of the unexpired term.

Article (16)

Legal Personality

The institution shall enjoy legal personality and financial and administrative independence, enabling it to perform its functions and achieve its objectives.

Article (17)

Classification of Institutions

1. Institutions shall be classified by establishment as follows:
 - a. Governmental: Established by a decision of the Council of Ministers, and regulated in accordance with the provisions of its specific legislation.
 - b. Public: Non-profit institutions.

- c. Private: For-profit and non-profit institutions, registered in accordance with the Companies Law.
- 2. Institutions shall be classified by academic programs as follows:
 - a. Universities, which include no fewer than three colleges, and provide the following:
 - 1) Associate diploma programs through separate community colleges.
 - 2) Academic programs leading to the award of the Bachelor's degree (first university degree).
 - 3) Postgraduate programs leading to the award of a Higher Diploma, Master's degree, or Doctorate degree.
 - b. University Colleges, which offer:
 - 1) Academic, professional, or technical programs leading to the award of a Bachelor's degree.
 - 2) Two- or three-year professional or technical programs leading to the award of an Associate Diploma.
 - c. Community Colleges, which offer professional or technical programs of no less than one academic year, leading to the award of an Associate Diploma, Professional Diploma, or Technical Diploma.

Article (18)

Institution Licensing

- 1. Institutions must obtain prior licensing before their establishment or the opening of any branches, subject to the approval of the Minister and based on the recommendation of the Commission.
- 2. The conditions, licensing procedures, and standards for establishing institutions shall be determined by a regulation issued by the Council of Ministers.

Article (19)

Non-Palestinian Higher Education Institutions

Any non-Palestinian higher education institution may apply for a license to open one or more branches in Palestine, provided that:

- 1. It complies with the licensing and accreditation procedures in accordance with the provisions of this Decree-Law and the regulations issued pursuant thereto.
- 2. It has a Palestinian partner owning no less than 51% of the capital.

Article (20)
Licensing Procedures

1. Applications for the establishment and licensing of institutions shall be submitted to the Commission.
2. The Commission shall respond in writing to the application within six months from the date of submission. In case of rejection, the decision must be justified.

Article (21)
Accreditation

1. Accreditation is divided into two types:
 - a. Institutional Accreditation: The Commission's affirmation that the licensed institution is qualified to submit applications for the accreditation of its colleges and programs, subject to meeting the relevant conditions in accordance with the regulations and standards adopted by the Commission.
 - b. Program Accreditation: The Commission's affirmation of the eligibility of the educational program and its approval for delivery by the institution.
2. Institutional accreditation begins with the Council's approval of the establishment of the institution, based on a report from the Commission confirming the fulfillment of the necessary conditions.
3. Program accreditation begins with the approval to launch an educational program within the institution upon fulfilling the specific requirements. The accreditation shall be granted after the graduation of the first cohort, provided that all necessary requirements have been met.

Article (22)
Institution Language

Arabic shall be the official language of instruction in the institution. However, it may teach certain courses or programs or adopt instruction in certain colleges in foreign languages.

Article (23)
Study System

1. The study system in the institution shall be based on the credit hour system or the academic year system, depending on the nature of the program approved by the Commission.
2. The study system is classified as follows:
 - a. Regular Education: An educational system that enables students to enroll in the institution and attend lectures in person and on a regular basis.

- b. Open Education: An educational system that offers learning opportunities to anyone interested, regardless of age, ability to commit to regular study, or ability to attend lectures. Learning materials are delivered through computerized, radio, television, and telephone services, with a set percentage of discussion sessions and face-to-face meetings, in accordance with the conditions and requirements specified by a regulation issued by the Council of Ministers, and in line with international standards.
- c. e-Learning: A learning system that employs various information and communication technologies to provide an interactive, multi-source environment for delivering educational programs to learners anytime and anywhere, synchronously or asynchronously, relying on self-learning and interaction between learner and instructor, in accordance with the conditions and requirements specified by a regulation issued by the Council of Ministers.

Article (24)

Degrees and Academic Qualifications

Institutions, within their areas of specialization, may grant the following academic certificates and degrees:

1. intermediate diploma: Awarded upon completion of at least 60 credit hours following the General Secondary Education Certificate or its equivalent.
2. Bachelor's Degree: Awarded upon completion of a minimum of 120 credit hours or equivalent after the General Secondary Education Certificate or its equivalent.
3. Higher Diploma: Awarded upon completion of a minimum of 24 credit hours or equivalent after obtaining a Bachelor's degree.
4. Master's Degree: Awarded upon completion of a minimum of 36 credit hours or equivalent after obtaining a Bachelor's degree.
5. Doctoral Degree (PhD): Awarded upon completion of a minimum of 48 credit hours, including the doctoral dissertation, or equivalent after obtaining a Master's degree, and within a period not less than three academic years at Palestinian universities.

Article (25)

Recognition and Equivalency

The procedures for the Ministry's recognition of non-Palestinian higher education institutions, and the validation or equivalency of certificates and academic degrees issued by them with the academic degrees awarded by Palestinian higher education institutions, shall be determined pursuant to the provisions of this Decree-Law and the regulations issued in accordance therewith.

Article (26)

Institutional Immunity

Each institution shall have an inviolable campus in accordance with the provisions of this Decree-Law. No institution, nor any of its centers or branches, may have its assets seized or be closed down except pursuant to a judicial ruling.

Article (27)
Bylaws of the Institution

The institution shall develop its bylaws governing its academic, administrative, and financial affairs, provided that they do not conflict with the provisions of this Decree-Law.

Article (28)
Reports

The institution shall submit the following reports to the Council for review:

1. The institution's annual budgets and final accounts reports.
2. The annual performance reports issued by the institution and the competent governmental bodies.

Article (29)
Disciplinary Procedures

The institution shall comply with the provisions of this Decree-Law and the regulations issued pursuant thereto. In case of violation, the Council shall have the authority to:

1. Warn the institution to rectify the violation within a specified period.
2. Upon recommendation by the Commission, and in case of continued or repeated violations, impose the following disciplinary measures:
 - a. Cancel the accreditation of one or more programs.
 - b. Permanently or temporarily suspend student admissions.
 - c. Suspend financial support to the institution.

Article (30)
Board of Trustees

1. Each public university shall have a Board of Trustees, formed and assigned duties pursuant to internal bylaws issued by the institution.
2. The Board of Trustees shall be reconstituted every three years.
3. The Ministry shall be notified of the formation of the Board of Trustees, and in the event of failure to constitute it, the Minister may appoint a temporary supervisory committee.

Paragraph (2) of this Article was amended pursuant to Article (2) of Decree-Law No. (10) of 2024 amending the Higher Education Decree- Law No. (6) of 2018 as amended.

Article (31)
Board of Directors

Private universities, whether for-profit or non-profit, shall have a Board of Directors whose duties shall be defined in accordance with the applicable Companies Law.

Article (32)
Council of University Presidents

A Council of University Presidents shall be established by a decision of the Minister. It shall include all presidents of public, general, and private universities and shall be chaired by the Minister. The Council shall assist in the development of the higher education system and shall carry out its functions in accordance with internal bylaws issued by the Council, provided that they do not conflict with the provisions of this Decree-Law.

Article (33)
Management of the Institution

1. Each university shall be headed by a Vice-Chancellor (or President) who must hold the rank of Professor and shall serve on a full-time basis for a term of three years, renewable once only.
2. Each university faculty shall be headed by a Dean who must hold an academic qualification no lower than a Doctorate (PhD), and shall serve in a full-time capacity.
3. Each community college shall be headed by a director who must hold an academic qualification no lower than a Master's degree, and shall serve in a full-time capacity.

Article (34)
Administration of Public Institutions

1. The President of the State shall appoint the Board of Trustees and the President of a public university for a term of three years, renewable once only, based on the recommendation of the Council of Ministers upon nomination by the Minister.
2. The powers of the president of a public institution, its councils, and other matters shall be governed by the provisions of the applicable bylaws of public universities.
3. The Minister shall appoint the director of a public community college and the dean of a public university college.
4. Public institutions shall submit their budgets and final accounts to the Ministry.

Article (35)
Scientific Research Council

1. The Scientific Research Council aims to promote scientific research through:
 - a. Implementing the general policies of scientific research and determining its priorities.
 - b. Enhancing partnerships between institutions and research centers.

- c. Promoting cooperation with private sector institutions in support of creativity and innovation.
 - d. Assisting in securing external funding sources for research.
2. The work of the Scientific Research Council shall be regulated in accordance with the provisions of this Decree-Law and the regulations issued pursuant thereto.

Article (36) **Scientific Research Centers**

1. Scientific research centers shall be responsible for conducting scientific research and studies in various fields.
2. Scientific research centers shall be registered with the Ministry, which shall grant them official status to carry out their functions in accordance with instructions issued for this purpose.
3. Scientific research centers affiliated with institutions shall be exempt from the provisions of this Article.

Article (37) **Higher Education Endowment**

1. The Ministry shall establish a higher education endowment consisting of financial and tangible assets that are held and invested to improve institutional performance and enhance the quality of education and scientific research, in order to achieve sustainable development and societal advancement.
2. The endowment's assets and proceeds may not be disposed of except within the scope of their designated purposes.
3. The higher education endowment shall be subject to the oversight of the Council.
4. A regulation shall be issued by the Council of Ministers to organize the higher education endowment, its financial sources, and its administration.

Article (38) **The Commission**

1. The Commission shall work to improve the quality and standards of education by:
 - a. Periodically evaluating institutions and their academic programs.
 - b. Accrediting academic programs.
 - c. Applying general and special accreditation standards to institutions.
 - d. Developing a quality assurance system and monitoring its application at institutions.
2. A regulation shall be issued by the Council of Ministers to organize the structure, operational mechanisms, and duties of the Commission.

Article (39)

Exemptions

Public and private non-profit institutions of higher education shall be exempt from all direct and indirect taxes on all sources of their revenues. They shall also be exempt from customs duties on movable and immovable property and shall enjoy the privileges and facilities granted to government institutions, charitable organizations, and public bodies, in accordance with applicable laws.

Article (40)

Fees

1. The Ministry shall collect the following fees:
 - a. Fees for licensing institutions or their branches.
 - b. Fees for program accreditation or reaccreditation.
 - c. Fees for certificate equivalency, attestation, and recognition.
 - d. Fees for certificate issuance.
 - e. Fees for the Comprehensive Applied Examination.
 - f. Fees for accreditation or renewal of university services offices.
2. The amount and collection conditions of the fees shall be defined in a regulation issued by the Council of Ministers.

Article (41)

Reconciling of Status

1. All institutions accredited in the records of the Commission shall be deemed duly licensed prior to the entry into force of the provisions of this Decree-Law.
2. Institutions shall reconcile their status in accordance with the provisions of this Decree-Law within a maximum period of one year from the date of its entry into force. The Minister may extend this period for an additional six months.

Article (42)

Transitional Provision

Without prejudice to the provisions of this Decree-Law, the regulations and instructions issued under the provisions of Higher Education Law No. (11) of 1998 shall remain in force until repealed or amended within a maximum period of one year from the date of entry into force of the provisions of this Decree-Law.

Article (43)

Issuance of Regulations

1. The Council of Ministers shall issue the regulations necessary for the implementation of the provisions of this Decree-Law.

2. The Minister shall issue the instructions necessary for the implementation of the provisions of this Decree-Law.

Article (44)
Presentation to the Legislative Council

This Decree-Law shall be presented to the Legislative Council at its first convened meeting for approval.

Article (45)
Repeal

1. Higher Education Law No. (11) of 1998 is hereby repealed.
2. Any provision that conflicts the provisions of this Decree-Law is hereby repealed.

Article (46)
Entry into Force

All competent authorities, each in its respective field, must implement the provisions of this Decree-Law, and it shall enter into force thirty (30) days after its publishing in the Official Gazette.

MAHMOUD ABBAS
President of the State of Palestine
Chairman of PLO Executive Committee