

In the Name of God, the Rahman, the Merciful



**The Arab Republic of Egypt
Republic Presidency**

EGYPTIAN OFFICIAL GAZETTE

Law No. 162 Of 2018

**On The Establishment and Organization of International Branch Campuses
Within The Arab Republic of Egypt and University Institutions**

**In the name of people
President of the Republic**

Upon the approval of the House of Representatives, we have promulgated the following law:

Chapter One

**General Provisions Governing the Establishment of a Branch Campus
Or University Institution**

Article 1

Definitions:

Concerned Minister: Minister of Higher Education Affairs

Concerned Ministry: Ministry of Higher Education Affairs

Main University: A foreign (international) university that establishes a branch campus within the Arab Republic of Egypt

Branch Campus: A foreign (international) university branch, established within the Arab Republic of Egypt

University Institution: A legal person created to host one or more International Branch Campuses

Commission: Commission to scrutinize the applications for the establishment of branch campuses or university institutions

Council: Council of International Branch Campuses Affairs

Article 2

The provisions of this law shall apply to the establishment and organization of International Branch Campuses within the Arab Republic of Egypt and University Institutions.

Article 3

Scientifically distinguished international branch campuses may be established, with the aim of developing the higher education and scientific research systems in the Arab Republic of Egypt, and working on strengthening the links between this system and its counterparts in the developed countries and to provide opportunities for higher education within the country, while preserving the national identity of Egyptian students.

Article 4

The Main University may establish, and equip the branch campus within the Arab Republic of Egypt and bear the costs of its operation. Such acts may be entrusted to the concerned Ministry or to a natural or legal person from Egypt, by virtue of a contract concluded between both parties. A copy of this contract along with a certified translation in Arabic of which are required to be attached to the Application of the International Branch Campus establishment.

The Main University may also entrust to the university institution to host one or more branch campuses. The role of the university institution shall be limited to undertaking the common administrative aspects of the branch campuses hosted and providing services to which, in accordance with the provisions of this law.

Article 5

Egyptian universities may establish branch campuses in accordance with the established procedures, in partnership with an international university, scientifically distinguished, to award degrees from both Universities.

Such branch campuses shall be subject to the advantages, facilities and obligations stipulated in Chapter Two herein.

Article 6

The Concerned Minister shall issue a decision to establish a Commission under his chairmanship and the membership of representatives of concerned ministries and authorities in the State, which shall scrutinize and study the applications for the establishment of International Branch Campuses and university institutions.

The decision issued on the establishment of the Commission shall determine the organization of its functioning, the documents and data to be submitted, the conditions and requirements for establishing the international branch campus or institution, and the required scientific level at the Main University

The Commission shall have a technical secretariat, regarding which the Concerned Minister shall issue a decree determining the formation and functioning thereof.

Article 7

The establishment of the IBC shall be issued by virtue of a presidential decree presented by the Concerned Minister and after taking into account a favorable opinion of the Commission, the State authorities concerned and the approval of the Cabinet.

The IBC shall have a private legal personality and shall appoint its president after the approval of the Concerned Minister, based on the nomination of the Main University, as determined by the IBC bylaws. The branch shall be represented by its president before the judiciary, and in its relations with third parties.

Article 8

The establishment of the university institution shall be issued by virtue of a presidential decree presented by the Concerned Minister and after taking into account a favorable opinion of the Commission and the approval of the Cabinet.

The university institution shall have a board of trustees, formed according to its bylaws. The university institution shall enjoy the private legal personality. The president shall be appointed by a decision of the institution's Board of Trustees, based on an agreement between which, the branch or branch campuses hosted, as the case may be, and the Concerned Minister.

The university institution shall be represented by its president before the judiciary and in its relations with third parties.

The university institution may not award any diplomas or degrees.

Article 9

The decree issued on the establishment of the IBC shall specify the provisions and rules governing which, and in particular:

1. Faculties, institutes, research units, study programs, innovation centers, and science cities covered by the branch.
2. The formation of the boards that manage the branch, in particular the Board of Trustees, or the university boards or subsidiary commissions and their Terms of Reference. The formation of the Board of Trustees shall include two representatives from the Concerned Ministry. The Board of Trustees may invite others, as determined, to attend the Board meetings.
3. General rules for grants that exempt or reduce tuition fees.
4. Degrees, certification and diplomas awarded by the IBC.

Article 10

The decision to establish the university institution shall determine the rules governing the organization thereof and the IBCs hosted. It shall regulate inter-relations between the university institution and the branch campuses. The Board of Trustees shall include two representatives from the Concerned Ministry. The Board of Trustees may invite others, as determined, to attend the Board meetings.

Article 11

The license for the establishment of the IBC shall be issued against a fee equal to a maximum of 5% of the estimated budget approved for the establishment of such branch. This fee shall be collected in cash or by any other method of payment, no later than one month from the date of issuing the decision to start the first academic year.

The branch shall pay an annual fee of (2%) of the total amount of tuition fees. Such amount shall be remitted by the end of December annually, for the IBC being licensed to continue operation in Egypt.

Article 12

A fund shall be established in the Concerned Ministry called the “*Fund for the Welfare of the Egyptian Academic Staff and their Assistants at Universities, Institutes and Research Centers affiliated to the Ministry of Higher Education and Scientific Research*”. It shall have public legal personality. Disbursements from such Fund shall be made to cover the health and social welfare aspects of the Egyptian Academic Staff and their assistants at universities. An amount equal to the fees prescribed in Article (11) herein shall go to the social and health welfare of the Academic Staff at Egyptian universities.

Upon agreement with the Minister of Finance, the Concerned Minister shall issue a decision on the bylaws governing the Fund, indicating its other resources, the fund administration methods, and the regulating administrative, financial and technical affairs thereof.

Article 13

The Concerned Minister shall issue a decision to start the first academic year in the IBC following a favorable opinion of the Commission and making sure that the conditions to start are in place, similar to the practice in the Main University

Article 14

The IBC or University Institution shall notify the Concerned Minister before making any amendment to the data deemed as grounds for issuing the decree to establish the IBC or university institution. The notification shall be sent to the Commission for the opinion within a maximum period of one month from the date of its submission. , After the presentation to the Cabinet, the Concerned Minister shall present the opinion to the President to take such action thereon as he considers appropriate.

Article 15

The Concerned Minister shall appoint an adviser to the branch who shall be his representative for a period of two years, renewable for one time. He shall serve mainly as liaison between the concerned governmental authorities and the administration of the branch, in addition to contributing to the supervision of the IBC various activities. The Representative shall join the membership of the Council concerned with the IBC administration.

Chapter II

The advantages, facilities and obligations of the IBC and the University Institution

Article 16

State authorities guarantee the following:

- 1- The branch shall operate within a framework of academic and institutional autonomy and freedom.
- 2- Granting the facilities, privileges, permits and licenses for the IBC necessary to start its activities, including permits or licenses that enable the academic and assistant staff to perform their duties.
- 3- Encourage relevant governmental and private entities to contract with the IBC to facilitate its functions.
- 4- Providing the necessary administrative facilities for the IBC, to enable it to conclude official transactions and obtain the necessary services to perform the scientific and research duties thereof.
- 5- To provide the IBC, at its own expense, with the appropriate land plot, in terms of location and space, for the establishment of buildings, enough to meet its needs for future expansions.
- 6- Facilitate the necessary procedures for the equivalence of the degrees awarded by the IBC to those awarded by the Egyptian universities, in accordance with the provisions of the Universities Organization Law promulgated by Law No. 49 of 1972.

Article 17

The branch may deliver educational programs, cultural services and continuous education programs that do not award degrees, such as teaching foreign languages or organizing special studies in economic, social, administrative, literary and artistic sciences, after approval by the Concerned Minister regarding the scientific content of such programs.

Article 18

The IBC shall manage its own funds and shall determine the tuition fees, provided that such expenses shall be paid in Egyptian pounds and may be collected from foreign students in foreign currencies, in accordance with the regulations issued by the Concerned Minister.

The branch may not increase the tuition fees after students' enrollment except in the rate they were notified of prior to their enrollment.

The branch may exploit the findings of the research projects according to the provisions stipulated by the laws for the Egyptian universities.

Article 19

The IBC and the university institution shall enjoy all the guarantees and incentives for the private investment mentioned in the Investment Law promulgated by Law No. 72 of 2017, where no special provision is made herein.

Article 20

Having been engaged in activities, the IBC shall commit itself to the following:

- 1- Compliance with the provisions of the Egyptian laws.
- 2- Informing the concerned ministry with the curricula being taught, which must conform to the curricula being taught in, or adopted by, the Main University. In case of discrepancies, the approval of the Concerned Minister shall be required.
- 3- The rules of students admission to the IBC shall be the same applied for their admission to the Main University.
- 4- To provide the concerned authorities with the facilities to enable them to verify the IBC observance of the requirements of security and public order.
- 5- Present the names of non-Egyptian candidates to fill the academic staff or administrative leadership posts to the Minister of Higher Education to receive his prior consent before completing the recruitment procedures.
- 6- The percentage of Egyptian students enrolled in programs for which degrees are awarded shall not be less than half of the total number of students enrolled.
- 7- Including academic staff and expertise from the main university or others with the same standards required to teach at the main university, ensuring that expertise and competencies of the Egyptian academic and administrative posts are being included in the branch.
- 8- The study programs should have the same academic qualification as those taught at the main university.
- 9- The certificates awarded must be issued by the main university, having the same academic qualification as those awarded by counterpart faculties at the main university.
- 10- Certification shall be subject to the same procedures and standards of quality and accreditation applied in the host country of the main university. The concerned ministry shall verify that such requirements are met, after coordination with the National Authority for Quality Assurance of Education and Accreditation.
- 11- The IBC shall annually allocate an appropriate number of scholarships to students, academic staff and their assistants for study or training at the main university.
- 12- To submit to the Minister of Higher Education a five-year plan based on the merits for the organization of its functions, including in particular its vision of the number of students expected to be admitted, tuition fees, future expansions and community activities performed by the branch.
- 13- Obtain the approval of the Minister of Higher Education on any agreements concluded between the branch campus and non-Egyptian parties in connection with the functioning of the educational or research process.

Chapter III

International Branch Campuses Affairs Council

Article 21

The Concerned Ministry shall establish a council with the name of “International Branch Campuses Affairs Council”. It shall be chaired by the Concerned Minister or his deputy and the membership of the IBC presidents and the minister’s advisors at these branch campuses.

In the case of hosting several IBCs by an Institution, an IBC president shall be chosen by consensus to replace the remaining IBC presidents for the council membership alternately periodically each year, in which case the Concerned Minister’s related advisor shall join the council membership.

The council membership shall also include the presidents of university institutions and three heads of the Boards of Trustees of university institutions, who are chosen alternately periodically each year. Presidents of International Branch Campuses established, by virtue of international conventions, before applying the provisions of this Law may also be admitted to the Council, following its consent. In this case the Concerned Minister’s related advisor shall join the council membership.

There shall be a Secretary-General for the Council. The Concerned Minister shall issue a decision, regarding such appointment, for two renewable years. The Secretary-General shall join the Council membership.

Decisions of the Council shall be taken by an absolute majority of the members present.

Article 22

The council’s function is to monitor and develop the quality assurance of the educational and research process provided at the branch campuses, according to following competencies:

- 1- Coordination among branch campuses;
- 2- Render opinions regarding IBC’s violations to the provisions of the Egyptian laws or the decree to establish the IBC or its rules or decisions of the Council. The Council shall propose and follow the implementation of measures and procedures that would eliminate the causes of violation.
- 3- Issuing binding decisions regarding disagreement that arise between university institutions and any of the IBCs being hosted, in order to ensure the continuity and quality of the educational process in such branch campuses.
- 4- Render opinions as directed by the Concerned Minister.

Article 23

The Secretary General shall have a sufficient number of assistant experts, technicians and administrators, who shall be contracted for a period of time that may be renewed. The contracting regulations shall be determined by a decree issued by the Concerned Minister in coordination with the concerned authorities in the State.

A decree may also be issued by the Concerned Minister to assign a number of employees from the ministries and public bodies to serve in the council secretariat.

Chapter IV

The IBC Cancellation Procedures

Article 24

In case of violating the provisions of the Egyptian laws or the decision or rules of the IBC establishment or the decisions of the Council. And in case of extreme necessity and after receiving a favorable opinion from the Council and warning the IBC to avoid the grounds for violation, the Concerned Minister may stop the admission of new students to any or all faculties at the IBC for a full academic year or until the grounds for such violation have been remedied.

In the event that it was impossible for the IBC to continue performing its educational duties, the Concerned Minister shall issue a decree to stop admission of new students to the branch after consultation with the Main University and the approval of two thirds of the members of the council. Such approval shall include a statement of the administration of the branch from the Discontinuation Decree issuance until the graduation of all students enrolled.

In the latter case, the IBC and the Main University shall comply with the decision of the Council in this regard and take the necessary steps towards the graduation of all students enrolled or grant them tuition-free-study at the Main University or at parallel programs in other universities at the expense of the IBC. The IBC shall be required to receive the consent of students to complete the study, whether at the main university or at any other university.

After the completion of the graduation of all students enrolled in the IBC, the Concerned Minister shall report on the case to the President of the Republic, after presentation to the Cabinet, to issue a decree on the IBC establishment cancelation.

Article(25)

The Concerned Minister shall issue the decisions necessary to implement the provisions stipulated herein.

Article(26)

This Law shall be published in the Official Gazette and shall come into effect on the day following the date of its publication.

This law shall be stamped with the seal of the State, and enforced as one of its laws

Issued by the Presidency of the Republic on 2 Dhul Qa'da 1439 Hijri corresponding to 2 August 2018 AD

Abdel Fattah Sisi