

Validation of a Foreign Academic Degree or Final Diploma, Proof of Equivalence, Fixed Term, Legal Information

The Federal Ministry for Science, Research and Economy gives the following information on the fixed term for the proof of equivalence in the course of a validation (*Nostrifizierung*) procedure:

1. In case that in the course of a validation procedure according to art. 90 of the Universities Act 2002 – UG, BGBl. I No. 120/2002, and art. 6 paras. 6 and 7 of the Universities of Applied Sciences Act – FHG, BGBl. No. 340/1993, both as amended, the equivalence of a foreign study programme can be largely considered as verified, and only single supplements to the full equivalence are missing, the competent organ due to the statute of the university or university of applied sciences concerned due to its internal rules shall prescribe by notice to the applicant the fulfilment of the required achievements within a reasonable time, which shall be fixed in the notice.
2. The term which has to be fixed is not provided for in a law or a decree, but is part of the decision of the competent authority. According to art. 33 para. 4 of the General Rules for Administration Proceedings 1991 – AVG, BGBl. no. 51/1991, as amended, such a term, fixed by an authority can, in conformity with the standing jurisdiction of the Administrative Court (*Verwaltungsgerichtshof*), in principle be extended, provided that the competent organ considers the legally provided fact that the fixed term is reasonable also for the extended term. The applicant should, however, have shown evidence that he or she has done anything which one could expect in order to keep the fixed term, and that nevertheless this had not been possible for him or her. A legal title to the extension of the term does not exist anyway.