

LAW ON MONTENEGRIN QUALIFICATIONS FRAMEWORK

I. Basic provisions

Contents

Article 1

This Law regulates the Montenegrin Qualifications Framework (hereinafter: Qualification Framework), levels and sub-levels of qualifications, types of qualifications, volume of qualification, as well as bodies for proposing, adoption and classification of qualifications.

Definition

Article 2

Qualifications Framework is an instrument that allows classification, comparison development and understanding of qualifications, their links and clear overview of paths for acquiring qualifications for the needs of labour market and the society.

Principles

Article 3

Qualifications Framework shall be based on the following principles:

- learning outcomes expressed through knowledge, skills and competences;
- classification of qualifications into levels and sub-levels;
- credit transferability;
- comparability to the European Qualifications Framework (hereinafter: EQF);
- Quality assurance in the process of qualification acquisition and development;
- Cooperation among all stakeholders; and
- transparency.

Objectives

Article 4

Objectives of the Qualifications Framework are:

- clear definitions of learning outcomes;
- validation of various qualifications within the overall qualifications system;
- fostering and development of lifelong learning;

- to indicate clear connections among various parts of the system;
- to indicate paths of progression and advancement (horizontally and vertically) through and within the system of education and training;
- international comparability of qualifications;
- promotion of importance of the key vocational competences; and
- quality assurance in qualifications framework.

Use of Gender-Sensitive Language

Article 5

All terms used in this Law for natural persons denoting male gender shall also stand for the same terms denoting female gender.

Glossary

Article 6

Certain expressions in the present Law shall have the following meaning:

- 1) **Level descriptors** are measurable indicators of complexity of knowledge, skill and competences a person has gained through learning and proven after the learning process;
- 2) **Learning outcomes** are statements confirming what an individual knows, understands and is able to do at the end of the learning process, irrespective of the learning methods, and are defined in terms of knowledge, skills and competences;
- 3) **Knowledge** means a set of acquired and connected information which are the result of learning. It is a set of data, principles, theories and practices which are linked to the field of work or learning. In the Qualifications Framework knowledge is described as theoretical and/or factual;
- 4) **Skills** comprise ability to apply knowledge in performing tasks and solving problems. In the Qualifications Framework skills are described as cognitive or practical;
- 5) **Competence** is demonstrated ability to use knowledge and skills as well as personal, social and/or methodological abilities in working or learning environment. In the Qualifications Framework, competences are determined on the basis of autonomy and responsibility;
- 6) **Montenegrin Credit Transfer System (MCTS)** is a process that allows for learning outcomes achieved in one context to be taken into account in another context. It is based on assessment, confirmation and recognition processes,

and is aligned with the European Credit Transfer and Accumulation System (ECTS) and with vocational education and training (ECVET);

- 7) **Credit value of a qualification** (credit, credit points, point) is quantitative determination of qualification volume that reflects the overall workload and notional time of a learner during the education or study programme;
- 8) **Credit** (credit point) is a key element of MCTS, which is allocated to certain programmes of education or their parts (courses/modules/subjects) as well as other forms of education, i.e. learning (projects, seminars, research activities, work in the field, in teaching, at home, writing papers on specific topics, practical work, work in the library, etc.) and it denotes the volume of work that each of these demands, in comparison to overall amount that is necessary in order to acquire certain volume of qualifications;
- 9) **module** is completed and linked set of learning with clearly defined number of credits, which may be individual, or related to other modules.

II. Qualifications Framework

Subject of Qualifications Framework

Article 7

The subject of Qualifications Framework is a qualification of certain size that is acquired through assessment process and mark for learning outcome, confirmation, i.e. recognition of qualification, in accordance with special regulations.

Qualification Standard

Article 8

Qualification standard referred to in Article 7 of this Law is comprised of:

- name of qualification,
- type of qualification,
- level, i.e. sub-level of qualification;
- reference code,
- credit value of qualification,
- qualification specification; and
- contents of a qualification (enrolment prerequisites, number of mandatory and optional subjects i.e. modules, methods of assessment and criteria for assessment of learning outcomes).

Qualification standard may have other elements necessary for certain qualifications.

Structure of Qualifications Framework

Article 9

Qualifications Framework shall comprise:

- levels, i.e. sub-levels of qualifications;
- descriptions of learning outcomes for every level and sub-level of qualifications;
- qualification types and documents proving the acquired qualifications; and
- size of qualification, expressed through credit value.

Levels and sub-levels of qualifications

Article 10

General theoretical and practical knowledge, skills and competences are determined through the general description of levels, i.e. sub-levels of qualifications.

Qualifications are classified on the basis of complexity of learning outcomes, described in terms of knowledge, skills and competences in eight levels of Qualification Framework as follows:

Level one (I)

Sub-level one (I1) comprises:

- qualification acquired upon completion of a part of elementary education programme (at least completed first cycle of elementary education or basic literacy programme);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Sub-level two (I2) comprises:

- qualification for completed elementary education; and
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level two (II)

Level two (II) comprises:

- qualification of lower vocational education (120 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level three (III)

Level three (III) comprises:

- qualification of secondary vocational qualification (180 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level four (IV)

Sub-level four one (IV1) comprises:

- qualification of general and vocational secondary education (240 MCTS credits);

- vocational qualification or part of vocational qualification with minimum one MCTS credit.
Sub-level two (IV2) comprises:
- qualification of “majstor” (60 MCTS credits).

Level five (V)

Level five (V) comprises:

- qualification of post-secondary vocational education (120 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level six (VI)

Level six (VI) comprises:

- higher education qualification (180 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level seven (VII)

Sub-level one (VII1) comprises:

- higher education qualification (240,180+60, 300, i.e. 360 MCTS credits).
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Sub-level two (VII2) comprises:

- higher education qualification (180+120 or 240+60 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level eight (VIII)

Level eight (VIII) comprises:

- higher education qualification (300+180 MCTS credits);
- vocational qualification or part of vocational qualification with minimum one MCTS credit.

Level and sub-level descriptions shall be determined by the regulation of public administration body competent for education affairs (hereinafter referred to as: Ministry) with prior opinion of the Council competent for certain qualifications level.

Type of qualification

Article 11

Types of qualification are:

- Education level qualification;
- Vocational qualification; and
- Other qualifications.

Acquisition of qualification

Article 12

Education level qualification is acquired upon completion of publicly valid education programme and by achieving necessary size of qualification, after prescribed assessment and by receiving the evidence on the obtained education level, i.e. one or more vocational qualifications, in accordance with special regulation.

Vocational qualification is acquired upon completion of a part of publicly valid education programme (module, course), upon completion of specific education programme and after assessment of knowledge needed for achieving necessary size of qualification, i.e. by recognition of foreign certificates, in accordance with special regulation.

Other qualifications are the qualifications that may be acquired outside the programme referred to in paragraph 2 of this Article.

Types of documents

Article 13

Diploma is the proof of acquired qualification of education level. Notwithstanding paragraph 1 of this Article, a certificate is a proof of completed elementary education and acquired level one qualification, i.e. sub-level I2.

Certificate, decision or award is a proof of acquired vocational qualification, part of qualification or other qualification.

Documents referred to in paragraphs 1, 2 and 3 of this Article shall be issued in accordance with special regulation.

Article 14

Size of qualification is determined by the number of credits.

Unit, subject module or programme are allocated a certain number of credits.

Lowest number of credits which are awarded in the sense of paragraph 2 of this Article can not be less than 1 (one).

Size of education level qualification is determined by the lowest number of 60 MCTS credits (hereinafter referred to as: MCTS), which corresponds to one school, i.e. academic year (in formal education).

Sectors of qualifications

Article 15

Depending on the field of activities, and in accordance with type, level and size, qualifications are classified by sectors.

Sectors of qualifications are:

1. Education and training;

2. Humanities and arts;
3. Natural sciences;
4. Social sciences;
5. Engineering, production technologies (including mechanical engineering and metal processing, electrotechnics and automation, metallurgy, etc.);
6. Construction and spatial planning;
7. Economics and law;
8. Agriculture, food and veterinary;
9. Health and social protection;
10. Tourism, trade and hospitality;
11. Transportation and communication;
12. Services;
13. Interdisciplinary areas;
14. Mining, metallurgy and chemical industry; and
15. Information technology.

Qualification sectors have sub-sectors, areas and sub-areas.

III. Competences of authorities and bodies

Article 16

Authorities and bodies that within their competences perform development, assessment, adoption, recognition and classification of qualifications in the Framework are:

- Ministry;
- Public administration body competent for labour affairs;
- VET Centre;
- Bureau for Educational Services;
- Examinations Centre;
- Education institutions/providers;
- Administration body competent for statistics affairs;
- Council for Qualifications;
- National Education Council;
- Higher Education Council; and
- Sectoral commissions.

Council for Qualifications

Article 17

With the aim to improve the qualifications system, approval and inclusion of qualifications in the Qualifications Framework, the Government of Montenegro is establishing Council for Qualifications (hereinafter referred to as: Council).

Council for Qualifications is composed of at least 11 members, appointed for the period of four years, among:

- Ministry;
- Public administration body competent for labour affairs;
- University;
- Employment Agency of Montenegro;
- Chamber of Economy of Montenegro;
- Representative association of employers;
- Representative organization of the Trade Unions;
- VET Centre;
- Bureau for Educational Services; and
- Examinations Centre.

President of the Council for Higher Education and President of the National Council for Education are members of the Council for Qualifications.

Decision on establishment of Council shall define the composition, number of members, operation method and decision making as well as other issues significant for the work of Council.

Organization and method of work of the Council shall be determined in more detail by the Rules of Procedure.

Members of the Council

Article 18

As a rule, appointed member of the Council may be a person that has:

- At least higher education;
- At least five years of experience in vocational or scientific field; and
- Experience in development of qualifications system.

Member of the Council may be re-appointed.

Competence of the Council

Article 19

Council shall:

- Adopt decision on classification of qualifications in the Qualifications Framework;
- Propose to the competent institution development and improvement of qualifications;
- Adopt decision on alignment of the existing qualifications for placement onto Qualifications Framework;
- Monitor development of the Qualifications Framework as a whole;
- Adopt methodological documents for placement of qualifications;
- Ascertain criteria for nomination of members of the sectoral commissions;
- Adopt instructions and guidelines for the work of sectoral commissions, harmonise their work and decide on their proposals;
- Make decision on education of sectoral commissions;

- Decide on defining of sub-sectors, areas and sub-areas within the sector of qualifications at the proposal of sectoral commissions;
- Consider and adopt reports on work of sectoral commissions;
- Submit report on work to the Government of Montenegro; and
- Perform other tasks in accordance with the decisions on establishment.

Validation of Qualification

Article 20

National Council for Education, i.e. Higher Education Council shall make decision on validation of qualifications of education level by determining the size of qualification for each education i.e. study programme, by sectors of qualifications.

Council shall made decision on validation of education programmes by determining size of vocational qualification or part of qualification, by sectors of qualifications.

Sectoral Commission

Article 21

For each sector the Council shall establish commission for qualifications (hereinafter referred to as: sectoral commission).

Sectoral commission has at least seven members who are appointed for the period of four years.

Members of sectoral commission for the sector of qualification referred to in Article 15 paragraph 2 of the present Law, as a rule, shall be appointed among:

- Public administration authority competent for the specific sector of qualifications;
- Chamber of Economy of Montenegro;
- Representative association of employers;
- Representative association of employees in that sector of qualifications;
- University, i.e. independent higher education institution,
- VET Centre, i.e. Bureau for Educational Services or another education institution;
- Ministry; and
- Appropriate body competent for regulated professions (bar association, engineers' chamber, medical chamber, etc.).

Sectoral commissions for sector of qualifications referred to in Article 15 paragraph 2 items 2, 3 and 4 of the present Law, as a rule, in the composition do not have representatives referred to in the paragraph 2 al. 2, 3 and 4 of this Article.

Competences of Sectoral Commissions

Article 22

Sectoral commission shall:

- Analyse the situation and developments on the labour market;
- Propose qualifications for sector from the level one to level eight of education;
- Analyse existing qualifications;
- Identify or define the needs for all types of qualifications, in accordance with labour market needs and needs of society as a whole;
- Consider proposals for introduction of new qualifications;

- Propose priorities in development of new and amendments of existing qualifications;
- Provide basic profile /specification of qualification;
- Provide opinion on compliance of occupational standard and examination catalogue;
- Promote sector of qualification and employment opportunities in that sector; and
- Perform other tasks, in accordance with act on education.

Administrative and Technical Affairs

Article 23

Administrative and technical affairs for the Council and sectoral commissions shall be performed by the Ministry.

Coding

Article 24

For the purposes of classification in the Qualifications Framework, qualifications shall be coded by type, volume, level and sector.

Every qualification shall be awarded a reference code, in accordance with paragraph 1 of this Article.

On the basis of the reference code awarded, qualification is entered into the information system.

Method of awarding the reference code of a qualification shall be established in accordance with the methodological document, adopted by the Council.

Procedures of awarding and entering of a reference code into the information system shall be regulated by the administration body competent for statistics affairs, in accordance with its act.

Development of Qualifications

Article 25

Upon decision of the competent council, the VET Centre and Bureau for Educational Service shall develop qualifications from education levels I to V.

Qualifications from education level VI to VIII shall be developed by the higher education institutions and submitted for the accreditation procedure to the Council for Higher Education.

Vocational qualifications for levels VI, VII and VIII shall be developed by the higher education institutions upon proposal of appropriate sectoral commissions and submitted to the Council for final validation, and placement onto Qualifications Framework.

Procedures for development of qualifications referred to in paragraphs 1, 2 and 3 of this Article, shall be defined by special regulations adopted by the Ministry.

Quality Assurance and Enhancement

Article 26

Standards and procedures of quality assurance and enhancement shall be implemented in accordance with special regulations that define:

- Validation of a qualification;
- Accreditation and licensing (of programme, institution, body)
- Teaching;
- Student, i.e. learner assessment;
- Issuance of certificates;
- Evaluation of education institution i.e. education provider (self-evaluation and external evaluation); and
- Public announcements.

IV. Transitional and Final Provisions

Equivalents of existing qualifications

Article 27

Qualifications and levels of education that were acquired, i.e. recognised by previous regulations, before this Law came into force, are equivalent with corresponding qualifications from Qualifications Framework:

- Diploma for fifth level of education, “majstor” exam and specialisation within vocational education correspond to sub-level IV2 qualification;
- diploma for higher education at university corresponds to level VI qualification in regard acquired knowledge, skills and competences for performing tasks;
- higher education level Bachelor (180 MCTS) corresponds to level VI qualification;
- higher education level Bachelor (240 MCTS) corresponds to sub-level VII1 qualification;
- diploma for seventh level of education corresponds to sub-level VII 1 qualification;

- higher education level Specialist (240 MCTS) corresponds to sub-level VII1 qualification;
- diploma of Master of Science corresponds to sub-level VII2 qualification.

Timeframe for Adoption of the Regulations

Article 28

Regulations referred to in Article 10 paragraph 2 of this Law shall be adopted within 30 days from the day of establishment of the Council.

Regulations referred to in Article 25 paragraph 4 shall be adopted in the course of six months from the day of entering into force of this Law.

Methodological documents for placement of qualifications onto the Qualifications Framework, and awarding of the reference code shall be adopted in the course of one year from the day of entering into force of this Law.

Timeframe for Establishment of the Council

Article 29

Council referred to in Article 17 of this Law shall be established within 60 days from the day of entering into force of this Law.

Alignment

Article 30

Competent institutions, organisations and bodies shall harmonize their work and organisation with the provisions of this Law within one year from the day of entering into force of this Law.

Termination of Validity

Article 31

By entering of this law into force, provisions of Articles 29 and 30 paragraph 2 of Law on National Vocational Qualifications cease to be in force („Official Gazette of Montenegro“, No 80/08).

Entering into Force

Article 32

This law shall enter into force on the eighth day from the day of its publication in the Official Gazette of Montenegro.