

## Higher Education Regulatory Framework

**Local regulators:** The Cabinet of Ministers of Turkmenistan and Ministry of Education of Turkmenistan.

The main legal act regulating activities in the field of higher education is the **Law of Turkmenistan On Education**, which specifies the basic principles of the activities of educational institutions in Turkmenistan. A few relevant highlights:

- *an educational institution is a legal entity and may be state, **private** and other forms of ownership (Chapter III, Article 13. Educational institutions)*
- ***founders of educational institutions** may be government departments, local self-government bodies, domestic and **foreign legal entities of all forms of ownership**, public associations registered in the territory of Turkmenistan, citizens of Turkmenistan and foreign citizens (Chapter III, Article 14. Founders of educational institutions)*
- ***The Cabinet of Ministers of Turkmenistan** in the field of education carries out normative regulation of the activities of executive authorities in the field of education, ensures the implementation and protection of the constitutional right of citizens to education, **ensures cooperation with foreign countries and international organisations in the field of education** (Chapter VI, Article 31. Powers of the Cabinet of Ministers of Turkmenistan in the field of education)*
- *The activity of an **educational institution is financed** in accordance with this Law and other normative legal acts of Turkmenistan. An educational institution has the right to attract, in accordance with the procedure established by the legislation of Turkmenistan, additional financial resources through the provision of paid additional educational and other services provided for by the charter of the educational institution, additional **admission to basic educational programs on a paid basis**, as well as through voluntary donations and earmarked legal contributions. and (or) individuals of Turkmenistan, as well as legal entities and (or) individuals of foreign states. **An educational institution independently carries out financial and economic activities**, has an independent balance sheet and personal account (Chapter VI, Article 36. Financing of educational activities)*
- *Bodies, executive authorities in the field of education, educational institutions have the right to independently carry out foreign economic activity in the manner prescribed by the legislation of Turkmenistan (Chapter X, Article 48. Foreign economic activity)*

The full version of [On Education, Law of Turkmenistan 391-IV.pdf](#)) available online.

Moreover, **steps to obtain necessary licensing and permissions** to operate are outlined in the [Presidential Decree on Licensing.pdf](#). A few relevant highlights:

- *Delivery of education and professional staff training **licence is issued by the Ministry of Education of Turkmenistan** (hereinafter referred to as the **Licensing Authority**) for **private individuals and official businesses** registered in the Commerce Charter.*
- *The applicant for the licence must have teaching or professional education relevant to the field of work.*
- *The licence for delivery of education and professional staff training is issued only according to the relevant conditional codes of the State Classification of Economic Activities (hereinafter referred to as the YIGDK) and includes:*

- 1) pre-schooling;
- 2) secondary schooling;
- 3) **post-secondary schooling;**

- The applicant for a licence lists the services (educational courses) they want to provide in their application for a licence, as well as informs **the familiarity with the legislation of Turkmenistan**, which regulates the procedure for licensing the work of delivery of education and professional staff training and is obliged to comply with them.
- The **composition of the documents**, including those required when applying for professional services, is **determined by the Licensing Authority** depending on the activities and services related to authorization in the composition of authorised types of work and other requirements set forth in this Regulation.
- **Analysis of the information** contained in the documents submitted by the licence applicant (licensee), including verification of their compliance with the licence requirements and conditions set forth in this Regulation, is carried out **by the licensing team (hereinafter - the Group)**. That Group shall be established by the Licensing Authority in the composition of not more than 9 experts. The meeting of the **Group is authorised to make legal decisions** when the majority of the members of the Group are present. The decision of the group is adopted by the **majority of votes** of its members.

The Board's decision is binding even if the applicant's licence has been refused a licence or has violated the terms and conditions of a licence previously granted to him for the specified type of business.

The Group has the right to engage in its work any specialists of the Licensing Agency, departmental institutes and organisations subordinated to the agency, who have sufficient understanding of the issues of the authorised activity.
- the licence applicant (licence application) must have:
  - pedagogic workers, mentors who have higher or secondary
  - professional teaching education or professional education corresponding to the
  - direction of their work, services (educational courses) according to the authorised type of work; higher teaching education or professional education and not less than 5 years of work experience suitable for the direction of heads of educational institutions, their deputies, heads of departments and faculties.