

(Translated Copy)

Registered No. DA-1

Bangladesh Gazette

(Govt. Emblem)

Additional Issues

Published by the Authority

Saturday, May 31 2014

Government of the People's Republic of Bangladesh

Ministry of Education

Branch- 17 (University-1)

Notification

Dated 26 April 2014 AD/ 15 Justho 1421 Bangla

By virtue of the powers conferred by SRO No. 94-Act/2014 – Section 50 read with Sections 3 and 39 of the Private Universities Act, 2010 (Act No. 35 of 2010), the Government make the following rules, namely:

1. **Title:** These rules shall be called Branch Campuses or Study Centers of Foreign Universities or Institutions Rules, 2014.
2. **Apposition:** These regulations shall apply to branch campuses and study centers established and managed by a foreign university or its authorized local representative, or by domestic or foreign entrepreneurs or jointly established and managed by foreign universities and entrepreneurs.
3. **Definition:** Unless there is anything contrary to the subject or context, in these Rules
 - 1) "Act" means the Private Universities Act, 2010 (Act No. 35 of 2010);
 - 2) "Entrepreneur" means any philanthropic person, student, group, group of individuals, charitable trust and institution establishing or intending to establish a branch campus or study centre;
 - 3) "Commission" means the Bangladesh University Grants Commission established under the University Grants Commission Order, 1973 (PO No. 10 of 1973);
 - 4) "Foreign University" means any University established and managed under the laws of any other country outside the borders of Bangladesh;

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Value BDT 12.00

- 5) "Branch Campus" means a branch campus of a foreign university established and managed in Bangladesh by a foreign university alone or by a local representative or a local or foreign entrepreneur jointly with a foreign university;
- 6) "Certificate" means a certificate issued under rule 12;
- 7) "Government" means the Ministry of Education of the People's Republic of Bangladesh;
- 8) "Temporary permit" means a temporary permit granted under rule 5;
- 9) "Study Center" means a foreign university established in Bangladesh for the purpose of assisting students in all matters related thereto, including conduct of classes, for participating in all examinations on the basis of question papers and criteria, conducted according to graduate and undergraduate level degree, diploma or certificate courses under its own management for a period determined by a foreign university. Any study center operated; and
- 10) "Local Representative" means a local representative authorized by a foreign university or institution for the purpose of managing a branch campus or study centre.

4. Application for temporary permit and certificate, etc.

- 1) No person shall establish and operate any branch campus or study center without obtaining a temporary permit or, as the case may be, a certificate from the Commission.
- 2) For receiving temporary permit or, as the case may be, certificate under sub-section (1), the applicant shall apply to the Commission in the prescribed form and by depositing the fee mentioned in rule 9 through bank draft or pay order.
- 3) The application form should be accompanied by the following documents, as applicable, namely:-
 - a) Clearance from "Board of Accreditation for Engineering and Technical Education" for engineering education, "Bangladesh Medical and Dental Council" for medical or dental education, "Bangladesh Nursing Council" for nursing education and "Bangladesh Pharmacy Council" for pharmacy education;
 - b) Accreditation issued by a legally approved and recognized Accreditation Council or Quality Assurance Organization of the foreign university or institution in the home country and a certificate regarding the said accreditation by the concerned embassy in Bangladesh;
 - c) Introduction of the concerned university or institution, entrepreneur introduction, organizational structure, list of courses with detailed syllabus, examination procedure, list of teachers, required educational qualification of teachers, curriculum vitae, consent to teach in branch campus or study center and action plan for setting up necessary physical structure, amount and source of investment ;
 - d) Attested copy of purchase or rental deed or agreement including approval and title deed of purchase or leased building;

- e) Attested copy of the agreement executed and signed between the foreign university or study center with the local representative or entrepreneur.
- f) Written clearance from the original foreign university or authority issued by the embassy of the concerned country in Bangladesh,
- g) Rule 9- Bank draft or pay order for the said inspection fee deposited in favor of the Commission for establishment or operation of branch campuses:
- h) Bank draft or pay order for the inspection fee mentioned in rule 9 deposited in favor of the Commission for setting up or running the study centre,
- i) Notwithstanding anything contained in clauses (h) and (i), all branch campuses and study centers established and operated before the promulgation of these rules shall submit the inspection fee at the rate specified in rule 9 within 6 (six) months from the date of promulgation of these rules.

- 4) If the Commission is satisfied with the applicant's application and information, the Commission may initially approve the application or reject the application after recording the reasons:

Provided, however, that the decision of the Commission regarding the initial approval or rejection of the application shall be communicated to the applicant as soon as possible.

- 5) The Commission may, if necessary, issue directions to the applicant concerned for the submission of additional detailed information or any other supporting documents to facilitate consideration of the applications.
- 6) If the application under sub-rule (4) is initially approved, the Commission shall submit the relevant application with its recommendation to the Government and the Government shall issue a registration number for each approved application.
- 7) If any application is rejected under sub-rule (4), the applicant may apply to the Government for reconsideration within 2 (two) months from the date of rejection and in this case the decision of the Government shall be final.
- 8) Multiple branch campuses or study centers shall not be established and operated under the same name or under the same number under separate or sole ownership.

5. Issuance of temporary permit, etc.

- 1) Within 6 (six) months of the initial approval of the application for setting up or running a branch campus or study center, the applicant shall apply to the government for a temporary permit, subject to fulfilling the conditions of rule 7 through the commission.
- 2) The government will form an inspection committee consisting of 1 (one) public representative nominated by the commission along with 1 (one) representative nominated by the director to conduct on-site inspection of the institution mentioned in the application after verifying the application.
- 3) The inspection committee will inspect the physical infrastructure of the institution mentioned in the application namely, classrooms, library, where

applicable, laboratory, seminar room, common room, canteen and other human resource organizational structure and facilities and submit a report to the government within 30 (thirty) days.

- 4) If the Government, after scrutinizing the report received under sub-rule (3), is satisfied that the applicant has fulfilled the conditions of rule 7, it shall, subject to the specified conditions, issue a temporary permit to the applicant for setting up or operating a branch campus or study centre.
- 5) The validity of the temporary permit shall be 7 (seven) years from the date of issue.
- 6) If the Government after verifying the report received under sub-rule (3) is satisfied that the applicant has failed to fulfill the rules and any of its conditions, the Government shall reject the application by written order giving the applicant an opportunity of hearing.
- 7) The Sanskrit applicant against the rejection order under sub-rule (6) may apply to the Government for reconsideration by paying the fee fixed by the Commission through bank draft or pay order within 30 (thirty) days from the date of issuance of the said order.
- 8) The Government shall make a decision within 60 (sixty) days after receipt of the application under sub-section (6) and the decision of the Government in this regard shall be final.

6. Temporary permit suspension, cancellation, etc.

- 1) The government may suspend or cancel the military permit if the branch campus or study center which has received temporary permission violates any condition of rule 7 or causes any violation thereof.
- 2) If any branch campus or study center established before promulgation of these rules violates rule 2 or sub-rule (3) of rule 4, the government may suspend the activities of the said branch campus or study center.

7. Conditions for temporary permit: For obtaining Military Clearance under Rule 5, the following conditions shall be fulfilled, as applicable, namely :—

- a) Own or rented building for setting up and running branch campuses or study centers shall have at least 25,000 (twenty five thousand) square feet of floor area and sufficient number of classrooms to accommodate each student;
- b) In the case of setting up and running study centers, own or leased buildings shall have a floor area of at least 10,000 (ten thousand) square feet and sufficient number of classrooms to accommodate each student;
- c) Subject to the provisions of sub-section (6) of section 6 of the Act, a prescribed number of full-time teachers shall be appointed for each department, program or course;

Provided that, considering the nature of any department, program or course, part-time teachers may be appointed if necessary.

Provided further that the appointment of part-time teachers shall not exceed one-third of the total number of teachers;

- d) In the case of branch campuses, there should be office rooms for all the teachers including the head of each department.
- e) There should be a library of at least 1500 (one thousand five hundred) square feet (with at least 2000 volumes) and appropriate number of laboratories considering the number of students.
- f) There should be a plan approved by the Commission regarding the educational program of the foreign university.
- g) The money that has been spent or estimated to be spent on the construction of infrastructure and facilities for conducting educational programs, the rate of ratio of domestic and foreign currency of the share of the foreign university or entrepreneur or local representative and certified information about it;
- h) Information on the proportional share of the entrepreneur, local representative and foreign university in the money collected for student admission fee, tuition fee, number of credits, semester activity fee and other fees;
- i) Surplus funds shall be divided proportionately between the entrepreneurs, local representatives and foreign universities.
- j) There shall be a Board of Trustees consisting of 3 (three) members determined by the Commission.
- k) Sufficient number of classrooms, library, laboratory, auditorium, seminar room, office room, separate common room for students and adequate space and infrastructure for sitting all the necessary should be there.
- l) If the curriculum includes computer science, engineering or engineering subjects, one computer and laboratory with relevant equipment should be set up for every 5 (five) students and internet facility should be provided free of charge or at minimum cost.
- m) Copies of contracts and letters of appointment executed between the appointed teacher, officer or employee and the appointing authority;
- n) Publication of a booklet listing the total cost of the program or course including eligibility, admission fee, tuition fee, activity fee and moderation fee in case of admission of students, which shall also be added to the website;
- o) Copy of documents regarding receipt of approval from Registrar of Joint Stock Companies and Firms, proof of payment of income tax and VAT as per provisions of Companies Act, 1994.

8. Inspection and supervision:

- 1) The Commission shall formulate a student evaluation criteria and policies for the conduct of educational programs by branch campuses and study centers.
- 2) The Commission shall, from time to time, inspect and monitor the branch campuses and study centers with representatives nominated by the Government and submit a report thereof to the Government.
- 3) If the Government, after reviewing the report received under sub-rule (2), is satisfied that the concerned branch campus or study center has violated or is violating any of the provisions of these rules, then appropriate legal action may

be taken against the said branch campus or study center. or will provide the necessary direction.

9. **Fee:** The branch campus or study center shall pay the fee at the rates mentioned in the table below, namely:

Table

a)	Inspection Fee of Branch Campus	BDT 200,000/- (two lac);
b)	Inspection Fee of Study Centre	BDT 100,000/- (one lac);
c)	Temporary Approval Letter of Branch Campus	BDT 10,00,000/- (ten lac);
d)	Temporary Approval Letter of Study Centre	BDT 300,000/- (ten lac);

10. Reserve Fund:

- 1) For setting up and running a branch campus or study center, the concerned foreign university or local representative or entrepreneur shall deposit a fixed deposit as a reserve fund in any of its scheduled banks at the following rates, namely:
 - a) Branch campus BDT 5,00,00,000 (five crores) Taka,
 - b) Study Centre BDT 1,00,00,000 (one crore) rupees.
- 2) No money from the fund referred to in sub-rule (1) shall be withdrawn without the written approval of the Commission.
- 3) The Commission may take action to recover the compensation from the reserved fund if, subject to proper investigation, it is necessary to pay any compensation due to violation of the terms of these rules.
Provided, however, that after deducting such compensation and expenses from the fixed deposit, the amount of money remaining in excess of the amount required to be paid further, the concerned institution or local representative or entrepreneur shall be obliged to pay it.
- 4) If the branch campus or study center is declared closed for any reason, based on the written application of the local representative or entrepreneur of the concerned institution, the amount of compensation mentioned in sub-rule (3) and any other reasonable expenses will be returned to the concerned local representative or entrepreneur after deducting the remaining amount of the fixed deposit.

11. Recruitment of teachers, officers and employees:

- 1) In the case of appointment of teachers, officers and employees in any branch campus or study center under these rules—
 - a) If any person working in a university, college or government institution of Bangladesh is to be appointed as a teacher, officer or employee, the relevant institution's clearance or permission must be submitted;
 - b) In the case of appointing a foreigner as a teacher, officer or employee, a complete curriculum vitae along with the educational qualifications of the said person shall be submitted to the Commission;
 - c) The Commission shall grant permission for appointment as a teacher or employee after reviewing the resume of the person concerned;

- d) A suitable salary structure and job structure for the appointed teachers, officers and employees and other salaried persons shall be prepared and a copy of the same shall be sent to the Commission before starting the educational program and the Commission, in the light of the views and suggestions of the Government, shall modify or revise the proposed pay structure and job structure.

12. Issuance of certificates:

- 1) The applicant shall apply for the certificate by submitting the prescribed fee to the commission not more than 06 (six) months before the expiry of the temporary permit of the branch campus or study center.
- 2) The Commission, after scrutinizing the applications received under sub-rule (1), if satisfied that the applicant has fulfilled the conditions mentioned in rule 7, shall submit a report to that effect to the Government and, on the basis of the recommendations made by the Commission, the Branch Government shall, in favor of the applicant Issue certificate for establishment or operation of campus or study centre.

13. Submit of temporary permit or in case, certificate:

The temporary or, as the case may be, certificated institution under these rules shall display its temporary permit or, as the case may be, certificate in the office premises of the institution or, as the case may be, at a convenient place on the campus, in a manner visible to all concerned.

14. List of registration fees, exam participation fees, etc:

- 1) A list of the registration fee specified by the foreign university or institution and the subject-wise examination fee payable by the concerned student for participating in the examination through the branch campus or study center shall be submitted to the commission and the students shall pay the fee as per the said list.
- 2) The branch campus or study center will submit the total number of students, amount of fees paid and related documents to the commission.
- 3) The branch campus or study center shall keep and record the list of passed and failed students in its register and send a copy of the same to the Commission after publication of examination results of each program or course.
- 4) Degrees, diplomas, certificates, etc., as per the list of passed students, shall be certified by the Commission and shall be applicable in Bangladesh as if they had been awarded by any institution recognized in Bangladesh.

15. Provisions relating to degree, diploma, or certificate system and application:

- 1) For the purposes of rule 14, the Commission shall issue a certificate for the use and application of the degree, diploma or certificate, etc., to the students who have previously obtained a degree, diploma or certificate by participating in the examination by any branch campus or study center.
- 2) In the case of obtaining a certificate under sub-rule (1), the concerned student shall submit an application to the commission along with the name of his branch

campus or study center, the name of the foreign university, degree, diploma and certificate receipt, date and related documents.

- 3) On receipt of the application under sub-rule (2), the Commission shall, after verifying its correctness, issue a certificate under sub-rule (1):

Provided that the Commission shall not reject any application without taking a personal hearing from any person.

- 4) If an application is rejected under sub-rule (3), the applicant concerned may file an application for reconsideration against the same to the Government.

- 5) The decision given by the government in this regard will be final.

16. Grading and its equivalence:

- 1) The respective foreign universities or institutes will follow their own grading policies in the examination evaluation.

- 2) The grading given under sub-rule (1) shall be applicable in Bangladesh, subject to the equivalence provisions prescribed for this purpose by the Commission.

- 17. Internal quality assurance team or unit:** In order to ensure the quality of education, every branch campus or study center shall have an internal quality assurance cell or unit and the annual report of the concerned institution shall contain a description of the measures taken in this regard.

- 18. Restrictions on organizing educational fairs, seminars, etc.:** No institution or person other than the branch campus or study center which has received temporary permission or certificate under these rules shall organize education fair, seminar, workshop, etc. or publish any admission notification through print or electronic media for admission of students in any foreign university or institution.

- 19. Accounting and auditing:** The provisions of Section 45 of the Act shall be followed in the case of auditing the accounts of every branch campus or study center.

- 20. Instructions given by Govt.:** Based on the information received from the Commission, the Government will issue instructions for taking such measures as it deems appropriate for ensuring financial and administrative transparency and discipline and improving the quality of education in any branch campus or study center and the concerned institution will be bound to comply with those instructions.

- 21. Crime and Punishment:** Section 49 of the Act shall be applicable in case of violation of any provision of these rules by any branch campus or study center.

- 22. Publication of translated texts in English:** (1) The Government shall, as soon as practicable after the promulgation of these Rules, by notification in the Official Gazette, publish an authentic English Text of these Rules translated into English:

Provided, however, that in case of conflict between these Rules and the English text, the text of these Rules shall prevail.

By order of the President
Dr. Mohammad Sadiq
Secretary.