

The Ministry of Higher Education and Scientific Research law, No. 40 of 1988,

Chapter One

Application and Objectives

Article 1

This law is applicable to the Ministry of Higher Education and Scientific Research (hereinafter referred to as the Ministry) and its administrative formations, as well as the educational and research institutions associated with it.

Article 2

The Ministry aims to bring about quantitative and qualitative changes in the scientific, technical, and cultural movements and to direct the scholarship work in a manner that achieves continuous interaction between thought and practice towards achieving originality and scientific rigor, as well as interacting with human experiences and expertise, in a way that considers the uniqueness of our society and our distinguished experience, culminating in the building of new generations armed with knowledge and learning, imbued with noble principles and values, and committed to the goals of the Arab nation, its historical civilization, and its humanitarian role. This will ensure they become an active and influential force in society, capable of continuing to carry the message and preserving the achievements of the July 17-30 Revolution and its goals of unity, freedom, and socialism, while meeting the needs of development plans in all branches of human knowledge and the requirements for societal development. The Ministry also aims to develop scientific, cultural, and artistic relations with Arab countries to achieve harmony and integration in the fields of science and knowledge, leading to the realization of cultural unity, and to expand and strengthen cooperative ties in these areas with different countries and scientific institutions around the world.

Article 3

The task of the Ministry's Center is to plan and follow up on higher education and scientific research, coordinate and approve the plans after their preparation by universities and the Technical Institute Authority, unify them

into a single plan at the state level, supervise their proper implementation, hold public conferences, and manage the affairs of scholars and international cultural relations.

Article 4

1- The Ministry's Center consists of:

A - The Minister of Higher Education and Scientific Research, hereinafter referred to as the Minister.

B- The Undersecretary of the Ministry.

C- The Scientific Supervision and Evaluation Apparatus.

D - The Department of Studies, Planning, and Follow-up.

E - The Department of Scholarships and Cultural Relations.

F - The Legal and Administrative Department.

G - The Department of Research and Development.

2- The Ministry's Center assumes the following functions:

A- Scientific Functions

First: Approving admission plans for undergraduate and graduate studies and following up on their implementation.

Second: Approving the scientific, educational, cultural, and technical plans for universities and the Technical Institutes Authority.

Third: Organizing scientific, technical, and artistic cooperation with Arab and foreign countries, organizations, and institutions through the conclusion of agreements.

Fourth: Approving the establishment of a college or institute and recommending the establishment of a university.

Fifth: Approving curricula.

Sixth: Establishing the criteria for the accreditation of certificates and academic degrees (Arab and foreign) following secondary education and recognizing Arab and foreign academic institutions, as well as defining titles, academic, honorary degrees, and the conditions for granting them.

Seventh: Approving study leaves, scholarships, fellowships, and secondments, and the loan of services for teaching staff members.

Eighth: Holding educational evaluation conferences.

B - Administrative and Financial Functions

First: Approving annual budget projects, final accounts, and the import plan for the Ministry's Center.

Second: Implementing the scholarships and fellowships curricula.

Third: Employing lecturers who hold a doctorate or equivalent degree to meet the actual needs of universities and the Technical Institute Authority.

Fourth: Transferring lecturers between universities and the Technical Institute Authority according to the applicable regulations.

Fifth: Proposing draft laws, decisions, and regulations, and issuing instructions.

Sixth: Appointing employees of cultural offices.

Article 5

1- The Minister is the primary responsible party in the ministry for its operations and directing its policies. All decisions, orders, and instructions related to the responsibilities of the ministry and its structures, powers, and various technical, financial, administrative, and organizational affairs shall be issued by him and implemented under his supervision, in accordance with the provisions of laws, regulations, and instructions.

2- The Minister is granted the following powers:

A- Granting wages, allowances, compensations, and incentives to the employees of the ministry's headquarters, universities, and the Technical Institute Authority according to the laws, regulations, and instructions.

B- Suspending studies in universities, colleges, or institutes either partially or fully for a period not exceeding six days.

C- Delegating any powers he sees fit to the Undersecretary, university presidents, the head of the Technical Institute Authority, and the officials of the ministry's headquarters departments.

Article 6

The Minister shall form an Advisory Council whose members will be specified by his decision to provide opinions and consultations on educational and scientific matters. It shall convene as necessary at his invitation, and decisions shall be issued in the name of the Minister personally.

Article 7

The formations of the ministry's headquarters shall carry out the assigned tasks as follows:

1- The Scientific Oversight and Evaluation Unit is responsible for ensuring the legality of the actions of universities, colleges, institutes, departments, and branches, and the extent of their conformity with the valid legislation. It is headed by an employee with a special rank who holds a doctorate degree and at least the rank of assistant professor, with no less than ten years of experience in scientific and administrative matters, and assisted by a number of specialized supervisors, whose duties are defined by system.

2- The Department of Studies, Planning, and Follow-up is responsible for collecting and coordinating the plans prepared by universities, the Authority of Technical Institutes, and the Ministry's departments, unifying them into a single plan in light of the general objectives of the development plan and the requirements for community development. It follows up on the implementation after approval and evaluates the feasibility studies for the Ministry's projects, monitors the Arabization of higher education and scientific terminology, compiles, classifies, and analyzes statistical data and information, and follows up on the implementation of decisions and recommendations issued by the committees assigned to develop educational curricula. It also organizes and coordinates the admission of students and their transfer between universities and the Authority of Technical Institutes, distributes foreign students, manages the electronic computing system, and provides studies related to the Ministry's tasks. The department is headed by an employee with the rank of Director General holding a PhD and having at least ten years of experience.

3- The Department of Missions and Cultural Relations oversees students who are sent abroad for study, monitors their education, evaluates their certificates, monitors the activities of cultural departments, organizes cultural and scientific relations with Arab countries, foreign nations, and specialized Arab, regional, and international organizations, and follows up on the implementation of agreements made in its area of expertise. It is headed by an employee with the rank of Director General holding a PhD and having at least ten years of experience.

4- The Legal and Administrative Department manages legal affairs, oversees the Ministry's rights and obligations, organizes accounting matters, conducts internal audits, handles personnel affairs, and administrative services at the Ministry's center, organizes public relations and media matters that are not within the authority of universities and the Authority of Technical Institutes. It is headed by an employee with the rank of Director General holding at least a bachelor's degree and having at least ten years of experience.

5- The Research and Development Department is responsible for establishing research policies in educational institutions and monitoring the application of their results with various work sectors, as well as policies for postgraduate research, developing curricula for undergraduate and postgraduate studies, and activities of research centers and scientific associations. It is led by a Director General who holds a PhD and has at least the rank of Assistant Professor, with a minimum of ten years of experience.

Chapter Two:

Universities

Article 8

The following formations are affiliated with the Ministry of Education:

- 1- University of Baghdad.
- 2- University of Mosul.
- 3- University of Basra.
- 4- Al-Mustansiriya University.
- 6- University of Technology.
- 7- University of Tikrit.
- 8- University of Qadisiyah.
- 9- University of Anbar.
- 10- University of Kufa.
- 11- University of Babylon.
- 12- Iraqi Commission for Medical Specializations.
- 13- Technical Education Authority.
- 14- Center for Parapsychological Research.
- 15- Diyala University.

16- Karbala University.

17- Dhi Qar University.

18- University of Al-Tamim.

19- Wasit University.

20 Misaf University

21 - Al-Muthanna University

22 - Al-Nairiyah University

Article 9

The university is a secure campus and a center of cultural, intellectual, scientific, and technical radiance in society where the mind flourishes and creativity and innovation are elevated to shape life. It bears the direct responsibility for achieving the objectives stated in this law. The university must conduct ongoing studies and research across various aspects of human knowledge, as well as research related to the scientific condition and the reality of new needs that ensure high scientific standards suitable for the era and its requirements. This should lead to bridging the scientific and technological gap between us and developed countries, taking into account the specificity of our community and inspiring the original values of our nation while fully absorbing the tenets of Ba'athist work theory and embodying the educational thought that this theory relies on in its curricula and various scientific, educational, and cultural activities.

Article 10

1- The university, the college, the scientific research center, and the higher institutes affiliated with the university possess legal personality, administrative and financial independence, and the legal capacity necessary to achieve their objectives, with each being managed by its own council.

2- A fund called the Higher Education Fund is established in each of the Ministry's center, the university, the authority, the college, the institute, and

the scientific research centers. This fund enjoys legal personality and administrative and financial independence, and its resources consist of contributions from each of the following:

First: tuition fees.

Second: fees from evening studies.

Third: revenues generated from the implementation of the Revolution Command Council Decision No. 160 dated 2/4/1985.

Fourth: the percentage allocated to the Ministry's fund from the fees collected from universities and private colleges.

Fifth: revenues from scientific and consulting service offices.

Sixth: The revenues generated from its services and activities.

Seventh: The profits realized from the investment of its movable and immovable assets.

Eighth: Grants, donations, endowments, and subscriptions in accordance with the applicable legislation.

B- Expenditures from the higher education fund are made according to the rules and procedures specific to spending the revenues mentioned in the above paragraph, and in the proportions and purposes specified in the laws and regulations governing them, as well as the relevant instructions.

Article 11

The official language in Iraqi universities is Arabic, and the Kurdish language is considered an official language alongside Arabic in the autonomous region. The councils of colleges may decide to teach certain scientific subjects in other languages.

Article 12

1- The university consists of colleges, higher institutes, research centers, and any other formations as deemed necessary in the fields of theoretical and applied knowledge.

2- A - The technological university consists of scientific departments, each of which is equivalent to a college within the Iraqi universities.

B - The head of the scientific department in the technological university is equivalent to the dean of the college and enjoys all the powers, rights, and privileges of the dean.

Article 13

1- The University Council: It is the highest scientific and administrative body within the university and consists of:

A - The university president as chairperson

B- The Secretary-General of Education and Higher Education for the Kurdistan autonomous region in the region's universities as a member

C- The deans as members

D- The assistants of the university president as members.

H - Two members of the teaching staff are elected by the President and members of the University Council mentioned in the previous three paragraphs for a term of two years, renewable.

W - A representative of the Teachers' Union from the teaching staff at the university, nominated by the Teachers' Union, is a member.

Z - A representative from the National Union of Students and Youth of Iraq, nominated by the Executive Office of the Union, serves for one year, renewable, as a member.

2- The University Council may select two members from outside the university who have expertise and specialization to join the council for a term of two years, renewable.

Article 14

The University Council meets in a regular session at least once a month, and the President of the university may call for an extraordinary meeting when necessary or at the written request of one-third of its members. The council's quorum is met by the presence of the majority of its members, and decisions,

proposals, and recommendations are made by a majority of those present. In the event of a tie, the side that the President of the council voted for prevails.

Article 15

1- The university shall submit a copy of the recommendations of its council that fall outside its authority to the minister within fifteen days from the date of their issuance. The minister may approve the recommendations after studying them or return them to the University Council that issued them within fifteen days from the date of their registration in the incoming record for reconsideration. If the aforementioned council insists on the recommendations, the minister shall decide on them, and his decision shall be final.

2- The university shall notify the minister and other universities of the decisions of its council that fall within its authority for the purpose of review.

Article 16

The University Council exercises the following competencies:

1- Scientific competencies

A- Recommending admission plans for undergraduate and graduate studies in colleges and higher institutes.

B- Approving research plans for colleges and higher institutes.

C- Approving the plan for the Arabization of sciences, authorship, and translation.

D- Approving a plan to provide educational requirements.

E- Approving a plan to open scientific departments, branches, and research centers.

F- Approving the study subjects and distributing them across the academic years for colleges and higher institutes.

G- Approving a plan to provide teaching staff members.

H - Granting the rank of professorship to members of the teaching staff.

T - Implementing the admission plan for graduate studies.

Y - Following up on the evaluation results of teaching staff members.

K - Proposing curricula and making changes to them for the continuous strengthening of the academic status.

L - Nominating for scientific and cultural awards.

2- Administrative Specialties

A - Proposing and implementing the plan for bilateral cultural relations, after its approval by the ministry, with universities and scientific institutions in other countries.

B - Contracting with teaching staff and technicians who are not Iraqi.

C - Appointing teachers holding a master's degree or its equivalent.

D - Recommending scholarships, secondments, and study leaves abroad.

E - Approving and implementing a plan for training and qualifying scientific and administrative staff.

F - Approving and implementing summer training for students and practical training for teachers.

G - Approving study leaves within the country after their approval by the ministry.

H - Approving and implementing the scientific and administrative staff for colleges, institutes, and centers.

3- Financial Specialties

A - Approving and implementing the annual budget plan and the import program and the investment plan directly in coordination with the relevant authorities.

B - Approving the final accounts.

4- The council may delegate some of its powers to the university president.

Article 17

- 1- The university president is appointed to a special grade by a republican decree.
- 2- It is required that the appointee as the university president be Iraqi, born of two Iraqi parents and of non-foreign origin, and hold a doctoral degree or its equivalent with the rank of professor.
- 3- The university president is linked to the minister, and the duration of occupying this position is five years, renewable once, and he may be assigned to occupy a similar position in another university or authority for a similar duration.

Article 18

The President of the University apply the following powers:

- 1- A- Presiding over the University Council, calling it to regular and extraordinary meetings, and implementing its decisions. He represents the university before all entities.
 - B- Managing the scientific, administrative, and financial affairs of the university in accordance with the provisions of the law, regulations, and decisions of the University Council.
 - C- Donating movable and immovable assets in accordance with applicable laws, regulations, and instructions.
 - D- Distributing profits from consulting offices and clinics, allocating 20% of them to the university to be placed in a special fund and spent on developing its scientific and service activities, as well as distributing 80% of them to the employees, exempting them from Article 10 of the Engineering Consulting Offices Law No. 64 of 1979.
- 2- The President of the University may delegate some of his powers to the deans, his assistants, or whomever he deems appropriate.

Article 19

1- The College Council: It is the highest scientific and administrative body in the college and consists of:

A- The Dean of the College as Chairman.

B- Heads of scientific departments or heads of scientific branches in colleges that do not have scientific departments as members.

C- The Assistant Dean as a member.

D- A representative from the Teachers' Syndicate among the faculty members in the college, chosen by the Teachers' Syndicate as a member.

E- A representative from the National Union of Students and Youth of Iraq among the college students as a member.

F- Directors of research centers associated with the college as members.

2- The College Council may select two individuals with expertise and specialization from outside the college for a period of two years, renewable.

Article 20

The College Council exercises the following competencies:

1- Scientific competencies.

A- Develop the admission plan for undergraduate and graduate studies according to the department or scientific branch and its specific conditions, and follow up on its implementation.

B- Develop plans for scientific research, authorship, and translation, provide educational requirements, and ensure the availability of faculty members and community service.

C- Develop plans for opening scientific departments and branches, centers, and propose the establishment, merging, or cancellation of departments or scientific branches, as well as distributing curricula across academic years.

D- Approve the plans of scientific departments regarding inviting visiting professors.

E- Approve the titles of university theses, appoint comprehensive examination committees, supervisors, and co-supervisors, and review discussion results, as well as add or remove study topics for graduate studies. Recommend the establishment of graduate studies, their curricula, and annual and five-year plans, along with other matters not mentioned in paragraph E of this article.

2- Administrative Competencies:

A- Approve the transfer and assignment of staff, including faculty, technical, and administrative personnel within the university's colleges and departments, in coordination between both parties involved in the transfer.

B- Supervise the affairs of the college and pay attention to various aspects of its scientific, cultural, educational, and sports activities.

C- Prepare the college's staffing plan before the end of the academic year for the following year based on what the dean and department councils provide.

D- Propose study leaves within the country for college members based on the proposal of the relevant department or scientific branch.

E- Propose the secondment of faculty members or grant them study leaves and fellowships abroad based on the proposal of the relevant department or scientific branch.

F- Approve the release of faculty members inside and outside the country according to regulations.

G- Approve the change of titles for technicians and administrators within the approved college staff, in accordance with the provisions of laws, regulations, and instructions for the council to form committees that assist in performing its scientific, administrative, financial, and educational tasks.

H- Impose disciplinary penalties on students according to applicable regulations.

I- Consider all other matters in the college referred to him by the dean.

J- Supervise the implementation of regulations and instructions regarding scientific and administrative matters and student activities in the college.

L - Recommendation for appointing members of the teaching staff and lecturers for postgraduate studies according to the durations and needs specified by the departments.

M - Initiate a recommendation concerning the matters referred by the minister or the university president.

N - Propose a plan for the qualification of scientific and administrative staff.

S - Propose a plan for bilateral cultural relations.

3- Financial Competencies

A - Propose the annual budget plan, annual import plan, and annual investment plan.

B - Recommend the approval of the college's final accounts.

C - Approve the donation of movable and immovable funds up to 50% of the university president's authority according to the applicable laws and regulations.

D - Ratify the decisions of the committees regarding the writing off, appraisal, leasing, and sale of state-owned movable and immovable property in accordance with the provisions of Law No. 32 of 1986.

E - Approve the preparation of designs, maps, and quantity tables for works and projects included in the regular or investment budget and refer them for contracting in accordance with the law, regulations, and specific conditions.

4- The council may delegate some of its authorities to the deans of the college.

Article 21

The college council shall meet at least once a month at the invitation of its president, with the quorum being completed by the presence of the majority

of its members. Decisions, proposals, and recommendations are taken by a majority of the attendees, and in the event of a tie, the vote in favor of the council president prevails.

Article 22

Each college or higher institute in the university is headed by a dean who must be Iraqi by birth from two Iraqi parents and not of foreign origin, holding at least the rank of assistant professor and at the level of general director reporting to the university president. The term for this position is set at five years, renewable once. They may also be assigned to hold a similar position in another college or higher institute for the same duration. They hold the following competencies:

1- Scientific competencies

A - Following the progress of undergraduate and graduate studies to achieve the goals mentioned in this law and the continuous strengthening of the intellectual, educational, and scientific state.

B - Approving the recommendations of department and branch councils.

C - Approving the distribution of study materials and semester units among faculty members and lecturers, forming discussion committees for theses, and setting their schedules.

D - Implementing all instructions and regulations issued regarding the organization of educational and scientific affairs, and the decisions issued by the college council.

2- Administrative and Financial Competencies

In all administrative and financial matters.

A - Implementing the instructions, regulations, and laws related to - approving the recommendations of committees formed in the college.

B - Approving the enrollment of students for studies.

C - Approving the purchase and importation of laboratory equipment, other supplies, journals, and books according to applicable legislation.

D - Approving the disbursement of rewards for individuals from outside the university for training and teaching within the college, supervising theses, participating in comprehensive examination committees and discussion committees according to applicable regulations.

Article 23

The scientific department: is the basic scientific unit in higher education and is managed by the department council and its head, who is appointed by a resolution from the university president based on a recommendation from the college dean, and whose powers are defined according to the system. The department council undertakes the following responsibilities:

1 - Discussing study programs, their content, and textbooks, and proposing amendments or replacements in light of recommendations from faculty members.

2 - Proposing the needs of the department for faculty members and technicians and recommending the invitation of visiting professors.

3 - Approving the research projects submitted by department members and proposing ways to implement them and recommending support for scientific research, authored and translated books, and attention to student research and providing the necessary resources for their execution.

4 - Implementing the decisions of the college council.

5 - Forming educational and scientific committees in accordance with the department's needs.

6- Supervising the progress of lessons, training methods, and their development, as well as ensuring that the faculty members and other department affiliates fulfill their duties, and managing students' academic affairs at various stages of study through ongoing scientific and practical supervision over them.

7- Monitoring scientific developments and the rapid advancement of knowledge and sciences, and guiding faculty members to update curricula and

study materials to align with these developments and technological advancements.

8- Delegating some of his authorities to the head of the department.

Article 24

The teaching staff in universities and technical institutes consists of:

1- Professors

2- Assistant professors

3- Instructors

4- Assistant instructors

Article 25

1- It is required that anyone appointed or granted the title of Assistant Instructor holds a Master's degree or its equivalent.

2- If the Assistant Instructor does not advance to a higher rank within six years from the date of their appointment, they will be transferred outside the ministry.

3- The Minister of Higher Education and Scientific Research has the authority to grant those holding a diploma or bachelor's degree the rank of Assistant Instructor if they continue to work in the technical institute and have at least five years of practical experience.

Article 26

It is required that anyone appointed or granted the rank of Instructor meets one of the following two conditions:

1- They must hold an accredited Doctorate degree or its scientific equivalent, or they must possess the highest academic, technical, or professional qualification in disciplines where a Doctorate or its equivalent is not awarded, provided that the duration of study to achieve these degrees is not less than three years after obtaining the initial university degree.

2- The candidate must have served as an assistant professor at one of the universities in the country or at a technical institute for a period of no less than three years, during which they published at least two valuable research papers and demonstrated good teaching efforts.

Article 27

In order for someone to be appointed to the rank of assistant professor, they must meet one of the conditions specified in Article 26 of this law and must have occupied the position of lecturer at one of the universities in the country or at a technical institute for at least four years, during which they demonstrated excellence in teaching and published at least three valuable scientific papers.

Article 28

To be appointed or granted the rank of professor, a candidate must meet the conditions of Article 26 and must have spent at least six years in the rank of assistant professor, during which they made distinguished efforts in teaching and published at least three original research papers.

Article 29

Notwithstanding the provisions of the previous articles, a recognized doctoral degree holder, or its scientific equivalent, may be appointed as an assistant professor in the university under the following circumstances and upon the recommendation of the university council: 1- If they have practiced teaching for a similar duration at recognized Arab or foreign universities and have been distinguished in teaching, with valuable and innovative research papers published. 2- If they have practiced in their specialty for a similar duration after obtaining one of the degrees mentioned in Article 26 of this law and have published valuable and innovative scientific research papers. 3- If they are among those with unique and exceptional scientific talents.

Article 30

Members of the faculty in the College of Fine Arts are exempt from the provisions of Articles 25, 26, 27, and 28 of this law, and the decision issued by the Revolutionary Command Council numbered 340, dated 22/3/1981, and the instructions issued based on it shall apply to them.

The Iraqi Commission for Medical Specialties is an educational institution at the university level that is affiliated with the Ministry and has a legal personality as well as financial and administrative independence.

2- The Head of the Authority shall be at the same level as the University President, and its Council shall be at the same level as the University Council. The Head of the Scientific Council shall be at the same level as the Dean of the College, and the Educational Council shall be at the same level as the College Council, regarding the powers, competencies, rights, and privileges stipulated in the applicable legislation. 3- The Authority grants its graduates a Fellowship certificate, which is considered the highest professional qualification in the field of specialization. The holder is granted an advance for two years for the purpose of allowances and promotions, and enjoys all its rights and privileges from the date of obtaining it.

4- The structures, competencies, and meeting procedures of the Authority, as well as all that pertains to its affairs, shall be determined by instructions issued by the Minister.

Chapter Three:

The Technical Education Authority

Article 31

The Authority consists of colleges and institutes specialized in technical education following secondary education or its equivalent. It and its colleges and institutes have legal personality, as well as financial and administrative independence. It has the authority to recommend the establishment, cancellation, or merging of technical colleges and institutes as needed, with its headquarters located in Baghdad.

Article 32.

1- The management of the Authority is overseen by a council headed by the Head of the Authority, alongside several deans of technical colleges and institutes, a representative of the Teachers' Syndicate nominated by the Teachers' Syndicate, and representatives from ministries and other departments at the director general level, considering expertise and specialization when selecting them. They are appointed by the Minister's decision for a renewable term of two years, except for the representative of the National Union of Students of Iraq, who serves for one renewable year. 2- The Council of the Authority exercises the competencies and powers assigned to university councils, as appropriate to the Authority's conditions, and may grant the Head of the Authority certain powers.

3- Its meetings and decision-making procedures shall be as outlined in Articles 14 and 15 of this law.

Article 33

1. The head of the authority is appointed at a special degree by a presidential decree.

2. It is required that the person appointed as head of the authority be Iraqi, born of two Iraqi parents, of non-foreign origins, holding a PhD or its equivalent at the level of professor, and possessing experience and specialization. The head is linked to the minister, and their term for this position shall be five years, renewable once. They may also be assigned to hold a similar position in a university or another authority for a similar duration.

3. The head of the authority shall have the powers of a university president as appropriate to the circumstances of the authority, and may delegate some of their powers to deans and others they deem suitable.

Article 34

1. The management of the technical college or institute is undertaken by the council of the technical college or council of the institute, which is the highest authority in both. It is composed of the dean of the technical college or the dean of the institute, the heads of departments and branches, a representative from the teachers' union, and a representative from the National Union of Students of Iraq at the technical college or institute. The council shall have the powers and responsibilities similar to those of the university council, adapted to fit the conditions of the technical college or institute, and may delegate some of its powers to the dean. Its meetings and decision-making processes shall be as stated in Article 21 of this law.

Article 35

1. Each technical college or institute in the authority is headed by a dean, who must be Iraqi, born of two Iraqi parents, and among those with experience and specialization, holding at least the rank of assistant professor. The term for this position is five years, renewable once, and they may also be assigned to hold a similar position in a university or another authority for a similar duration.

2. The dean of the technical college and the dean of the institute each hold the powers and responsibilities of a college dean in the university in alignment with the objectives of the college and the institute.

Chapter Four

The Iraqi Authority for Computers and Information Technology

1- An entity called the Iraqi Commission for Computers and Informatics is established at the university level, directly affiliated with the Ministry Center. It possesses legal personality and financial and administrative independence, and is managed by an employee of a special grade.

2- The commission shall undertake the following:

A- Propose policies and plans, prepare studies, and provide consultancy in the field of informatics, computer hardware, and software, and their employment.

B- Contribute to establishing standards, criteria, and evaluation methods for national informatics activities.

C- Conduct theoretical and practical research and studies in the field of informatics.

D- Grant academic degrees in the field of computers and informatics.

E- Implement and manage a national bank for scientific and technological information using the latest advanced means, and develop curricula for departments of Computer Science and Software Engineering in contributing universities and institutes.

F- Organize professional and specialized training courses in the field of informatics, computer hardware, and software.

G- Monitor modern developments in the field of informatics, prepare studies, and provide suggestions regarding them.

3- The commission consists of the following formations:

A- Institute of Informatics for Graduate Studies:

It specializes in theoretical and applied studies at the graduate level, including higher diploma, master's, and doctoral levels, with a particular focus on advanced and future topics and fields.

B- Center for Information Technology:

It specializes in research and development, and providing consultancy in the fields of computers, communication networks, and software industry, as well as proposing and implementing relevant national projects either independently or in collaboration with research and industrial centers in Iraq.

C- Center for Scientific and Technological Information:

It specializes in creating a national network for scientific and technological information, ensuring the participation and connection of various national entities within it, and working on linking it to global networks to contribute to the dissemination of scientific knowledge in its various aspects.

4- A- The management of the authority is entrusted to a council headed by the president of the authority, with the membership of the dean of the institute,

the directors of the two centers, and four specialists in computer science and informatics from relevant entities chosen by the minister for a renewable term of two years. B- The council of the authority exercises the competencies and powers assigned to university councils in a manner that is compatible with the authority's conditions and may grant the president of the authority some of its powers. C- The council holds its meetings and makes its decisions as stipulated in Articles 14 and 15 of this law.

5- A- It is required that the appointed president of the authority be Iraqi, born of two Iraqi parents, of non-foreign origin, holding a doctorate degree, with a scientific rank not less than that of a professor, and possessing experience and specialization in the field of computer science and informatics. B- The president of the authority exercises the powers of a university president in accordance with the authority's conditions and may delegate some of his powers to the dean or the director of the center or to whomever he deems appropriate.

6- A- The management of the Institute of Informatics for Graduate Studies is entrusted to the institute council, which is formed according to Article 19 of this law, and it exercises the competencies and powers of the college council in universities in a manner that is compatible with the institute's conditions and may grant some of its powers to the dean. Its meetings and decision-making are conducted as stipulated in Article 21 of this law. B- The center council manages the center and consists of the following: First: The general director of the center – President. Second: Heads of scientific departments – Members. Third: Four specialists in computer science and informatics chosen by the president of the authority – Members.

7- A- The dean of the institute is appointed at the level of general director, and it is required that both he and the general director of the center be Iraqi, born of two Iraqi parents, of non-foreign origin, and possess experience and specialization, with each having a scientific rank not less than that of an assistant professor. B- The dean of the institute and the general director of the center exercise the powers and competencies of a college dean as stipulated in the law, in accordance with the objectives of the institute or center.

8- The minister has the authority to establish centers linked to this authority, based on its proposal and the approval of the advisory board.

Chapter Five

General and Final Provisions

Article 36

1- Members of the teaching staff retain their academic ranks and all rights established in this law, other laws, and the regulations and instructions issued under them, including allowances for university service in the event of their appointment, transfer, or assignment to the Ministry's center or its centers of formation, and the Ministry of Education, as well as those appointed in the Ministry's center or the Ministry of Education holding higher degrees who meet the conditions for a teaching staff member. Their time spent in these positions is considered actual university service for the purpose of allowances, promotions, and retirement.

2- Members of the teaching staff retain the right to academic promotion in the event of their appointment or transfer to positions outside the ministry if the necessary conditions are met, without the requirement of teaching.

Article 37

1- The following matters are to be defined by regulations:

A- The scientific research centers affiliated with the ministry, their specializations, and their scientific and administrative affairs.

B- The departments of the Ministry's center and their specializations and the departments of university centers and the Technical Institutes Authority.

C- Matters related to the admission of students and their transfer.

2- The matters related to guiding and advising students academically, educationally, socially, intellectually, and providing them with material and moral support, organizing their extracurricular activities, examinations, duties, discipline, assigning them to scholarships and fellowships, training, **and**

anything related to their operational and educational affairs, as well as organizing study leave, shall be determined by instructions issued by the minister.

Article 38

1- Courts do not hear lawsuits brought against the ministry, the university, the authority, the college, or the institute concerning admission, transfer, examinations, or disciplinary sanctions imposed on students

Article 39

1. All rights and obligations of the divisions that have been abolished, those whose affiliations or names have been reconsidered, or those transferred to other entities under the provisions of this law, along with all their allocations in the general budget and development plan, shall be transferred to the new formations that have replaced them by decisions issued by the minister.

2. Financial and investment allocations will continue to be valid. All rights and obligations of the ministry and its affiliated formations that were in effect before the issuance of this law shall remain valid, as well as any agreements, contracts, and tenders related to those entities.

Article 40

Universities and the Technical Institutes Authority may utilize all specialized facilities within state departments and the socialist and mixed sectors for conducting their scientific experiments, applications, and laboratory work, as well as for training their students. These departments are required to provide the necessary facilities and assistance to achieve this.

Article 41

Each university and technical institutes authority shall appoint one or more Assistant University Presidents or Assistant Authority Presidents, who shall report to the University President or the Authority President as appropriate. The appointee must hold at least the rank of Assistant Professor and be appointed by a decision of the Cabinet. This position is equivalent to the level of Director General.

Article 42

1. Each faculty shall appoint an Assistant Dean by a decision of the University President, based on the recommendation of the Dean, and the responsibilities will be determined by specific instructions.
2. Each institute shall appoint an Assistant to the Dean by a decision of the President of the Technical Institutes Authority, based on the recommendation of the Dean of the Institute, and the responsibilities will be determined by specific instructions.

Article 43

The National Youth Institute, established by Law No. 57 of 1982, is affiliated with Baghdad University.

Article 44

The provisions of this law do not apply to rights acquired by their owners before its issuance. They shall retain all their academic ranks, administrative positions, salaries, and all their rights to promotion and advancement during their service, in accordance with the legal and administrative rules that were in effect prior to the enforcement of this law.

Article 45

Universities and the Authority are exempt from customs duties on all materials, equipment, devices, and their parts, spare parts, laboratory supplies, teaching aids, films, publications, books, and printed materials imported within the scope of educational projects and activities that serve their purposes.

Article 46

The Ministry of Higher Education and Scientific Research Law No. 55 of 1983 and the Technical Institutes Authority Law No. 34 of 1976 are hereby repealed. However, the regulations and instructions issued under them remain in effect, insofar as they do not conflict with the provisions of this law, until they are replaced.

Article 47

1. Regulations may be issued to facilitate the implementation of this law.
2. The minister may issue the necessary instructions to facilitate the implementation of this law.
3. No provision that conflicts with the provisions of this law shall be enforced.

Article 48

This law shall be implemented from the date of its publication in the Official Gazette.

Justifications for the Law

To develop the basic organizational structure of the Ministry of Higher Education and Scientific Research and to frame the executive infrastructure of its institutions, which include universities, colleges, higher and technical institutes, and academic departments, within a sound legal framework that aligns with the Ba'athist concept of administration. This includes eliminating unnecessary administrative layers, granting the necessary powers to provide the flexibility required to accommodate changes, and implementing organizational changes that are necessary for the advancement of the educational and developmental process. It also aims to unify the organizational structures within all technical institutes across the country, enabling them to perform their duties with high accuracy and efficiency, thereby achieving the objectives of the new development of society in all its fields. For these reasons, this law was enacted.