

MINISTRY OF THE PRESIDENCY

8520 *CORRECTION of errors of Royal Decree 432/1999, of 12 March, on the adaptation of various autonomous agencies to the provisions of Law 6/1997, of 14 April, on the Organisation and Operation of the General State Administration.*

A warning having been issued on the errors included in the text of Royal Decree 432/1999, of 12 March, on the adaptation of various autonomous agencies to the provisions of Law 6/1997, of 14 April, on the Organisation and Operation of the General State Administration, published in "Official State Gazette" number 70, of 23 March 1999, the appropriate modifications are made:

On page 11257, first column, section 5, where it says: "Reina Sofia Art Centre", it should say: "Reina Sofia National Art Centre Museum". And where it says: "Institute of the Cinematography and Audiovisual Arts", it should say: "Institute of Cinematography and Audiovisual Arts".

AUTONOMOUS COMMUNITY OF MADRID

8521 *LAW 18/1998, of 20 November, on the recognition of the "Camilo José Cela" Private University.*

THE PRESIDENT OF THE COMMUNITY OF MADRID

I hereby announce that the Assembly of Madrid has passed the present Law, which I, on behalf of the King, promulgate.

PREAMBLE

The Spanish Constitution recognises the freedom of education, as well as the freedom to create teaching centres, while respecting constitutional principles.

As established in Articles 53.1 and 81.1 of the Constitution, Heading VIII of Organic Law 11/1983, of 25 August, on University Reform, regulates the exercise of freedoms with regards to the creation of privately-owned Universities and higher education teaching centres.

In turn, through Royal Decree 557/1991, of 12 April, extended by Royal Decree 485/1995, on the creation and recognition of universities and university centres, the minimum requisites for this have been established in general terms, as Article 58 of the aforementioned Organic Law 11/1983 sets forth, which contemplates the case of the recognition of a private University through the Legislative Assembly Law of the Autonomous Community in whose territory it is to be established.

The present Law recognising the "Camilo José Cela" University is the first, referring to a private institution, to be processed in the Community of Madrid from the assumption of powers in matters of university education.

In order to become the "Camilo José Cela" University in Madrid, pursuant to such provisions, the promoting entity of the "Centro de Enseñanza Universitaria SEK. Sociedad Anónima" itself has met

by the cited Heading of Organic Law 11/1983 and certain precepts of Royal Decree 557/1991, of 12 April, extended by Royal Decree 485/1995, for the creation of a private University.

Said fulfilment has been considered sufficient for the purpose of issuing the present Law of recognition of the aforementioned University. In particular, it has been proven that the promoting entity guarantees the minimum number of degrees referred to in Article 5 of Royal Decree 557/1991, and that, at the corresponding time, it also meets all other obligations set forth through the legal system applicable to private universities, providing relevant documentation for this purpose. This Law, therefore, authorises the "Camilo José Cela" University in Madrid, once recognised, to undertake the activity that, at the corresponding time, enables the granting by the competent Educational Administration of the authorisation for the initiation of its activities.

However, the favourable assessment of the recognition of the aforementioned University has not only considered compliance with current regulations but, in particular, the impact of the new University on the Madrid university education system within the schedule provided in Article 4 of Royal Decree 55/1991, of 12 April, on the creation and recognition of universities and university centres.

Likewise, it has considered the effect that the teaching activity offered by the "Camilo José Cela" University may have on the supply and demand relationship, as well as the traditions and pedagogical level of the promoting entity and their effect on the research carried out at the University; all of which assessed specifically for the University. Therefore, the recognition of the University is not a result of the mechanical verification of the regulatory requirements, but rather the favourable assessment of a set of parameters that should favour the educational offer in Madrid.

The "Camilo José Cela" University recognition file includes a favourable report from the Universities Council.

In virtue of and within the competence framework of the Community of Madrid, in accordance with Article 30 of the Statute of Autonomy, through Article 58 of Organic Law 11/1983, of 25 August, on University Reform, and Royal Decree 942/1995, of 9 June, on the transfer of goods and services of the Central Administration to the Community of Madrid in the matter of Universities, the Assembly of Madrid passed the present Law.

Article 1. *Recognition of the University.*

1. The "Camilo José Cela" University in Madrid is hereby recognised as a private University.

2. The "Camilo José Cela" University in Madrid will be established in the Autonomous Community of Madrid and will be governed by the corresponding precepts of Organic Law 11/1983, of 25 August, on University Reform, and the norms dictated in the implementation thereof, as well as by this Law and its own organisational and operational rules.

3. Said norms, in accordance with Article 20.1.c of the Constitution and with the provisions of Article 2.1 of the aforementioned Organic Law, will explicitly recognise that the University's activity is based on academic freedom, manifested in the freedoms of Research and Study Chair.

Article 2. *Structure.*

1. The "Camilo José Cela" University in Madrid will initially consist of the centres listed in the annex

administrative management and organisation of the teaching leading to the obtaining of official degrees that are valid throughout the national territory, which are also indicated in the annex.

2. For the purposes of recognising new centres in the “Camilo José Cela” University in Madrid, and the introduction of new teaching courses leading to official degrees that are valid throughout the national territory, as well as for the recognition thereof, the requirements referred to in Article 58 of the Organic Law 11/1983, of 25 August, on the University Reform, and the other rules dictated in the implementation thereof will have to be met.

Article 3. *Authorisation for the commissioning of the University.*

1. The Governing Council, at the request of the promoting entity of the “Camilo José Cela” University in Madrid, by means of a Decree and as proposed by the Ministry of Education and Culture, will grant the authorisation for the commissioning of the University, after checking that the commitments acquired by the titular entity have been complied with and the official degrees have been approved, which will be issued in accordance with the provisions of Article 58.4 of Organic Law 11/1983, of 25 August, on University Reform.

2. The authorisation of teaching activity will determine the teaching offer, considering the proposal made by the University in the corresponding report, and the teaching programme of the Community of Madrid carried out in implementation of Article 4 of Royal Decree 557/1991, 12 of April.

Article 4. *Access requirements.*

1. In order to be admitted to the centres of the “Camilo José Cela” University, students will need to meet the requirements established by current regulations to access university education.

2. The University will freely regulate the system for students to access and remain at their centres. However, it must attribute a preferential valuation to the academic results among the different merits claimed by the applicants.

3. The University will ensure that the right to access and remain at its centres does not involve any regulation or de facto practical situation that implies discrimination based on birth, race, sex, religion, opinion or any other personal or social condition or circumstance.

Article 5. *Period of operation of the University and its centres.*

1. The “Camilo José Cela” University in Madrid and all of its centres must at least remain in operation during a period of time which allows the students who have started at the university and maintain normal academic performance to complete their studies.

2. In any case, and in the absence of a specific commitment set forth in the University’s organisational and operational rules or in other applicable norms, the minimum time period to which the previous section refers will be considered as the result of the application of the expiry rules of the modified curricula, referred to in Article 11.3 of Royal Decree 1497/1987, of 27 November, or the rule that modifies or replaces them.

Article 6. *Inspection.*

1. For the purposes provided in Article 27.8 of the Constitution, the Ministry of Education and Culture will inspect the compliance of the “Camilo José Cela” University in Madrid with the rules that apply to it and the obligations that it has assumed.

2. The University will collaborate with the competent bodies of the Ministry in the inspection task, facilitating the documentation and access to its facilities which are required for this exclusive purpose.

3. The University will inform the Ministry of Education and Culture, within the terms and in the manner established by regulations, any variations that may occur in its organisational and operational rules, its patrimonial situation and its specific regulation for granting scholarships and grants for research and studies.

4. If after the activities have commenced, the Ministry of Education and Culture detects that the University has failed to comply with the requirements of the legal system, and especially of Royal Decree 557/1991, of 12 April, and the commitments acquired by requesting its recognition, it will require the University to regulate the situation within a given term. If the University fails to meet the requirement within this given term, and following a hearing with the Universities Council, the Governing Council will inform the Madrid Assembly in order for its possible revocation to be addressed.

Article 7. *Report on the activities.*

1. The “Camilo José Cela” University in Madrid will prepare an annual comprehensive report on the teaching and research activities it carries out.

2. The University will make this report available for the Assembly of Madrid, the Ministry of Education and Culture, and the Council of Universities.

Additional provision one. *Expiration of legal recognition.*

The University’s recognition will expire in the event that, following four years after the entry into force of this Law, authorisation for the commencement of the academic activities referred to in Article 3 has still not been requested. It will also expire in the event that the authorisation was rejected due to lack of compliance with the requirements established in the legal system, once the rejection has become final.

Additional provision two. *Transfer or assignment of ownership.*

Legal acts and business arrangements which involve the total or partial transfer or assignment whether for consideration or free of charge, “*inter vivos* or *mortis causa*”, of the ownership of the University recognised in this Law, shall be governed as established in the additional provision three of Royal Decree 557/1991, of 12 April, extended by Royal Decree 485/1995, of 7 April.

Final provision one. *Regulatory implementation.*

The Minister of Education and Culture is authorised to dictate the precise requirements for the application and implementation of the provisions of

Final provision two. *Entry into force.*

This Law will come into force on the day following its publication in the "Official Gazette of the Community of Madrid".

Therefore, I order all citizens to whom this Law applies, along with the corresponding Courts and Authorities, to comply with it, maintain it and ensure that it is maintained.

Madrid, 20 November 1998.

ALBERTO RUIZ-
GALLARDÓN,
Chairman

ANNEX

I. Centres and initial teaching activity of the "Camilo José Cela" University

Faculty of Social Sciences and Education

Bachelor's in Audiovisual Communication.
Bachelor's in Advertising and Public Relations
Bachelor's in Journalism.
Teacher Training, specialising in Early Childhood Education.
Teacher Training, specialising in Physical Education.
Teacher Training, specialising in Special Education.

Higher Education College for Architecture and Technology

Architecture.
Informatics Engineering.
Technical Engineering in Informatics Management
Technical Engineering in Computer Systems.
Technical Architecture.

II. Proposed supplementary plan

Bachelor's in Psychopedagogy. Bachelor's in Psychology.
Bachelor's in Pedagogy.
Diploma in Speech Therapy.
Diploma in Social Education.

(Published in the "Official Gazette of the Community of Madrid" number 285, of 1 December 1998, correction of errors "Official Gazette of the Community of Madrid" number 303, of 22 December 1998)