

# Regulation no. 992/2024 of 28 August

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## SUMMARY

Approves the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve.

### **Regulation no. 992/2024**

#### **Regulation for the Settlement of Tuition Fee Debts of the University of Algarve**

[Law no. 75/2019](#), of 2 September, "establishes mechanisms for settling debts for non-payment of tuition fees at public higher education institutions", having introduced an addition to Law no. 37/2003, of 22 August, in the wording in force, which establishes the grounds for financing higher education.

Article 29-A of [Law 37/2003](#) of 22 August establishes that public higher education institutions must provide students who are enrolled and registered in degree conferring courses or professional higher technical courses with settlement plans for tuition fees in arrears, in order to correct their indebtedness.

Ordinance no. 197/2020 of 17 August governs the terms and conditions for access to the settlement plan, in accordance with Article 1(1)(a) of the Ordinance.

According to article 5 of Order no. 197/2020, of 17 August, it is up to each higher education institution to duly establish the framework that allows students to resolve unpaid tuition fees by drawing up and taking part in a tuition fee debt settlement plan.

The purpose of these provisions is to ensure that students can continue their academic path with a minimum of damage, by settling their financial situation through the setting up of a tuition fee debt settlement plan, under the legally established terms.

After the public consultation period, and using the authority conferred on me by article 92(1)(o) of [Law 62/2007](#), of 10 September, in its current wording, and by article 34(1)(r) of the Bylaws of the University of Algarve, ratified by [Normative Order no. 11/2022](#), published in the Official Gazette, 2nd edition, no. 167, 30 August, I duly approve the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve, attached to Order RT. 70/2024.

#### Article 1

##### **Subject matter**

The present Regulation establishes the conditions for access to the settlement plan provided for in article 29-A of [Law no. 37/2003](#) of 22 August, in its current wording, regulated by Ministerial Order no. 197/2020 of 17 August.

#### Article 2

##### **Scope**

1 - The framework referred to in this Regulation applies to:

- a) Students enrolled and registered in degree conferring courses or professional higher technical courses;
- b) International students;
- c) Former students of the University of Algarve.

2 - Students and former students enrolled in other study cycles who are not covered by the provisions of the previous paragraph may also apply for the settlement plan.

#### Article 3

##### **Settlement plan**

1 - The settlement plan provides for the payment of the debt in equal monthly instalments, never less than 10% of the social support index in force on the date of the request, without prejudice to the adjustment to be made on the last instalment, subject to the limits referred to in article 8(2).

2 - The students are given the possibility to set the amount and number of instalments of the settlement plan in the application.

#### Article 4

##### **Debt settlement procedure**

1 - The debt settlement plan for overdue tuition fees, at the request of the student, addressed to the Rector, in accordance with Annex I to the present Regulation, is free of charge.

2 - The request to sign up to the settlement plan can be submitted at any time, and depends on the student's express agreement, provided it is prior to the date on which tax enforcement proceedings are initiated.

3 - The tuition fee debt includes interest on late payments up to the date of the request, as well as other charges relating to its collection.

4 - In the case of students who can prove that they are economically deprived, under the terms of article 7, a delay in the start of payment of instalments of 6 (six) months is granted from the date of the application to sign up to the settlement plan.

5 - Without prejudice to the provisions of the previous paragraph, settlement is carried out through payment in equal monthly instalments, up to a maximum of 16 (sixteen), and the deadline for payment of the last instalment may not be set later than the time foreseeable for completion of the study cycle.

6 - The deadline for payment of each of the instalments included in the settlement plan is the last day of each month, with the exception of the first instalment, which is payable immediately upon approval of the settlement plan.

7 - Once the settlement plan submitted by the student has been duly authorised, it is translated into an agreement to sign up to the settlement plan, signed by the applicant and by whoever represents the University of Algarve at the time, in accordance with Annex II to the present Regulation, thereby producing the legal terms referred to in the following article.

8 - The settlement plan does not apply to debts outstanding during the ongoing academic year.

#### Article 5

##### **Legal effects of signing up to the debt settlement plan**

1 - The request for a settlement plan duly determines the suspension of interest on arrears that falls due after the request is submitted, except in the case provided for in Article 6(4).

2 - The conclusion of the agreement to sign up to the settlement plan between the higher education institution and the student determines:

a) The suspension of the penalty of non-recognition of academic procedures carried out during the period to which the liability relates, under the terms of Article 29(1) of Law 37/2003 of 22 August, as amended;

b) The suspension of the legal limitation period.

3 - The signing the agreement to determines to the settlement plan provides the student access to all the administrative procedures necessary to attend and complete the degree. The issue of a diploma or certificate of completion is conditional on payment of the entire debt.

4 - The compliance with the agreement to sign up to the settlement plan does not exempt the simultaneous payment of tuition fees for the academic year the student is attending.

#### Article 6

##### **Non-compliance**

1 - Non-payment of 3 (three) consecutive instalments or 6 (six) interpolated instalments will result in the next instalments becoming due if the student does not settle the outstanding instalments within 30 working days.

2 - Once the 30 working days referred to in the previous paragraph have elapsed, the agreement to sign up to the settlement plan shall be deemed to have been breached and, consequently, the legal effects provided for in article 5 shall cease. Consequently, a debt certificate shall be issued and duly reported to the Tax and Customs Authority for the purposes of tax enforcement proceedings.

3 - Non-compliance with the agreement to sign up to the settlement plan is grounds for not approving a new payment plan for the debt to which the non-compliance refers, as well as the possible suspension of the award of social welfare benefits, namely housing and grants.

4 - If the agreement to sign up to the settlement plan is not concluded due to a lack of express agreement by the student, namely for a period of more than 10 working days, the suspension referred to in article 5.1 will not take place.

5 - It is not possible to establish a new plan when there is a non-compliant settlement plan in accordance with paragraph 1.

6 - The settlement plan can be revised and/or resumed at any time by the student, as long as the deadline provided for in no. 1 is not exceeded.

#### Article 7

##### **Economic deprivation**

1 - Under the terms and for the purposes of article 4(4), a non-grant-holding student who is part of a household with a per capita income of no more than 20 times the social welfare support index (SSI) in force at the start of the academic year, plus the maximum tuition fee currently set for the 1st cycle of studies in public higher education under the terms of the law in force, is considered to be economically deprived.

2 - Economically deprived students must provide proof of the situation they claim to be in at the time they submit their application for a debt settlement plan, by means of documents proving their economic situation and indicating the composition and income of their household.

3 - For the purposes of assessing financial need on a case-by-case basis, the University of Algarve reserves the right to request further clarification or any additional documentation deemed necessary to ascertain the degree of financial need.

4 - The assessment of the student's economic deprivation is carried out by the Social Welfare Services.

#### Article 8

##### **Settlement plan with international students**

1 - For the purposes of paragraph b) of article 2, the definition of international students must strictly comply with article 2 of the Regulation of the specific access and enrolment procedure for international students to degree programmes and integrated master's programmes at the University of Algarve (Regulation no. 1133/2022).

2 - The minimum amount of each instalment of the settlement plan signed with international students cannot be less than 10% of the annual tuition fee in question.

3 - The agreement entered into with international students to sign up to the settlement plan cannot set a date for payment of the last instalment later than the expected date of completion of the study cycle.

#### Article 9

##### **Former students**

The submission of an application for a settlement plan by a former student rules out the existence of tuition fee debts as an exclusion criterion for the purposes of re-entry.

#### Article 10

##### **Repealing provision**

From the date of entry into force of the present Regulation, the Regulation for the Special Settlement of Tuition Fee Debts of the University of Algarve ([Regulation no. 832/2021](#)), and subsequent amendments, is hereby revoked.

Article 11

**Interpreting ambiguities and omissions**

Uncertainties arising from the application of the present Regulation, as well as any omissions, will be dealt with by order of the Rector.

Article 12

**Entry into force**

The present Regulation comes into force after approval by the Rector of the University of Algarve and on the day following its publication in the Official Gazette.

ANNEX I

**Application for a tuition fee debt settlement plan**

(minutes)

Honourable Rector of the University of Algarve,

(Full name), student no. ..., holder of citizen's card/identity card/passport/other no. ..., TIN ..., resident in ..., submits, under the terms and for the purposes of the provisions of the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve, an application for a plan to settle the tuition fee debt due on account of his/her enrolment/registration in the ... cycle of studies, for the academic year ..., under the following terms and conditions:

a) The applicant hereby acknowledges that it owes the sum of ... € (in full) in respect of tuition fees and interest on arrears already due, as well as acknowledges that interest on arrears not yet due may be added to that sum as a result of late or non-compliance with payments.

b) The applicant hereby declares that it is a student in financial hardship under the terms established in article 7 of the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve. (fill in only if applicable)

c) The applicant also hereby declares that its household is made up of ... (number of people), who earn the following itemised income:

(indicate each member of the household, their family ties and individual income)

d) The applicant proposes a debt settlement plan with ... [...] monthly instalments.

e) The debt settlement plan covers the tuition fee debt plus default interest calculated at the date of submission of the present application, proposing payment in instalments of the following amount:

1st instalment: ... €

2nd instalment: ... €

3rd instalment: ... €

[...]

16th instalment: ... €

f) The applicant is fully aware that the deadline for payment of each instalment is the last day of each month, with the exception of the first instalment of the plan, which is payable immediately, unless the applicant is a student in financial hardship.

g) The applicant is also informed that late payment of 3 (three) consecutive instalments or 6 (six) interpolated instalments will result in non-compliance with the agreement to sign up to the settlement plan and the due date of the following instalments, under the terms of article 6 of the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve, and the corresponding debt certificate will be issued and duly reported to the Tax and Customs Authority for the purposes of enforced collection through tax enforcement proceedings.

Faro, date

The Applicant

## ANNEX II

### **Agreement to sign up to the tuition fee debt settlement plan**

As the application for the debt settlement plan proposed by the Applicant ... (full name) has been duly authorised, the application is being translated into an agreement to sign up to the settlement plan.

The Applicant and ... (name of the UAlg Representative and reference of the delegation of competences that allows it to grant) will therefore initial and sign it.

In this deed, the Applicant is paying the first instalment (unless the latter is a student in financial hardship).

The Applicant hereby declares that of its own free will and in an informed manner, it accepts the terms and conditions duly established in this agreement, namely to sign up to the debt settlement plan.

The Applicant also hereby declares that it is fully aware of the Regulation for the Settlement of Tuition Fee Debts of the University of Algarve.

Faro, date

The Applicant

The UAlg Representative

16 August 2024 - The Rector, Paulo Águas