

# Adult Education Act

2010 No 27, 31 March

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**Entry into force 1 October 2010.** Amended by Act No 162/2010 (entry into force 1 January 2011), Act No 126/2011 (entry into force 30 September 2011) and Act No 91/2015 (entry into force 5 August 2015 with the exception of Article 1 and Articles 4 to 7: entry into force 1 July 2015).

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

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## Section I Scope, objective and definitions

### ■ Article 1 *Scope*

This Act pertains to the organisation of adult education as offered by education providers having received accreditation pursuant to the Act, and to Treasury appropriations toward the cost of operating such education programmes.

### ■ Article 2 *Objectives*

The objectives of adult education provided pursuant to this Act are:

- a. to provide those with limited schooling with increased opportunities for active participation in society;
- b. to provide those in the labour market who have limited formal education with suitable education and training opportunities and facilitate their re-entry into the education system;
- c. to enable people to increase their work-related skills and to take more responsibility in that respect;
- d. to make available the resources and solutions needed to meet the demands of industry for a more knowledgeable and competent workforce;
- e. to provide those with a reduced capacity for study or work with adult education adapted to their disparate situations and skill sets;
- f. to promote recognition of the value of education pursued outside of the formal upper-secondary and tertiary education systems;
- g. to ensure that education and experience acquired outside of the formal education system are appreciated to an appropriate extent; and
- h. to raise the general educational level in Iceland and strengthen the Icelandic education system.

### ■ Article 3 *Definitions*

For the purpose of this Act, the following definitions shall apply:

a. *Adult education*: Any education, measure or counselling provided for the purpose of meeting the needs of persons with limited formal education but without being organised on the basis of the Upper Secondary Education Act or the Higher Education Act.

b. *Validation of competence*: A systematic process whereby the overall knowledge and competences of a person are assessed. The assessment can be based on the formal education,

work experience, vocational training, leisure courses, adult education, social activities and life experience of the person concerned.

c. *Education provider*: An independently operated legal entity which provides adult education and has been accredited by the Minister under this Act.

## **Section II Organisation of adult education**

### **■ Article 4** *General administration*

[The Minister]<sup>(1)</sup> has responsibility for the general administration of adult education provided pursuant to this Act. This includes responsibility for:

- a. general policy making in the field of adult education in consultation with stakeholders;
- b. general administration related to the implementation of this Act;
- c. the affairs of the Education Fund;
- d. providing support for development and innovation in the field of adult education; and
- e. supervision and evaluation tasks.

<sup>(1)</sup>Act No 126/2011, Article 523.

### **■ Article 5** *Functioning*

Adult education should be focused on providing what is needed for individuals to participate actively in society, as well as on meeting the needs of businesses and the wider economy. As a general rule, the organisation of course offerings should be such as to allow participants to attend classes in parallel with their employment. Labour and employer confederations are to be consulted on the implementation of this Act; the Minister may delegate specific implementation tasks to institutions or associations operated by those confederations, in accordance with Article 15.

Education providers operating on the basis of this Act are to be consulted regularly regarding the implementation of the adult education they provide. Adult education should as far as possible be organised so as to ensure that it is compatible with other education programmes, and that studies defined as adult education can be evaluated for credits within the general education system. The Minister may lay down specific rules on the classification of adult education programmes and their division into levels, based on skills and learning outcomes.

### **■ Article 6** *Certification of curriculum guides*

The objectives, organisation and content of adult education must be described in curriculum guides or course descriptions drawn up for this purpose.

Individual curriculum guides and course descriptions should be submitted for certification by the Minister or by an entity designated by the Minister to perform that task pursuant to Article 15. Such certification amounts to a confirmation that the education fulfils general requirements for the organisation and quality of the teaching, as well as any special requirements made in each case with regard to the content of the education.

### **■ Article 7** *Accreditation of education providers*

Accreditation of education providers to provide adult education is to be granted by the Minister or by an entity designated by the Minister to perform that task. Accreditation should be granted based on an evaluation of:

- a. the teaching and learning facilities used;
- b. the organisation and supervision of the studies;
- c. the curriculum guides or course descriptions;
- d. the competences of those providing adult education as measured by their knowledge and experience;
- e. financial and insurance matters; and
- f. the existence of a quality assurance system focused on adult education.

- Accreditation by the Minister pursuant to the first paragraph amounts to a confirmation that, at the time the accreditation is granted, the education provider in question operates in compliance with the conditions set out in this Act and any rules adopted on the basis thereof.
- Accreditation implies neither a commitment to provide the education provider concerned with financial contributions from the Treasury nor any responsibility for its obligations.
- Where an accredited education provider no longer conforms with the requirements of this Act or with rules and conditions adopted on the basis thereof, the Minister may revoke the accreditation.
- Further provisions on the requirements for accreditation and the procedures for granting and revoking accreditation shall be laid down in a Regulation.
- The financial accounts of education providers must be signed by a chartered accountant and must be made available to the National Audit Office no later than three months after closing of the financial year.

■ **Article 8** *Validation of competence, educational and vocational guidance*

- Those with limited formal education who choose to pursue studies organised on the basis of this Act or of the Upper Secondary Education Act are entitled to the validation of their individual competence. The Minister shall issue rules regarding validation of competence and the manner in which it is to be carried out.
- Those intending to pursue studies meeting the requirements of this Act should have access to individual educational and vocational guidance. The Minister may issue rules governing educational and vocational guidance provided pursuant to this Article.

**Section III Public funding for adult education; Education Fund**

■ **Article 9** *Public funding*

- The Althing provides appropriations through the annual Budget Act for adult education and related activities. Such financial contributions should be divided into:
  - a. contributions to meet the cost of activities and administrative tasks having a general relation to adult education provided pursuant this Act, including regular contributions toward the operating costs of those providing adult education or carrying out special activities in relation to the education of adults;
  - b. contributions to the Education Fund.

■ **Article 10** *Role of the Education Fund*

- The role of the Education Fund is to work to ensure the availability of suitable educational opportunities for those with limited formal education. A further role of the Fund is to contribute to the creation of suitable conditions for individuals' pursuit of such educational opportunities. In so doing the Fund furthers the objectives laid down in Article 2.
- Financial contributions decided by the Althing in the annual Budget Act are to be administered by the Education Fund. Grants from the Education Fund should be divided into three main categories in accordance with grant rules to be confirmed by the Minister:
  - a. Contributions to education providers to meet the cost of providing teaching and organising courses;
  - b. Contributions to cover costs related to validation of competence and educational and vocational guidance;
  - c. Grants for innovation and development projects in adult education.
- Responsibility for allocation of funding from the Education Fund lies with the Fund's Board of Directors. The Fund must issue calls for applications from education providers to receive contributions and support to meet the cost of providing teaching and organising courses. For education providers receiving contributions from the Education Fund, the Board of Directors may issue grant promises covering a period of up to three years, subject to the appropriations made by the Althing.

The Board of Directors of the Education Fund shall lay down special terms, to be confirmed by the Minister, for payments to education providers and other entities receiving contributions from the Fund. A list of education programmes receiving funding should be made public.

The Minister may enter into contracts entrusting competent entities with the task of handling the Fund's finances and administration. Further, the Minister may delegate to the Board of Directors the administration of specific projects having a relation to adult education and the implementation of this Act.

■ **Article 11** *Board of Directors of the Education Fund*

The Minister shall appoint nine members to the Board of Directors of the Education Fund for a four-year term. The Board's Chair being appointed without nomination, two members each shall be nominated by the Icelandic Confederation of Labour and SA–Business Iceland, one member each by the Federation of State and Municipal Employees and the Association of Icelandic Upper Secondary Schools, one member jointly by [the Ministry managing central government's human resources]<sup>(1)</sup> and the Association of Local Authorities in Iceland, and one member by [the Minister responsible for labour market issues]<sup>(1)</sup>. Alternate members shall be appointed in the same manner.

The Board of Directors shall adopt rules, to be confirmed by the Minister, on the operation of the Fund and on the allocation of grants. The rules should contain provisions regarding the procedure for handling applications and the general conditions governing grants.

<sup>(1)</sup>Act No 126/2011, Article 523.

#### **Section IV Evaluation and quality assurance**

■ **Article 12** *Objectives*

The objectives of evaluation and quality assurance in adult education are:

a. to ensure that education providers operate according to the provisions of this Act, any rules issued on the basis thereof, and curriculum guides certified pursuant to Article 6;

b. to contribute to the increased quality of education and training provided pursuant to this Act; and

c. to ensure the respect of the rights of the users of services provided on the basis of this Act.

■ **Article 13** *Dissemination and storage of information*

The Ministry should collect and disseminate information on adult education to the extent that such information relates to its policy-making and monitoring roles. Education providers which have received accreditation and financial support are under an obligation to provide the Ministry and the Education Fund with information about their education and training activities and the results and development thereof, as well as any other information deemed necessary, including with regard to the way funding is spent and for the purpose of compiling statistics. Tasks for which the Ministry is responsible under this Article may also be delegated to other entities by contract. In the case of such an arrangement, education providers are under an obligation to provide the requested information to the entity in question. [The Minister may delegate to the Directorate of Education the task of collecting and disseminating information pursuant to this Article.]<sup>(1)</sup>

Education providers must maintain information about the enrolment in and completion of education programmes by their students, and provide the students with access to that information.

The Minister may issue a Regulation containing more detailed provisions on education providers' obligation to inform pursuant to this Article, as well as regarding the treatment of personal data, including study records.

<sup>(1)</sup>Act No 91/2015, Article 10.

■ **Article 14** *Procedures for the evaluation of education activities*

- Education providers should carry out their own systematic evaluation of the results and the quality of their education activities, and make public information about their internal quality controls and any plans for improvement based on those controls.
- The Minister shall oversee the administration of reviews, surveys and studies conducted for the purpose of furthering the overall quality of adult education and the general understanding and knowledge of related issues. The execution of such projects should normally be entrusted to an independent party. [The Minister may delegate administrative tasks pursuant to this Article to the Directorate of Education.]<sup>(1)</sup>

<sup>(1)</sup>Act No 91/2015, Article 10.

**Section V Miscellaneous provisions; Regulation; entry into force**

■ **Article 15** *Administration*

- [The Minister may entrust to a society, by means of a contract, or delegate to the Directorate of Education or to another public institution, the administration of tasks specified in Article 6 on the certification of curriculum guides and course descriptions, in Article 7 on the accreditation of education providers, in Article 10 on the administration of the Education Fund, or in Article 13 on the collection and dissemination of information.]<sup>(1)</sup>

<sup>(1)</sup>Act No 91/2015, Article 10.

■ **Article 16** *Right of complaint*

- Decisions made by education providers or by the Education Fund in accordance with this Act are not subject to appeal to the Minister.

■ **Article 17** *Regulation*

- The Minister may issue a Regulation<sup>(1)</sup> containing more detailed provisions on the implementation of this Act.

<sup>(1)</sup>Regulation No 1163/2011, as amended by No 931/2014.

■ **Article 18** *Entry into force*

- This Act shall come into force on 1 October 2010. ...

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*Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Sjórnatíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.*