

COUNTRY PROFILES

Legislative Framework

Legislative Country Profile

Austria

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Schulgesetz: § 25 Abs. 9 and § 20 Abs. SchUG	
1.b. Restrictions on interruptions	In Austria, interruptions are tolerated both for semester, annual and trimester programmes during the 1st semester.	
1.c. Restrictions on certification & recognition	A minimum period of 5 or more months abroad is recognised as being equally valuable and therefore constitute a substitute for a successful school attendance in Austria.	
1.d. Decision-making authority	Schools decide autonomously within the national legislative framework.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: Exchange students are placed in grade 9-11, only exceptionally in grade 12.
2.b. Certification of studies undertaken by foreign pupils	Schulgesetz: SchUG § 4 Abs. 4, § 18 (9) - § 24	Restrictions: it is important to mention that the Ministry of Interior implemented a new law stating that students from abroad need to be registered by the schools as "ordinary students" which is, according to the Ministry of Education,

		<p>impossible. The matter is still subject to discussion in order to come to a satisfactory solution.</p> <p>Schools usually try to accomplish the student's wishes when it comes to certification, providing what is necessary to allow the student's efforts in verifying his/her Austrian schooling.</p>
2.d. Decision-making authority	The schools decide autonomously on admitting foreign pupils - within the legal framework of school education.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Restrictions: Pupils need an "Anmeldebescheinigung" (confirmation of registration) in case they stay longer than 3 months - this is not exactly equal to a residence permit.
2.f. Child Protection	<p>The UN Convention on the Rights of the Child applies in Austria since 1992. Youth Protection is regulated by the various Lander of Austria.</p> <p>The act for the protection of minors regulates issues concerning people younger than 18 years. The act regulates</p> <ul style="list-style-type: none"> - at what times minors are allowed to stay out alone - consumption of alcohol and tobacco/illegal drugs - gambling - guidelines for pocket money <p>Since every region in Austria has its own legislation, the guidelines and age limits vary from region to region. Host parents do not become legal guardians for host stus, the coordinating organisation stays responsible at all times.</p>	
2.g. Minimum Criminal Age	14	

<p>2.h. Criminal age</p>	<p>Bundersgesetz vom 20. Oktober 1988 über die Rechtspflege bei Jugendstraftaten (Jugendgerichtsgesetz 1988 - JGG) BGBl (federal law gazette) 1988/599 idF BGBl 1994/522, 1999 I/55, 2001 I/19</p>	<p>Summary: The Jugendgerichtsgesetz (JGG) deals with legal issues concerning children (younger than 14 years), juveniles (14-18 years) and young adults (18-21 years). Children cannot be tried in any way; juveniles can, but under milder conditions and with alleviated sentences. There are no minimum sentences and penalties.</p>
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Legislative Country Profile

Belgium-Flanders

Regulatory Framework for outgoing pupils

<p>1.a. Recognition & certification of study periods abroad</p>	<p>There is no specific legislation dealing with exchange pupils. They have to navigate within the existing regulation on school attendance, evaluation and accreditation, per below:</p> <p>On equivalency of diplomas: Artikel 1, 1° van de Wet van 19 maart 1971 betreffende de gelijkwaardigheid van de buitenlandse diploma's en studiegetuigschriften : "studieperiodes en afgelegde examens" http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=12291; Ter uitvoering daarvan : artikel 2, § 1 - § 2 van het KB van 20 juli 1971 tot vaststelling van de voorwaarden tot en de procedure van het verlenen van de gelijkwaardigheid van buitenlandse diploma's en studiegeschriften : bevoegdheid van Minister van Onderwijs en zijn gemachtigde http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=12292; Artikel 6quater, Schoolpactwet : bevoegdheid delibererende klassenraad; http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=12373; en ter uitvoering het Organisatiebesluit: http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=13329; http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=13644</p>
<p>1.b. Restrictions on interruptions</p>	<p>According to the national legislation about school attendance, interruptions are always accepted, as long as the school gives approval. There is no specific national legislation/regulation in place and the educational platforms have no specific guidelines in place. The exchangee has to register in school at the beginning of the school year and will be considered as being legally absent ("gewettigd afwezig") during the exchange experience. The school itself has full authority and needs to decide (dixit the Ministry of Education) "considering the interests of the student, the interests of the school and the interests of the school community". This approval is necessary in order to require the status of being 'legally absent'.</p> <p><u>Note</u> : the laws about compulsory education do not apply for the exchangee since this is a territorial limited law,</p>

	and the student abroad has to meet the laws about compulsory education in place in the host country.
1.c. Restrictions on certification & recognition	<p>For periods of less than one year: if the pupil is registered in the school in the beginning of the school year and goes abroad with the explicit approval of the school while having the legal position of being absent (see above), the school has in theory full authority to decide about the recognition of the study period abroad. This needs to happen within the existing framework of evaluation (non-specific for pupils going on an exchange programs), which means : schools need to evaluate whether the specific subject-related and general cross-subject-related pedagogical goals (“eindtermen”) have been reached. It is however up to the schools to determine how the pupils will be evaluated after their return and at the end of the year, and as a consequence, the pupil has to make individual arrangements with the secondary school she/he is returning to. The ministry of Education has no guidelines on these matters. The inspection of the Ministry of Education however will audit the school, and evaluation of pupils is part of that.</p> <p>For exchanges that are longer (one year) there are two possibilities to obtain recognition, and an additional possibility to pursue further studies at university if a diploma secondary education was obtained abroad without necessarily having to go through the two former possibilities.</p> <p>a) <u>Recognition by the school:</u> In theory, the same approach as described above might apply, provided that the student is registered in the school. According to the national school system and the legislation in place, the school has the full authority to recognise the whole year and deliver a certificate needed to go to the next level and since there is no limit anymore either on a maximum time being ‘legally absent’ (until last year the limit was 91 days), schools do have the right to recognise the school year abroad, provided that they have positively evaluated that the pedagogical goals have been reached.</p> <p>However, this is still theory. Because this is very new, and there is no practical experience. It is thus questionable (1) if the schools would take the risk or be able to conduct an evaluation within the existing requirements, (2) whether the student would ever succeed within the existing requirements, (3) whether the educational platforms would agree and not issue guidelines, and (4) whether the inspection would approve.</p> <p>b) <u>Recognition by the Ministry of Education:</u> the only procedure that existed until recently is also still in place. If a pupil wants to have recognition of a full school year (or longer) abroad, the Ministry of Education offers a specific procedure (and most schools would prefer their pupils to go through that procedure).</p> <p>This procedure allows the student (or the school he/she returns to) to make a request for ‘equivalency’ of the school time abroad (de “gelijkwaardigheidsprocedure”). The procedure can only be started after the return of the pupil, and takes a couple of weeks. The department screens the application, and determines at what year the student can</p>

	<p>(re-)enter the secondary school. The foreign certificate or diploma can lead to equal equivalence (which means that the pupil can go to the next year) as well as to 'lower' equality.</p> <p>The same procedure applies for having the last year (or last years, or even the full secondary school abroad) of secondary school recognised, which can lead to a diploma secondary education. If no equivalency is obtained, pupils might consider to take exams at a Central Exam Jury (organised by the department of Education), who examines in one or more exam sessions over the subjects of the last year.</p>	
1.d. Decision-making authority	Schools decide autonomously. The Ministry states that the schools decide "taking into consideration the interest of the student, the school and the school community".	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils at local schools is only possible under certain conditions.	Restrictions: the principal must grant permission. They are registered as free pupils, which means that the school does not receive any subsidies.
2.b. Certification of studies undertaken by foreign pupils	<p>There is no legislation that specifically deals with exchange students spending time in a Belgian school. Hereby however the references related to the procedure for a foreign pupil to become a regular pupil which could technically allow them to receive the same diploma as Belgian pupils: Decreet betreffende het onderwijs II van 31 juli 1990.</p> <p>http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=12965; Art. 48. About accreditation : http://www.ond.vlaanderen.be/secundair/gelijkwaardigheid/gelijkwaardigheid-regelgeving.htm</p>	Restrictions: because hosted pupils are "free pupils" they cannot receive certification to which Belgian pupils are entitled. They will however receive a certification of attendance. It is virtually impossible to become a "regular" pupil when on an exchange programme.
2.d. Decision-	Schools decide autonomously on admitting foreign pupils. The ministry of the Interior and Internal Affairs is	

making authority	responsible for visas and residence permit regulations.	
2.e. Residence Permits	EU residents + Norway and Iceland residents are not required to provide specific papers, except for a parental consent.	Requirements: Foreign pupils staying longer than 3 months need to register with the local authorities.
2.f. Child Protection	<p>The general Belgian legislation on foreigners will apply to incoming and outgoing pupils. There is no specific legislation on incoming pupils, outgoing pupils, sending families, host families, sending schools, host schools or mentors. Police checks on host families or mentors are not required.</p> <p>There is a recent act entitled Act on the penal protection of minors (28/01/2000). The Act mainly contains penal articles on criminal acts against minors.</p> <p>The safety of the child in a host family or school is guaranteed by several institutions. You will hereunder find an outset of the main institutions and their areas of competence. This list is not exhaustive. Several other mostly private institutions exist.</p> <p>In cases where child neglect or abuse is noticed by a third party (student, school, neighbour, ...), this third party can contact the Vertrouwenscentrum Kindermishandeling (Confidentiality Centres of Child Abuse). This institution will in a first stage contact the family and the child, evaluate and try to solve the problem, if necessary with the help of professionals (e.g. psychologists). This institution can not intervene in a persons' private life.</p> <p>The Vertrouwenscentrum Kindermishandeling is regulated by the Decision of 17 May 2002 of the Flemish government regarding the recognition and subventions of the confidentiality centres of child abuse. The Vertrouwenscentrum Kindermishandeling is managed by the umbrella institution Kind & Gezin (Child & Family).</p> <p>In cases in which help of the above-mentioned centres is insufficient, the Comité Bijzondere Jeugdzorg (Committee of Special Youth Care) will intervene. The intervention of these services can reach further than the aid provided by the above-mentioned centres. They intervene when the Vetrouwenscentrum Kindermishandeling is not capable/willing of handling the case or if an agreement for help can not be reached. If the help of the Comité Bijzondere Jeugdzorg is deemed insufficient, the Youth Tribunals can be contacted.</p> <p>The Comitte <i>Bijzondere Jeugdzorg</i> is regulated by the Decision of the Flemish Government of 4 April 1990 for the</p>	

	<p>coordination of the decrees regarding special youth assistance.</p> <p>The Youth Tribunal can be addressed in the last instance, not only in cases of criminal facts by juveniles, but also when a juvenile is considered to be in a difficult family situation. In cases in which the Youth Tribunal believes specific measures are necessary, the Sociale Dienst van de Jeugdrechtbank (Social Service of the Youth Tribunal) are competent to execute these orders.</p> <p>Special rules apply when a minor is accused of having committed a crime. If a minor is imprisoned, he should be given an adequate treatment. The period of imprisonment should be as short as possible and a minor can not be imprisoned together with adults. In exceptional cases, minors can be judged like adults.</p> <p>The Sociale Dienst voor de Jeugdrechtbank is instituted by the Decision of the Flemish Government of 17 July 1991 regarding the organisation and functioning of the social services at the Youth Tribunals of the Flemish Community.</p>	
2.g. Minimum Criminal Age	18 with some exceptions.	
2.h. Criminal age	Protection of Young Persons Act of 8 April 1965.	<p>Summary: From 18 years of age, one can be prosecuted by the “normal” adult criminal courts. Below the age of 18 years, minors are “addressed” for their acts by Youth Courts, which impose measures of an educational character. The minor will have to give accountability before court, but still one will judge that he is not capable of being guilty since the moral element of the criminal act was not in place. The parents will be held liable for the damage caused by their children according to the Civil Code (art. 1384).</p> <p>Minors between 16 and 18 can be prosecuted by normal adult courts for criminal acts related to traffic (on the road→ “Police Court”) or on decision of the Youth Court (new article 57bis). This decision of the Youth Court should be based on personality, environment and degree of maturity. Usually it only happens in case of very heavy criminal acts.</p>

Legislative Country Profile

Belgium-French

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Circular N° 00698 (December 2003)	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are allowed under certain conditions : only interruptions of the length of a trimester and during the first trimester of schooling are allowed.	
1.c. Restrictions on certification & recognition	The study abroad programme has to be less than 3 months long.	
1.d. Decision-making authority	The parents/mentors of the pupils may decide, but it is obviously important to obtain the school's cooperation.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	There is no specific legal framework, but the attendance of foreign pupils in national schools is welcome.	Restrictions: they are registered as “free” pupils.
2.b. Certification of studies undertaken by foreign pupils	There is no certification. Only the laws of the sending country apply. However schools will decided independently whether they will certify attendance or courses taken.	Restrictions: not applicable.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: <ul style="list-style-type: none"> • Parental authorisation for teenagers under 18 • School Admission • Proof of paid medical insurance and adequate means of subsistence • fee & pictures
2.f. Child Protection	<p>The general Belgian legislation on foreigners will apply to incoming and outgoing pupils. There is no specific legislation on incoming pupils, outgoing pupils, sending families, host families, sending schools, host schools or mentors. Police checks on host families or mentors are not required.</p> <p>There is a recent act entitled Act on the penal protection of minors (28/01/2000). The Act mainly contains penal articles on criminal acts against minors.</p> <p>The safety of the child in a host family or school is guaranteed by several institutions. These institutions differ in the Flemish or the French community is. You will hereunder find an outset of the main institutions and their areas of competence. This list is not exhaustive. Several other mostly private institutions exist.</p> <p>In cases where child neglect or abuse is noticed by a third party (student, school, neighbour, ...), this third party can contact SOS Enfants (SOS Child) teams or Service d'Aide à la Jeunesse (Service of Help to the Youth). These institutions will in a first stage contact the family and the child, evaluate and try to solve the problem, if necessary with the help of professionals (e.g. psychologists). These institutions can not intervene in a persons' private life.</p> <p>The regulation instituting the SOS Enfants teams is the 'Décret du 12 mai 2004 relatif à l'aide aux enfants victimes de maltraitements, qui définit les missions des équipes SOS enfants' (Decree of 12 May 2004 regarding the aid to children who were victims of abuse, defining the tasks of the SOS child teams). The SOS Enfants teams are managed by the Office de la Naissance et de l'Enfance (Office of Birth and Childhood).</p> <p>In cases in which help of the above-mentioned centres is insufficient, the Service d'Aide à la Jeunesse</p>	

	<p>(Service of Help to the Youth) can intervene. The intervention of these services can reach further than the aid provided by the above-mentioned centres. They intervene when the Vetrouwenscentrum Kinder mishandeling is not capable/willing of handling the case or if an agreement for help can not be reached. If the help of the Service d'Aide à la Jeunesse is deemed insufficient, the Youth Tribunals can be contacted.</p> <p>The Service d'Aide à la Jeunesse is regulated by the 'Décret du 4 mars 1991 relatif à l'aide à la jeunesse of the French Community' (Decree of 4 March 1991 regarding the help to the youth of the French Community).</p> <p>The Youth Tribunal can be addressed in the last instance, not only in cases of criminal facts by juveniles, but also when a juvenile is considered to be in a difficult family situation. In cases in which the Youth Tribunal believes specific measures are necessary, the Services de Protection de la Jeunesse (Services for the Protection of the Youth) are competent to execute these orders.</p> <p>Special rules apply when a minor is accused of having committed a crime. If a minor is imprisoned, he should be given an adequate treatment. The period of imprisonment should be as short as possible and a minor can not be imprisoned together with adults. In exceptional cases, minors can be judged like adults.</p> <p>The Services de Protection de la Jeunesse are instituted by the Act of the French Community of 4 March 1991 regarding the help to the youth of the French Community.</p>	
2.g. Minimum Criminal Age	18 with some exceptions	
2.h. Criminal age	Protection of Young Persons Act of 8 April 1965.	<p>Summary: From 18 years of age, one can be prosecuted by the “normal” adult criminal courts. Below the age of 18 years, minors are “addressed” for their acts by Youth Courts, which impose measures of an educational character. The minor will have to give accountability before court, but still one will judge that he is not capable of being guilty since the moral element of the criminal act was not in place. The parents will be held liable for the damage caused by their children according to the Civil Code (art. 1384).</p> <p>Minors between 16 and 18 can be prosecuted by normal adult courts for criminal acts related to traffic (on the road→ “Police Court”) or on decision of the Youth Court (new article 57bis). This decision of the Youth Court should be based on personality, environment and degree of maturity. Usually it only happens in case of</p>

		very heavy criminal acts.
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Legislative Country Profile

Bulgaria

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	<p>There is no specific legislation dealing with exchange pupils, but rather with the process of recognition of a study abroad: Regulation Nr. 2 from 14.04.2003 about the recognition of completed stages of school education or stages of education and professional qualification based on documents issued by school authorities in foreign countries. There is a separate regulation for changes and amendments to Regulation Nr. 2 of 2003.</p> <p>There is no detailed step-by-step description of how such mobility should be organised.</p>
1.b. Restrictions on interruptions	Bulgarian pupils can interrupt their education for a semester, a full year or longer. The pupils need to make sure that they can return to the same class at the end of the exchange period. This has to be co-ordinated with the school director.
1.c. Restrictions on certification & recognition	<p>Study abroad programmes are thus recognised, but they have to meet the criteria set by the legislation..</p> <p>The criteria is formulated by the Ministry of Education and Science and set out in Regulation Nr. 2 from 14.04. 2003 if the students want their studies to be recognised. Every document issued by a school authority abroad needs to get a stamp Apostile in order to be recognisable. Should further exams be needed after the official recognition of a study period the school principal has to arrange them following the recommendations of the Ministry of Education and Science of the Republic Bulgaria.</p>
1.d. Decision-making authority	The national authorities decide. For pupils from grade 8 to grade 12 there is a seven-member Commission in the Ministry of Education and Science of the Republic of Bulgaria who decides if a study abroad can be recognised following a set of criteria like durability of study, type of courses attended and number of units

	for each attended course, as well the meaning of the issued document in the country where it was issued.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	There is no specific legal framework, but the attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	The legal act on national education regulates such matters but it is not possible to obtain certification of the Bulgarian studies unless the student has attended the last three years of schooling.	Restrictions: the foreign pupil has to attend the last 3 years of schooling, which is impossible.
2.d. Decision-making authority	National authorities as well as schools are important actors in the final decision. Schools decide if they have the capacity to host foreign pupils. The Ministry of Education and Science of the Republic Bulgaria decides if the foreign pupils have to pay tuition or not. This decision depends on the existence of a bilateral cultural agreement between Bulgaria and the country of origin of the pupil.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months. They will receive an ID card for foreigners residing in Bulgaria as an extension of their visa.	Restrictions: Some documents are needed for the residence permit: letter from the hosting country concerning the aims and the pupil's participation in the programme, a letter from the Ministry of Education and Science of Republic Bulgaria, a letter from the hosting school confirming the acceptance of the pupil.
2.f. Child Protection	<p>The Child Protection Act of 2000 governs the rights of anyone under the age of 18, the principles and the measures for child protection as well as the role of state and municipal bodies in the performance of child protection activities. The Act's implementation lies in the hands of the State Agency for Child Protection.</p> <p>The act provides for special protection at public spaces and preventative measures for the security and protection of the child, including police protection. The right may not be limited on the ground of origin, race, nationality, property status, religion, ethnic background, education or convictions. Children have the</p>	

	<p>right to be protected against all methods of upbringing that undermine their dignity and against all forms of violence.</p> <p>Of special relevance for mobility providers is</p> <ul style="list-style-type: none"> - that persons who become aware of the existence of children in need of protection in the course of their profession or occupation have to report this directly to the State Agency; - that minors in public places have to be accompanied after 10 p.m. ; - that children under the age of 14 have to respect the religious choice made by their parents on their behalf; - that officials who become aware of personal data when implementing their duties are obliged to protect this data. <p>Also of relevance are the provisions of the law (Article 32 (1)) on the reasons for families not to be considered as foster families in the eyes of the state. The article highlights several reasons, amongst which health conditions.</p>	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Chapter 3, Art. 31 of the Penal Code & Child Protection Act	<p>Summary:</p> <p><u>Art. 31.</u></p> <p>(1) Criminally responsible is the person of age - who has accomplished 18 years of age, who in a state of sanity commits a crime.</p> <p>(2) A juvenile who has accomplished 14 years of age but who has not accomplished 18 years of age shall be criminally responsible if he could have realised the quality and the importance of the act and handle his conduct.</p> <p>(3) (Amend., SG 107/96) The juveniles whose acts cannot be imputed shall be accommodated by a court decision in a corrective boarding school or in other suitable establishment if so required by the circumstances of the case.</p> <p>(4) The special rules stipulated by this Code shall apply with respect of the criminal responsibility of the juveniles.</p> <p><u>Art. 32.</u></p> <p>(1) A juvenile who has not accomplished 14 years of age shall not be criminally responsible.</p> <p>(2) Applied, with respect of the juveniles who have committed social dangerous</p>

		<p>acts (corrective measures).</p> <p>Children have a right to legal aid and appeal in all proceedings affecting his or her rights or interests (Child Protection Act)</p>
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Legislative Country Profile

Czech Republic

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Educational Law c. 561/2004 Sb., about pre/school, primary, secondary, higher specialised and other education.	
1.b. Restrictions on interruptions	Interruptions of a school year to go on a study abroad programme are always allowed if the school agrees. The schools' headmasters are fully competent to allow an interruption of a school year individually. The interruption can be allowed in the first semester or in second semester as well as for the whole year.	
1.c. Restrictions on certification & recognition	The study periods may be recognised. Again it fully depends on the individual agreement between the school and the pupil.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	Educational Law c. 561/2004 Sb., about pre/school, primary, secondary, higher specialised and other education (educational law). Education for foreigner in primary, secondary and higher specialised schools,	Restrictions: The schools have ample freedom to arrange for the certification of the study periods undertaken by foreign pupils in Czech schools. They decide autonomously on the

	<p>Ministry of Education, Youth and Sport - instruction towards foreigners' education in primary, secondary and higher specialised schools in the Czech Republic. 21836/2000-11.</p> <p>Foreign pupils may receive the same diploma as Czech pupils under conditons set by the schools.</p>	<p>grades to be attended and the type of certificate issued for each foreign pupil. This usually includes number of hours and the list of subjects taken during the time spent in a particular school.</p>
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	<p>If from the EU, they just need to register with the local police within the first three months of their stay. Residence permits are mandatory for pupils who are nationals of certain countries (non-EU).</p>	<p>Requirements: Guarantees have to be provided for accommodation, school attendance, purpose of stay and appropriate insurance.</p>
2.f. Child Protection	<p>Law nr. 1/1993 Sb. And Law n. 2/1993 Sb.</p> <p>In 1998 the government established its Human Rights Council, which became a consulting and co-ordinating body for issues connected with the protection of human rights and fundamental freedoms in the jurisdiction of the Czech Republic. One of the 8 sections of this Council deals with issues related to the rights of the child according to the CRC (Convention on the Rights of the Child).</p> <p>In 1999 the Government approved the Guidelines of the Government Policy toward the Young Generation until the year 2002. It thereby accepted responsibility for the development of the young generation and for creating conditions for its broad participation in the social, political and economic life in the country.</p> <p>The Children's Right Convention (104/1999 Sb.) is a part of the Czech legislation and it has priority over the law based on the Article 10 of the Czech Constitution (1/1993 sb.). Children's rights stated in the Convention are included in several laws, including the 94/1963 Sb. Family Law for example</p> <p>The Children's right Convention (104/1999 Sb.), It defines a child as being under the age of 18 (art. 1), it guarantees respect and basic rights regardless of race, nationality, sex, ethnic group, age and gender and guarantees the protection against any form of discrimination (art. 2), it defines the tasks of the state in order</p>	

	<p>to guarantee the welfare and healthy development of children (art. 3-5), guarantees the right to live (art. 6) and the right to an education (art. 28), the freedom of expression (art. 12-13) and the freedom of thought, liberty of conscience and religion (art 14). It further protects minors from harming information (art. 17).</p> <p>According to the law on the protection of the children (104/1999 Sb.), the Czech state must adopt all necessary precautions to protect children from using narcotics, psychotropic substances and protecting minors from any kind of sexual abuse.</p>	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Section 11 of the Criminal Code and law nr. 18/2003	<p>Summary: Under section 11, of the Criminal Code (Act No. 140/1961, as amended by later regulations) a person who has not reached the age of 15 at the time of committing a crime is not criminally liable.</p> <p>On the point of criminal offence and their share in the structure of offenders, juvenile offenders are divided into two categories: children aged less than 15 years, and juveniles aged between 15 and 18 years.</p> <p>A a person who has not attained 15 years of age at the time of committing a crime cannot be held liable for it. However, in compliance with the conditions set by law, this person can be placed in protective custody. On attaining 18 years of age, a person becomes fully liable for his/her acts. Under section 33 of the Penal Code, infringement of penal law at an age close to the age of adolescence is generally considered as a mitigating circumstance.</p>

Legislative Country Profile

Cyprus

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	There is no such official regulation or guidelines on long-term mobility programmes dealing with the certification of study abroad programmes because there was no such need until now. For students who have lived abroad with their parents and who return to Cyprus or are foreign students there are guidelines that apply: if the student attended a Greek speaking school, a report card will be accepted. If the student attended another school, he/she has to sit exams in order to be entered at the right course level.
1.b. Restrictions on interruptions	<p>There is no legislation regulating the conditions of interruption of any term of the school year at present, but according to the Director of Secondary Education, who was interviewed if such a case arises, it will be under the jurisdiction and discretion of the Director of Secondary Education at the Ministry of Education and Culture who, until such legislation is set up, will approve the interruption of up to a year. Approval will be given, provided that the student brings back proof of attendance, grades or comments from the school of the country he/she has attended.</p> <p>The Director of Secondary Education reported that if a long time mobility programme under the auspices of the European Commission begins, laws will be enacted by the Ministry of Education and Culture to cover these cases, as the Cyprus Government follows the directives of the European Commission.</p>
1.c. Restrictions on certification & recognition	Not applicable.
1.d. Decision-making authority	The national authorities.

Regulatory Framework for incoming pupils

2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	There is no legislative framework.	Restrictions: Not applicable. Schools decide autonomously on certification. Pupils will receive a document attesting the subjects studied and the marks obtained. Technically, the national exams take place at the end of a 2-year study period, and foreign exchange students usually do not stay long enough to follow all courses.
2.d. Decision-making authority	National authorities decide on whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: proof of acceptance and enrolment in a recognised/accredited school proof of sufficient funds to cover expenses. Furthermore they should have full medical insurance.
2.f. Child Protection	<p>Cyprus signed the Convention of the United Nations on the Rights of the Child on October 5, 1990 and ratified it by Law No. 243 of 1990. In addition, Cyprus has several specific laws: the Children's and Young Persons Law of 1990, the Violence in the Family Law of 1994 and the Parents and Children Relations Law of 1990.</p> <p>Cyprus is also a party to many international Conventions, including the Hague Convention on the Civil Aspects of international Child Abduction and the European Convention on the Recognition and Enforcement of decisions Concerning the Custody of Children.</p> <p>The Law on the Prevention of Violence in the Family prohibits any unlawful act or controlling behaviour which results in direct actual physical, sexual or psychological injury to any member of the family. It even protects</p>	

	<p>children from witnessing domestic violence.</p> <p>The Social Welfare Services, as the official agency of the State for the implementation of legislation concerning children, undertake the care and protection of children who, for certain reasons, must be removed from their families. In order to encourage people to report cases of violence against children, counselors at the agency accept anonymous referrals and they are obliged to investigate them within 24 hours.</p> <p>In order to safeguard the rights of the child/victim a specific interdepartmental procedure has been submitted to the government and approved on 16/5/2002 by the Council of Ministers, for immediate implementation. This procedure provides a framework of how professionals should work together and focuses on interdepartmental cooperation. It is addressed to those who work in the Social Welfare Services, the Police Force, the Health Services, the Education Services, the Law Office of the Republic and the relevant NGOs, including presumably mobility providers and/or agencies.</p>	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Amendment (2006) of article 14 of the Penal Code Law cap 154 of the laws of Cyprus.	Summary: the latest amendment has raised the age to 14. Together with the Police and the Attorney General, the Social Welfare Services contribute to the decriminalisation process by helping with the identification and supervision of children in need of care and protection and the avoidance of court procedures.

Legislative Country Profile

Denmark

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none except that Denmark is a signatory to the Nordic agreement on pupil mobility, and any period of secondary schooling that is undertaken in Iceland, Sweden, Norway or Finland and duly documented is recognised as equivalent.	
1.b. Restrictions on interruptions	Interruptions of a school year to go on a study abroad programme are always allowed if the school agrees.	
1.c. Restrictions on certification & recognition	The only restrictions is that it is up to the school administration.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	No legislative act applies. Attendance of foreign pupils in national schools is welcome.	Restrictions: not applicable.
2.b. Certification of studies undertaken by foreign pupils	There is no legislative framework. Schools decide autonomously whether they certify and what.	Restrictions: the schools decide.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months. In general, a residence permit is required in order to obtain a social security number, which qualifies one for social security, the right to open a bank account, etc.	Requirements: Acceptance by a school, a residency address and a bank guarantee of 50.000 DKK.
2.f. Child Protection	<p>Denmark has ratified the UN Child Protection Act. There are regulations protecting minors against sexual misconduct and adults in regular contact with minors have to undergo police checks.</p> <p>Any adult who is to have regular contact with children under 15 years of age over a period of more than three weeks must be checked by Danish authorities. This applies also when the child is from another country. This means that all host families (parents and children over 15 years of age living at home) have to be checked if the participant is under 15 on arrival. This is not the case for volunteers on an-arrival training as this is not considered "regular contact" (More than three times a month). All adults employed in Danish schools are automatically checked when applying for a job.</p> <p>To check an adult their consent must be asked in collecting information from the Danish authorities. This is done by a form. Once consent form is acquired, police can be asked to check if the person has been sentenced for any kind of sexual relations with children under 15. This includes incest, sexual intercourse, other types of sex, distribution- or possion of child pornography, indecent exposure a.s.o.. The check does not include other crimes as theft, drunk driving a.s.o.</p> <p>This is called "Børne attest", a Child Certificate. Once obtained, the Child Certificate must be kept safe by the organisation that aquired it.</p> <p>The Parental care and Custody Act of 1997 provides that all children have the right to care and security and that they shall be treated with respect as an individual and may not be subjected to corporal punishment or other degrading treatment.</p>	
2.g. Minimum Criminal Age	15	

2.h. Criminal age	Danish Penal Legislation Chapter 3 § 15	Summary: Criminal acts committed by children under the age of fifteen are not punished.
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Legislative Country Profile

Estonia

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There are no regulations, guidelines or legislation that deal with the certification of schooling abroad. It is widely known that school boards decide whether a foreign diploma will be taken into account or not. The regulatory framework that applies is the Basic Schools and Upper Secondary Schools Act, Regulation by the Ministry of Education and Research about transfers of Basic and Upper Secondary School Pupils.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.	
1.c. Restrictions on certification & recognition	The only restriction is that it is up to the school administration.	
1.d. Decision-making authority	The school administration.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	There is no legislative act. Attendance of foreign pupils in national schools is welcome.	Restrictions: Not applicable.
2.b. Certification of studies undertaken by foreign pupils	The Education Act. Foreign pupils attending the last grade of schooling will receive the same diploma as Estonian pupils if they pass the exams.	Restrictions: Not applicable. The schools decide autonomously on the type of certification they wish to provide.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: An application with ID (passport) and a school permit (special standard form) has to be submitted to the Migration Office.
2.f. Child Protection	Republic of Estonia Child Protection Act. One of the articles provides that children younger than 16 years are not allowed to appear in public places without being accompanied by an adult (older than 18) during 23.00-06.00. During summertime (01.06-31.08) the restricted period is shorter - from 24.00-05.00.	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	<ul style="list-style-type: none"> • Art. 1 of the Penal Code Implementation Act • Art 87 of the Penal Code 	<p>Summary: A person who at the time of committing a criminal offence is less than 14 years of age shall be released from punishment.</p> <p>Taking into account the level of the moral and mental development of a person of 14 to 18 years of age and his or her ability to the understand the unlawfulness of his or her act or to act according to such understanding, the court may release the person from punishment and impose the following sanctions on him or her:</p> <ol style="list-style-type: none"> 1) Admonition; 2) Subjection to supervision of conduct pursuant to the provisions of § 75 of this Code; 3) Placement in a youth home; <p>(12.06.2002 entered into force 01.09.2002 - RT I 2002, 56, 350)</p> <ol style="list-style-type: none"> 4) Placement in a school for pupils who need special treatment due to behavioral problems.

Legislative Country Profile

Finland

Regulatory Framework for outgoing pupils

1.a. Recognition & certification of study periods abroad

1. General Objectives of Education (page 26 and following) in the National Core Curriculum for Upper Secondary Schools, Finnish National Board of Education (2003)
2. Cross Curricular Theme for Intercultural Learning (in National Core Curriculum)
3. Recommendations concerning the international mobility of students - Finnish National Board of Education and various student exchange organisations 1991

The following can be found in the National Core Curriculum:

"5.2 Cross-curricular themes: cross-curricular themes are educational challenges with social significance. At the same time, they are current statements on values. In practical terms, cross-curricular themes are policies that structure the upper secondary school's operational culture and priority areas that cross subject boundaries and integrate education. They deal with issues concerning the way of life as a whole.

The objectives uniting all cross-curricular themes are for students to be able to

- observe and analyse contemporary phenomena and operating environments;
- express justified ideas of a desirable future;
- assess their own lifestyle and prevailing trends from a future perspective; and
- make choices and take action for the future that they consider as being desirable."

Finland is a signatory to the Nordic agreement on pupil mobility, and any period of secondary schooling that is undertaken in Sweden, Norway, Iceland or Denmark and duly documented is recognised as equivalent.

1.b. Restrictions on interruptions

Interruptions of a school year to go on a study abroad programme are always allowed if the school agrees. It is easier to study a whole year abroad than only one period or some months. It is also easier to interrupt a year

	based on the official school periods rather than in between.	
1.c. Restrictions on certification & recognition	Again, schools decide quite independently on this. Most schools recognise some specific courses in specific subjects such as foreign languages, arts or intercultural learning. Intercultural learning plays an important part in the national curriculum and has a role in all the subjects, in particular foreign languages (see above). Some schools also organise school-specific courses in intercultural learning.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: not applicable.
2.b. Certification of studies undertaken by foreign pupils	National Core Curriculum for Upper Secondary Schools 2003. Foreign pupils receive the same certification as Finnish pupils. There are no hosting guidelines apart from the quality charter signed by several exchange organisations. At school, the hosted pupils have the same status as the other pupils.	Restrictions: none.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	EU-citizens do not need a residence permit in Finland, because as EU-citizens they have the right stay unless their stay exceeds three months.	Requirements: Registering is carried out through the local police authorities in the students' host communities within three months after their arrival in Finland. Residence permits are necessary in certain cases only. To register,

		<p>students need to present a valid passport or official EU identification card, 1 passport photograph and a certificate stating the reason for their stay in Finland. Furthermore those students who are minors (under 18 years) need to present a parental consent confirming that their child can register his/her stay for a specific time in Finland. The parental consent does not have to be translated into Finnish but can be in English and it needs to be legalised by the notary public.</p>
<p>2.f. Child Protection</p>	<p>The primacy of children's interests is the central principle in all Finnish legislation concerning children. Provisions concerning the situation and rights of children in Finnish legislation are contained in several legislative texts, including the constitution, the Child Custody and Rights of Access Act (361/1983), the Child Welfare Act (683/1983) and the Youth Act (72/2006).</p> <p>The basic rights declared in the Finnish Constitution concern children as well as adults. Children have the right to be treated equally and as individuals and to influence matters pertaining to themselves to a degree corresponding to their level of development. Equality is to be guaranteed both among children and between children and adults.</p> <p>According to Section 19 of the Constitution, the public authorities must support families and others responsible for providing for children so that they have the opportunity to ensure children's wellbeing and personal development. The Constitution also decrees that society shall provide adequate social and health services, housing, income security, free basic education for children and financial support for families with children.</p> <p>The Child Custody and Rights of Access Act (Family Law) of 1983 provides that 'A child shall be brought up in the spirit of understanding, security and love. He shall not be subdued, corporally punished or otherwise humiliated. His growth towards independence, responsibility and adulthood shall be encouraged, supported and assisted.'</p> <p>In the processes of applying law on Child Custody and Rights of Access it is required that a matter is resolved</p>	

	<p>taking account of the interests of the child. The opinions and wishes of the child are also to be taken into account according to the age and stage of development of the child.</p> <p>The Child Welfare Act states that children have the right to a safe and stimulating growing environment, balanced and varied development, with priority given to their welfare. Attention is given in the act primarily to the interests of the child. It requires that municipal social welfare boards and other authorities must follow and develop the conditions in which children and young people grow up and remove and prevent the development of disadvantages in them. Particular attention has to be given in the development of services that help support carers in the upbringing of children and that special attention is paid to children's needs and wishes.</p> <p>There are also provisions in the Child Welfare Act on children being heard. This is also provided for in the Act on the Status and Rights of Social Welfare Clients (812/2000) and the Administrative Procedure Act (434/2003). The Act on the Status and Rights of Social Welfare Clients also contains other provisions particularly relating to children. These include provisions on the situation of underage clients and concerning the giving of information concerning children. The Child Welfare Act is currently being amended.</p> <p>The new Youth Act took effect from 1 March 2006, replacing the previous Act of 1995. The term 'youth' in the Act means below the age of 29. The Youth Act contains regulations from the youth policy development programme, which the Ministry of Education prepares for adoption by the government at four-year intervals. The purpose of the Act is to support young people's upbringing and becoming independent, promote the active citizenship of young people, strengthen the socialisation of young people and improve the conditions in which they live and are brought up. There are also provisions in the Act concerning the participation of young people and for them to be heard.</p>	
2.g. Minimum Criminal Age	15	
2.h. Criminal age	<p>Chapter 3, Section 4 of the Penal Code of Finland</p> <p>39/1889, amendments up to 650/2003 as well as 1372/2003, 650/2004 and 1006/2004 included</p>	<p>Summary: A child under 15 years of age may, however, be liable for the damages caused by the criminal activity even if a criminal punishment could not be sentenced.</p>

Legislative Country Profile

France

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	<p>Two Administrative Circulars of the Ministry of Education exist : (1) N° 76-260 (20/08/1976) named "Sorties et voyages collectifs d'élèves" regarding only short periods organised by the schools. And (2) N° 88-147 (21/06/1988) called "Echanges individuels d'élèves avec l'étranger" (Individual pupil exchanges with foreign countries) encouraging reciprocal exchanges based on a partnership between 2 schools with an agreement on the content of school curriculum.</p> <p>In addition, thanks to the Franco-German Youth Exchange, there is now also a way to recognise exchanges taking place between these two countries. The law is the Administrative Note of the Ministry of Education dated 21/11/2006 (N° 2006-184) named "Coopération franco-allemande". "Validation de l'année seconde passée dans un établissement scolaire allemand en Allemagne" (Franco-German Cooperation Recognition of a school year spent in a German School in Germany during grade 10).</p>
1.b. Restrictions on interruptions	<p>Interruptions of the school year to go on a study abroad programme are allowed under certain conditions. According to the law, school attendance is compulsory which normally means that interruptions are not tolerated, but the principal can derogate. That means that interrupting a school year is not totally forbidden, yet, in the absence of a real legal framework and except for programmes operated under bilateral agreements, exchange programmes are not really encouraged.</p>
1.c. Restrictions on certification & recognition	<p>As mentioned above, only in very rare cases, if the student is particularly brilliant and if the "Conseil de classe" (a School Council composed of the Principal, teachers, representatives of pupils' parents and representatives of pupils) gives permission. In the French school system, every pupil has to go through the same curriculum and the final exam take place during grades 11 and 12. It is thus very difficult to catch up.</p> <p>For pupils going to Germany on programmes operated by OFAJ (Franco-German Youth Office) on the basis of a</p>

	bilateral agreement between the 2 governments (Programme Voltaire : 6 months during 10th grade (15-16 years old); - Programme Brigitte Sauzay : 3 months for pupils of grade 8 to grade 11 (13 to 17 years old)) it is possible since November 2006 to obtain recognition for a one-year stay in Germany during grade 10; provided the hosting and sending schools have signed an agreement.	
1.d. Decision-making authority	Schools decide autonomously. The "Recteur d'Académie" and the "Inspecteur d'Académie" may deal with the interruption. These authorities have responsibility over a certain number of schools in a specific geographic area.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance is always welcome, provided the principals give permission.	Restrictions: Attendance of foreign pupils at local schools is only possible if the principals agree.
2.b. Certification of studies undertaken by foreign pupils	Administrative circular of the Ministry of Education N° 2002-063 (20/03/2002) named "Modalités d'inscription et de scolarisation des élèves de nationalité étrangère des premier et second degrés". ("Conditions for staying in a French school for pupils of foreign nationality"). According to this circular (which was written for questions regarding children of immigrants), no distinction can be made between pupils of French nationality and pupils of foreign nationality, as school is compulsory for children between 6 and 16 years of age. Foreign pupils receive the same certification as national pupils if they pass the final exams.	Restrictions: None.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils. The Recteur d'Académie and the Inspecteur d'Académie may also intervene.	

2.e. Residence Permits	<p>Residence permits are necessary in certain cases only. If the pupil has a student visa and is already 18 or will turn 18 during his/her stay in France, s/he has to apply for a "carte de séjour".</p> <p>Requirements: A passport, a document certifying that the pupil will be financially independent ("engagement de prise en charge or hostfamily agreement), a birth certificate and a medical certificate.</p>	
2.f. Child Protection	<p>According to the law of July 5, 1974, a minor is a person under the age of 18. As a person he has rights and duties but is not considered legally capable and he cannot execute his rights without his parents or tutors.</p> <p>Legal texts applying to minors are scattered throughout different laws and codes. After the ratification by France of the UN Convention on the Rights of the Child, the law N°98-468 of July 17, 1998 on the prevention and repression of sexual abuse of minors and the protection of minors was adopted to enable the application of the Convention. It lays down the legal procedures that apply in cases of crimes where the victim is a minor. Articles 227 and following of the Penal Code list the special sanctions that apply in such cases.</p> <p>The Public Health Code (articles L.3342-1 to 3342-3) prohibits the sale of alcohol to minors under 18 with the exception of certain alcoholic beverages that may be sold to minors aged between 16 and 18. The Law of July 31, 2003 forbids selling or providing tobacco to minors under 16 and forbids smoking in places like schools.</p> <p>15 is the minimum age for consensual sexual relationships between minors and adults. Article 227-27 of the Penal Code defines sanctions applying to adults that trespass the law.</p>	
2.g. Minimum Criminal Age	There is no minimum age.	
2.h. Criminal age	<p>Edict ("ordonnance") from 1945 (No. 45-174, 23 Feb. 1945, modified in 2002) and following amendements: "Ordonnance relative à l'enfance délinquante"</p>	<p>Summary: There is no minimum age. The responsibility is established if it is proven that the criminal has acted with "proper judgement" (in French: "capacité de discernment"). For minors, a special Court sits (Court of Minors).</p>

Legislative Country Profile

Germany

Regulatory Framework for outgoing pupils

1.a. Recognition & certification of study periods abroad

The Standing Conference of Ministries for Cultural Affairs' (KMK) agreement on "gymnasium upper class arrangements": <http://www.kmk.org/doc/publ/Vereinb-z-Gestalt-d-gymOb-i-d-SekII.pdf>

The decisive passage of the agreement states " study period abroad for up to one year can be calculated into the school time, providing corresponding credits can be proven and it can be expected that the student can and will successfully continue with his/her education." (Under point 6.4.). (Source: <http://www.kmk.org/doc/publ/Vereinb-z-Gestalt-d-gymOb-i-d-SekII.pdf>)

The agreement is based on the unanimity of all states and is binding for all states. The individual states maintain the power to interpret the agreement as they see fit, thereby implementing the corresponding directives. The agreement can be altered as of now, but must be enforced at latest by the time the pupils, who will be in the qualifying phase in 2011 (i.e. class 11), would be affected.

Länder regulations on certification and recognition of schooling abroad (explained above) are usually included in directives on conditions of passing on to gymnasium upper classes (introduction and qualification phases - so called "Versetzungsordnungen"). Directives and changes to them are being published in official announcements (Gesetzesblättern) by the ministries and/or school districts and are often available online (in German only). The respective ministries often provide additional information and clarification on their respective homepages. Below are the official references to the legislative framework:

Standing Conference of Ministries for Cultural Affairs (KMK), agreement on "gymnasium upper class arrangements":
<http://www.kmk.org/doc/publ/Vereinb-z-Gestalt-d-gymOb-i-d-SekII.pdf>

Länder regulations on certification and recognition of schooling abroad (explained above) are usually included in directives on conditions of passing on to gymnasium upper classes (introduction and qualification phases,

Versetzungsordnungen). Directives and changes to them are being published in official announcements (Gesetzesblättern) by the ministries and/or school districts and are often available online (in German only). The respective ministries often provide additional information and clarification on their respective homepages. Below all official regulations outlined above are referenced. All links are valid as per 4th January, 2007.

Baden-Württemberg:

GBL. Nr. 3/2004, S. 82, § 3 GymnVersO

See http://www.lexisnexis.de/aedoku?STWT=%A7+9a+GymnVersO%2CBW&rechtsstand_datum=2004-08-01&aenderung=127248&PHSESSID=6c83e44da28169104d2b1fb74a30e992#%C2%A7_8_GymnVerso.BW

Bavaria:

School directive GVBl 1983, S. 681, §56a

See http://by.juris.de/by/GymSchulO_BY_P56a.htm

And more specifically applying to pupil mobility see

<http://www.km.bayern.de/imperia/md/content/pdf/bekanntmachungen/25.pdf>

Berlin:

Vo-Go, GVBl. p. 723, 1170 (1984) and GVBl. p. 180 (2004); § 41

See http://www.berlin.de/imperia/md/content/sen-bildung/rechtsvorschriften/vo_go.pdf

Brandenburg:

GOSTV (2002, 2005), §4

See http://www.landesrecht.brandenburg.de/sixcms/detail.php?gsid=land_bb_bravors_01.c.14978.de#4

Bremen:

GyO-VO (2005), referencing to official guideline to be found under

http://www.bildung.bremen.de/sfb/aktuelles/info_149-2006_a.pdf

Hamburg:

HbgGVBl., p. 275, APO-AH (2003), §36

See <http://fhh.hamburg.de/stadt/Aktuell/behoerden/bildung-sport/service/veroeffentlichungen/verordnungen/apo-ah,property=source.pdf>

Hesse:

VOGO/BG (1998, 2004), Abl p. 734, Verz.Nr. 723, §6

See http://www.kultusministerium.hessen.de/irj/HKM_Internet?cid=d964b6e4c90c01ebd6dfc55e4089db8f

Mecklenburg- Western Pomerania:

AbiPrüfVO MV (2005), §35

See http://www.kultus-mv.de/_sites/bibo/vo/schule/pruefungs_gym.pdf

Lower Saxony:

VO-GO (2005), §4

See http://cdl.niedersachsen.de/blob/images/C7722480_L20.pdf

North Rhine- Westphalia:

Upper Class directive, § 4 according to SchVG-APO-GOSt (1998, 2001), §26b

See http://www.schulministerium.nrw.de/BP/Schulrecht/APOen/APOGOSt/APOGOst_2002.pdf

Rhineland- Palatinate:

LVO §3, and operational directive 15413 C-51 113-0/34

See http://gymnasium.bildung-rp.de/fileadmin/user_upload/gymnasium.bildung-rp.de/rechtsgl/vmss03.rtf

Saarland:

OberstufenVO § 39, Amtsbl. p 1142 (1995) and Amtsbl. p. 1910 (2003)

See http://www.lexisnexis.de/aedoku?STWT=%A7+27+OberstufenVO%2CSL&rechtsstand_datum=2002-08-01&aenderung=457316

Saxony:

SOGY (2004), §31

See <http://www.sachsen-macht-schule.de/recht/sogy.pdf>

Saxony-Anhalt:

Oberstufenverordnung (2003), § 5, GVBl. LSA p. 526

See <http://www.mk-intern.bildung-lsa.de/Bildung/ve-gymoberstufe.pdf>

Schleswig-Holstein

	<p>OVO (1998) § 2, NBl. MBWFK 1999, S. 8 See http://sh.juris.de/sh/OVO_SH_P2.htm</p> <p>Thuringia: ThürSchulG (2003), GVBl. S.238, changed as per 2005 GVBl. p. 58, §17, §49 See http://www.thueringen.de/de/tkm/schule/schulwesen/gesetze/schulgesetz/ and operational directive 2003, see http://www.thueringen.de/de/tkm/schule/schulwesen/vorschriften/gyost/content.html</p>
<p>1.b. Restrictions on interruptions</p>	<p>Interruptions of the school year to go on a study abroad programme are allowed under certain conditions: they can be calculated into the school time for up to one year, providing corresponding credits can be proven and it can be expected that the student can and will successfully continue with his/her education.</p>
<p>1.c. Restrictions on certification & recognition</p>	<p>The binding structure of the gymnasium upper classes calls for a one year introduction phase and a two year qualification phase. The length of overall school time before obtaining a general high school baccalaureate (Abitur) requires 12 or 13 years, depending on the Land (and the school during a transitional period).</p> <p>In the 12 Year Abitur Program, the "Upper Classes" are grades 10-12. Grade 10 is considered the introduction phase, 11 and 12 are called "qualification phase". In the 13 Year Abitur Programme, the "Upper Classes" are grades 11-13. Within this programme, grade 11 is called the introduction phase, grades 12 and 13 are the qualification phase.</p> <p>In the following Länder (for full Länder names, see below) it is possible to recognise foreign exchange year credits during the 10th or 11th grades, in other words, during the introduction phase: BW, BY, BE, HB, HH, MV, NI, NRW, RP, SL, ST, TH. Recognition in the following Länder is possible during both the introduction (10th or 11th grade) and the beginning of the qualification phases (11th or 12th grades): BB, HE, SH, HB (only in the first semester of the qualification phase). There is no possibility for recognition in Saxony.</p> <p>Below is the detailed application, land by land:</p> <p>Baden-Württemberg (BW) An exchange year during the introduction phase (11th or 10th grade) can be accepted by decision of the school director or committee. During the qualification phase, it is only possible to have credits recognized if</p>

the school allows for it. Otherwise, the student must be present for all four semesters of the qualification phase.

Bavaria (BY)

Recognition of exchange year credits for the introduction phase year (11th grade) is possible through approval of the school director after a trial semester in the qualifications period, when the student must pass written and oral exams or when the school believes the "missing parts" in curricula can be easily filled.

Berlin (BE)

An exchange year during the introduction phase (11th or 10th grade) can be accepted by decision of the school director or committee. Only during the introduction phase is leave from school permitted. The student must participate in all four semesters of the qualifications phase.

Brandenburg (BB)

An exchange year during the 11th and 12th grades (the introduction phase and the first year of the qualification phase) can receive credits, if the student has chosen particular advanced focus courses (Leistungskurse), and if the school director and the school committee permit it.

Bremen (HB)

Classes/grades missed due to a foreign exchange program can either be skipped or repeated in the gymnasium upper classes. Skipping a class is possible if the student has not been abroad for longer than one year and has not missed more than the first semester of the qualification phase. If more than the first semester of the qualification phase is affected by the exchange year, the student must return to the last visited semester of the introduction phase.

Hamburg (HH)

Foreign exchange years during the introduction phase can be recognized by permission from the school director, if the school credits from the year abroad qualify the student sufficiently for the qualification phase.

Hesse (HE)

The school director decides whether credits from foreign exchange years during the introduction phase will be recognized or not. In doubt, there is an exam to determine the student's qualification. Credits during the introduction phase can be recognized by the school director. However, credits from abroad cannot be

accepted for the qualification phase.

Mecklenburg-Western Pomerania (MV)

The school director decides whether to accept credits from an exchange year during the introduction phase. A shortening of the school time during the introduction phase is only possible if the pupil can prove successful participation in specific classes. The Ministry of Education, Science, and Culture in Mecklenburg-Vorpommern recommends: “the best time to study abroad is during the 10th grade or during an extra year before the beginning of the qualification phase.”

Lower Saxony (NI)

Only an exchange year during the introduction phase (11th or 10th grade) can be accepted by decision of the school director or committee. In a twelve-year program, credits from an exchange year during the introduction or qualification phase cannot be recognized, according to the general rules. In exceptions, the school can decide to accept credits from a foreign school’s classes if the appropriate material was covered and the student has been appropriately prepared to continue.

North Rhine- Westphalia (NRW)

An exchange year during the introduction phase (11th or 10th grade) can be accepted by decision of the school director or committee.

Rhineland Palatinate (RP)

An exchange year during the 11th grade can be accepted for credit after a maximum 10 week trial-period in the 12th grade and with the permission of the school’s teacher’s conference.

Saarland (SL)

An exchange year during the introduction phase can be accepted when the school director gives the student individual permission.

Saxony (SH)

Students can leave the school after the 9th or 10th grade in order to take part in an exchange year program. They cannot, however, leave for a year of or during the years of the qualification phase for a year abroad.

Saxony-Anhalt (ST)

Recognition of exchange years during the introduction phase (10th grade) by the school director and the

	<p>school committee is possible if the student can provide proof of the foreign credits and grades. Students are, however, not allowed to leave or interrupt school for an exchange year during the qualification phase.</p> <p>Schleswig-Holstein (SH) By permission of guardians or students over 18 years old and the school director, students can receive credit for exchange years during the 11th (or 12th) grade.</p> <p>Thuringia (TH) With permission from the school director and the school committee, pupils can receive credit for foreign exchange years during the introduction phase (10th grade). Recognition of credit from exchange years during the qualification phase (11th and 12th grade) is not possible. Taking leave from school during the 12th grade is not permitted.</p>	
1.d. Decision-making authority	Following the principle of federal subsidiarity, the final authority lies with the schools. They follow German Länder (regional) directives, possibly refined by school district authorities. These directives fit into the common agreement by the Standing Conference (KMK) quoted above.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils at local schools is only possible provided the principal grants permission.	Restrictions: Technically, pupils can attend any grade of secondary school; it depends on the assessment of the principal and would usually be decided with respect to the age of the participant. Exchange pupils have often not been placed with qualification phase grades, even though their age might have called for that: the qualifying two year course system does not provide exchange pupils with a fixed schedule nor a fixed peer group and has been considered too demanding.

2.b. Certification of studies undertaken by foreign pupils	Foreign exchange pupils may not receive a diploma. The Abitur requires the attendance of specific courses for a period of 4 semesters (2 school years) and usually exchange students never stay that long. The school may however decide autonomously what type of certification they wish to provide.	Restrictions: Not applicable
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	<p>Residence permits are mandatory for foreign pupils staying longer than 3 months. Under the new Immigration Act, EU citizens no longer need to apply for a residence permit with the local authorities. Instead, they register in the same way as German citizens at the registration office (Meldestelle) and are issued with certification of freedom of movement (residence permit EU).</p> <p>In addition, §4 of the General Freedom of Movement for EU Citizens Act of 30 July 2004, additional conditions are to be fulfilled by mobility providers.</p> <p>Visas are required for non-EU citizens.</p>	<p>Requirements: A passport, proof of health insurance, proof of financial independence, proof of the purpose of the stay and a completed "residence request" for EU citizens.</p> <p>According to §2 of the Act on the General Freedom of Movement for EU Citizens of 30 July 2004, freedom of entry and residence in Germany is also granted to EU citizens who are not gainfully as long as they prove health insurance coverage and sufficient means of subsistence.</p> <p>Due to § 4 of this same Freizüg/EU, a mobility provider must issue a formal declaration of commitment ("Verpflichtungserklärungen" according to §§ 66 - 68 AufenthG) even for pupils of EU origin. Otherwise, parents or host families would have to make the commitment. With this document, the undersigned declares responsibility for the maintenance/subsistence of the named individual, stating that he will personally cover for any costs deriving from the foreigner's stay if necessary, including costs for</p>

		<p>the enforcement of eviction orders.</p> <p>For students requiring a visa, mobility providers who have made prior arrangement with the Ministry of Foreign Affairs can ask for the so called "Schweigefristverfahren" in the visa process. Complying with the Foreign Office directive Gz 508-21-516.20/17, consulates have to issue visa for students hosted by the four German non-profit exchange organisations (AFS, YFU, Partnership International and Experiment) in an advanced track procedure, if authorities in Germany don't object within a short period of time.</p>
<p>2.f. Child Protection</p>	<p>The Jugendschutzgesetz (youth protection act, JuSchG) is a federal law that came into force in July 2002. It deals with the protection of minors in public (Section 2) and the protection in the field of media access and media use (section 3). The concept of minors includes children (under 14 years old) and young people (14-18 years old).</p> <p>Section 2 contains several prohibitions on the distribution of alcohol and tobacco as well as certain bans on minors to spend time in pubs, gambling houses, at late shows, or public dances after certain hours (comp. also the former JÖSchG). Quite a number of these prohibitions are loosened if the minor is accompanied.</p> <p>Special relevance for youth mobility programmes: if a person charged with the care, custody and/or education of a minor (parent, teacher, or youth worker, generally anyone of age) accompanies the minor, most prohibitions are neutralised. If events are organised and hosted by a recognised youth organisation, prohibitions explicitly do not apply until a certain hour of the night. For further details, please see http://kinder-jugendhilfe.org/e_kjhg/. The German Civil Law of 2000 provides that all children have a right to be brought up without the use of force. Physical punishment, the causing of psychological harm and other degrading measures are forbidden.</p> <p>There are no criminal background checks required for host families or volunteers working with minors.</p>	

2.g. Minimum Criminal Age	14	
2.h. Criminal age	<p>The German Law of Juvenile Courts (JGG) §1 (Personal and objective range of application), §3 (Responsibility-accountability) and §4 (Juridical classification of the actions of youngsters).</p>	<p>Summary: §1 The law applies if a youngster (14-year-old at action but not yet 18) or an adolescent (18-year-old at action but not yet 21) commits a misdemeanor that would normally fall under the general regulations with punishment (penalty). §3 Criminal responsibility is imputed if the minor is mature enough at the time of the crime according to his moral and mental development to see wrong of action and act after his judiciousness. §4 determines whether the criminal action is a crime or an offence according to the regulations of general criminal law</p>

Legislative Country Profile

Greece

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Law 155/78, article 11, par. 2.	
1.b. Restrictions on interruptions	Interruptions of national schooling are only allowed for full academic cycles at a time (one year).	
1.c. Restrictions on certification & recognition	Study abroad programmes are recognised if the student can submit the following: a certificate of attendance signed and stamped by a Greek Authority, an official translation of the certificate by a greek authority or a lawyer/notary and by the Greek Embassy based in that country. However, university admission may become difficult for someone who has missed a year of Greek schooling.	
1.d. Decision-making authority	The school is simply notified. Only the parents/guardians decide.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	No specific legislation. Attendance of foreign pupils in national schools is welcome.	Restrictions: Not applicable.
2.b. Certification of studies undertaken by foreign pupils	There is no applicable legislation but foreign pupils would receive the same diplomas as Greek students.	Restrictions: None.

2.d. Decision-making authority	Regional authorities decide whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months. Pupils from non-EU countries need a visa.	Restrictions: For students wishing to attend school in Greece, to get a residence permit, a paper of acceptance by a local school is all is needed.
2.f. Child Protection	<p>Greece has ratified the UN Convention on the Rights of the Child in 1993.</p> <p>In Greece, apparently there's no child protection law, or any other legal act of that sort. The only law that exists, No 3500/2006, has to do with extreme physical violence within the family, and states that when a parent is brought to court accused of extreme violence towards his children, the minor does not have to appear in court, but his/her statement is read aloud instead.</p>	
2.g. Minimum Criminal Age	12 - but just a relative responsibility.	
2.h. Criminal age	Article 121-1, Chapter 8 of the Penal Code	<p>Summary: In criminal law, minors are considered to be persons who are between the ages of 7 and 17 years, inclusive. Of these persons, minors under the age of 12 are called children and the remainders are called adolescents. Delinquent minors are subject to reformatory or therapeutic measures or to criminal correction (article 121 of the Criminal Code). Children are not held responsible for the criminal acts committed by them, and only reformatory or therapeutical measures may be taken against them. Adolescents who commit criminal acts are subject to reformatory or therapeutic measures if there is no case for them to be subjected to criminal correction (article 126 of the Criminal Code).</p> <p>One of the characteristic features of this approach is that minor offenders are absolutely free of responsibility for their acts until they reach the age of 12, and hold only relative responsibility until the age of 17.</p>

Legislative Country Profile

Hungary

Regulatory Framework for outgoing pupils

1.a. Recognition & certification of study periods abroad

The Act LXXIX.of 1993 - the law about public education. The Act C 2001 on the recognition of foreign certificates and degrees regulates the recognition of degrees obtained at secondary education institutions abroad.

Hungarian Citizens Studying Abroad

Section 109.

- (1) Hungarian citizens may study abroad without any specific permission.
- (2) Hungarian citizens may receive their compulsory education at foreign educational institutions.
- (3) For students under compulsory education who have a domicile, or in default of that, a place of residence, the undertaking of studies abroad shall be reported for the purpose of registration to the Public Administration Officer of the township, town, district of the capital or municipal council of a town of county rank applicable to the domicile, or in default of that, the place of residence; or if the student has previously enrolled at a school in Hungary, to the principal of that school.
- (4) The Hungarian student status of students with a permanent domicile shall be suspended for the duration of continuing studies abroad. The recognition of secondary school level education.

Section 13.1.

A foreign certificate may be recognised as equivalent to a general certificate of secondary education, if on the basis of such certificate it can be established, that considering the legal status of the given foreign educational institution, the legal effect of the certificate and the academic requirements the certificate in question certifies a level of education identical with that of a general certificate of secondary education, and which certificate:

- (a) entitles the Applicant to apply for admission to an institution of higher education in the give

	<p>country; (b) entitles the Applicant to apply for admission to an institution of higher education in the given country; (c) it ensures that the Applicant has the necessary grounding to continue his or her studies.</p>
<p>1.b. Restrictions on interruptions</p>	<p>Interruptions of the school year to go on a study abroad programme are always tolerated.</p>
<p>1.c. Restrictions on certification & recognition</p>	<p>According to the Act LXXIX.of 1993 - the law about public education, schools (namely the director of the school) have the authority to decide about the recognition of the studies abroad. Usually the school principal compares the curriculum abroad and the curriculum students have to follow in Hungary. Then either accepts the studies, or the student has to take an exam in each unaccepted subject to show the s/he can fulfil the Hungarian requirements. The following act regulates the certification of foreign diplomas:</p> <p>The Act C of 2001 on the recognition of foreign certificates and degrees regulates the recognition of degrees obtained at secondary education institutions.</p> <p><u><i>The inclusion of unfinished studies</i></u></p> <ul style="list-style-type: none"> • Section 62.1. The inclusion of primary and secondary studies or higher education started abroad but not finished (unfinished studies) is possible after the consideration of the legal status of the foreign educational institution, the hours and the academic requirements and on the basis of the comparison of the Hungarian and foreign academic requirements. • Section 62.2. The documents specified in Section 7.1. (b) and the authentic translation of the documents must be attached to the application for the inclusion of unfinished studies. The educational institution may accept a translation which is not authentic. • Section 62.3. The educational institution may prescribe an examination to close the gap as a condition of the inclusion of unfinished studies. • Section 62.4. The educational institution may include the Applicant’s unfinished studies abroad, if the Applicant

pursued his or her studies in an educational institution recognised abroad.

- Section 62.5.

The educational institution shall notify the Ministry of Education of the inclusion of unfinished studies.

- Section 63.

An international agreement or an inter-institutional agreement made on the basis of an international agreement may also stipulate that the inclusion of unfinished studies is recommended or obligatory.

- Section 7.1.

The Applicant must attach the following to the application initiating the procedure to be submitted to the authority carrying out the procedure:

- (a) an authentic copy of the original certificate or degree, or - in exceptional cases - an authentic copy of a document identical with the degree (duplicate)
- (b) an authentic copy of the document issued by the foreign educational institution (e.g. grade book, student's record) which is an authoritative evidence of the length of studies and the successful performance of academic duties required for the obtaining of a certificate or degree (including courses, examinations, papers and final exams etc.)
- (c) an authentic Hungarian language translation of the documents specified in points (a) and (b);
- d) a receipt justifying that the Applicant has paid the required fees for the procedure, if there are any.

- Section 7.2.

The authority carrying out the procedure may require the Applicant to present the original of the documents specified in points (a) and (b) of Section 7.1. The authority carrying out the procedure may stipulate that in certain language a non-authentic translation of the above mentioned documents may be submitted.

- Section 7.3.

The authority carrying out the procedure may in exceptional fairness exempt the Applicant from the obligation of submitting the documents specified in Section 7.1., if the Applicant is a refugee, has been granted asylum or admitted into the country, and applies for recognition with the objective of continuing education, and is able to prove or reasonably assure that his her documents are not available for reasons beyond his or her influence.

- Section 7.4.

A translation is an authentic translation if it bears the authentication clause of the Hungarian Translation and Translation Authentication Office, the Hungarian foreign representation and a Hungarian notary.

<p>1.d. Decision-making authority</p>	<p>According to the Act LXXIX.of 1993 - the law about public education, schools (namely the director of the school) have the authority to decide about the recognition of the studies abroad. Usually the school principal compares the curriculum abroad and the curriculum students have to follow in Hungary. Then either accepts the studies, or the student has to take an exam in each unaccepted subject to show the s/he can fulfil the Hungarian requirements.</p>	
<p>Regulatory Framework for incoming pupils</p>		
<p>2.a. Attendance of foreign pupils in national schools</p>	<p>The law about public education establishes the rules that apply to non-hungarian citizens studying in Hungary as part of an ongoing study programme. The law guarantees the same conditions for exchange pupils and to all EU citizens of school age. Relevant section below:</p> <p>Section 110. (1) Non-Hungarian citizens are under the scope of compulsory education in Hungary if they have applied for asylum, have received asylum or temporary asylum (hereafter collectively referred to as refugees), or have immigrated to or settled in Hungary, or are unaccompanied minors with a residence permit issued for humanitarian reasons, or have a residence permit along with their parents. The above conditions shall be attested at the time of the enrolment of the student at an educational institution. (2) If the duration of their stay in the Republic of Hungary does not exceed one year, then upon request of the parents, (1) exceeds one year, then by effect of this Act, children shall be placed under compulsory education. The contents of point a) apply also to holders of resident visas. (3) <u>The non-Hungarian citizens described in article (1) may avail of the public education services described in this Act on the same</u></p>	<p>Restrictions: None.</p>

	<p><u>conditions as Hungarian citizens. If a non-Hungarian citizen is aged over eighteen years and is staying in the country for at least a year with a residence permit and without parental accompaniment, then he or she may avail of the public education services described in this Act on the same conditions as Hungarian citizens on the basis of reciprocity. (...) (7) From the day of effect of the Act announcing the international agreement about the Republic of Hungary becoming a member of the European Union, the citizens of the member states of the European Communities shall avail of the services provided for by this Act on the same conditions as Hungarian citizens</u></p>	
2.b. Certification of studies undertaken by foreign pupils	<p>Provided the foreign pupils pass the final exams, they will receive the same diploma.</p>	<p>Restrictions: None.</p>
2.d. Decision-making authority	<p>The national authorities provide the legal framework that the schools have to follow.</p>	
2.e. Residence Permits	<p>Residence permits are mandatory for foreign pupils staying longer than 3 months. Non-EU nationals always need a residence permit.</p>	<p>Requirements: Passports with visas for non-EU citizens; Acceptance letter from the hosting family, hosting school and hosting organisation; certificate of ownership of the property of the hostfamily, completed application form and a revenue stamp.</p>
2.f. Child Protection	<p>Both the Law on Family Protection and the Law XXXI of 1997 on the protection of children (amended in 2000 and 2002) apply. Hungary has also ratified the UN Convention on the Rights of the Child. In Hungary, a person under the age of 14 is considered a minor.</p> <p>The protection of children and minors can be found in several places of the penal code. The penal code addresses the protection of minors in special institutions, in case of the break-up of families, involvement in</p>	

	the sale and/or consumption of drugs and the sentences accorded to persons who endanger the life of children (such as abuse, kidnap, rape, etc.).	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Act IV in the Criminal Code, chapter VII, sections 107 and following	Summary: A child cannot be held accountable under criminal law. A person below the age of 14 at the time the act was committed cannot be tried for criminal offence. Criminal law prescribes separate rules for persons (juveniles) who are above 14 but below the age of 18, providing for more lenient sentencing and different criminal procedures and correction rules containing specific guarantees in order to protect the interests of the minor.

Legislative Country Profile

Iceland

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	<p>Act No. 758/ 1994 and the Compulsory School Act No. 66/1995 which provides for compulsory (primary and lower secondary in a single structure -grunnskóli) from 6 - 16 years of age. Iceland is a signatory to the Nordic agreement on pupil mobility, and any period of secondary schooling that is undertaken in Sweden, Norway, Finland or Denmark and duly documented is recognised as equivalent.</p> <p>For the lower secondary school, Article 8 of the act foresees that if a parent or guardian of a child of compulsory school age (6-15) applies for temporary exemption for the child from school attendance the principal may grant such exemption in consultation with the supervisory teacher if he feels there are valid reasons for doing so. The parent or guardian is responsible for seeing to it that the pupil catches up on studies missed during the period of exemption. For upper secondary schools (older than 15) there is no regulation or guidelines. The school principals act independently.</p>
1.b. Restrictions on interruptions	<p>Interruptions of a school year to go on a study abroad programme are always allowed if the school agrees. The headmasters in either the lower or upper secondary schools are responsible for the curriculum and they have the last word in the interruption of the school year. However, at age 15 every student in Iceland has to finish a national standard exam if he wants to continue his study - this will influence pupil's decision to go abroad.</p>
1.c. Restrictions on certification & recognition	<p>For lower secondary schools (at age 12-15) the study is recognised. For upper secondary schools (at age 16-18) it is up to each schools to decide that.</p>
1.d. Decision-making authority	<p>Schools decide autonomously.</p>

Regulatory Framework for incoming pupils

2.a. Attendance of foreign pupils in national schools	No specific legislation. Attendance of foreign pupils in national schools is welcome.	Restrictions: The National curriculum has to be followed and it can be an extra cost for the school and the regional authorities.
2.b. Certification of studies undertaken by foreign pupils	Pupils passing the final exams will receive the same diploma as Icelandic pupils.	Restrictions: None.
2.d. Decision-making authority	The regional authorities have to ensure that every student aged 6-15 years old attends school, but schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: They have to fill out formal papers provided by the relevant authorities regarding residence permits and a tutor if they are under 18 years old. The applicant must provide documentation proving financial independence for the time he/she wishes to spend in Iceland.
2.f. Child Protection	<p>The Child Protection Act no: 80/2002 (barnaverndarlög 80/2002) contains several provisions that refer to child protection and custody duties to protect minors and guarantee their wellbeing in all aspects. The act defines the responsibilities of the Child Protection Agency and their working procedures when dealing with cases of maltreatment. The same act also specifies the duty of notification of any incriminating evidence by those who deal with children.</p> <p>In Section XVI, Article 90 of the Child Protection Act there are provisions that refer to general protective measures such as children's curfew, monitoring of shows and social events and penalty provisions in case of offences against a child by custodial parties as well as offences against a child in general.</p> <p>For further information : http://eng.felagsmalaraduneyti.is/legislation/nr/351</p>	

2.g. Minimum Criminal Age	15	
2.h. Criminal age	Art. 14 of the Penal Code	Summary: Art. 14: A person shall not be punished on account of an act committed before he or she attained the age of 15 years.

Legislative Country Profile

Ireland

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	<p>There is none. Programmes involving individual pupil mobility of Irish students are not regulated by the Department of Education and Science.</p> <p>Schools that send students to other European countries, in the vast majority of circumstances, do so on short-term fixed programmes of durations less than one month. Most of these are programmes based on reciprocity. Decisions made regarding pupil mobility involve the student, student's parent/guardian and the student's school.</p>	
1.b. Restrictions on interruptions	<p>Interruptions of the school year to go on a study abroad programme are always tolerated.</p>	
1.c. Restrictions on certification & recognition	<p>Study periods abroad are not officially recognised however there are no obstacles for students wishing to participate in such study periods abroad and in cases where they do occur, it is by individual arrangement with the pupil's school in Ireland.</p>	
1.d. Decision-making authority	<p>Schools decide autonomously.</p>	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	<p>No specific legislation. The Department of Education and Science does not have published guidelines focused on this area but foreign pupils are welcomed in national schools.</p>	<p>Restrictions: Not applicable.</p>

2.b. Certification of studies undertaken by foreign pupils	There is none. In Ireland, schools individually determine the parameters of study programmes for hosted students. Hosted students that participate in a fixed-term study programme in an Irish school do so in an arrangement with the individual school. If a foreign pupil passes the final exams, he receives the same diploma as Irish pupils.	Restrictions: None.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Foreign pupils do not need any residence permits unless they are nationals of certain countries.	Requirements: Individuals from non-EU states need to apply for a residence permit. In order to gain a permit, an individual must present the following to the Irish embassy in their country: (1) Letter of acceptance from a recognised school in Ireland confirming that you have been accepted on a course of study. This course of study must be full-time (lasting an academic year) and have a minimum of 15 hours per week study time; (2) Evidence that you have enough funds to maintain yourself for the initial part of your stay; (3) Evidence that you or a sponsor have access to enough funds to maintain you for the duration of your stay; (4) Evidence that you have private medical insurance; (5) An explanation of any gaps in your educational history; and (6) Confirmation that you intend to return to your country of permanent residence when leaving Ireland.

2.f. Child Protection

The legislation concerning Child Protection in Ireland is comprised of the 'Child Care Act, 1991' and 'The Children Act, 2001'. There is nothing contained in this legislation that relates directly to persons hosting or sending young people within a pupil mobility programme.

'The Non-Fatal Offences Against The Person Act, 1997' states that minors aged over 16 can consent on their own behalf to medical, surgical and dental treatment.
(Currently, minors under 16 require the consent of a parent or guardian for medical treatment.)

Current Arrangements:

Currently the Garda (Irish police force) Central Vetting Unit provides checks on prospective fulltime health sector employees with substantial access to children and vulnerable adults. However there are no statutory vetting procedures for other sectors or anyone applying to work with children in a voluntary capacity. The Gardai have produced a recommendation relating to organisations working with children as follows:

"The Working Group recommends that all organisations that recruit and select persons who would have substantial unsupervised access to children and vulnerable adults should avail - and should be entitled to avail - of the vetting services of the Garda Central Vetting Unit (GCVU). In practice, this would mean that all prospective full-time employees, all prospective part-time employees, all prospective volunteers and all prospective students on placement who would have substantial unsupervised access to children and/or vulnerable adults should be vetted prior to taking up their posts". (Working Group on Garda Vetting, 2004)

It should be emphasised that this is a recommendation and not a legislative document. The Irish Department of Health is currently seeking to develop a screening and vetting system and the matter is currently under review by the Department of Justice.

In relation to the legal rights of children, Ireland's national parliament has ratified the 'United Nations Convention on the Rights Of The Child'. There is currently no Irish legislation in existence on the rights of the child, but this issue is due to be addressed in an up-coming referendum of the population.

A pupil mobility provider has no legal obligation to carry out police checks on host families. Garda vetting is carried out at the discretion of the organisation, as there is no legislation relating to this in place at present. Procedures for child protection are followed according to the individual organisation and their policies. The procedure for sending pupils abroad would also be a matter for the individual mobility provider, and is not

	governed by Irish legislation.	
2.g. Minimum Criminal Age	10. Under 12 only for the most serious crimes.	
2.h. Criminal age	<p><i>Children Act 2001</i> Part 5: Criminal Responsibility (52.1-2)</p> <p><i>Criminal Justice Act 2006</i> Sections 128-130-134</p> <p>Sections 128-30, relating to the age of criminal responsibility, automatically came into force on 16th October 2006.</p>	<p>Summary: As from the 16th October 2006, the legal age of criminal responsibility was raised from seven to 10 years old, and children up to the age of 12 are exempt from criminal charge for all but the most serious crimes. *</p> <p>Children under the age cannot be charged with an offence other than murder, manslaughter, rape and aggravated sexual assault.</p> <p>As part of the new regime, prosecution for children under the age of 14 can only take place with the consent of the Director of Public Prosecutions.</p> <p>*The change was provided for in the <i>Children Act 2001</i>, as amended by the <i>Criminal Justice Act 2006</i>.</p>

Legislative Country Profile

Italy

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Legislative Decree nr. 297 of 16. April 1994, Article 192- § 3B and Circular letter of the Ministry of Education to Schools nr. 181 of 17 March 1997.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.	
1.c. Restrictions on certification & recognition	Study abroad programmes are recognised. The legislative Decree lays down the conditions under which they are granted.	
1.d. Decision-making authority	Schools decide within the legislative framework.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	The attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	Legislative Decree nr. 297 of 16. April 1994, Article 192- § 3B. The same legislation applying to Italian pupils going abroad, applies equally to foreign pupils hosted in Italy. Foreign pupils may not obtain the same diploma as	Restrictions: Pupils will obtain a document attesting the subjects studied and marks obtained. Foreign pupils who are in Italy on an exchange programme do not have the same

	Italian pupils.	<p>obligations of an Italian pupil and (at the end of their stay). They never attend the 13th (last) year of school and never take the "maturità" examination: they attend an intermediate year with no final exams. Foreign pupils who intend to continue their studies in Italy must pass an entry exam when they enroll in Italy for the first time and, from that moment on, they are treated like an Italian pupil, with all the same obligations, marks, tests, etc.</p> <p>There are some exceptions for pupils coming from France, Germany, Slovenia and Spain (amongst others): recognition of examinations and diplomas happens on the basis of bilateral agreements between the Italian government and their country governments.</p>
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils wishing to study in Italy.	<p>Requirements: Several documents are needed:</p> <ul style="list-style-type: none"> • passport or ID card; • the European healthcard or E111/E128/E104 forms to cover medical expenses; • a declaration of the hosting organisation confirming the participation of the pupil in its programmes; • a form describing the housing situation provided by the host family (obtained through the local police); and • the school enrolment certificate

2.f. Child Protection	<p>Italy has many laws concerning the protection of minors (for example against exploitation at work or in favor of equal opportunities for infants and adolescents and a new law protecting against violence within the family), but these laws refer to resident minors and, when they refer to foreign minors, they deal with migrants who need hosting and support, in the case when they enter our country by themselves. A special national committee for Foreign Minors deals with these situations.</p> <p>The Constitution art. 31 par. 2 affirms the duty to protect motherhood and infancy and Italy has signed and ratified all possible UN and other international treaties including the European Convention on the exercise of children rights (Law 77/2003 related to the treaty signed in Strasbourg 25 Jan. 1996).</p> <p>The criminal code includes a variety of rules meant to protect minors: against abandonment, against the exploitation as beggars, against sexual exploitation; against parents who do not send the minor to school; against pedophilia; against minors pornography; against the sale of alcohol or drugs; against kidnapping, etc). Bars may not sell alcohol to minors below the age of 16. There are special sanctions against rape and other forms of sexual violence. Punishment increases if the crime is committed against minors of 14 (sexual intercourse with a person below 14 is regarded by law as rape) or if the perpetrator is a relative or lives with the minor.</p>	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Art. 97 of the Penal Code and Law 279/1989 (special rules concerning the criminal procedures concerning minors);	Summary: A person, who has reached the age of 14 years and older, at the moment of committing a crime, is criminally liable for the committed crime. For minors aged 14-18 there is a special Court (Court of Minors). A person, who is under the age of 14, is not criminally liable.

Legislative Country Profile

Latvia

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	The current Law on Education of 1999 does not address this issue but something is to be worked out for 2007-2008.	
1.b. Restrictions on interruptions	There is no legislation allowing or restricting the interruption of a school year but interruptions of the school year to go on a study abroad programme are always tolerated. The pupil has to make individual arrangements with the school and will, in the future, have to obtain equivalency through a nationally appointed authority.	
1.c. Restrictions on certification & recognition	Usually these periods are recognised only if the pupil will follow a similar curricula abroad. The school is sovereign in this.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	There is no legislation. The attendance of foreign pupils in national schools is welcome.	Restrictions: Not applicable.
2.b. Certification of studies undertaken by foreign pupils	There is no legislative framework and no official certification. Foreign pupils may only obtain a certification on subjects studied and marks obtained.	Restrictions: Not applicable.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: Birth certificate, Parental authorisation, Passport
2.f. Child Protection	<p>Both the Constitution of the Latvian Republic and the Act on the Protection of the Children's rights of 1998 (and updated in 2000 and 2002) protect children and youngsters in Latvia. It contains basic principles of children's protection policy in Latvia and defines their rights and responsibilities.</p> <p>The Act is one of the strongest European laws on the children's right to respect for their individuality. It provides that a child has rights to his private life, secrecy of apartments and correspondence, personal inviolability and freedom, religious choice, the right to express itself freely and to be heard (section 9 & 13). The cruel treatment of a child, physical punishment and offences against the child's honour and respect are not allowed.</p> <p>In Latvia, children's rights are guaranteed by the state regardless of their family members' race, nationality, sex, age, political or religious conviction; national, ethnical or social origin (section 3). It further guarantees equal rights and possibilities to all children to receive an education corresponding to their abilities (section 11).</p> <p>Section 15 of the Act formulates the principles of childrens' protection against economical, physical or mental exploitation. In terms of the consumption of dangerous substances, children may not smoke or consume alcoholic beverages and it is prohibited to sell cigarettes and alcohol to children.</p>	
2.g. Minimum Criminal Age	14/16	
2.h. Criminal age	Criminal Code, section 11	Summary: The Criminal Code states that criminal liability is applicable to persons who have attained 16 years of age. An exception exists if a heavy and serious offence has been committed - then criminal liability is possible from the age of 14. A person, who is under the age of 14, is not criminally liable.

Legislative Country Profile

Liechtenstein

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none but study abroad programmes are recognised.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated. the Mobility Agency needs to be informed if the mobility lasts more than 5 days.	
1.c. Restrictions on certification & recognition	Sometimes a "tentative" promotion is granted for students who cannot pass all requirements. They have to meet the requirements during the next period.	
1.d. Decision-making authority	The national authorities decide.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: Not applicable.
2.b. Certification of studies undertaken by foreign pupils	There is no legislative framework. Since the school system is organised in three levels and since there is only one school in the country that could host students aged 16 and older, the case has actually never happened.	Restrictions: Not applicable.

2.d. Decision-making authority	National authorities decide on whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	Foreign pupils do not need any residence permits.	Requirements: not applicable.
2.f. Child Protection	<p>In theory there is a "Verordnung" that clarifies the situation for students who are younger than 16 and live with caregivers which are not their parents and are remunerated for taking care of them.</p> <p>It's in art. 3 to 8 of the Jugendgesetz (www.gesetze.li). Nobody in government that was interviewed could recollect that it was ever applied. In the document it is stated that somebody of the Social Department will check the situation in the family (Art. 4) and family would have to report to the Social Department first for approval (Art. 3) and then if anything changes (Art. 6).</p> <p>The framework for this is defined in the "Jugendgesetz" (Art. 36), where it is also stated that this ONLY applies for remunerated hosting!</p>	
2.g. Minimum Criminal Age	18	
2.h. Criminal age	Jugendgerichtsgesetz; § 36 of the Criminal Law	Summary: There are special treatments for people younger than 14. They are not jailed under the age of 18 (they have some special facilities) and under the age of 21 (they can't be put into jail for more than 20 years).

Legislative Country Profile

Lithuania

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none applying to the academic aspect of exchanges but there is legislation regulating how a minor can leave the country (Dėl Vaiko laikino išvykimo į užsienio valstybes tvarkos patvirtinimo)	
1.b. Restrictions on interruptions	There is no legislation on the interruptions regarding exchange programmes. Interruptions of the school year to go on a study abroad programme are allowed but students have to present exams before re-entering their school.	
1.c. Restrictions on certification & recognition	After a student comes back from a longer period abroad the school forms a group of teachers to test the student. They decide at what level he/she can go on. If the interruption is for a shorter period than a year, the teachers decide what specific knowledge a student has to obtain. The student has to provide a certificate, however it only has to state that he/she spent the period abroad and that he attended school.	
1.d. Decision-making authority	Schools decide autonomously. There is no specific regulation on how to deal with a student who is going abroad.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome. The institutions are very positive regarding the new individual	Restrictions: None.

	mobility programme, however they feel that there is a need to prepare the legislative system as well as the school communities.	
2.b. Certification of studies undertaken by foreign pupils	<p>There are none. In the country there are some guidelines on how a Lithuanian student coming back from a period of study spent abroad has to be accepted back to school and what kind of help he is entitled to (special classes of his native language etc.). But there has been no precedent with foreign students who want to study in a Lithuanian school up to one year, that is why there are no rules, legislations regarding those issues.</p> <p>Technically, a student passing the final exams would receive the same diploma as a Lithuanian student.</p>	Restrictions: The exam system in Lithuania is quite difficult and the level of exams very high. The likelihood of an exchange student passing the exam is questionable.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: <ul style="list-style-type: none"> • a request from an officially recognised mobility provider • a request and a document from the school where the student is enrolled (along with information on where he/she will be living etc.) • a document from the students' natural parents where they state that the student is allowed to take part in this exchange programme and that they will support the student financially (this document has to be translated and signed by a Lithuanian notary) • a document from the host parents that they allow the

		<p>student to live in their home, take care of him. The document has to be signed by a notary or both host parents have to sign the document in front of the migration department officials</p> <ul style="list-style-type: none"> • a document proving the property of the house or flat that host family lives in (the family must own it) - the document is given by the real estate registration centre • a passport and a copy of it • two pictures for documents • an official application form provided by the Migration Office
2.f. Child Protection	<p>Legal acts protecting the minors (http://vaikams.lrs.lt/teisesaktai.htm):</p> <p>1. The UN convention on the Rights of the Child</p> <p>2. International convention for the banning the illegal work of minors (Konvencija dėl nepriimtino vaikų darbo uždraudimo ir neatidėliotinių veiksmų tokiam darbui panaikinti - Rūšis: Konvencija Numeris: Data: 1999 06 17 Publikavimas: Valstybės žinios, 2003 05 21, Nr. 49-2161 Statusas: Įsigalioja nuo 2004 09 29 >> 1999 06 17 Priėmė - Tarptautinius dokumentus pasirašiusios šalys).</p> <p>Furthermore, there are references to legislative measures to protect minors in the civil code, the penal code, the labour code and regulations on adoption, social care, care, financial independence, the right to education, etc.</p> <p>Lithuania does not have any regulations on possible exchange pupils. They are being protected the same way as Lithuanian minors.</p>	
2.g. Minimum Criminal Age	16	
2.h. Criminal age	Articles No. 12 and 13 of the Administrative code.	Summary: Until the age of 16 a person can get "educational" means as a help or support. Parents of a child aged 14 to 16 can be arraigned.

Legislative Country Profile

Luxembourg

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none.	
1.b. Restrictions on interruptions	Study abroad programmes are recognised. Interruptions of the school year to go on a study abroad programme are always tolerated but principals prefer the first semester.	
1.c. Restrictions on certification & recognition	Only study periods abroad at certain levels of schooling (3 rd and 4 th year - 15 to 17 year olds) are recognised.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	There is none. The schools decide autonomously of the type of certification they wish to provide.	Restrictions: None.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Foreign pupils do not need any residence permits.	Requirements: None.
2.f. Child Protection	<p>The UN convention on the Rights of the Child has been ratified through Law of 20.12.1993. Since 2002, a special committee has been set-up by law to monitor the implementation of the UN Convention. The committee may investigate complaints and issue recommendations.</p> <p>Luxembourg has also ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.</p> <p>The convention on the competence of national authorities in the protection of minors that are only temporarily residing in Luxembourg (law of 1961), foresees that the national authorities have the duty to equally protect foreign residents. They only need to notify the appropriate authorities in the land of usual residency of the minor.</p>	
2.g. Minimum Criminal Age	18	
2.h. Criminal age	Art. 1/10 of the Law on Minors Protection 10.08.1992	Summary: A young person less than 18 can be recognised as fully liable for his/her criminal acts, but he/she cannot be judged by the ordinary criminal court. He/she will be judged by the youth protection tribunal, and the law provides for specific (lighter) sanctions.

Legislative Country Profile

Malta

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	<p>In Malta there is no legislation per se regarding the mobility of pupils. As regards compulsory age (5-16) it is the responsibility of the parents to ensure that children receive schooling when abroad.</p> <p>Study abroad programmes are recognised. Pupils of compulsory school age can absent themselves for a semester if they can prove that they are attending school elsewhere.</p>	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are allowed under certain conditions.	
1.c. Restrictions on certification & recognition	<p>Due to the annual national exam structure it is up to the students to ensure that they are able to catch up with the local instructions. To date, a few students of 16-18 years will opt to go abroad on their own. Usually, it would be the school who would organise the stay directly with a partner school for a number of weeks. In each case, students would be received back in the appropriate school level once they return.</p>	
1.d. Decision-making authority	School in conjunction with the national authorities.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.

2.b. Certification of studies undertaken by foreign pupils	There is none. Technically, the pupil would receive the same diploma as local pupils if he/she successfully passes the exams. In all cases, he/she can request a document attesting the subjects studied and the marks obtained.	Restrictions: None.
2.d. Decision-making authority	National authorities decide on whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	None are required for limited periods of stay.	Requirements: If the pupil stays for more than 3 months, he/she applies for an extension of his/her stay.
2.f. Child Protection	<p>The Commissioner for Children Act (ACT VII of 2003) is the Maltese act describing the role and responsibilities of the Commissioner for Children, rather than the rights and obligations of minors. However, the description of the role of the Commissioner gives the framework of measures supposed to protect minors in Malta. The framework is very general and addresses the well-being of the child in general, the protection of his physical and mental health and the taking into account of his interests. The Commissioner may investigate complaints and issue recommendations.</p> <p>Malta is a signatory to the UN Convention on the Rights of the Child and it is the Commissioner for Children that monitors its application.</p> <p>The Education Act foresees that teachers can only be appointed as such if they have a clear criminal record.</p>	
2.g. Minimum Criminal Age	9/14	
2.h. Criminal age	Art. 35 of the Criminal Code	<p>Summary: Minors under nine years of age shall be exempt from criminal responsibility for any act or omission. Minors under fourteen years of age shall likewise be exempt from criminal responsibility for any act or omission done without mischievous discretion.</p> <p>The court may, however, bind the parents to watch over the conduct of the child. If the offence is punishable with a fine,</p>

		<p>the court may order the parents to pay the fine (sect. 35). Children under the age of 14 but over the age of 9 who commit an offence with mischievous intent are punished with reprimand or a fine (sect. 36). If the offender is 14 but not yet 18 years of age the punishment applicable to the offence shall be diminished by one or two degrees (sect. 37)</p>
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Legislative Country Profile

Norway

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	<p>Legislation in place: http://www.odin.no/kd/norsk/dok/andre_dok/rapporter/045031-220005/hov009-bu.html</p> <p>Norway is a signatory to the Nordic agreement on pupil mobility (Nordplus), and any period of secondary schooling that is undertaken in Sweden, Iceland, Finland or Denmark and duly documented is recognised as equivalent. In addition, a bilateral agreement exists between Norway and the Centre Culturel Français, allowing Norwegian pupils to study for a year in a French lycée.</p>
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.
1.c. Restrictions on certification & recognition	<p>Study abroad programmes are recognised if they take place during the second year of upper secondary school and under special conditions, outlined below. Pupils have to make individual arrangements with the school prior to leaving.</p> <p><u>Best practices:</u> Lånekassen, the State Educational Loan Fund, provides grants and loans to pupils in upper secondary schools, to university and to college students. Most Norwegian students finance their studies through grants and loans from this Fund. The loans are meant to cover the costs of studying in Norway, and the objective is to give everyone in Norway equal rights to education.</p> <p>Since June 1999, secondary school pupils who participate in a long-term mobility scheme and get their year recognised as a valid one in Norway have been eligible for a government scholarship from the Lånekassen. The scholarship consists of two parts: a basic scholarship and a travel scholarship, i.e. a sum that covers the air fare back and forth between Norway and the country where the pupil will be studying. The basic sum is</p>

	<p>the same for all pupils, but the travel scholarship varies according to the country of destination. The total sum per participant is approximately 35,000 NOK (approximately € 4,190).</p> <p>The pupils have to submit their application together with a letter from the organisation coordinating the exchange and a letter from the sending school stating that they will recognise the year abroad. Most schools find it easy to recognise a school year in Europe and the USA, but are more hesitant to recognise a school year in Latin America or Asia, mainly because of lack of knowledge about the school system. In 2002, an evaluation report was made that assessed the scholarship very positively and that recommended it be a permanent enactment. The evaluation report stated that the scholarship has enabled new groups to take part in an exchange programme. The grant definitely had a large influence on pupils' decision to take part in a mobility scheme, as 75% said that they would not have gone abroad without the grant.</p>	
1.d. Decision-making authority	<p>The schools have to follow a framework. The framework is mainly issued for a year abroad. There is no mention of shorter periods - it is up to the school independently to decide for shorter periods. The pupils have to be sure to being able to take the necessary exams at the end of the school year in the subjects the students are finishing that year in school.</p>	
<p>Regulatory Framework for incoming pupils</p>		
2.a. Attendance of foreign pupils in national schools	<p>Attendance of foreign pupils in national schools is welcome.</p>	<p>Restrictions: None.</p>
2.b. Certification of studies undertaken by foreign pupils	<p>There is none. Usually pupils will receive a certification on courses followed and grades obtained.</p>	<p>Restrictions: Not applicable.</p>
2.d. Decision-making authority	<p>Schools decide autonomously on admitting foreign pupils within a national framework. The national authorities have a positive attitude to host and regional authorities have to follow. The regional authorities decide on the number of foreign students they will host in the region. The regional authorities can go to the school and encourage them to host, but it is up to each school to decide.</p>	

2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: All have to report to the local police station. They have to fill out an application, provide a picture and a copy of their passport. Hosted students will then receive a plastic card that is the residence permit.
2.f. Child Protection	<p>Norway has implemented the UN Convention on the Rights of the Child into the Norwegian Law (this was done in 2003, and is now part of Norwegian law).</p> <p>http://www.dep.no/bld/norsk/dok/andre_dok/veiledninger/004051-990095/dok-bn.html , http://www.odin.no/filarkiv/178931/FNs_Barnekonvensjon.pdf</p> <p>There is no relevance or specific mention in the law that would affect a pupil mobility action; there is no police checks for hostfamilies. There is police check for social workers, but not for anyone else at the moment.</p>	
2.g. Minimum Criminal Age	15	
2.h. Criminal age	Norwegian Penal Code § 20	<p>Summary: § 20: To be sentenced the violator of the law has to be accountable for his/her violation. The violator of the law is not accountable for his/her actions if he/her in the time of violation is: a) under the age of 15; b) psychotic; 3) mentally retarded of a high degree, or; d) have a heavy consciousness disorder. Consciousness disorder caused by self-inflicted intoxication does not exempt sentence.</p> <p><i>Comment:</i> People under the age of 18 are rarely imprisoned. Alternative matters of punishment are often used.</p>

Legislative Country Profile

Poland

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Ustawa o Szkolnictwie (Act of Education) which provides that schools are entitled to autonomy.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are allowed under certain conditions: they have to be less than 3 months long.	
1.c. Restrictions on certification & recognition	Further restrictions are up to the schools.	
1.d. Decision-making authority	The schools decide within the authority devolved to them.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils at local schools is only possible under certain conditions.	Restrictions: Schools may impose restrictions.
2.b. Certification of studies undertaken by foreign pupils	Ustawa o Szkolnictwie (Education Bill). Technically, foreign pupils passing exams may obtain a diploma, but this is rare. The schools will certify courses attended and marks obtained.	Restrictions: As stated in law.

2.d. Decision-making authority	It is the Kuratorium Oswiaty, the regional authorities who decide whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	<p>Requirements: Students have to present themselves at the Immigration Office and provide (Urząd Wojewódzki) : a completed application form for foreigners, 2 passport photos,</p> <ul style="list-style-type: none"> • a passport, • a letter from the mobility provider stating that the student takes part in an exchange • a document stating that the student is insured, • a document (signed by natural parents) stating that parents will financially support the student during the exchange.
2.f. Child Protection	<p>There is not really a separate legal document about children's rights, other than the UN convention and one legal act introducing the position of a national Children's Spokesman.</p> <p>In addition, the UN Convention on the Rights of the Child has been softened in its interpretation since when it comes to Articles 12 to 16 of the Convention on the freedom of expression, the right to privacy and the respect of the reputation and the honour of a child, the Republic of Poland considers "that the rights of the Convention, especially of the articles 12 to 16, should be executed with respect towards the parents' will, according to Polish customs and traditions linked to the place of child in and outside a family".</p> <p>There are fragments in other documents concerning children. Article 72 of the Constitution, for example, guarantees:</p> <ul style="list-style-type: none"> ▪ the right to the protection against violence, cruelty, abuse and exposure to immoral media; ▪ the right to help and care from public authorities in case he/she is deprived of the parents' care; ▪ the right to be heard and to respect his/her opinion before public authorities or the public prosecutor called to interpret the children's rights. 	

	<p>Since 1997, and as part of its fight against drug addiction, Poland prohibits the sale of drugs. In the case of sale to minors, the punishment is much harsher.</p> <p>Of special relevance to the individual mobility of pupils, the 1991 law regulating education foresees that teachers must respect and care for the health, privacy, morale and citizenship of a pupil, respecting his/her personal dignity. Outside of school, children no longer fall under the teachers' control. Pubs are accessible to persons of all ages, but alcohol and tobacco may not be sold to persons under the age of 18.</p> <p>More information or about pupil's rights in Poland can be found under http://www.maciekosuch.com/wp-content/uploads/2007/05/kpu07.doc</p>	
2.g. Minimum Criminal Age	15/17	
2.h. Criminal age	Art. 10, par. 1 and 2 of the Penal Code	<p>Summary: The age of criminal responsibility is 17 years, an age limit laid down both in the 1969 Penal Code and in article 10, paragraph 1, of the new Penal Code of 2 August 1997. Both legal enactments envisage a special case of criminal responsibility of minors for certain kinds of particularly heinous crimes, but they maintain objective premises. The 1969 Penal Code sets the age limit in such cases at 16 (article 9, paragraph 2); the new Code lowers the age to 15 (article 10, paragraph 2). The above-mentioned age limits constitute the minimum age at which an offender may be sentenced to incarceration. Offenders under that age are held responsible for punishable acts as minors in accordance with the Law of 26 November 1982 on Procedure in Cases Involving Minors.</p>

Legislative Country Profile

Portugal

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Decreto-Lei n° 227/2005 of December 28, 2005 Portaria 224/2006 of March 8, 2006 Portaria 699/2006 of July 12. The applicable laws are currently being reviewed.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are only allowed for minimum one year at a time (in order to qualify for a specific recognition procedure) or during the first and second semester (to re-enter school before the final exams of one's grade).	
1.c. Restrictions on certification & recognition	Study abroad programmes are partly recognised. As there is a continuous evaluation, the student could interrupt his studies, during the first and second trimester, in order to be evaluated at the end of the year. These absences would have to be justified and the student would have to obtain sufficient grades in these final national exams allowing him to complete the year with success.	
1.d. Decision-making authority	The national authorities decide.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign	Technically foreign pupils may obtain a diploma if they pass the final exam. In all other cases, the school will	Restrictions: None.

pupils	deliver a certificate attesting attendance and/or courses followed and marks obtained.	
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Pupils from EU countries only need a residence card obtained at our Serviço de Estrangeiros e Fronteiras (Service for Foreigners and Frontiers). Pupils from countries outside the EU need to obtain a residence/studies visa, in the Portuguese Consulate in their countries.	Requirements: The Service for Foreigners and Frontiers would have to analyse every case and take into account documentation.
2.f. Child Protection	<p>Decreto-Lei n.º 98/98. DR 91/98 SÉRIE I-A de 1998-04-18 The Child and Youth Protection Act: Lei n.º 147/99. DR 204/99 SÉRIE I-A de 1999-09-01 Decreto-Lei n.º 332-B/2000. DR 300 SÉRIE I-A 1º SUPLEMENTO de 2000-12-30 Lei n.º 31/2003. DR 193 SÉRIE I-A de 2003-08-22</p> <p>"The Lei de Protecção de Crianças e Jovens em Perigo (Child and Youth Protection Act), Lei n.º 147/99, is the Portuguese law dealing with the rights and the protection of children and youth in danger, in order to guarantee their well being and development. It is applicable to children and youth residing on the national territory, even temporarily. It guarantees the intervention of the State if their parents, their legal guardian or whoever is responsible for them endangers their safety, their development or their education, or when this danger results from the actions or omissions of third parties.</p> <p>To coordinate these efforts, the Decreto-Lei n.º 98/98, published in the DR 91/98 SÉRIE I-A of 1998-04-18 created the Comissão Nacional de Protecção das Crianças e Jovens em Risco (National Commission for the Protection of Children and Youth in Risk), in which public and private entities with specific activities in this area work together. It is up to the Commission to plan the intervention of the State, as well as the coordination, accompaniment and evaluation of the action of public entities and the community in what concerns the protection of children an youth at risk.</p> <p>The protection afforded to minors was further developed by the Decreto-Lei n.º 332-B/2000. This regulation lays down the rules applying to the intervention of local state entities, specifying the</p>	

	<p>system of attribution and management of the funds to be given to the various protection committees, establishing the legal regime for the execution of measures of promotion of children's rights and protection, as well as the ability to accompany children in danger in Court.</p> <p>There are no criminal background checks required for host families or volunteers working with minors.</p>	
2.g. Minimum Criminal Age	16	
2.h. Criminal age	<p>Art.19 of the Portuguese Penal Code (Law Act nº400/82, of September 3rd)</p>	<p>Summary: under the terms of art.19 of the Portuguese Penal Code (Law Act nº400/82, of September 3rd), minors under 16 are not responsible for criminal acts. On the other hand, whenever a young individual (between 16 and 21 years old, in what concerns Penal Law) shows proven signs of psychic dysfunction, is equally not responsible for those acts, under art. 20 of the above mentioned Penal Code.</p> <p>Under the terms of the same Penal Code, art. 9, there is a special regime for those aged between 16 and 21 years old.</p> <p>This special regime it's in Law Act nº 401/82, September 3 - "Special Penal Regime to youngsters between 16 and 21 years old" - and applies to all of those who committed acts qualified as crime that, at the date that they practiced the act, were between 16 and 21 years old.</p> <p>This regime is based on a specialised penal treatment in order to "re-socialize", "re-educate", the youngsters, as much as possible. There is a more flexible approach in correctional measures (prison sentence, fines, detentions, etc.) aiming to a social reintegration.</p> <p>This means that, under this law, the judge can choose not to apply a jail sentence and, instead, apply admonition, community service or obligations of such kind, fines or internment in detention centers.</p>

Legislative Country Profile

Romania

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	There is none.
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.
1.c. Restrictions on certification & recognition	<p>The Romanian educational system recognises the study periods abroad only if the pupil that went to school abroad proves with documents or a diploma that he/she attended a recognised school in the host country and that he/she passed the school year or semester. The pupils have to obtain from the school abroad a Foaie matricola (school report/report card) for the time spent in the host country (one semester or one year).</p> <p>In case he/she is not able to prove with documents the attendance or that he/she passed the semester/year he/she can register at school in Romania bChildut at the level he/she attended before leaving the country. After the recognition of the studies abroad, based on school report and documents obtained from the school abroad, the pupils have to pass some exams before re-entering the school in Romania: Romanian language (for the 1st to 12th class) and Romanian history (for those school years when this subject is studied in Romania) are the main topics for equivalence exams.</p> <p>In case of shorter mobility schemes (such as Comenius programmes - linguistic or academic programmes) and because of the short period of time (up to 2 weeks)) they do not undergo Ministry approval. Schools decide autonomously, because of the short period and the partnerships that exist between the schools.</p>
1.d. Decision-making authority	The national authorities decide. The Ministry of Education and Research (the General Directorate for European Integration and Community Programmes in which there is also the National Centre for Diploma

	Recognition and Equivalency (CNRED)).	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	<p>Attendance of foreign pupils in national schools is welcome. School fees apply except, for pupils coming from countries with which they have bilateral agreements.</p> <p>The Government Emergency Order (OUG) Nr. 194/2002 establishes rights and responsibilities of foreign citizens in Romania.</p>	Restrictions: none.
2.b. Certification of studies undertaken by foreign pupils	<p>There is none. When attending a full semester or a school year, foreign pupils receive certification and marks obtained.</p> <p>If they are attending the last grade in a Romanian school, foreign pupils can receive a diploma/certificate like other Romanian pupil if he/she can pass the final exams like any other Romanian pupil, especially in Romanian Language and Literature (which is compulsory in all final exams).</p>	Restrictions: The school plays a major role in the assessment and certification process. If a teacher of Romanian language and literature decides that the foreign pupil is not able to attend classes (because of language comprehension difficulties) and receive marks the foreign pupil cannot pass the class in Romania. This aspect is very important for those cases where equivalence of the studies is compulsory.
2.d. Decision-making authority	National authorities decide on whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	A residence permit is mandatory for pupils from European countries who wish to spend some time in Romania. For stays longer than three months the pupils have to require a permit extension from the National Authority for Foreigners through its local agencies.	Requirements: application form for residence permit; copy from passport proving that pupil entered the country; letter of acceptance from school that confirms that the pupil is enrolled in school for the whole period that he/she applies

	<p>A 90 days residence permit is issued initially (when entering the country) for foreign pupils and it has to be extended afterwards. Residence permits are mandatory for foreign pupils.</p>	<p>for residence permit; letter of acceptance to study in Romania which is issued by Ministry Order from the Ministry of Education and confirms that the pupil was assigned and enrolled in a school in Romania; Proof of financial independence to cover living costs; proof of living conditions (host family certify that they possess a dwelling and that they voluntarily cover living costs for the pupil); health insurance.</p>
<p>2.f. Child Protection</p>	<p>Child protection reforms were only seriously launched in 2001 (Strategy Concerning the Protection of the Child in Difficulty). The field of child protection became of high concern in the last years due to problems concerning international adoptions, child abandonment and institutionalised children. In the past years this field was object to major changes and radical reforms. The reforms undergone by the Romanian child protection system culminated in the new law <i>no. 272/2004 on the Protection and Promotion of the Rights of the Child, which came into effect on January 1st 2005.</i></p> <p>The 2004 law refers mainly to resident minors and, when it refers to foreign minors, is the case of refugees/migrants that enter Romania. <i>The National Office for Refugees</i> is the institutional body that deals with situations involving foreign nationals.</p> <p><i>The National Authority for the Protection of the Rights of the Childs (NAPCR)</i> was established on the 1st of January 2005.</p> <p>The new law no. 272/2004 regulates the legal framework concerning the observance, promotion and guaranteeing of the rights of the child. Children's have three kinds of rights:</p> <ol style="list-style-type: none"> 1. Protection rights - refer to the protection of the child against all forms of physical, sexual and psychological violence and against all types of exploitation; 2. Development rights - refer to the availability and accessibility of all kinds of basic services, such as education and health care services; 3. Participation rights - refer to the right of the child to be actively involved in his/her own life. <p>1. Children have a right to be protected against: any form of violence, abuse and neglect (art. 85), illicit transfer abroad and their non-return (art. 99), economic exploitation (art. 87), sexual exploitation and</p>	

	<p>sexual abuse (art. 99), illicit use of narcotic drugs and psychotropic substances (art. 88), abduction and trafficking for any purpose and of any form (art. 99), any form of corporal punishment and any other form of degrading and treatment (art. 28 and 90), illegal deprivation, entirely or partly, of his/her identity (art.8.5).</p> <p>Special protection is offered to:</p> <ul style="list-style-type: none"> - Refugee children (art. 72) - Children with disabilities (art. 46) - Children from national, ethnic, religious or linguistic minorities (art. 27) - Children in armed conflict (art. 76.) - Children being abroad unaccompanied by parents or by a legal guardian, or who are not under legal supervision of other persons (art.19) - Children who committed a criminal offence and are not criminally liable (art.80). <p>2. Children have the right to receive an education which allows them to develop their capacities and personality, in non-discriminatory conditions (art. 47). The child has the right to a living standard which enables his or her physical, mental, spiritual, moral and social development (art. 44).</p> <p>3. Children have the right:</p> <ul style="list-style-type: none"> - To freely express their opinion on any matter which concerns them (art. 24); - To be heard in all procedures which involve them (art. 24); - To freedom of association, in formal and informal structures, as well as the right to freedom of peaceful assembly, within the limits stipulated by the law (art. 26); - To have their public image and private and family life protected (art. 22); - To file, on their own, complaints regarding the violation of their fundamental rights (art. 29, para.(1); - To his or her own cultural life, to declare his or her ethnic and religious affiliation, to practice his or her religion, as well as the right to use his or her own language with other members of the community if the child belongs to an ethnic, religious or linguistic minority (art. 27.1); <p>In Romania it is forbidden to sell alcohol and tobacco to minors as well as to let minors enter (and consume alcohol) in pubs, gambling houses, at late shows after certain hours. There are no criminal background checks required for host families or volunteers working with minors.</p> <p>More information regarding child rights and child protection can be found also on www.copii.ro.</p>
2.g. Minimum Criminal Age	14/16

2.h. Criminal age	Art. 10 Of the Penal Code	Summary: Between the age of 14-16 minors have a penal responsibility if it is established that they were aware of the committed act, if they were aware of the fact that it is a negative act, against the law and if they were conscious about its consequences. After becoming 16, minors are responsible for criminal/penal acts just like adults.
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Legislative Country Profile

Slovakia

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	Ministry of Education of the Slovak Republic Regulation Nr. 80/1991 on secondary schools. Act No. 596/2003 Coll. on state administration in the school system and school self-government and on amending and supplementing certain other acts.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.	
1.c. Restrictions on certification & recognition	Study abroad programmes are recognised.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None
Double-check	Act Nr. 48/2002 Coll. On Stay of Aliens, as amended. There is no special legislation on the mobility of minors. Only legislation dealing with aliens in general. The quoted legislation stipulates terms of entry and stay of aliens, terms of issue of documents for aliens, their obligations, etc. New amendments came into force in January 2007 transposing EU legislation supporting the mobility for purposes of education, research and development.	

2.b. Certification of studies undertaken by foreign pupils	The Regulation Nr. 80/1991 on Secondary Schools foresees that a foreign pupil that does not speak the language may attend school for up to one year. There is no specific legislation that deals with the certification issue separately. This leads us to conclude that foreign pupils may obtain the same type of certification as Slovak pupils if they successfully pass the exams. If not, they will receive a certificate on courses attended and marks obtained.	Restrictions: None.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: An application is submitted together with the travel documents, two photos, documents confirming his/her civil rights, school admission papers, financial coverage of the stay, health
2.f. Child Protection	UN Convention on the Rights of the Child ratified by the Slovak Republic in 1993 and different national policies, e.g. State Family Policy, National Action Plan for Children.	
2.g. Minimum Criminal Age	15	
2.h. Criminal age	Section 11 of the Penal Code	Summary: According to section 11 of the Penal Code, the penal liability of a child is stipulated negatively: "Whoever has not attained the age of 15 at the time of committing an offence shall not be criminally liable". Section 74, paragraph 1 of the Penal Code defines a "juvenile" as a "person who, at the time of committing an offence, has attained the age of 15 and is under the age of 18".

Legislative Country Profile

Slovenia

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none. The National Center for External Examinations determines the content of the final exams for Slovenian schools.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.	
1.c. Restrictions on certification & recognition	Study abroad programmes are recognised unconditionally.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	Yes, if they pass the final exams. It is up to the schools to decide.	Restrictions: None.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Residence permits are mandatory for pupils who are nationals of certain countries: Turkey, Bosnia, Montenegro, Serbia, Macedonia, Moldavia, Russia and Belorussia.	Requirements: Visa and related procedures.
2.f. Child Protection	Resolution about prevention of violence on minors in families ("Relucija o prepre evanju in zatiranju kriminalitete" 212-05/05-0052/0001). There are several other acts focusing on drugs, sexual abuse, right to social care.	
2.g. Minimum Criminal Age	14	
2.h. Criminal age	Art. 71 and 72 of the Penal Code	Summary: Children under the age of 14 continue to be considered unable to violate criminal law (14-16 = young minor, over 16 = older minor, from 18 = young adult). Children are dealt with by the social services, no criminal sanctions may be applied against them, and no educational or safety measures may be administered against them.

Legislative Country Profile

Spain

Regulatory Framework for outgoing pupils

1.a. Recognition & certification of study periods abroad

The recognition of studies abroad (10th - 12th grade of Secondary Education) depends exclusively on the Ministry of Education through the Equivalency Tables approved by it for certain countries and the treaties and international agreements in which Spain takes part:

- Ley Orgánica 2/2006 de 3 de mayo, de Educación (Organic Law on Education 2/2006 published on the BOE-Official Bulletin No.106 on May 4, 2006)
- Real Decreto 104/1988 (Royal Decree on recognition of studies done abroad, published on the BOE-Official Bulletin 41/88 of February 17, 1988)
- Order 14-03-1988 for the application of the Real Decreto D 104/1988 (published on the Official Bulletin 66/88 of March 17, 1988)
- Real Decreto 806/1993 (Royal Decree on the law and practice on foreign schools in Spain)
- Order 30-04-1996 for the regulation of the selection procedure of students for the admission at universities, certain criteria for recognition and the scheme for equivalencies with the Spanish system are established (published on the BOE-Official Bulletin 112/96 of May 8, 1996)
- Order ECD/335/2002 on the changes of the Order 14-03-1988 and 30-04-1996 for the application of the RD 104/1988, published on the BOE-Official Bulletin 311/2002 of December 28, 2002)

On school exchanges, additional measures have been enacted:

- Resolución de 22 de diciembre de 1994, de la Dirección General de Formación Profesional. Resolution to recognize and certify the activities of exchange and school encounters between students from Spanish schools and students from the European Community countries. Published on the BOE-Official Bulletin 18/95 of January 21, 1995
- Order of October 30, 1992, to regulate school exchanges, published on BOE-Official Bulletin 268/92 of November 7, 1992
- Order of May 19, 1977 on the regulation of the procedure to grant financial support for cultural school

	exchanges, published on BOE-Official Bulletin 166/77 of July 13, 1977	
1.b. Restrictions on interruptions	Interruptions of a school year to go on a study abroad programme are always allowed if the school agrees. Interruptions for less than a school year might be accepted, if allowed by natural parents, but it depends on the flexibility of the teacher(s) on adapting the examinations in order for the pupil to recover the time spent abroad. In the case of a full school year, it depends on the possibility of the recognition of credits by the Ministry and the willingness of natural parents (and student) to “miss” a school year in case there is no recognition of credits. There is no need for official recognition if the student does 1º-3º ESO (7th -9th grade of Secondary Education). In these cases, it is the school who decides the admission of the student based on the national regulations that apply (e.g. age, academic level, course done abroad, etc.).	
1.c. Restrictions on certification & recognition	For the official recognition of studies for grades 10th-12th, the student must spend at least one full school year abroad and meet the requirements established by the Tables of Equivalencies approved by the MEC. These tables state the specific criteria for each country (e.g. subjects to take, minimum of credits, level of enrollment, examinations, etc.). In case of periods of less than a year, it depends on the willingness of the school/teachers to adapt the examinations and school requirements for the student (see above).	
1.d. Decision-making authority	Schools decide autonomously. As stated above, for periods less than a school year, it is the School Principal and/or the teachers who approve the interruption and re-entry at the request of natural parents. For a school year, it depends on the Ministry of Education to recognise the credits obtained abroad. The legal framework would be The Ministry of Education’s regulations on validation of credits and on the promotion of exchanges between schools.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	Resolución de 22 de diciembre de 1994, de la Dirección General de Formación Profesional. Resolution to recognise and certify the activities of exchange and school encounters between students from Spanish schools and	Restrictions: Concerning the certificate/diploma at the last grade of Secondary School, all students, including foreign students, obtain a certificate with their grades and subjects at the

	<p>students from the European Community countries. Published on the BOE-Official Bulletin 18/95 of January 21, 1995; Order of October 30, 1992, to regulate school exchanges, published on BOE-Official Bulletin 268/92 of November 7, 1992; Order of May 19, 1977 on the regulation of the procedure to grant financial support for cultural school exchanges, published on BOE-Official Bulletin 166/77 of July 13, 1977.</p>	<p>end of the school year. The Spanish system has a final national exam called “Selectividad”, with opens the various options for university education. Exchange students can take this final exam only if they have passed all subjects and obtained recognition for the studies done at their country of origin by the Spanish Ministry of Education.</p>
<p>2.d. Decision-making authority</p>	<p>Schools decide autonomously on admitting foreign pupils. It depends on the circumstances. There are specific departments depending on the regional Education Administration who are responsible for assigning students to the corresponding school according to availability, distance to the schools and other criteria. This applies for public, or governmental funded private schools (most of secondary schools are either).</p>	
<p>2.e. Residence Permits</p>	<p>Residence permits are mandatory for foreign pupils staying longer than 3 months; for non-Schengen countries and for stays over 90 days.</p>	<p>Requirements: Foreign students need to apply for a visa in their country of origin, that requires, among other requisites:</p> <ul style="list-style-type: none"> • a host family, • a place at a host school, • proof of financial support and medical insurance). <p>After their arrival, the students need to request a Student Card at the police station, providing:</p> <ul style="list-style-type: none"> • a natural parent´s authorisation (legalised and translated), • proof of legal enrollment at a school, • proof that the student is being hosted by a host family and • the visa granted in the country of origin. <p>Restrictions: Sometimes it’s almost impossible to get a host school acceptance on time, as they are starting to request final grades for enrollment and visas in Spain can take more than</p>

		2 months.
2.f. Child Protection	<p>Ley Orgánica 1/1996 de 15 de enero de Protección Jurídica del Menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil. Organic Law of Legal Protection of Minors published at BOE-Official Bulletin of January 17, 1996, num. 15: 1225.</p> <p>The "Ley de Protección del Menor" (child protection law) establishes that education is mandatory until 4º ESO (equivalent to 10th grade) and all minors have universal and free primary health attention (including hospitalization and mental health). When authorities apply this law to grant visas for hosted students, this can be a source of confusion, as they consider participants as children under guardianship. The regulations that apply to host families refer only to those cases in which a family will host a child under social risk.</p> <p>In Spain it is not mandatory to have police checks on host families or mentors</p> <p>In Spain there is no specific legal framework for mobility schemes, except for the State law that regulates the Comenius/Socrates program. It refers to the regulation for specific announcements for financial support, associations between schools for the development of projects, subsidies for teachers' training, subsidies for language teachers, and joint educational projects for language learning.</p> <p>The regulations from the Ministry of Education refer to subsidies, public announcements, length of the exchange, dates in which it can be done, and the obligation for those students being sent to another school to reside with the hosting students.</p>	
2.g. Minimum Criminal Age	18	
2.h. Criminal age	Art. 19 of the Criminal Code	Summary: Article 19 of the new Criminal Code, approved by Organisational Act 10/1995 of 23 November, raises the age of criminal responsibility to 18 years, the same as the age of civil majority.

Legislative Country Profile

Sweden

Regulatory Framework for outgoing pupils	
1.a. Recognition & certification of study periods abroad	<p>Upper Secondary School Ordinance (Chapters 5, 7, 9 & 16). According to the School Act Chapter 5 § 16 pupils have the right to come back to the same educational programme after spending maximum one year abroad and to continuing his /her cursus.</p> <p>Sweden is a signatory to the Nordic agreement on pupil mobility, and any period of secondary schooling that is undertaken in Iceland, Denmark, Norway or Finland and duly documented is recognised as equivalent (SKOLFS 1993: 14 art. 5). The Swedish government also runs its own long-term study programme with France, Germany and Spain.</p>
1.b. Restrictions on interruptions	<p><u>Loss of student aid:</u> Swedish pupils don't get the upper secondary student aid (app. 90 Euro/month) if they choose to study abroad. Two exceptions are if they study in another Nordic country or participate in the One year programme set-up with France, Germany, Spain and Austria (unilateral agreements).</p> <p><u>Obtaining a "full" leaving certificate:</u> in order to get a leaving certificate in Sweden a pupil has to take certain modules/courses - each one gives points and grades that are required for the certificate. Today there are no guidelines on how to "translate" courses from other countries and the only way according to the secondary school ordinance is for the principal to validate and give the grade 'pass' but no higher grade (School Ordinance Chapter 7 § 16). This means that Swedish students may lower their grade average, affecting their success in obtaining the full leaving certificate.</p>
1.c. Restrictions on certification & recognition	<p>Since there are few regulations in the Swedish system it is relatively easy for a Swedish pupil to spend a period abroad.</p>

	<p>In order to get a leaving certificate in Sweden a pupil has to take certain modules/courses - each one gives points and grades that are required for the certificate. At this point in time there are no guidelines on how to "translate" courses from other countries and the only way to deal with this according to the Secondary School Ordinance is for the principal to validate and give the grade 'pass' but nothing higher (School Ordinance Chapter 7 § 16.)</p> <p>It is also the pupils' right to have a note in the Leaving Certificate about study periods undertaken (abroad Upper Secondary School Ordinance (Chapter 7 § 9)). If the Swedish pupil receives a leaving certificate or equivalent in the country where he/she studied, that document can in most cases be used when applying to Higher Education in Sweden (http://www.vhs.se/templates/Page.aspx?id=1011)</p>	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	There is a chapter in the School Ordinance about pupils from abroad that may be admitted if they fulfil the eligibility for the programme (Chapter 11 § 7). Technically it is possible, but in reality it is not possible to pass the same exam as Swedish pupils.	Restrictions: Not applicable.
2.d. Decision-making authority	<p>Schools decide autonomously on admitting foreign pupils. Sweden has a very decentralised system where municipalities have great freedom to organise and deliver education within the framework set up by the State.</p> <p>Witin this framework there is an Education Act, a School Ordinance and some guidelines. In these documents there is nothing specific about temporary mobility and these decisions are left to the school.</p>	

2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months. It is no longer a regular residence permit that is required for a pupil staying more than three month - it is now called a Residence Card which is available to EU citizens. http://www.migrationsverket.se/english.jsp	Restrictions: Proof of economic resources and an attendance certificate from the school.
2.f. Child Protection	<p>The legal Act for protecting children can be consulted under http://www.av.se/inenglish/lawandjustice/. The work environmental Act Chapter 5 of the Legal Act protecting children is applicable when pupils in education and training spend periods on work placement as a part of their programme. The Law protecting minors is of national application. Nonetheless, each Autonomous Community applies it according to the competences held by its official entities in charge.</p> <p>The Swedish Civil Code provides that children are entitled to care, security and a good upbringing. Children are to be treated with respect for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment.</p> <p>The Penal Code foresees that sexual acts with minors under the age of 18 by someone who is responsible for the care or upbringing of that person are punishable. All sexual acts with someone under the age of 15 are punishable. Rape and sexual exploitation or coercion of minors are also severely punished. The penal code also prohibits the distribution of pictures, writings or technical recordings which, owing to their content, may brutalise or morally damage a minor. Gambling is prohibited.</p> <p>The Children's Ombudsman oversees all initiatives related to the implementation of the UN Convention on the Rights of the Child (the CRC) in Sweden.</p>	
2.g. Minimum Criminal Age	15	
2.h. Criminal age	Section 6 of the Penal Code	<p>Summary: A person is considered a minor when under the age of 15.</p> <p>The age is to be considered a mitigating circumstance as long as the offender is under the age of 21.</p> <p>Children committing crimes before they are 15 years old may not be sentenced</p>

		<p>under the Penal Code. The municipal social welfare committee, however, must always be informed if children under 15 commit crimes or are questioned in connection with crimes. In certain cases, a criminal investigation may be started in spite of the person who committed the crime being under the age of 15. An investigation of this kind may be inaugurated if it will presumably have a bearing on deciding the need for social service measures relating to the child, if it is necessary in order to clarify whether a person aged 15 or over was implicated in the crime, if it is necessary in order to search for property obtained through the crime or if it is otherwise of particular importance that an investigation be conducted. If the child is aged under 12, an investigation may be started only if there are exceptional reasons for doing so.</p>
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Legislative Country Profile

The Netherlands

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none.	
1.b. Restrictions on interruptions	Interruptions are accepted but not always recommended and also, it is not really encouraged by the government.	
1.c. Restrictions on certification & recognition	Study abroad programmes are not recognised. Currently, no certification or recognition takes place.	
1.d. Decision-making authority	Schools decide autonomously.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	There is none. Pupils may receive a diploma if they pass the same exams as national pupils, but they are very seldomly placed in the grades where they could obtain a proper diploma. They will however receive some form of certification.	Restrictions: None.

2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils.	
2.e. Residence Permits	Foreign pupils do not need any residence permits.	Restrictions: None.
2.f. Child Protection	<p>School doctors, schools and child consultation bureaus inspect every individual child and their families. In case of detected problems they inform the Child Care Office. Child Care arranges further actions (like court custody's or therapy's when specialized child judges order to doo so.)</p> <p>http://www.wetboek-online.nl/zoek?q=minderjarigen&w=1</p>	
2.g. Minimum Criminal Age	12	
2.h. Criminal age	Criminal Law Part 1, Title 8, Art. 77	<p>Summary: Children under 12 years of age who commit minor offences such as vandalism, theft, illegally setting off fireworks and rowdy behavior may be given a brief corrective assignment. Parental consent is required. The aim is to provide a voluntary aid, free of obligations, to help parents and carers correct their child's behavior. A "Stop" assignment is not a statutory sanction; this would be impossible, since children under 12 years of age cannot be prosecuted. The point of the assignment is to make it clear to the child, in an appropriate manner, that criminal behavior is unacceptable. The assignment may consist of an interview, writing an essay, answering the questions on a form, or apologizing to the injured party. The assignment may on no account involve any kind of work. If a child is considered eligible for a "Stop" assignment, the police will suggest it to the parents, making it clear that participation is voluntary.</p>

Legislative Country Profile

Turkey

Regulatory Framework for outgoing pupils

<p>1.a. Recognition & certification of study periods abroad</p>	<p>5/3/200493MEB Denklik Yonetmeligi (Ministry of Education Equivalence Regulation). 5/3/2004 25393- MEB Denklik Yonetmeligi (Ministry of Education Equivalence Regulation).</p> <p>Student mobility in Turkey is regulated in coordination with schools, mobility providers and the Ministry of Education. The existing laws and regulations apply to a general spectrum of studying abroad and foreign students studying in Turkey.</p> <p>However, decisions are taken each year separately, mostly on the basis of individual applications submitted by mobility providers, schools or students: mobility providers apply each year to the Ministry of Education Foreign Relations Office for permission to run the programme. When the permission for the programme is received, students can apply to these programmes via their school, since all schools are under the Ministry of Education system. When schools organise the exchange programmes themselves, they apply directly to Ministry of Education.</p>
<p>1.b. Restrictions on interruptions</p>	<p>Interruptions of the School year are accepted. The pupil does however have to obtain some form of equivalency in order to re-integrate the level of schooling he would normally be entitled to had he stayed in Turkey.</p>
<p>1.c. Restrictions on certification & recognition</p>	<p>Study abroad programmes are recognised. They need to be approved by the Ministry and the school prior to the exchange experience. Besides a regulation on Equivalence, there is also a guidebook of equivalence procedure for every country in the Ministry of Education Equivalence Office. Equivalence is regulated by branches of the Ministry in the cities according to national legislation.</p>
<p>1.d. Decision-making</p>	<p>Each programme is dealt with by the Ministry on an individual basis.</p>

authority		
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome.	Restrictions: None.
2.b. Certification of studies undertaken by foreign pupils	19/10/1983 18196 2922 Türkiye'de Örenim Gören Yabancı Uyruklu Örencilere İlişkin Kanun (Law on Foreign students attending school in Turkey) ; 30/4/1985 18740 0 Türkiye'de Örenim Gören Yabancı Uyruklu Öğrencilere İkin Yönetmelik (Regulation on Foreign students attending school in Turkey) Foreign pupils only receive a certificate of attendance.	Restrictions: Not applicable.
2.d. Decision-making authority	Schools decide autonomously on admitting foreign pupils. National authorities decide on whether foreign pupils are admitted to local schools.	
2.e. Residence Permits	Residence permits are mandatory for foreign pupils staying longer than 3 months.	Requirements: For the first application: <ul style="list-style-type: none"> • Petition to the Aliance Department of Police Headquarters • Application form • Passport photocopy (picture and entry stamp) • 5 passport size photos • Certicate of education • Scholarship docement or 1200 \$ foreign currency receipt from a bank <p>The students who will be studying at TÖMER can obtain a 1 year periodical residence</p>

		<p>permit related to their visa.</p> <p>Students who are coming to Turkey for educational purposes must obtain a special Educational visa from the Turkish Consulates in their native country.</p>
<p>2.f. Child Protection</p>	<p>Child protection measures apply to foreigners as much as they apply to Turkish citizens, unless they have been specifically restricted by law in accordance with international law. The Turkish law ascribes a great deal of importance to the children's benefits and considers their protection as a general principle.</p> <p>The Children's prime interests are considered also in several other laws in addition to the Constitution: the Civil Code; the Penal Code, the Law on Duties and Authorities of the Police and the Law on Protecting Minors from Inappropriate Publications.</p> <p>Articles 25 and 26 of the Turkish Constitution declare that everyone has the right of thought and opinion. No one can be forced to express or blamed because of his/her thought and opinions. The Turkish Civil Code expects the family to seek the child's opinion and rules that the parents will supervise the vocational education of their children and take into consideration as much as possible their strengths, capabilities and preferences.</p> <p>The Turkish Civil and Penal Codes provide for the protection of children from physical and mental abuse, violence, exploitation and all other similar treatments by their parents. People who cause damages on persons under their guidance by means of misusing their duties to train, educate, raise, guard and protect them will be imprisoned for up to eighteen months.</p> <p>The Turkish Penal Code deals with crimes regarding the sale of narcotics and alcoholic beverages. It is a crime to:</p> <ul style="list-style-type: none"> ▪ employ persons under 18 years of age to sell drugs as an aggravating circumstance; ▪ provide narcotics, alcohol and tobacco to persons under 18 years of age; ▪ to employ young girls and women in casinos, bars, music halls and other similar places where alcoholic beverages are served and in such facilities as bathhouses and beaches. Males and females 	

	<p>under 21 years of age may not, under any circumstances, be employed in such places.</p> <p>The police will deny access to bars, music halls and places where alcoholic beverages are served to persons under 18 years of age, even if they are accompanied by their guardians or tutors.</p> <p>The Turkish Penal Code punishes more severely the rape, sexual abuses and sexual offenses against victims below 15 years of age or aged between 15 and 18. The will of minors below the age of 15 years to get into sexual intercourse does not waive the crime or hinder the punishment. Where these acts are perpetrated by one of the guardians or a tutor, instructor, teacher, servant or guard or by any person having influence on such minors, the penalties are increased by one-half under article 417.</p>	
2.g. Minimum Criminal Age	15/18	
2.h. Criminal age	<p>Art.11 of the Law on the Establishment, Duties and Procedures of Juvenile Courts New Penal Code</p>	<p>Summary: Under the Turkish Penal Code, the age of transition to full penal liability is 18. Nevertheless, according to the Law on Juvenile Courts, the minimum age to stand in these Courts is 15 years.</p> <p>Children under 11 years of age may not be imprisoned; only security measures may be adopted against them. The use of detention, arrest and imprisonment is made even more difficult with regard to children and constitute the very last resort. Rules and mechanisms have been introduced to inflict the least damage on the children.</p> <p>Under the Penal Procedure Law, detention and arrest of children is not possible during the investigation and trial stages for misdemeanors for which the lower penalty limits do not exceed three years. The same law also requires that detained or arrested minors should be kept at penitentiaries reserved for minors or, where such penitentiaries do not exist, in separate parts of the prisons for adults.</p> <p>The provision of counseling services for children under trial is obligatory according to the Penal Procedure Law.</p>

Legislative Country Profile

United Kingdom

Regulatory Framework for outgoing pupils		
1.a. Recognition & certification of study periods abroad	There is none.	
Double-check	There is none.	
1.b. Restrictions on interruptions	Interruptions of the school year to go on a study abroad programme are always tolerated.	
1.c. Restrictions on certification & recognition	Study abroad programmes are not recognised. Currently, no certification or recognition takes place. But, the British school system is quite flexible and even British nationals may move up and down school years depending on progress and ability for example, so how a year of schooling abroad fits into a pupils progression at home depends largely on the specific student and situation.	
1.d. Decision-making authority	Schools decide according to national legislation.	
Regulatory Framework for incoming pupils		
2.a. Attendance of foreign pupils in national schools	Attendance of foreign pupils in national schools is welcome. As the British school system is an exam-based system assessed by accreditation bodies with specific requirements, and legislation refers to 'children' and not 'UK citizens. There is no apparent regulation for	Restrictions:

	recognising study periods abroad. Nor is there regulation for dealing specifically with foreign exchange students in the UK system; they are in this sense treated the same as any other school pupil and for any official certification they must pass the same standard exams.	
2.b. Certification of studies undertaken by foreign pupils	<p>The DfES is unaware of any such legislation.</p> <p>Once pupils are admitted by the home office, they are to be treated as any other UK national. This is to say, and it is outlined in the 'School Admissions Code of Practice' that any child of compulsory schooling age in the UK is entitled to an education. They are also given the same legal protection as any other UK national (see 'Every Child Matters' agenda).</p>	Restrictions: Some visas may specifically state that a pupil may not be entitled to public funds during their stay. This is something that is judged on a case by case basis.
2.d. Decision-making authority	National authorities decide on whether foreign pupils are admitted to local schools. The Home Office is responsible for immigration and granting visas, but once it is granted, pupils are entitled to a school education.	
2.e. Residence Permits	Residence permits are mandatory for pupils who are nationals of certain countries (non-EU countries).	Restrictions: It is unusual for a lone child to be granted a permit unless they are coming through an [exchange] organisation". A letter of invitation from both the organisation and a 'host school' are typically requested by the British Consul.
2.f. Child Protection	<p>Child Protection Act.</p> <p>Of relevance for exchange programmes: Criminal Records Bureau (CRB) checks are required for hosts and individuals involved with exchange students nationwide. Furthermore, the DfES 'Schools Admissions Code of Practice' (www.dfes.gov.uk/sacode) provides guidelines on overseas students in UK schools.</p> <p>'Every Child Matters' agenda (www.everychildmatters.gov.uk) and generic child protection laws in the UK</p>	

	<p>apply to all pupils, whether UK nationals or not. However, this responsibility is dealt with at the local level by local authorities (city and county councils) who each have a different approach, therefore specific policies may vary from place to place.</p>	
<p>2.g. Minimum Criminal Age</p>	<ul style="list-style-type: none"> • 10 in England, Wales, Northern Ireland (Special treatment until 14); • 8 in Scotland (special treatment until 16) 	
<p>2.h. Criminal age</p>	<p>1) Her Majesty’s Court Service Website (www.hmcourts-service.gov.uk/)</p> <p>2) Youth Information website in the UK (www.youthinformation.com)</p> <p>3) Northern Ireland Criminal Justice Order 1999</p> <p>4) Criminal Procedure Act 1995, Scotland (3 and 4: info from Office of Public Sector Information Website. www.opsi.gov.uk)</p>	<p>Summary: <i>Varies slightly between the home nations (England/Wales are the same)</i></p> <p>1) 10 to 17 year-old will have their case dealt in Youth Court, unless they are tried with an adult (tried in Crown Court). Homicide and rape cases are always heard in the Crown Court.</p> <p>2) The law says that until 10 years of age a person cannot be held responsible for a crime. Between the ages of 10 and 14, minors can be convicted of a criminal offence if the prosecution can show they were aware that what they were doing was seriously wrong. After the age of 14 law considers a minor fully responsible of own actions in the same way as an adult (treated as an adult in a court of law in terms of responsibility, but not in terms of sentencing).</p> <p>3) <i>Northern Ireland</i>: the age of criminal responsibility is 10.</p> <p>4) <i>Scotland</i>: No child under the age of 8 years can be guilty of any offence, although no child under 16 years shall be prosecuted for any offence except on the instructions of the Lord Advocate</p>