

Certified translation from the Polish language

[Letterhead of the Minister of Health of the Republic of Poland]

[Stamp: Copy]

Warsaw, [An illegible date stamp appears.]

NSO.078.440.2016

His Magnificence
Prof Przemysław Jałowicki, MD, PhD
Vice-Chancellor
Medical University of Silesia
in Katowice

Due to the fact that it has been known to me that

- the Medical University of Silesia in Katowice follows an information policy on application for admission to the English language medical programme whose aim is to prevent candidates from North America from participating in the admission procedure without prior use of the services of Hope Medical Institute;
- the students from North America who have decided to forgo the use of the services of Hope Medical Institute cannot continue their education at the Medical University of Silesia;
- the Medical University of Silesia sets a limited number of seats for independent candidates from North America, who have decided not to use the services of Hope Medical Institute

and acting in accordance with Article 37 (1) of the Act of 27 July 2005 – Law on Higher Education (Journal of law from 2002, item 572, with later amendments) – later referred to as “the Act”, I hereby call on you to cease such activities and to correct any effects.

I also ask you to submit information on the action taken within 30 days of receiving this letter.

[page 1/3]

Justification:

The Ministry of Health received information from the students from North America of the English language medical programme at the University of Silesia in Katowice on the services of Hope Medical Institute.

The candidates applying for admission to the English language medical programme at the Medical University of Silesia had received information from the University's employees on the necessity to follow the admission procedure through the agency of Hope Medical Institute (enclosures 1 and 2). Moreover, the students of the English language medical programme at

the Medical University of Silesia had been informed of the lack of possibility to continue their education at the University in case they terminated their agreement with the intermediary (enclosure 3).

It has to be pointed out that in accordance with Article 43 (3) (2) of the Act higher education institutions are authorized to conclude agreements with foreign entities. Non-nationals who do not pursue education in compliance with the rules applicable to Polish nationals, in accordance with Article 43 (2), Article 43 (5) and Article 43 (5a) of the Act, may, among others, pursue education on the basis of agreements concluded between higher education institutions and foreign entities and in compliance with the rules defined therein, including the tuition fee-paying basis – Article 43 (4) (2) of the Act. Nevertheless, the agreements concluded may not contravene other legal articles of Polish law. That being so, in accordance with Article 44 of the Act it is unacceptable to require prospective students to unconditionally use the services of an intermediary and to exclude the possibility for prospective students to apply as independent candidates, which entails further costs. It violates the principle of equal treatment set out in this Article of the Act since the non-nationals who have been made to use the services of an intermediary will pay higher costs in comparison with the non-nationals who do not use the services of an intermediary in the admission procedure.

Moreover, the regulation of the Ministry of Science and Higher Education of 12 October 2006 on pursuing education and training as well as participating in research and development by non-nationals (Journal of law from 2016, item 1501) does not authorize a higher education institution to use the services of an intermediary in the admission procedure or to exclude the possibility of non-nationals applying as independent candidates. § 3 of the above-mentioned regulation lays down the preconditions non-national must meet

[Page 2/3]

to be admitted to university, excluding the rules applicable to Polish nationals.

I hereby inform you that the above stand is identical to the stand of the Ministry of Science and Higher Education.

[Stamp: On behalf of the Minister of
Health Secretary of State Jarosław Pinkas]
[An illegible signature appears.]

[Stamp: Legal advisor to the Minister in the Organisational and Legal Division of the
Department of Science and Higher Education Małgorzata Zadrożna]
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[Stamp: Head of the Organisational and Legal Division of the Department of Science and
Higher Education Magdalena Przydatek]
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[Stamp: Deputy Director of the Department of Science and Higher Education Marek Kuchciński]

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[Partly illegible stamp: 12.10.2016 Registration nr 693369]

[Page 3/3]

I hereby certify the above to be a true translation of the document in the Polish language presented to me.

Repertory No. 36/2017
Katowice, 8 April 2017

Mariusz Kamrowski
Translator of the English language

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Kamrowski