

**DISCLAIMER - Automatic translation:** This document is an unofficial translation to facilitate the understanding of the university regulatory framework in Spain. The University is not responsible for it. The official version of this document is available in Spanish at the following link: [BOE-A-2004-1303 Real Decreto 49/2004, de 19 de enero, sobre homologación de planes de estudios y títulos de carácter oficial y validez en todo el territorio nacional.](#)

**NOTA ACLARATORIA – Traducción automática:** *El presente documento es una traducción no oficial para facilitar a los interesados la comprensión del marco regulatorio universitario en España. La Universidad no se hace responsable de la misma. Puede consultar en castellano la versión oficial del presente documento en el siguiente enlace: [BOE-A-2004-1303 Real Decreto 49/2004, de 19 de enero, sobre homologación de planes de estudios y títulos de carácter oficial y validez en todo el territorio nacional.](#)*

Royal Decree 49/2004, of January 19, 2004, on the homologation of  
curricula and degrees of an official nature and valid throughout the  
national territory.

---

Ministry of Education, Culture and Sports  
"BOE" No. 19, of January 22, 2004  
Reference: BOE-A-2004-1303

---

Article 149.1.30 of the Constitution attributes to the State as exclusive competence the regulation of the conditions for obtaining, issuing and homologation of academic degrees. This competence is being exercised by the Government with the aim of giving official status and validity throughout the national territory to the degrees issued by Spanish universities, thus distinguishing them from other degrees or diplomas issued by universities, institutions or centers of higher education that do not enjoy such status.

The Organic Law 6/2001, of December 21, 2001, on Universities, states in its article 35 a series of mechanisms for the homologation of curricula and academic degrees of an official nature and valid throughout the national territory, the purpose of which is to guarantee that university studies in Spain obey basic common rules of content, organization and quality, without prejudice to the competencies that correspond to the universities and autonomous communities in this area.

To this end, the aforementioned law provides for a procedure in which all the competent authorities in the field of university education are involved, and it is therefore essential to issue a regulation governing this procedure.

Likewise, in development of one of the main innovations of Organic Law 6/2001, of December 21, 2001, on Universities, this Royal Decree contemplates the provisions corresponding to the evaluation of the quality and accreditation of education by the National Agency for the Evaluation of Quality and Accreditation, and the mechanisms for the suspension and revocation of the recognition of academic degrees.

This Royal Decree has been reported by the University Coordination Council.

By virtue thereof, at the proposal of the Minister of Education, Culture and Sports, with the prior approval of the Minister of Public Administrations, in agreement with the Council of State and after deliberation of the Council of Ministers at its meeting held on January 16, 2004,

PROVIDED:

**Article 1. *Purpose and scope of application.***

1. The purpose of this Royal Decree is to develop the necessary procedure for the application of the measures provided for in Article 35 of the Organic Law 6/2001, of December 21, 2001, on Universities, in relation to the homologation of curricula and

---

academic university degrees, as well as, as the case may be, the suspension and revocation of the homologation of such degrees.

2. This procedure is applicable to curricula leading to the award of university degrees of an official nature and valid throughout the national territory, as well as to the corresponding degrees.

#### **Article 2. Definitions.**

For the purposes of this Royal Decree, it is understood by:

a) Homologation of a curriculum: the process and the act by which the University Coordination Council verifies that the content of the curriculum approved by a university conforms to the general guidelines established in accordance with Article 34 of Organic Law 6/2001, of December 21, 2001, on Universities.

b) Approval of an academic degree: the process and the act by which the Government verifies that the degree corresponds to a curriculum previously approved by the University Coordination Council, and that the requirements regarding adequate means and resources are met so that the university can provide such studies, in accordance with the certification issued for this purpose by the corresponding autonomous community, in accordance with article 4.3 of Organic Law 6/2001, of December 21, 2001, on Universities.

c) Suspension of the recognition of an academic degree: the temporary prohibition of a university to teach certain courses of study leading to the award of a specific official degree, as well as to issue the corresponding degree, with the effects provided for in this Royal Decree, due to non-compliance with the requirements established by the legal system.

d) Revocation of the recognition of an academic degree: the definitive prohibition of a university to teach certain courses of study leading to the award of a specific official degree, as well as to issue the corresponding degree, with the effects provided for in this Royal Decree, due to non-compliance with the requirements established by the legal system.

#### **Article 3. Approval of the curricula.**

1. After authorization of the implementation of certain courses of study by the corresponding autonomous community, the universities will prepare and approve their curricula leading to the attainment of the relevant official university degree, valid throughout the national territory, in accordance with the general guidelines established for this purpose.

2. The university shall submit to the competent body of the autonomous community the study plan prepared so that a report may be issued on the economic valuation of said plan, the adequacy of the center to the basic requirements on the creation or recognition of centers established by the regulations in force and, in particular, the existence of adequate means and resources for said university or center to comply with the legally established functions.

#### **Article 4. Approval of the curricula.**

1. The university will submit the study plan to the University Coordination Council, together with the favorable report issued by the competent body of the autonomous community.

2. The General Secretariat of the University Coordinating Council will review the submitted syllabus, verify its compliance with the general guidelines and refer it to the corresponding subcommittee.

3. The subcommittee shall submit a report to the Academic Committee on whether or not the homologation requested is appropriate.

4. The decision adopted by the Academic Committee will be included in the corresponding resolution of the General Secretariat of the University Coordination Council.

---

5. If six months have elapsed since the University Coordination Council has received the study plan without a resolution in this regard, it shall be deemed to be approved.

**Article 5. *Approval of the degree.***

1. The University Coordination Council will forward to the General Directorate of Universities of the Ministry of Education, Culture and Sports the resolution on the homologation of the curriculum in order to initiate the procedure for the homologation of the corresponding academic degree.

2. The General Directorate of Universities will verify compliance with the following requirements:

a) If there is a resolution of homologation of the curriculum by the University Coordination Council.

b) If there is a favorable report from the autonomous community that accredits compliance with the requirements set forth in article 4.3 of Organic Law 6/2001, of December 21, 2001, on Universities.

3. Once the above requirements have been verified, the Minister of Education, Culture and Sports shall submit to the Council of Ministers the draft agreement for the homologation of the corresponding academic degree.

4. Once the agreement of the Council of Ministers approving the degree has been adopted and published in the "Official State Gazette", the university must publish in the "Official State Gazette" the following information  
The "Boletín Oficial del Estado" (Official State Gazette) the homologated study plan leading to the obtainment of the aforementioned degree.

5. The syllabus is published, the competent body of the autonomous community may proceed to authorize the beginning of the teaching of the courses, and the university may, from that moment, issue the corresponding degrees.

**Article 6. *Approval in the event of modification of the study plan.***

1. The modification of a study plan that affects more than 10 percent of the credits related to the common training contents, or of the core subjects of the current plans, included in the general guidelines, will imply the extinction of the study plan in force and, consequently, it will be considered as a new study plan that must be submitted to the homologation procedure foreseen in articles 4 and 5.

2. If the modification affects a number equal to or less than 10 percent of the credits referred to in the previous section, or only affects contents established at the discretion of the university, it must be communicated to the University Coordination Council, prior to its publication in the "Official State Gazette", so that the General Secretariat of said Council may proceed to verify its correspondence with the general common and specific guidelines of the corresponding degree. The General Secretariat of the Council will communicate these modifications to the respective autonomous community, as well as to the competent body of the Ministry of Education and Science.

3. Modifications to the study plans must include the necessary provisions on the mechanisms for the recognition of credits for students who were studying the previous plan.

**Article 7. *Procedure for the evaluation and accreditation of the quality of teaching.***

1. In accordance with the provisions of Article 35.5 of Organic Law 6/2001, of December 21, 2001, the universities must submit for evaluation by the National Agency for Quality Assessment and Accreditation the effective development of the teaching corresponding to the approved and fully implemented curricula.

2. The procedure and general criteria applicable to the evaluation of courses corresponding to approved and fully implemented curricula will be approved, following a report by the National Agency for Quality Assessment and Accreditation, by order of the Minister of Education, Culture and Sports, which will be published in the "Official State Gazette".

---

3. In the evaluation process, the universities must accredit compliance with the basic requirements established by the Government in accordance with the provisions of Article 4.3 of Organic Law 6/2001, of December 21, 2001, on Universities, as well as compliance with the general guidelines of the corresponding curriculum.

4. With the documentation provided by the university, in accordance with the standardized models established for this purpose, and the subsequent external evaluation carried out by the National Agency for Quality Assessment and Accreditation, the latter will prepare the corresponding accreditation report.

**Article 8. Accreditation reports.**

1. The accreditation reports prepared in relation to the effective development of the courses will be sent to the corresponding university, to the University Coordination Council, to the respective autonomous community and to the Ministry of Education, Culture and Sports.

2. Upon receipt of the report issued by the National Agency for Quality Assessment and Accreditation, the university will have one year to remedy the deficiencies identified therein. Before the end of this period, the university may provide the documentation it deems appropriate in order to ensure that the deficiencies identified in the accreditation report have been corrected. At the end of this period, the National Agency for Quality Assessment and Accreditation will prepare a new accreditation report.

3. The accreditation issued by the National Agency for Quality Assessment and Accreditation will be approved by the Ministry of Education, Culture and Sports and will be valid for six years. Once the period of validity of the accreditation has elapsed, the university must submit the effective development of these courses to a new evaluation.

**Article 9. Causes for suspension and revocation of the homologation of degrees.**

1. The Government may order the temporary suspension or, as the case may be, the definitive revocation of the homologation granted to a degree issued by a university for failure to comply with the basic requirements established by the Government in accordance with the provisions of Article 4.3 of Organic Law 6/2001, of December 21, 2001, on Universities.

2. In any case, any of the following causes shall be considered sufficient to initiate and resolve a suspension or revocation procedure:

a) That the curriculum, in its effective development, is not subject to the established general guidelines, or that the courses taught, even in accordance with these guidelines, do not guarantee minimum quality standards for the student's education.

b) That the curriculum is taught without the center having departments or teaching and research structures adequate for the purposes of training.

c) That for the effective development of the teachings, the center does not have the necessary material means (spaces, facilities, laboratories, scientific, technical or artistic equipment, bibliographic resources, etc.), to ensure the proper functioning of the services corresponding to the teachings provided.

d) That for the effective development of the teaching, the academic staffing is insufficient, their degree of dedication to the teaching function is inadequate or they are not sufficiently qualified for the training of students, so that the quality of teaching, research and professional training of the student is not sufficiently guaranteed.

e) Failure to comply with any other requirement that the legal system imposes on the center or university in terms of curricula and degrees for their homologation.

**Article 10. Suspension and revocation procedure.**

1. The Ministry of Education, Culture and Sport may initiate the procedure for suspension or revocation of the recognition of an academic degree in the event that it finds non-compliance with the requirements established in the previous article.

---

2. The Ministry of Education, Culture and Sport may also initiate the procedure in view of the accreditation report prepared by the National Agency for Quality Assessment and Accreditation referred to in Article 7.4.

3. By virtue of the competences attributed by the Organic Law 6/2001, of December 21, 2001, on Universities, in matters of implantation, teaching and homologation of university education, the autonomous communities and the University Coordination Council may propose to the Ministry of Education, Culture and Sports the initiation of the procedure, when they appreciate causes of non-compliance with the requirements indicated in the previous article.

4. The agreement to initiate the suspension or revocation procedure will be notified by the Ministry of Education, Culture and Sport to the corresponding university, which will have a period of one month to make any allegations it deems appropriate. Simultaneously, the Ministry will inform the respective autonomous community of the initiation of the procedure so that it may submit the allegations and reports it deems appropriate. It will also be submitted to a public information procedure for a period of 20 days.

5. In view of the allegations presented by the university, or also, as the case may be, by the autonomous community, and appreciating the existence of any of the causes or situations foreseen in the previous article, the Minister of Education, Culture and Sport may formulate a proposal for the temporary suspension or revocation of the homologation granted to a given degree. A copy of this proposal will be sent to the university and to the corresponding autonomous community so that they may state what they consider appropriate within a period of one month.

6. Once a proposal for temporary suspension or revocation of the approval granted to a specific degree has been submitted to the Government, together with the allegations made, the Council of Ministers may decide by means of an agreement on the temporary suspension or revocation, on a definitive basis, of the approval granted to the corresponding degree. The suspension may be agreed for a minimum of two years and a maximum of three years.

7. In the event that the Council of Ministers adopts a suspension agreement, the Ministry of Education, Culture and Sports will request, six months before the end of the agreed suspension period, a new accreditation report from the National Agency for Quality Assessment and Accreditation on whether or not the non-compliances detected have been corrected.

8. Upon receipt of the report, if it is found that the deficiencies detected persist, the Minister of Education, Culture and Sports may submit to the Government a proposal for the definitive revocation of the approval granted to the corresponding degree.

9. The Ministry of Education, Culture and Sports shall keep the university, the corresponding autonomous community and the University Coordination Council informed of all the stages of the procedure for suspension and revocation of the recognition of the academic degree.

10. The resolution of the Council of Ministers that decides the suspension or revocation of the homologation granted to an academic degree of official character and valid throughout the national territory puts an end to administrative proceedings, and an appeal may be filed against it before the contentious-administrative jurisdiction.

11. The resolution of the Council of Ministers that decides the suspension or revocation of the homologation granted to an academic degree of an official nature and valid throughout the national territory shall be published in the "Official State Gazette".

#### *Consequences of suspension or revocation.*

1. The temporary suspension of the homologation granted to an academic degree of an official nature and valid throughout the national territory will have as immediate effect, as from the publication of the resolution of the Council of Ministers in the "Official State Gazette", the prohibition for the university to proceed with the enrollment of new students in the degree affected during the period of suspension agreed by the Government.

2. The definitive revocation of the homologation granted to an official academic degree valid throughout the national territory shall have immediate effect as of the publication of the resolution of the Council of Ministers in the "Official Gazette of the Ministry of Education and Science".

---

Official State Gazette", the university is definitively prohibited from enrolling new students in the affected degree program.

3. The university affected by the revocation of the homologation granted to an academic degree may not request again the implementation of these teachings and, therefore, the homologation of the curriculum and the corresponding degree, until six years after the publication of the revocation agreement, after a favorable report from the Joint Commission of the University Coordination Council.

4. The agreed suspension will not affect students previously enrolled and who are studying the curriculum at the time of the adoption of the decision of suspension or, as the case may be, revocation by the Council of Ministers. The universities are obliged to guarantee the adequate and effective development of the studies that their students have begun until their completion.

5. In cases of revocation of the recognition of the official university degree, the corresponding educational administrations shall take the appropriate measures so that students enrolled in studies leading to the degree whose recognition has been revoked may continue their studies under appropriate conditions.

6. In those cases in which the Council of Ministers agrees to the suspension or revocation of the homologation granted to the university degree, the competent educational administrations shall adopt the necessary measures in relation to the university teaching staff affected.

**First additional provision. *Universities of the Catholic Church.***

1. The universities of the Catholic Church, by virtue of the provisions of the Agreement between the Holy See and the Spanish State of May 10, 1962, as well as the Agreement of January 3, 1979, between the Spanish State and the Holy See on education and cultural affairs, maintain their special procedures regarding the recognition of civil effects of curricula and degrees, as long as they do not opt to transform themselves into private universities.

2. These special procedures do not affect, in any case, the dispositions that in this royal decree are dictated in articles 7 and following and that make reference to the evaluation and accreditation of the quality of the teachings, and to the suspension and revocation of the homologation of degrees. The universities of the Catholic Church in both aspects will be subject to the norms contained in this royal decree.

**Second additional provision. *Teaching evaluation.***

1. The universities must submit to the National Agency for Quality Assessment and Accreditation an accreditation report on the effective development of all those courses that correspond to syllabuses that are approved and implemented after the entry into force of this Royal Decree and whose students of the first promotion have been able to pass all the academic courses.

2. In any case, and before October 1, 2010, the universities must submit to the National Agency for Quality Assessment and Accreditation an accreditation report on the effective development of all courses corresponding to curricula that had been approved and implemented in their entirety prior to the entry into force of this Royal Decree.

**Sole derogatory provision. *Repeal of regulations.***

Any provisions of equal or lower rank that oppose the provisions of this Royal Decree are hereby repealed, in particular those provisions contained in Royal Decree 1497/1987, of November 27, establishing common general guidelines for the curricula of university degrees of an official nature and valid throughout the national territory, as well as those contained in Royal Decree 1496/1987, of November 6, on obtaining, issuing and homologation of university degrees, which directly affect, in both regulations, the procedure for the homologation of curricula and degrees.

---

**First final provision. *Competent title.***

This Royal Decree is issued pursuant to the provisions of Article 149.1.30 of the Constitution, as well as Article 35 and the third final provision of Organic Law 6/2001, of December 21, 2001, on Universities.

**Second final provision. *Regulatory development.***

The Minister of Education, Culture and Sport shall be responsible for issuing, within the scope of his powers, the provisions necessary for the application of this Royal Decree.

**Third Final Provision. *Entry into force.***

This Royal Decree shall enter into force on the day following its publication in the Official Gazette.

"Boletín Oficial del Estado".

Given in Madrid, on January 19, 2004.

JUAN CARLOS R.

The Minister of Education, Culture and Sports,  
PILAR DEL CASTILLO VERA