

Ministerial Order no. 782/2009

of 23rd July

The National Qualifications System is moving towards the recognition of learning outcomes. This reflects an important shift in the way qualifications are conceptualised and described, by making it possible to compare them according to the skills to which they correspond rather than according to the education and training methods or pathways by which they are acquired. It is necessary to establish a framework which compares these skills, irrespective of how they were acquired, because skills obtained formally, non-formally and informally are considered to be of equal value. This framework allows individuals and employers to have a better understanding of the relative value of qualifications, thereby contributing to better labour market performance.

The growing mobility of people, i.e. within the European Union, means that they are increasingly obtaining their qualifications in different countries and moving between different national labour markets. Transnational mobility is facilitated by the comparability of qualifications, which is made possible by the National Qualifications Framework. Meanwhile, in the European Union, the Recommendation of the European Parliament and of the Council of 23rd April 2008, on the establishment of the European Qualifications Framework for lifelong learning (OJ, C 111, of 6th May 2008) was adopted with the aim of creating a common reference framework to serve as a translation device between Member States' qualifications systems.

The National Qualifications Framework approved by this ministerial order adopts the principles of the European Qualifications Framework with regard to the description of national qualifications in terms of learning outcomes, in accordance with the descriptors associated with each level of qualification.

The draft of this ministerial order was published, for public consultation, in the offprint of the *Boletim do Trabalho e Emprego* (Labour and Employment Bulletin) no. 5, of 9th August 2007. The comments received, i.e. from employers' associations and trade unions, have been taken into consideration.

Accordingly:

The Government, acting by the Secretaries of State for Employment and Vocational Training and for Education and by the Minister of Science Technology and Higher Education, hereby orders as follows:

Article 1

Object

This ministerial order governs the National Qualifications Framework and sets out the descriptors for defining the national qualifications levels.

Article 2

Objectives

The objectives of the National Qualifications Framework are to:

a) Integrate and coordinate qualifications acquired in the various Portuguese education and training sub-

systems and through work experience;

b) Improve the transparency of qualifications, thereby allowing their value to be identified and compared on the labour market, in education and training, and in other contexts of personal and social life;

c) Promote access to, progression and quality of qualifications;

d) Define reference frameworks for the learning outcomes associated with the various qualifications levels;

e) Reference national qualifications to the European Qualifications Framework.

Article 3

Scope

The National Qualifications Framework includes compulsory, secondary and higher education, vocational training, and the schemes developed within the ambit of the National Qualifications System for recognising, validating and certifying formally and informally acquired skills.

Article 4

Structure

1 — The National Qualifications Framework consists of eight qualification levels defined by a set of descriptors indicating the learning outcomes corresponding to the qualifications at the various levels.

2 — The descriptors referred to in the preceding number are identified in annex I.

3 — The structure of the National Qualifications Framework is described in annex II.

Article 5

Coordination and monitoring

1 — The Agência Nacional para a Qualificação, I.P. (National Agency for Qualification), is designated as the national coordination point for the European Qualifications Framework, in accordance with the Recommendation of the European Parliament and of the Council of 23rd April 2008, on the establishment of the European Qualifications Framework for lifelong learning (OJ, C 111, of 6th May 2008).

2 — So far as levels 5 to 8 of the structure of the National Qualifications Framework are concerned, the functions referred to in the preceding number shall be carried out in collaboration with the Directorate-General of Higher Education.

3 — The implementation of the National Qualifications Framework shall be monitored by the National Council for Vocational Training.

Article 6

Commencement

1 — This National Qualifications Framework shall be implemented as from the 1st October 2010. The implementation of the structure of training levels introduced by Council Decision 85/368/EEC, of 16th July, published in the *Official Journal of the European Communities*, L 199, of 31st July 1985, is hereby repealed.

2 — Certificates and diplomas issued prior to the

commencement of the implementation of the National Qualifications Framework, the educational and training levels of which are related to the decision referred to in the preceding number shall continue to be valid and the educational and training levels thereof shall correspond to the qualification levels in the National Qualifications Framework, as per annex III.

9th July 2009.

The Secretary of State for Employment and Vocational Training, *Fernando Medina Maciel Almeida Correia*. — The Secretary of State for Education, *Valter Victorino Lemos*. — On behalf of the Minister of Science, Technology and Higher Education, *Manuel Frederico Tojal de Valsassina Heitor*, Secretary of State for Science, Technology and Higher Education.

A N N E X I

Descriptors defining levels in the National Qualifications Framework

[pursuant to Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (*Official Journal C 111, 06/05/2008*)]

Qualifications levels	Learning outcomes		
	Knowledge	Skills	Attitudes
Level 1	Basic general knowledge.	Basic skills required to carry out simple tasks.	Work or study under direct supervision in a structured context.
Level 2.....	Basic factual knowledge of a field of work or study.	Basic cognitive and practical skills required to use relevant information in order to carry out tasks and to solve routine problems using simple rules and tools.	Work or study under supervision with some autonomy.
Level 3	Knowledge of facts, principles, processes and general concepts in an field of work or study.	A range of cognitive and practical skills required to accomplish tasks and solve problems by selecting and applying basic methods, tools, materials and information.	Take responsibility for completion of tasks in work or study. Adapt own behaviour to circumstances in solving problems.
Level 4.....	Factual and theoretical knowledge in broad contexts within a field of work or study.	A range of cognitive and practical skills required to generate solutions to specific problems in a field of work or study.	Exercise self-management within the guidelines of work or study contexts that are usually predictable, but are subject to change. Supervise the routine work of others, taking some responsibility for the evaluation and improvement of work or study activities.
Level 5.....	Comprehensive, specialised, factual and theoretical knowledge within a field of work or study, and an awareness of the boundaries of that knowledge.	A comprehensive range of cognitive and practical skills required to develop creative solutions to abstract problems.	Exercise management and supervision in contexts of work or study activities where there is unpredictable change. Review and develop performance of self and others.
Level 6.....	Advanced knowledge of a field of work or study, involving a critical understanding of theories and principles.	Advanced skills, demonstrating mastery and innovation, required to solve complex and unpredictable problems in a specialised field of work or study.	Manage complex technical or professional activities or projects, taking responsibility for decision-making in unpredictable work or study contexts. Take responsibility for managing professional development of individuals and groups.
Level 7.....	Highly specialised knowledge, some of which is at the forefront of knowledge in a field of work or study, as the basis for original thinking and/or research. Critical awareness of knowledge issues in a field and at the interface between different fields.	Specialised problem-solving skills required in research and/or innovation in order to develop new knowledge and procedures and to integrate knowledge from different fields.	Manage and transform work or study contexts that are complex, unpredictable and require new strategic approaches. Take responsibility for contributing to professional knowledge and practice and/or for reviewing the strategic performance of teams.

Qualifications levels	Learning outcomes		
	Knowledge	Skills	Attitudes
Level 8	Knowledge at the most advanced frontier of a field of work or study and at the interface between fields.	The most advanced and specialised skills and techniques, including synthesis and evaluation, required to solve critical problems in research and/or innovation and to extend and redefine existing knowledge or professional practice.	Demonstrate substantial authority, innovation, autonomy, scholarly and professional integrity and sustained commitment to the development of new ideas or processes at the forefront of work or study contexts including research.

Concepts

For the purposes of this ministerial order, the following terms shall have the following meanings:

a) “Knowledge” - the body of facts, principles, theories and practices that is related to a field of work or study;

b) “Skills” - the ability to apply knowledge and use know-how to complete tasks and solve problems. Skills are described as cognitive (involving the use of logical, intuitive and creative thinking) or practical (involving manual dexterity and the use of methods, materials, tools and instruments);

c) “Attitude” - the ability to carry out tasks and solve problems of greater or lesser complexity and with different levels of autonomy and responsibility.

A N N E X I I

National Qualifications Framework

Levels	Qualifications	Notes
1.	2 nd cycle of compulsory education	
2.	3 rd cycle of compulsory education obtained in regular education or through dual certification pathways.	
3.	Secondary education giving access to higher education.	
4.	Secondary education obtained through dual certification pathways, or secondary education giving access to higher education including a vocational traineeship of at least six months.	
5.	Post-secondary non-tertiary education with credits that can be transferred to higher education studies.	(¹)
6.	Undergraduate degree (<i>Licenciatura</i>)	(²)
7.	Master’s degree	(³)
8.	Doctoral degree	(⁴)

(1) Corresponds to the technological specialisation courses governed by Decree-Law no. 88/2006, of 23rd May.

(2) Corresponds to the first cycle in the Framework for Qualifications of the European Higher Education Area, agreed by the ministers of education at their meeting in Bergen, in May 2005, in the framework of the Bologna process. Cf. particularly article 5 of Decree-Law no. 74/2006, of 24th March, as amended by Decree-Law no. 107/2008, of 25th June.

(3) Corresponds to the second cycle in the Framework for Qualifications of the European Higher Education Area, agreed by the ministers of education at their meeting in Bergen, in May 2005, in the framework of the Bologna process. Cf. particularly article 15 of Decree-Law no. 74/2006, of 24th March, as amended by Decree-Law no. 107/2008, of 25th June.

(4) Corresponds to the third cycle in the Framework for Qualifications of the European Higher Education Area, agreed by the ministers of education at their meeting in Bergen, in May 2005, in the framework of the Bologna process. Cf. particularly article 28 of Decree-Law no. 74/2006, of 24th March, as amended by Decree-Law no. 107/2008, of 25th June.

ANNEX III

Comparability between education and training levels and qualification levels

Education and training levels (¹)	Qualification levels
2 nd cycle of compulsory education	1
Level 1 training	
3 rd cycle of compulsory education	2
Level 2 training	
Secondary education, giving access to further education	
Level 3, without conclusion of secondary education.	3
Secondary education and level 3 training	4
Level 4 training	5
Undergraduate Degrees (<i>Bacharelato</i> and <i>Licenciatura</i>)	6
Master’s Degree	7
Doctoral Degree	8

(¹) Training levels in accordance with the structure of vocational training levels defined by Council Decision no. 85/368/EEC, of 16th July, published in the *Official Journal of the European Communities*, L 199, of 31st July 1985.