

The First Amendment of the Code of Procedure for the Research Board of the Faculty of Law of Charles University

The First Consolidated Text after the meeting of the Academic Senate of Charles University on 20 November 2020

## **CODE OF PROCEDURE FOR THE RESEARCH BOARD OF THE FACULTY OF LAW OF CHARLES UNIVERSITY\*\***

*Under sections 27 (1) (b) and 33 (2) (d) of Act No. 111/1998 Sb., to regulate higher education institutions and to change and amend other laws (the Higher Education Act), as amended, the Academic Senate of the Faculty of Law has adopted the following Code of Procedure for the Research Board of the Faculty of Law of Charles University as an internal regulation of the faculty:*

### Article 1

#### **Introductory provision**

This Code of Procedure for the Research Board of the Faculty of Law of Charles University<sup>1</sup> governs the activities of the Research Board of the Faculty of Law of Charles University (“the Faculty”) referred to in the Higher Education Act<sup>2</sup> and in the internal regulations of Charles University<sup>3</sup> and the Faculty<sup>4</sup>.

### Article 2

#### **Schedule of Meetings of the Research Board**

- (1) The schedule of meetings of the Research Board of the Faculty (the “Research Board”) is set out by the Dean.
- (2) The schedule of meetings of the Research Board is published by the Faculty secretariat.

### Article 3

#### **Convention of the Research Board**

- (1) Meetings of the Research Board are convened by the Dean at least twice per semester.
- (2) The Dean must convene a meeting of the Research Board if it is requested by at least one third of members of the Research Board who are not its honorary members, or by the Academic Senate of the Faculty (“the Senate”).

### Article 4

#### **Agenda of the Meeting of the Research Board**

- (1) The agenda of a meeting is set out by the Dean. The members of the Research Board may approach the Dean with proposals that a new item be included in the agenda.
- (2) For each meeting, an invitation in writing, with an agenda and the relevant documents for

---

\* Translator’s note: Words importing the masculine include the feminine, and unless the context otherwise requires, words in the singular include the plural and words in the plural include the singular.

<sup>1</sup> Article 12 (6) of the Constitution of the Faculty of Law of Charles University.

<sup>2</sup> Section 30 of the Higher Education Act.

<sup>3</sup> Particularly Articles 3 (2) and 20 (2) of the Accreditation Code of Charles University.

<sup>4</sup> Article 13 of the Constitution of the Faculty of Law of Charles University.

individual items on the agenda, will be sent electronically to the members of the Research Board no later than seven days in advance. Exceptionally, particularly due to time constraints or in matters of urgency, the relevant documents may, upon the decision by the Dean, be transmitted later or distributed during the opening of the meeting.

- (3) A member or a body of the Faculty may propose an item for the agenda. The member or the body will transmit the relevant written documents to the Dean well in advance if such documents are necessary for the consideration of an item.

#### Article 5

##### **Meetings of the Research Board**

- (1) The meetings of the Research Board are chaired by the Dean or a Vice-Dean authorised by the Dean
- (2) If warranted by the nature of the matter discussed, the Dean may invite other persons to the meeting.
- (3) The following persons may speak at a meeting of the Research Board: a member of the Research Board, the President of the Senate, a Vice-President of the Senate or a member of the Senate authorised by the Senate, a Vice-Dean, the Secretary of the Faculty, and an honorary member of the Research Board. Other persons may speak at the meeting only if the Research Board agrees to it.
- (4) The meetings of the Research Board are open to public.
- (5) Upon a motion by the Dean or a Vice-Dean authorised by the Dean, the Research Board may decide to hold the whole meeting or a part thereof as a closed meeting if the openness of the meeting could jeopardise the personality rights of an individual, or an important interest of the Faculty; in that case the Research Board will determine who may participate in the closed meeting.
- (6) During the voting and the debate on the nomination for associate professorship or full professorship, the meeting of the Research Board is closed

#### Article 5a

##### **Hybrid or Remote Meeting of the Research Board**

- (1) A meeting of the Research Board may be conducted in hybrid mode or remotely if:
  - a) It follows from another legal regulation or a directive issued on the basis thereof that the Research Board may meet remotely;
  - b) It follows from an internal regulation of the University, or a situation declared on the basis thereof that the Research Board may meet remotely; or
  - c) The Research Board so resolves for a reason worthy of special consideration at its meeting or by vote outside of a meeting of the Research Board (the “Remote Voting”)
- (2) The fact that a meeting of the Research Board is to be held in hybrid mode or remotely is notified to the members of the Research Board electronically no later than three days before the meeting is held.
- (3) Details regarding the hybrid or remote way of conducting a meeting of the Research Board are set out in a Dean’s directive.

## Article 6

### **Quorum and Adoption of Resolutions**

- (1) The Research Board is quorate if an absolute majority of its members are present.
- (2) Unless otherwise provided in the Higher Education Act<sup>5</sup>, a resolution is passed if an absolute majority of the persons present voted in its favour.
- (3) A nomination for full professorship or, where appropriate, associate professorship, will not be considered if less than two thirds of all members of the Research Board attend the meeting, unless the candidate for full professor or, where appropriate, for associate professor, challenges this procedure.

## Article 7

### **Voting**

- (1) The vote is public.
- (2) The Research Board votes by secret ballot:
  - a) If it is so stipulated by law<sup>6</sup> or by an internal regulation;
  - b) In cases of awarding the degree of honorary doctor, nomination proposals for adjunct professors, and nomination proposals for Professor Emeritus; and/or
  - c) If the Research Board so resolved.
- (3) In the case of a secret ballot, disagreement is expressed by crossing out the relevant fact in the ballot paper.

## Article 8

### **Consideration and Remote Voting in Writing**

- (1) The Dean may direct that the vote be taken outside the meeting of the Research Board if the matter is urgent, or if with respect to the proposal it is not possible or appropriate to convene the meeting of the Research Board. It is not possible to conduct Remote Voting with respect to nominations for full professorship, proposals to appoint extraordinary professors, nominations for Professor Emeritus, nominations for associate professorship, or nominations for the degree of honorary doctor.
- (2) The notice of the voting, the text of the proposal, and a ballot paper will be sent to Members via closed electronic conference. The notice will stipulate the time limit for voting which is not less than five days.
- (3) A member will send electronically a completed ballot paper including the name and surname of the voter, the actual vote, i.e., approval, disapproval, or abstention, within the time limit under paragraph 2, otherwise his vote is invalid. A Member may refuse Remote Voting in the same manner and within the same time limit.
- (4) A proposal is considered to be approved if an absolute majority of all Members voted in its favour; this does not apply if no less than one third of all the Members refused to vote on the proposal through Remote Voting.

The record of Remote Voting is an integral part of the minutes of the next meeting of the

---

<sup>5</sup> Sections 72 (10) and 74 (6) of the Higher Education Act.

<sup>6</sup> Sections 72 (9) and 74 (6) of the Higher Education Act.

Research Board.

#### Article 9

##### **Minutes of Meetings**

- (1) The minutes of the meeting of the Research Board are authenticated by the Dean.
- (2) The minutes of the meeting of the Research Board is to be posted by the Faculty secretariat on a publicly accessible part of the Faculty website.

#### Article 9a

##### **Meetings and Voting of the Associate Professorship Commission and the Full Professorship Appointment Commission**

- (1) The Associate Professorship Commission and the Full Professorship Appointment Commission can meet remotely or in hybrid mode.
- (2) The Associate Professorship Commission and the Full Professorship Appointment Commission can vote electronically, in a way that guarantees the secrecy of the ballot.
- (3) Details regarding hybrid or remote meetings and electronic voting of the Associate Professorship Commission and the Full Professorship Appointment Commission are set out in a Dean's Directive.

#### Article 10

##### **Final Provisions**

- (1) The Code of Procedure for the Research Board of the Faculty of Law of Charles University approved by the Senate of the Faculty on 12 May 1999, as changed by the amendment approved by the Senate of the Faculty on 20 June 2008, is hereby repealed.
- (2) This Code of Procedure was approved by the Academic Senate of the Faculty on 25 May 2017.
- (3) This Code of Procedure comes into force on the date of approval by the Academic Senate of Charles University.<sup>7</sup>
- (4) This Code of Procedure becomes effective on the first day of the 2017/2018 academic year

Doc. JUDr. Radim Boháč, Ph.D.  
President of the Academic Senate  
of the Faculty of Law of Charles University

Prof. JUDr. Jan Kuklík, DrSc.  
Dean of the Faculty of Law  
of Charles University

PhDr. Tomáš Nigrin, Ph.D.  
President of the Academic Senate of Charles University

---

<sup>7</sup> The Academic Senate of Charles University approved this Code on 2 June 2017.