

**ACT NO. 111/1998 Coll.  
(AMENDED AND CONSOLIDATED)  
ON HIGHER EDUCATION INSTITUTIONS  
AND ON AMENDMENTS AND SUPPLEMENTS TO SOME OTHER ACTS  
(THE HIGHER EDUCATION ACT)**

AS RESULTING FROM AMENDMENTS MADE BY ACT NO. 210/2000 Coll., ACT NO. 147/2001 Coll.,  
ACT NO. 362/2003 Coll., ACT NO. 96/2004 Coll., ACT NO. 121/2004 Coll., ACT NO. 436/2004  
Coll., ACT NO. 473/2004 Coll., ACT NO.562/2004 Coll., ACT NO. 342/2005 Coll., ACT NO.  
552/2005 Coll., ACT NO. 161/2006 Coll., ACT. NO. 165/2006 Coll., ACT NO. 310/2006 Coll., ACT  
NO. 624/2006 Coll., ACT NO. 261/2007 Coll., ACT NO. 296/2007 Coll., ACT NO 189/2008 Coll.  
AND ACT NO. 110/2009 Coll., ACT NO. 419/2009 Coll., ACT NO. 159/2010 Coll., ACT NO.  
365/2011 Coll., ACT NO. 420/2011 Coll., ACT NO. 48/2013 Coll., ACT NO. 64/2014 Coll.,  
ACT NO. 137/2016 Coll., ACT NO. 230/2016 Coll., ACT NO. 24/2017 Coll., ACT NO.  
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**Act**  
on Higher Education Institutions  
and on Amendments and Supplements to Some Other Acts  
(the Higher Education Act)

***The Higher Education Act***

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**ACT No. 111 Coll.**  
on Higher Education Institutions of 22 April 1998  
and on Amendments and Supplements to Some Other Acts

**(THE HIGHER EDUCATION ACT)**

Parliament has passed the following Act of the Czech Republic:

**PART I**

**FUNDAMENTAL PROVISIONS**

**Section 1**

**Introductory Provisions**

Higher education institutions, as the highest level of the educational system, are regarded as the top centres of education, independent knowledge and creative activity. Higher education institutions play a key role in the scholarly, scientific, cultural, social and economic development of society by carrying out the following:

- a) maintaining and augmenting acquired knowledge as well as cultivating scholarly, scientific, research, development, innovation, artistic and other creative activities in accordance with the type and orientation of the institution;
- b) facilitating access to higher education in compliance with democratic principles; providing appropriate professional qualifications and training for research work and other demanding specialized activities;
- c) offering other forms of education; facilitating the acquisition, expansion, deepening and refreshment of knowledge in various areas of learning and culture and thus contributing to lifelong learning;
- d) playing an active role in the public discussion of social and ethical issues, cultivating cultural diversity and mutual understanding, shaping civil society and preparing the younger generation for life in such a society;
- e) contributing to development on both the national and the regional level, while cooperating with the various levels of the state administration and regional and municipal government as well as with the business and cultural communities;
- f) developing international and particularly European cooperation as a fundamental aspect of their activities, supporting joint projects with similar institutions abroad, implementing the mutual recognition of studies and diplomas and facilitating the exchange of academic staff and students.

**Section 2**

- (1) Higher education institutions provide accredited degree programmes as well as lifelong learning programmes. The type of higher education activity is determined by the type of accredited degree programme provided. Degree programmes are of three types: Bachelor's degree programmes, Master's degree programmes and Doctoral degree programmes.

- (2) Higher education institutions are legal entities.
- (3) Higher education institutions are of either a university or a non-university type. Only higher education institutions may use as part of their name the term “higher education institution” or verbal derivatives of this term. Only higher education institutions of the university type may use as part of their name the term “university” or verbal derivatives of this term.
- (4) Higher education institutions of the university type may provide all types of degree programmes as well as related scholarly, scientific, research, development, innovation, artistic and other creative activities (‘creative activities’).
- (5) Higher education institutions of the non-university type provide Bachelor’s degree programmes and may also carry out Master’s degree programmes as well as creative activities. Higher education institutions of this type are not divided into faculties.
- (6) The Statutes of each higher education institution state its type; this must comply with the standpoint expressed by the National Accreditation Bureau for Higher Education (‘the Accreditation Bureau’).
- (7) Higher education institutions may be public, private or state institutions. The higher education institutions for the military and the police are state institutions.
- (8) Other legal entities involved in similar activities may participate in the creative activities of higher education institutions.
- (9) Only higher education institutions are allowed to award academic degrees, to carry out the procedures for conferring “*venia docendi*” (habilitation) and for the appointment of professors, to use academic insignia and to hold academic ceremonies.
- (10) It is forbidden for political parties or political movements to be established at higher education institutions or for them to carry out activities there.<sup>1)</sup>

### **Section 3**

#### **The Academic Community of a Higher Education Institution**

The academic community of a higher education institution comprises its academic staff and students.

### **Section 4**

#### **Academic Freedoms and Academic Rights**

The following academic freedoms and rights are guaranteed at higher education institutions:

- a) freedom of scholarly, scientific, research and artistic activities as well as publication of the results thereof;

- b) freedom of teaching, in particular with regard to openness to different scientific and scholarly views, scientific and research methods and artistic movements;
- c) the right of learning, which includes the free choice of specialization within the framework of degree programmes as well as the freedom to express one's views during classes;
- d) the right of members of the academic community to elect their representative academic bodies;
- e) the right to use academic insignia and to hold academic ceremonies.

## **PART II**

### **PUBLIC HIGHER EDUCATION INSTITUTIONS AND THEIR CONSTITUENT PARTS**

#### **CHAPTER I PUBLIC HIGHER EDUCATION INSTITUTIONS**

##### **Section 5 Establishment of Public Higher Education Institutions**

- (1) A public higher education institution is established and dissolved by means of an act of Parliament. Its name and domicile are specified in the act.
- (2) Public higher education institutions may only merge or amalgamate with other public higher education institutions; they may only be split into other public higher education institutions. Such changes can only be carried out by means of an act of Parliament.
- (3) If a public higher education institution is dissolved under Subsection (1) or is merged, amalgamated or split under Subsection (2), the act must stipulate the legal entities to which the assets and liabilities are to be transferred. The act must also state which public higher education institutions will provide the students of the dissolved institution with the opportunity to complete their higher education.

##### **Section 6**

- (1) The autonomy of public higher education institutions encompasses the following fields in particular:
  - a) internal organization;
  - b) determination of the number of applicants to be admitted to studies, the conditions for admission to studies and decision-making during the admission procedures;
  - c) the design and implementation of degree programmes;
  - d) the quality assurance of educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of higher education institutions;
  - e) the organization of studies;
  - f) decision-making with regard to students' rights and obligations;
  - g) objectives of creative activities and their organization;

- h) conditions of employment and determination of the numbers of academic staff and other personnel;
  - i) the procedures for conferring “*venia docendi*” (habilitation) and for the appointment of professors;
  - j) cooperation with other higher education institutions and legal entities as well as international relations;
  - k) the establishment of autonomous academic bodies at the higher education institution, unless stipulated otherwise by this Act;
  - l) financial management of the higher education institution and management of assets in compliance with special regulations;
  - m) the fixing of study-related fees;
  - n) the fixing of the amount of the fees associated with the habilitation procedure or professorial appointment procedure.
- (2) The organization and activities of public higher education institutions as well as the status of the members of their academic communities are subject to their internal regulations.
- (3) State authorities may only intervene in the activities of public higher education institutions on the basis and within the confines of the law and in a manner established by the law.

### **Section 7**

#### **Officers and Official Bodies of Public Higher Education Institutions**

- (1) Public higher education institutions have the following autonomous academic officers and official bodies:
- a) the Academic Senate;
  - b) the Rector;
  - c) the Scientific Board or Artistic Board, or the Academic Board at non-university higher education institutions;
  - d) the Internal Evaluation Board, if established;
  - e) the Disciplinary Committee.
- (2) Public higher education institutions also have another official body and one other officer:
- a) the Board of Trustees;
  - b) the Bursar.

### **Section 8**

#### **The Academic Senate of a Public Higher Education Institution**

- (1) The Academic Senate of a public higher education institution is its autonomous representative academic body. It consists of at least eleven members, of whom at least one third and at most one-half must be students. The academic community of a public higher education institution elects the members of the Academic Senate from among its ranks. The election is direct, by secret ballot. The internal regulations of a public higher education institution specify in particular the number of members of the Academic Senate, the manner

in which they are to be elected, the manner in which the Chair of the Academic Senate is to be elected, the official bodies of the Academic Senate and how they are to be established, the reasons for and the date of the termination of membership in the Academic Senate, and the possible incompatibility of membership in the Academic Senate with the exercise of other duties. If the membership of any members of the Academic Senate of a public higher education institution is terminated before the end of his/her term of office, and the internal regulations of the public higher education institution enable performance of his/her function as a member of the Academic Senate of the public higher education institution by means of a surrogate, the surrogate shall perform the function only until the end of the respective term of office.

- (2) The Membership in the Academic Senate is incompatible with the offices of Rector, Vice-Rector, Registrar, Dean, Vice-Dean, Secretary of the Faculty, and Director of a higher education institution.
- (3) The term of office of members of the Academic Senate at a public higher education institution may not exceed three years. If a student elected to the Academic Senate of a public higher education institution should, during his/her term of office, be admitted to another, directly linked degree programme, the internal regulations of the public higher education institution may include a provision permitting retention of membership in the Academic Senate. The term of office of all members of the Academic Senate at a public higher education institution is terminated should the Academic Senate fail to hold meetings under Section 9 for a period of six months. Within thirty days at the most the Rector will then call new elections.
- (4) The meetings of the Academic Senate of a public higher education institution are open to the public. The Rector or a Vice-Rector, Dean, the Board of Trustees Chair of a higher education institution acting on his/her behalf, or his/her duly accredited representative from the Board of Trustees, as well as a member of the Internal Evaluation Board accredited by the Internal Evaluation Board Chair acting on his/her behalf, has the right to speak at a meeting of the Academic Senate any time he or she so requests. Upon the Rector's request, the Chair of the Academic Senate must call an extraordinary meeting of the Academic Senate of the public higher education institution without delay.

### **Section 9**

- (1) The Academic Senate of a public higher education institution:
  - a) acting upon a proposal from the Rector, takes decisions on establishing, merging, amalgamating, splitting or dissolving individual constituent parts of the higher education institution, and on the basis of the approval of the officers and official bodies or persons designated by the Statutes as senior employees of the higher education institution also decides on establishing or dissolving joint units of constituent parts of the higher education institution.
  - b) Approves:
    1. the rules of procedure of the Academic Senate of a higher education institution acting upon a proposal from a member of the Academic Senate of a public higher education institution; the Academic Senate of a public higher education institution shall request to this proposal an opinion of the Rector;

2. the internal rules of the faculty which are proposed by the Academic Senate of the Faculty; the Academic Senate of a public higher education institution shall request to this proposal an opinion of the Rector;
3. on the basis of a proposal of the Rector the other internal rules of a public higher education institution and its parts:
  - c) approves the budget and the medium term of the higher education institution, which is submitted by the Rector, and monitors the financial management of the higher education institution;
  - d) approves the annual reports on the activities and on the financial management of the higher education institution, which are presented by the Rector;
  - e) approves the report of the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution, which is presented by the Rector;
  - f) gives its prior consent to appoint or dismiss the Rector's proposals for nominating or dismissing members of the Scientific Board, the Artistic Board, or the Academy Council of the public higher education institution (hereinafter referred to as "the Academy Council of the public higher education institution"), members of the Internal Evaluation Board, and members of the Disciplinary Committee of the public higher education institution;
  - g) approves the admission requirements for degree programmes that are not offered by individual faculties;
  - h) votes on proposals to nominate or dismiss the Rector;
  - i) approves the strategic plan for the educational and creative activities of the public higher education institution and the annual implementation plan of the strategic plan (hereinafter "the strategic plan of the public higher education institution") that have been submitted by the Rector.
  - j) acting upon a proposal from the Rector, revokes an internal regulation, decision or other act by an officer or official body of a constituent part of the public higher education institution, or suspends its operation, if this internal regulation, decision or act is in violation of the special regulations or internal regulations of the public higher education institution.
- (2) The Academic Senate of a public higher education institution expresses its view on the following subjects in particular:
  - a) proposals for degree programmes that are not offered by individual faculties;
  - b) the intention of the Rector to appoint or dismiss Vice-Rectors;
  - c) legal transactions that require the consent of the Board of Trustees of the public higher education institution under Section 15 (1) a) to d);
  - d) suggestions and standpoints of the Board of Trustees under Subsection 15 (3).
- (3) The submitter of the requirements based on Subsection (1) a) to e), g), and i) and the documentation for the decision based on Subsection (1) h) is obliged to allow remote access to them on behalf of the members of academia of the public higher education institution at least seven days before their consultation.
- (4) The Academic Senate of a public higher education institution votes by ballot, in particular in the case of proposals under Subsection (1) h). A proposal for the nomination of the Rector is passed if it receives a majority of the votes of the total membership of the Academic Senate of the public higher education institution. A proposal for the dismissal of the Rector is passed if it receives at least three fifths of the votes of the total membership of the Academic Senate of the public higher education institution.



## **Section 10**

### **The Rector of a Public Higher Education Institution**

- (1) The head of a public higher education institution is the Rector. Unless otherwise stipulated by the Act, the Rector acts and makes decisions in connection with all matters pertaining to the institution. In cases where a special regulation envisages the competency of the chief statutory officer, this office is filled by the Rector.
- (2) The Rector is appointed and dismissed by the President of the Czech Republic on the basis of a proposal from the Academic Senate of the public higher education institution. The proposal is submitted through the Minister of Education, Youth and Sports (hereinafter “the Minister”).
- (3) The Rector’s term of office is four years. The position of Rector at a particular public higher education institution may be filled by the same person for two consecutive terms of office at the most.
- (4) Vice-Rectors act on behalf of the Rector in areas designated by him/her. Vice-Rectors are appointed and dismissed by the Rector.
- (5) The Rector’s salary is determined by the Minister.

## **Section 11**

### **The Scientific Board of a Public Higher Education Institution**

- (1) The Chair of the Scientific Board of a public higher education institution is the Rector, who has the authority to appoint and dismiss other members of the Academic Council; the terms of office of other members can be established in accordance with the internal regulations of the public higher education institution.
- (2) Members of the Scientific Board are distinguished representatives in fields in which the public higher education institution carries out teaching and creative activities. At least one-third of the members of the Scientific Board must be from outside the academic community of the public higher education institution in question.

## **Section 12**

- (1) The Scientific Board of a public higher education institution:
  - a) discusses the draft of the strategic plan regarding the Rector’s proposal of the public higher education institution before they submit it to the Academic Senate of the public higher education institution;
  - b) approves degree programmes submitted by the Rector to the Scientific or the Artistic Board of the respective faculty; the degree programmes whose approval does not fall within the competency of a particular faculty’s Scientific or Artistic Board are submitted without the proposal;

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- c) approves the plan for the submission of the accreditation request, thereby widening the scope of the accreditation or the extension of the validation period of the degree programme accreditations submitted by the Rector on the basis of the proposal by the Scientific Council or the Artistic Board of the respective faculty; while the degree programmes whose approval does not fall within the competency of a particular faculty's Scientific or Artistic Board are submitted without the proposal;
  - d) approves the plan to submit the request for institutional accreditation for a field or fields of education and for widening the scope of the institutional accreditation for other fields of education based on the Rector's proposal;
  - e) approves the plan to submit the request for the accreditation of habilitation procedures or the appointment of professors that are submitted by the Rector on the basis of a proposal on behalf of either the Scientific or the Artistic Board; in the case that the proceeding does not take place at the faculty, it will be submitted independently of the proposal;
  - f) on the basis of the Rector's proposal, approves the plan to renounce the claim of the institutional accreditation, the plan to close down the degree programme, and the plan to renounce the claim of the accreditation of the habilitation procedures or the proceedings for the appointment of professors;
  - g) exercises competency in regard to the procedures for the appointment of the professors and for conferring "*venia docendi*" (habilitation);
  - h) discusses the proposal for the regulations of the quality assurance system of the educational, creative, and related activities and carries out the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution that are submitted by the Rector prior to the submission of the proposal to the Academic Senate of the relevant public higher education institution;
  - i) discusses the Rector's plans to appoint or dismiss members of the Internal Evaluation Board, if it is established;
  - j) discusses the proposal regarding the report of the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution that were submitted by the Chair of the Internal Evaluation Boards prior to submitting the proposal to the Academic Senate of the public higher education institutions together with drafts of the additions to the report;
  - k) discusses the proposal in the annual report that is concerned with the activities of the higher education institutions prior to the submission of the public higher education institution's proposal to the Academic Senate;
  - l) exercises the other competencies that have been established by a public higher education institution statute.
- (2) The Scientific Board of a public higher education institution expresses its view on matters presented to it by the Rector.
  - (3) The scope of the Academic Board of a public higher education institution as referred to in Subsection (1) b), c), and e) can be completely or partially entrusted to the Internal Evaluation Board or the Scientific Board of the faculty by the statute of a public higher education institution.

### **Section 12a** **The Internal Evaluation Board**

- (1) The Internal Evaluation Board, if it is not established in some other manner, is established by a public higher education institution statute.
- (2) The Internal Evaluation Board's authority can be executed by the Scientific Board of the public higher education institution in such an institution that does not have institutional accreditation, if it has been so established by the statutes of a public higher education school.
- (3) The Chair of the Internal Evaluation Board is the Rector. The Vice-Chair is also appointed by the Rector from amongst the academic workers at the public higher education institution who are either professors or associate professors. The Chair of the Academic Senate of the public higher education institution is a member of the Internal Evaluation Board. Other members are appointed by the Rector; one third of them are appointed on the basis of a proposal from the Academic Board of the public higher education institution, another third on the basis of a proposal from the Academic Senate, out of whom one of the students from amongst the Board members is always from a given public higher education institution. If the Rector does not appoint the person who was proposed by a member of the Board, he or she will be obliged to give an explanation to the proposer for his or her decision. The length of the term of office of the Vice-Chair and of the other members of the Internal Evaluation Board can be set in accordance with the internal regulations of the relevant public higher education institution.
- (4) The Internal Evaluation Board:
  - a) approves the proposal of regulations concerning the quality assurance system of the educational, creative, and related activities and of the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution that were submitted by the Vice-Chair of the Internal Evaluation Board prior to the public higher education institution's submission to the Academic Senate;
  - b) is in charge of the course of the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institutional process;
  - c) processes the report of the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution, and in addition to these reports;
  - d) also continuously maintains records regarding the internal evaluation of the quality of the educational, creative, and related activities of the public higher education institution;
  - e) within the scope established by the public higher education statute, executes other necessary activities.

### **Section 13** **The Disciplinary Committee of a Public Higher Education Institution**

- (1) The members of the Disciplinary Committee of a public higher education institution are appointed by the Rector from among the members of the institution's academic community of a public higher education institution. Half of the members of the Disciplinary Committee of a public higher education institution are students. The Disciplinary Committee of a public higher education institution either votes for or dismisses its Chair from amongst its members.

- (2) The term of office of members of the Disciplinary Committee of a public higher-education institution may not exceed two years.
- (3) The Disciplinary Committee of a public higher-education institution considers the disciplinary infractions of students of the public higher education institution who are not enrolled at any of its faculties. The Disciplinary Committee presents the Rector with its proposal for dealing with the infraction in question.
- (4) If all the students of a public higher education institution are enrolled at its faculties, it will not establish a Disciplinary Committee.

#### **Section 14**

##### **The Board of Trustees of a Public Higher Education Institution**

- (1) The Board of Trustees of a public higher education institution consists of at least nine members. The number of members must be divisible by three. Members of the Board of Trustees of a public higher education institution are appointed and dismissed by the Minister after consultation with the Rector, with the aim of achieving an appropriate representation from, in particular, the spheres of public life, professional associations, employers' organizations, or other persons or institutions executing, fostering, or using the educational or creative activity of a public higher educational institution or its outcome, representatives of municipal and regional authorities and the state administration, and graduates of a given public higher education institution. Members of the Board of Trustees must not be employed at the public higher education institution in question. The election of the Chair and the Vice-Chairmen and the manner of negotiation of the Board of Trustees is regulated by the Statute of the Board of Trustees of a public higher education institution, as approved by the Minister.
- (2) Members of the Board of Trustees of a public higher education institution are appointed for a period of six years. When the Board of Trustees is first established, lots are drawn to determine the names of one third of the members whose term of office will expire in two years' time and one third of the members whose term of office will expire in four years' time. If a member of the Board of Trustees' office will be terminated prior to the expiration of a Board member's term of office, the new member of the Board of Trustees will be appointed only for the rest of the given term of office.
- (3) The term of office of the Board of Trustees member of a public higher education institution is terminated:
  - a) by the expiration of the term of office;
  - b) by the member renouncing the office;
  - c) due to death or the legal validity of a court decision about the declaration of death or of missing person status;
  - d) by establishing an employment relationship with a given public higher education institution;
  - e) the day of the legal decision of:
    1. the courts, by which a member of the Board of Trustees was convicted for an intentional crime, or by which he or she was given an unsuspended custodial sentence for criminal negligence;
    2. the courts, by which a plea bargain concerning the guilt of a member of the Board of Trustees was approved for a crime that he or she committed;

3. the public prosecutor, by which the submission of a proposal concerning a Board of Trustees member's sentence for a crime was postponed conditionally;
  4. the public prosecutor or the courts, by which the criminal prosecutions concerning a crime of a member of the Board of Trustees were closed conditionally, or by which a settlement was approved; or
  5. the courts to place limits to a Board of Trustees member's legal capacity.
- (4) Meetings of the Board of Trustees are called by the Chair and they must take place at least twice a year. The Rector, or a Vice-Rector acting on his/her behalf, the Bursar, the Chair of the Academic Senate of a public higher education institution, or an accredited member of the Academic Senate acting on his/her behalf, as well as an accredited member of the Internal Evaluation Board acting on the Internal Evaluation Board Chair's behalf, has the right to take part in a board meeting of a public higher education institution, and has the right to withdraw from a meeting of the Board of Trustees upon their request. The Chair of the Board of Trustees is obliged to call an extraordinary meeting of the Board of Trustees upon the Rector's request.
- (5) Concerning proposals for which, after their approval by the Academic Senate of a public higher education institution, the approval of a Board of Trustees is also needed in accordance with Section 15 (2) b) and c), the Board of Trustees of the public higher education institution shall decide within 2 weeks of the passing of the approved proposal from the Academic Senate to the Board of Trustees that is performed by the Rector; if the Board of Trustees of the public higher education institution has not decided by the due date, this means that the proposal has been approved. If the Board of Trustees of the public higher education institution rejects the proposal, it shall return it for fresh discussion in the Academic Senate of the public higher education institution. In such a case, the original proposal must be approved without another approval by the Board of Trustees of the public higher education institution, if at least two fifths of all the members of the Academic Senate had been in favour. If the Academic Senate of the public higher education institution agrees with the Board of Trustees' remarks, the proposal will be approved by this simple majority. In accordance with the first sentence of this Subsection, the date of the passing of the proposal is to be determined by the internal regulations of the public higher education institution.

### **Section 15**

- (1) The prior written consent of the Board of Trustees of a public higher education institution is required:
- a) for legal transactions pertaining to the higher education institution's acquiring a right to property or transferring a right to property to another party;
  - b) for legal transactions pertaining to the higher education institution's acquiring a right to property comprising movable assets or transferring a right to property comprising movable assets to another party, should the value of those assets be greater than five hundred times the amount according to which such assets are regarded as tangible assets as per special regulations;<sup>2)</sup>
  - c) for legal transactions pertaining to the higher education institution's intention of securing a right of use or another right in rem or right of first option;

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- d) for legal proceedings by which the higher education institution is going to establish, dissolve, and/or transform another legal entity, and for deposits of monetary or non-monetary assets to these and other legal entities.
- (2) The Board of Trustees of a public higher education institution after the approval of the Academic Senate:
- a) discusses the report on the internal evaluation of the quality of the educational, creative, and related activities of a the public higher education institution submitted by the Rector, and the additions to the report;
- b) approves the budget and the medium-term outlook of the higher education institution submitted by the Rector;
- c) approves the strategic plan of the public higher education institution;
- d) discusses the annual report on the activities and the financial management of the public higher education institution submitted by the Rector.
- (3) The Board of Trustees of a public higher educational institution expresses its views on other matters which have been submitted by the Rector; offers its suggestions and expresses its views with regard to the activities of the public higher education institution; these it makes public on a public higher education institution website.
- (4) The costs<sup>3)</sup> involved in undertaking contractual transfers of movable assets pursuant to Subsection (1) b) are to be negotiated so as to correspond to those considered usual at the given place and time. Movable assets may be transferred without any charge only when this is in the public interest or when such a transfer is more economical than other methods of dealing with these assets.
- (5) The Board of Trustees may not approve a legal transaction should it fail to comply with the requirement that the higher education institution's assets be properly used or should this jeopardise the institution's ability to fulfil its responsibilities and commitments.
- (6) When giving its prior written consent to the legal transactions listed in Subsection (1) a) to d), the Board of Trustees of a public higher education institution must notify the Ministry of Education, Youth and Sports (hereinafter "the Ministry") of this within seven days.
- (7) Legal transactions listed in Subsection (1) a) to d) that did not receive the consent of the Board of Trustees of the public higher education institution and were not reported to the Ministry under Subsection (6) will be deemed void.
- (8) The Board of Trustees of a public higher education institution sees to it that the higher education institution serves the purpose for which it was established, that its activities are in the public interest and that it manages its assets properly.
- (9) The activities of the members of the Board of Trustees of a public higher education institution are considered a public service.<sup>4)</sup> These persons are provided with reimbursement of travel expenses by the public higher education institution pursuant to a special regulation;<sup>5)</sup> the Ministry may recompense the members for their services.

- (10) The activities carried out by the members of the Board of Trustees of a public higher education institution are subject to special regulations<sup>6)</sup>.

### **Section 16** **The Bursar of a Public Higher Education Institution**

- (1) The Bursar is responsible for the financial management and internal administration of a public higher education institution and represents it to the extent determined by the Rector.
- (2) The Bursar is appointed and dismissed by the Rector.

### **Section 17** **Internal Regulations of Public Higher Education Institutions**

- (1) The internal regulations of a public higher education institution are as follows:
- a) the Statutes of the public higher education institution;
  - b) the Election Regulations of the public higher education institution;
  - c) the Rules of Procedure of the Academic Senate of the public higher education institution;
  - d) internal salary regulations;<sup>7)</sup>
  - e) the Rules of Procedure of the Scientific Board of the public higher education institution;
  - f) Regulations on Competitive Selection Procedures for filling academic positions;
  - g) Study and Examination Regulations;
  - h) Scholarship and Bursary Regulations;
  - i) the Student Disciplinary Code;
  - j) the rules of the quality assurance system of the educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of a public higher education institution;
  - k) other regulations, should these be stipulated in the Statutes of the public higher education institution.
- (2) The Statutes of a public higher education institution include the following in particular:
- a) its name, domicile and type of higher education institution;
  - b) its legal predecessor;
  - c) framework of admission requirements and the method of applying for admission;
  - d) requirements for foreigners wishing to study;
  - e) its organizational structure;
  - f) regulations pertaining to study-related fees;
  - g) rules for using academic insignia and holding academic ceremonies;
  - h) regulations pertaining to the financial management of the public higher education institution.

## Section 18

### The Budget and the Medium-Term Outlook of a Public Higher Education Institution

- (1) A public higher education institution the budget must not be drawn up such that it foresees a deficit. A public higher education institution creates the budget for the calendar year and also defines the medium-term outlook of the budget for at least the two following years.
- (2) The main sources of funding for public higher education institutions are as follows:
  - a) a weighted grant from the state budget for teaching and creative activities (hereinafter “the block grant”);<sup>8)</sup>
  - b) support for research, experimental development and innovation from public resources in compliance with a special legal regulation;<sup>8e)</sup>
  - c) a subsidy from the state budget (hereinafter “the subsidy”);
  - d) study-related fees;
  - e) income from property owned by the institution;
  - f) other sources of funding or other grants than those listed in paragraph a) from the state budget, state funds, the National Fund and municipal and regional budgets;
  - g) income from supplementary activities;
  - h) income from donations and bequests.
- (3) A public higher education institution is entitled to a block grant pursuant to Subsection (2) a). The amount provided in accordance with Subsection (2) a) is determined according to the types and relative costs of the accredited degree programmes and lifelong learning programmes and the results achieved in the scholarly and creative activities and their demands. The amount provided also depends on the strategic plan for the educational and creative activities for higher education prepared by the Ministry as well as the annual implementation plan of the strategic plan (hereinafter “the strategic plan of the Ministry”) and the strategic plan of the public higher education institution. A public higher education institution receives an advance on its block grant that is calculated on the basis of the relevant data as of 31 October in the previous calendar year. The block grant from the state budget is provided pursuant to the general provisions regulating the provision of funding from the state budget for subsidies, unless stated otherwise in the Act.<sup>8a)</sup>
- (4) The Ministry decides whether the block grant or subsidy provided forms part of the state budget for the financing of a programme;<sup>8b)</sup> a block grant or subsidy for a building,<sup>8c)</sup> except for funding for maintenance and repair, is always considered part of the state budget for the financing of a programme if the amount involved is greater than 10,000,000 CZK and in that case the second sentence does not apply. For programmes that are co-financed from the budget of the European Union or its constituent parts whose primary focus is either the promotion of quality and development or the accessibility of higher education pursuant to this Act, regulations from budgetary rules concerning programmes do not apply.
- (5) A public higher education institution is entitled to a subsidy for higher education institution development. In particular, it may receive subsidies in support of student accommodation and meals. The conditions pertaining to subsidies, their use and settlement are laid down in the general regulations relating to funding from the state budget<sup>8d)</sup> as well as in special regulations relating to support for research and development.<sup>8e)</sup> The strategic plan of the



public higher education institution and the strategic plan of the Ministry are critical in determining the amount of subsidies.

- (6) The following funds are still to be established by public higher education institutions:
- a) a reserve fund, the main purpose of which is to cover losses during subsequent accounting periods;
  - b) a capital assets regeneration fund;
  - c) a scholarship fund and bursary fund;
  - d) a fund for bonuses;
  - e) a fund for earmarked financial resources;
  - f) a social fund;
  - g) a fund for operational purposes.
- (7) The funds of public higher education institutions listed in Subsection (6) a), b), d) and g) are generated from after-tax profit, unless explicitly stated otherwise; the capital assets regeneration fund and the fund for operational purposes also from the balance from block grants made in accordance with Subsection (2) a) as of 31 December in the calendar year; and the capital assets regeneration fund also from the depreciation of tangible and intangible assets.<sup>9)</sup> The scholarship and bursary fund draws on study-related fees according to Section 58 (6) and the transfer of tax-deductible expenditures pursuant to a special regulation.<sup>9a)</sup> A public higher education institution may only allocate its after-tax profit to such funds after any loss from an earlier period has been covered. The balances in the various funds as of 31 December in the calendar year are carried over into the following budgetary year. The use of the funds listed in Subsection (6) a) to d), f) and g) and the conditions for shifting resources between funds listed in Subsection (6) a), b), d) and g) are set out in an internal regulation of the public higher education institution; a public higher education institution is obliged to ensure that the resources in the funds generated by carrying over the balance from block grants, as described in the first sentence, are used in accordance with the European Union's regulations for the providing of public support so that economic competition cannot be influenced by these activities.
- (8) The conditions for the creation and use of the funds of a public higher education institution are set out in an internal regulation so as to ensure that the resources obtained as profit from the implementation of basic, applied or experimental research and from dissemination of its results via teaching, publishing or transfer of technologies that were supported from public resources, are used solely for these activities or for dissemination of their results or for teaching.
- (9) A public higher education institution creates its fund for earmarked financial resources from:
- a) earmarked gifts, with the exception of gifts intended for the purchase and technical upgrading of long-term property;
  - b) earmarked funding from abroad;
  - c) earmarked public funding, including earmarked and institutional funding for research, experimental development and innovation from public sources that could not be used by the public higher education institution in the budgetary year in which it was given.

- (10) A public higher education institution may transfer earmarked funding pursuant to Subsection (9) c) to the fund for earmarked purposes to a maximum of 5% of the earmarked public funding given to the public higher education institution for individual research and development projects in the given calendar year; in the case of other forms of support from public resources, a maximum of 5% of this support given to the public higher education institution in the given calendar year, apart from the funding for development in accordance with the first sentence of Subsection (5), which can be transferred in an unlimited amount. The public higher education institution must inform the provider of these sources of funding in writing of the transfer of earmarked resources.
- (11) The financial resources in the fund for earmarked funding may only be used by the public higher education institution for those purposes for which they were provided.
- (12) The social fund is established through a basic allocation charged to the expenses of the public higher education institution of a maximum of 2% of its annual expenditures on salaries, compensation for salaries and bonuses for stand-by.
- (13) The budget is to be used exclusively to finance activities for which the higher education institution was established as well as to finance supplementary activities under Section 20 (2).

### **Section 18a** **Provision of the Block Grant**

- (1) The decision on providing a grant pursuant to Section 18 (2) a) is made by the Ministry on the basis of a request from the public higher education institution.
- (2) In its decision, the Ministry states the amount of the block grant. With regard to other aspects of the decision, the provisions of the special law for issuing decisions on granting subsidies from the state budget<sup>9b)</sup> and for revoking subsidies<sup>9c)</sup> will be employed, where appropriate. The Ministry pays the block grant by means of a bank transfer from its account to the account of the public higher education institution.
- (3) The Ministry keeps a record of the block grants that have been provided.
- (4) The public higher education institution must draw on and use the block grant in accordance with the purpose for which it is intended and in accordance with special legal regulations relating to accounting practices. The public higher education institution will carry over any balance from the block grant remaining at the end of the calendar year into its funds for subsequent calendar years, pursuant to Section 18 (7). The Ministry may issue a decision to revoke the block grant of a public higher education institution if it draws on it in violation of the law or of the decision by which the block grant was provided. The Ministry may also issue a decision to revoke the block grant of a public higher education institution if the accredited degree programme for which the block grant was provided has expired, or if the block grant provided has come into conflict with the strategic plan of the public higher education institution (Section 12).

- (5) The settlement of the block grant vis-à-vis the state budget in the budgetary year in question may take the form of its depletion in accordance with the Act and with the special law concerning budgetary rules, its transferral to funds in accordance with Section 18 (7) for the next calendar year, or its revocation.
- (6) Procedures for issuing a decision to provide the block grant or to revoke it are not subject to the Code of Administrative Procedures.

### **Section 19** **Assets of Public Higher Education Institutions**

- (1) Public higher education institutions possess the assets required for carrying out the activities for which they were established and for the complementary activities that are exercised in accordance with Section 20.
- (2) The management of assets of a public higher education institution falls within the competence of the Rector or an officer or official body or person so designated in the Statutes of the public higher education institution. In cases listed in Section 15 (1) a) to d) the decision is made by the Rector with the prior consent of the Board of Trustees of the public higher education institution.
- (3) Public higher education institutions may only acquire securities issued by the state or securities whose repayment is guaranteed by the state or securities of a corporation in which the public higher education institution has invested assets.

### **Section 20** **The Financial Management of Public Higher Education Institutions**

- (1) Public higher education institutions must use their assets in order to carry out tasks that form part of their teaching and creative activities. They may also use their assets to carry out supplementary activities in compliance with this Act.
- (2) Public higher education institutions may carry out paid supplementary activities that are related to their teaching and creative activities or activities that lead to the more effective use of their human resources and assets. These supplementary activities must not jeopardise the quality, extent or availability of the activities for the realization of which the public higher education institution was established.
- (3) Public higher education institutions are not empowered to stand surety for the debts of other persons or to take out a mortgage on property. Public higher education institutions are not empowered to become partners in a public business enterprise or general partners in a limited partnership. Nor are public higher education institutions empowered to invest in business enterprises or cooperatives property acquired from the state, a block grant pursuant to Section 18 (3) or a subsidy pursuant to Section 18 (4). Financial and non-financial investments in legal entities are subject to the public higher education institution's internal regulations.
- (4) The state does not guarantee the liabilities of public higher education institutions.

- (5) Public higher education institutions must keep costs and revenues related to supplementary activities separate from other costs and revenues. Otherwise public higher education institutions must observe the general regulations for accounting practices.<sup>10)</sup>
- (6) The Rector is answerable to the Minister for the effective use of block grants and subsidies and for the settlement of subsidies with the state budget, and for proper management of the assets of the public higher education institution.

## Section 21 Other Obligations of Public Higher Education Institutions

- (1) A public higher education institution is obliged:
  - a) to prepare an annual report on its activities and an annual report on its financial management, present these to the Ministry and make them public in the form of a non-periodical publication<sup>11)</sup> by the date and in the form stipulated by the Minister in provisions published in the *Bulletin of the Ministry* (“*Věstník ministerstva*”);
  - b) to prepare a strategic plan, to discuss it with the Ministry and to make it public by the date and in the form stipulated by the Minister;
  - c) to provide the Accreditation Bureau and the Ministry with information needed for their activities as stipulated in this Act, this information to be provided upon the request of the Accreditation Authorities or the Ministry free of charge and by the dates requested;
  - d) to provide applicants, students and other persons with information and advisory services relating to studies as well as to professional opportunities for graduates of degree programmes;
  - e) to make all possible provisions for ensuring equal opportunities for study at the higher education institution;
  - f) to take appropriate measures for the education of parents and of persons who have been entrusted with the custody of a child, thereby replacing parental care on the basis of a decision by the responsible authority in accordance with the Civil Code<sup>29)</sup> or legal provisions for National Social Support,<sup>30)</sup> namely during the period of maternity or of parental leave<sup>11a)</sup> (hereinafter referred to as “recognized parental leave”);
  - g) to carry out the internal evaluation of the educational, creative, and related activities of a public higher education institution as defined in Section 77b;
  - h) to post on the public part of the institution’s website a list of the accredited degree programmes that it offers, including their types and their profiles, educational forms, the standard length of study, and information about the accessibility of the programmes for handicapped persons, as well as a list of the fields in which it has received accreditation to carry out procedures for conferring habilitation and for the appointment of professors, with the name of the faculty if a degree programme or a field of study in which it is authorised to carry out the procedures is carried out at a faculty; it is necessary to inform the Accreditation Authorities in advance about any changes that are carried out within the scope of the authorisation based on institutional accreditation and about any changes to the list of already realized degree programmes;
  - i) to post on the official notice board the internal regulations of a public higher education institution, including information about their validity and their applicability;
  - j) to post on the official notice board information about any limitations to or withdrawals of institutional accreditation, about limitations to or the execution of authorization to realize

a degree programme, about any limitations to or withdrawals of accreditation for degree programmes, and about the suspension or the execution of accreditation for carrying out habilitation procedures or for appointing professors.

- (2) The annual report on the activities of a public higher education institution includes, among other things, the following:
  - a) a list of activities carried out within the particular calendar year;
  - b) the framework results of the evaluation of its activities;
  - c) changes to internal regulations and changes in the officers or official bodies of the higher education institution that took place in the course of the year;
  - d) other information required by its Board of Trustees.
- (3) The annual report on the financial management of a public higher education institution includes, among other things, the following:
  - a) the annual financial statement and an evaluation of its basic data;
  - b) an audit opinion regarding the annual financial statement, if it has been verified by an auditor;
  - c) a cash-flow statement;
  - d) an overview of income and revenues classified according to sources;
  - e) the development and final balance of the funds;
  - f) an overview of fixed assets and liabilities;
  - g) all expenditures, divided into expenses relating to supplementary activities and other expenses.
- (4) The annual report on activities, the annual report on financial management, the strategic plan and the results of the evaluation of the activities of the public higher education institution must be made available to the public.

## **CHAPTER II**

### **DIVISION OF PUBLIC HIGHER EDUCATION INSTITUTIONS**

#### **Section 22**

##### **Division of Public Higher Education Institutions**

- (1) Public higher education institutions may be divided into the following constituent parts:
  - a) faculties;
  - b) higher education institution institutes;
  - c) other units focusing on teaching, research, development, innovation, artistic and other creative activities and units providing information services or technology transfer;
  - d) specialized units for cultural and sports activities, accommodation and catering (in particular for members of the academic community) and operational units.
- (2) The internal regulations of individual constituent parts of a public higher education institution must comply with the internal regulations of the public higher education institution as a whole.

### ***Division 1***

#### ***Faculties***

#### **Section 23 Faculties**

- (1) A faculty must offer at least one accredited degree programme and carry out creative activities.
- (2) Each faculty has an autonomous representative academic body. A faculty has the right to use its own academic insignia and hold academic ceremonies.
- (3) Decisions regarding the establishment, merger, amalgamation, splitting or dissolution of a faculty are taken by the Academic Senate of the public higher education institution, acting upon a proposal presented by the Rector.

#### **Section 24 Faculty Rights**

- (1) The officers and official bodies of a faculty have the right to make decisions and act on behalf of the public higher education institution with respect to the following issues pertaining to the faculty, if it is not stipulated otherwise by this Act:
  - a) setting up the academic bodies of the faculty;
  - b) the internal organisation of the faculty;
  - c) carrying out the procedures for conferring “*venia docendi*” (habilitation) for the appointment of professors;
  - d) the use of the financial resources that have been committed to the faculty;
  - e) employment relations.
- (2) The officers and official bodies of the faculty have the right to make decisions or to act on behalf of the public higher education institution insofar as they are so empowered by the Statutes of the institution in regard to the following items concerning the faculty:
  - a) the design and the implementation of the degree programmes;
  - b) the strategic focus of creative activities;
  - c) international relations and other similar activities;
  - d) complementary activities and the use of the financial resources that have been generated by these activities.
- 3) The officers and official bodies of the faculty are entitled to make decisions concerning other issues that affect public higher education institutions insofar as they are empowered to this effect by the institution’s Statutes.
- 4) The items related to Subsection (1) e) will be discussed between the faculty body and the Rector of the public higher education institution. In this way, the Rector and the faculty body

can agree on restricting the scope of the items that are being decided upon.

### **Section 25** **Officers and Official Bodies of a Faculty**

- (1) Faculties have the following autonomous academic officers and official bodies:
  - a) the Academic Senate;
  - b) the Dean;
  - c) the Scientific Board or the Artistic Board;
  - d) the Disciplinary Committee.
- (2) The other officer of the faculty is the Bursar.
- (3) The academic community of the faculty consists of the academic staff employed and the students enrolled at that faculty.

### **Section 26** **The Academic Senate of a Faculty**

- (1) The Academic Senate of a faculty is its autonomous representative academic body. It consists of at least nine members, of whom at least one third and at most one half must be students. The academic community of a faculty elects the members of the Academic Senate of the faculty from among its ranks. The election is direct, by secret ballot. The internal regulations of a faculty specify in particular the number of members of the Academic Senate, the manner in which they are to be elected, the manner in which the Chair of the Academic Senate is to be elected, the official bodies of the Academic Senate and how they are to be established, the reasons for and the date of the termination of membership in the Academic Senate, and the possible incompatibility of membership in the Academic Senate with the exercise of other duties. If the membership of one of the members of the Academic Senate is terminated before the expiration of his or her term of office and the internal regulation of the faculty supports the execution of the office by an alternate member, this alternate member will execute the office only for the rest of the given term of office.
- (2) Membership in the Academic Senate of a faculty is incompatible with the offices of Rector, Vice-Rectors, Bursar, Deans, Vice-Deans, the Secretary of the Faculty, and the Director of the institution.
- (3) The term of office of members of the Academic Senate of the faculty may not exceed three years. If a student elected to the Academic Senate of a faculty should, during his/her term of office, be admitted to another, directly linked degree programme, the internal regulations of the faculty may include a provision permitting retention of membership in the Academic Senate. The term of office of all members of the Academic Senate at a faculty is terminated should the Academic Senate fail to hold meetings under Section 27 for a period of six months. Within thirty days at the most the Dean will then call new elections.
- (4) The meetings of the Academic Senate of a faculty are open to the public. The Dean, or a Vice-Dean acting on his/her behalf, and the Chair of the Academic Senate of the public higher

education institution, or a designated member of the Academic Senate of the institution acting on his/her behalf, has the right to speak at a meeting of the Academic Senate any time he or she so requests. Upon the Dean's or the Rector's request, the Chair of the Academic Senate must call an extraordinary meeting of the Academic Senate of the faculty without delay.

### Section 27

(1) The Academic Senate of a faculty:

- a) acting upon a proposal from the Dean, takes decisions on establishing, merging, amalgamating, splitting or dissolving individual units at the faculty;
- b) acting upon a proposal from the Dean or from a member of the Academic Senate of the faculty in the case of the Rules of Order for which the Academic Senate requested the Dean's stance, approves proposals for the internal regulations of the faculty and submits them for approval to the Academic Senate of the higher education institution;
- c) approves the allocation of the financial resources of the faculty, as presented by the Dean, and monitors their use;
- d) approves the annual reports on the activities and on the financial management of the faculty, which are presented by the Dean;
- e) approves the admission regulations for the degree programmes offered by the faculty;
- f) gives the Dean prior approval for nominating or dismissing members of the Scientific Board (hereinafter referred to as "the Scientific Board of the faculty") or the Artistic Board and the members of the Disciplinary Committee of the faculty;
- g) votes on proposals to nominate or dismiss the Dean;
- h) acting upon a proposal from the Dean, approves the strategic plan for the educational and creative activities of the faculty, worked out in compliance with the strategic plan of the public higher education institution after discussion by the Scientific Board of the faculty.

(2) The Academic Senate of the faculty expresses its view on the following subjects in particular:

- a) proposals for degree programmes to be offered by the faculty;
- b) the intention of the Dean to appoint or dismiss Vice-Deans.

(3) The submitter of proposals in compliance with Subsection (1) a) to e) and h) and supporting documents in compliance with Subsection (1) g) is obliged to make them accessible using remote access that is available to the members of the Academic Community at least seven calendar days prior to consulting them.

(4) The Academic Senate of the faculty votes by ballot, in particular in the case of proposals under Subsection (1) g). A proposal for the nomination of the Dean is passed if it receives a majority of the votes of the total membership of the Academic Senate of the faculty. A proposal for dismissal of the Dean is passed if it receives at least three fifths of the votes of the total membership of the Academic Senate of the faculty.



### **Section 28**

#### **The Dean of a Faculty**

- (1) The head of a faculty is the Dean. Unless otherwise stipulated by the Act, the Dean acts and makes decisions in connection with all matters pertaining to the faculty.
- (2) The Dean is appointed and dismissed by the Rector upon the recommendation of the Academic Senate of the faculty.
- (3) The Rector may dismiss the Dean on the basis of his/her own decision, but only in the event of gross negligence by the Dean of his/her duties or grave damage to the interests of the higher education institution or the faculty, and with the previous expression of its view by the Academic Senate of the faculty and with the approval of the Academic Senate of the public higher education institution.
- (4) The Dean's term of office is four years. The position of Dean at a particular faculty may be filled by the same person for two consecutive terms of office at the most.
- (5) Vice-Deans act on behalf of the Dean in areas designated by him/her. Vice-Deans are appointed and dismissed by the Dean.

### **Section 29**

#### **The Scientific Board of a Faculty**

- (1) The Chair of the Scientific Board of a faculty is the Dean who appoints and dismisses other members of the Scientific Board of the Faculty; the length of the term of office of other members can be set by the internal regulations of the higher education institution or of the faculty.
- (2) Members of the Scientific Board of a faculty are distinguished representatives in fields in which the faculty carries out teaching and creative activities. At least one third of the members of the Scientific Board must be from outside the academic community of the public higher education institution of which the faculty is a constituent part.

### **Section 30**

- (1) The Scientific Board of a faculty:
  - a) discusses the draft of the strategic plan of the faculty in the areas of teaching, and creative activities, elaborated in compliance with the strategic plan of the public higher education institution;
  - b) approves the drafts of the degree programmes that are to be offered by the faculty and proceeds them via the Rector in order to be approved by the Scientific Board of the public higher education institution;
  - c) proposes plans to the Rector to submit requests for accreditations, the extending of accreditations, or the extending of the validity of accreditations of degree programmes which are offered by the faculty;

- d) proposes plans to the Rector to submit requests for the accreditation of habilitation procedures and procedures for the appointment of professors, in the case of procedures being carried out at the faculty;
  - e) plays its role, to the extent provided for by this Act, in the procedures for the appointment of professors and for conferring “*venia docendi*” (habilitation).
- (2) The Scientific Board of the faculty expresses its view particularly on matters presented to it by the Dean.

### **Section 31** **The Disciplinary Committee of a Faculty**

- (1) The members of the Disciplinary Committee of a faculty are appointed and dismissed by the Dean from among the members of the faculty’s academic community. Half of the members of the Disciplinary Committee are students. The Chair of the Disciplinary Committee of the faculty is voted for from amongst its members, and he/she is voted for and dismissed by the Disciplinary Committee.
- (2) The term of office of members of the Disciplinary Committee of a faculty may not exceed two years.
- (3) The Disciplinary Committee of a faculty deals with the disciplinary infractions of students who are enrolled at the faculty. The Disciplinary Commission presents the Dean with its proposal for dealing with the infraction in question.

### **Section 32** **The Faculty Bursar**

- (1) The faculty Bursar is responsible for the financial management and internal administration of the faculty to the extent determined by the Dean.
- (2) The faculty Bursar is appointed and dismissed by the Dean.

### **Section 33** **Internal Regulations of Faculties**

- (1) The internal regulations of a faculty deal with faculty issues that fall within its autonomous competency as well as its relations with the public higher education institution, insofar as these are not regulated by the Act.
- (2) The internal regulations of a faculty are as follows:
- a) the Statutes of the faculty;
  - b) the Election Regulations of the Academic Senate of the faculty;
  - c) the Rules of Procedure of the Academic Senate of the faculty;
  - d) the Rules of Procedure of the Scientific Board of the faculty;

- e) the Student Disciplinary Code of the faculty;
  - f) other regulations, should these be stipulated in the Statutes of the faculty.
- (3) The contents of the Statutes of the faculty are subject, where this is appropriate, to Section 17 (2).
- (4) The internal regulations of a theological faculty are presented for approval to the Academic Senate of the higher education institution after receiving the approval of the relevant church or religious community, should the need for such assent be vested in the internal regulations of that church or religious community.
- (5) The internal regulations of the faculty are posted on the official notice board of the faculty including significant information about their validity and effect.

## ***Division 2***

### ***Institutes of Higher Education Institutions***

#### **Section 34**

- (1) Institutes of higher education institutions carry out creative activities; they may also take part in offering accredited degree programmes or parts of such programmes.
- (2) Decisions regarding the establishment, merger, amalgamation, splitting or dissolution of an institute of a higher education institution are taken by the Academic Senate of the public higher education institution, acting upon a proposal presented by the Rector.
- (3) An institute of a higher education institution is headed by a director, who is appointed and dismissed by the Rector.
- (4) The director of an institute of a higher education institution is authorized to act on behalf of the public higher education institution only in matters stipulated in the internal regulations of the higher education institution.
- (5) With the approval of the Academic Senate of a public higher education institution, the director of an institute of a higher education institution names and dismisses the Scientific Board or the Artistic Board or, in the case of a non-university type institution, the Academic Board of the institute (hereinafter “the Scientific Board of the higher education institution institute”), which is subject, where appropriate, to Section 29 and Section 30.

## ***Division 3***

### ***Agricultural and forest properties belonging to higher education institutions***

#### **Section 35**

- (1) Agricultural and forestry properties belonging to public higher education institutions are units of these institutions used for the practical training of students enrolled in degree

programmes in the fields of agriculture, veterinary medicine and hygiene, and forestry. In connection with these degree programmes, research and development activities are carried out.

- (2) Decisions regarding the establishment, merger, amalgamation, splitting and dissolution of an agricultural or forest property belonging to a higher education institution are taken by the Academic Senate of the public higher education institution, acting upon a proposal presented by the Rector.
- (3) An agricultural or forestry property belonging to a higher education institution is headed by a director, who is appointed and dismissed by the Rector.
- (4) The director of an agricultural or forestry property of a higher education institution is authorized to act on behalf of the public higher education institution only in those areas stipulated in the internal regulations of the higher education institution.

### **CHAPTER III COMPETENCY OF THE MINISTRY**

#### **Section 36**

- (1) The internal regulations of a public higher education institution are subject to registration by the Ministry. The application for registration of the internal regulations must be submitted to the Ministry by the Rector.
- (2) The Ministry will decide upon such an application within ninety days of its submission. Should the application be approved, the Ministry will confirm the registration on a duplicate copy of the registered internal regulations. No ruling on registration will be issued.
- (3) Should the internal regulations of a public higher education institution contravene the Act or any other legal regulation, the Ministry will issue a ruling rejecting the application for registration.
- (4) Internal regulations come into effect when they are registered.
- (5) The provisions in Subsections (1) through (4) are also applicable in the case of amendments to internal regulations.

#### **Section 37**

Should any measures of a public higher education institution or one of its constituent parts contradict the Act or another legal regulation and should the Act not stipulate any other means of review, the Ministry will call upon the higher education institution to remedy the situation within a reasonable length of time.

### **Section 38**

- (1) Should a public higher education institution or one of its constituent parts:
  - a) fail to establish any of its autonomous official bodies; or
  - b) fail to adopt any internal regulations required by this Act; or
  - c) have no accredited degree programmes or have accreditation for all its degree programmes suspended without having unlimited institutional accreditation for at least one field of study;
  - d) demonstrate deficiencies in its financial management of such gravity that they threaten to prevent the institution from fulfilling its tasks; or
  - e) significantly fail in the obligations stipulated by this Act,  
the Ministry may limit the competency of the officers and official bodies of the public higher education institution or its constituent part, or it may revoke such competency.
- (2) Decisions on the extent to which competency will be restricted or revoked are based on the seriousness of the deficiencies as well as on the type and the extent of damage that has been incurred or that threatens to occur. Restrictions will be commensurate with the measures required to remedy the situation.
- (3) Should the provisions of Subsection (1) apply to the officers and official bodies of the public higher education institution, the competency of these officers and official bodies will be entrusted to the Ministry or to a public higher education institution delegated by the Ministry, on the basis of mutual agreement, to exercise such competency. Should the provisions of Subsection (1) apply to the officers and official bodies of a constituent part of the public higher education institution, the competency of these officers and official bodies will be vested in the Rector.
- (4) If not precluded by the nature of the matter at issue, the Ministry is obliged to notify the public higher education institution in advance of the state of affairs as listed in Subsection (1) and call upon it to remedy the situation within a reasonable length of time.
- (5) Should the reasons leading to a decision being taken pursuant to Subsection (1) cease to exist, the Ministry will rescind any measures that have been taken.

## **PART III PRIVATE HIGHER EDUCATION INSTITUTIONS**

### **Section 39 State Approval**

- (1) Legal entities that have their domicile or central administration or carry out most of their commercial activities in a member country of the European Union, or were organized or founded pursuant to the laws of a member country of the European Union, are entitled to operate as private higher education institutions if the Ministry grants them such approval.
- (2) Authorization to operate as private higher education institutions is not transferable and cannot be passed on to their legal successors, with the exception of the cases referred to in Section 39a (5) and (6).

- (3) Upon the request of the organizers or founders of a private higher education institution, the Ministry may grant State Approval to the legal entity that is to act as the private higher education institution prior to its being registered in the Company Register or other register, if proof is provided that the legal entity in question has been constituted or established. This legal entity must provide the Ministry with an extract from the register within fifteen days at the most from receipt of the relevant document confirming registration in the register. State Approval comes into effect as of the date when the legal entity to whom State Approval has been granted comes into existence.
- (4) An application for State Approval must contain the following:
  - a) the name, domicile and type of the higher education institution;
  - b) the legal form of the legal entity and its statutory body;
  - c) a strategic plan for the educational and creative activities of the higher education institution (hereinafter “the strategic plan of the private higher education institution”);
  - d) data pertaining to the personnel, financial, material, and other resources available for ensuring the activities of the private higher education institution;
  - e) the proposed degree programmes;
  - f) a draft of the internal regulations concerning the organization and activities of the private higher education institution and the status of the members of its academic community.
- (5) The applicant must be able to substantiate the data contained in the request.
- (6) The Ministry will decide on the application within 150 days at the most from the date of its receipt. Prior to making a decision the Ministry will ask the Accreditation Bureau for its standpoint on granting institutional accreditation, accreditation for a degree programme, and accreditation for habilitation procedures or for the procedure of the appointment of professors.

### **Section 39a**

- (1) The Ministry will not grant the State Approval in cases where:
  - a) the Accreditation Bureau has not issued an affirmative standpoint with regard to granting State Approval;
  - b) it learns that information about personnel, financial, material, and other means for ensuring the work of the private higher education institution, with regard to proposals for degree programmes, is not able to provide sufficient guarantees for its teaching and creative activities and other obligations of a higher education institution;
  - c) the draft of the internal regulations is in violation of the law, this Act or of other legal regulations; or
  - d) a legal entity requesting State Approval has been effectively sentenced for such a crime for which it does not present a guarantee of being able to serve as a higher education institution, except in cases where it is legally considered as not having been sentenced under the law; to determine if such a reason for the rejection of State Approval is present, the Ministry will request an extract from the Criminal Register in accordance with special legal regulation,<sup>27)</sup> the request for the extract from the Criminal Record will be provided in electronic form by means allowing remote access.

- (2) The Accreditation Bureau will not issue an affirmative standpoint in regard to State Approval because of reasons pursuant to Subsection (1) b), or when an applicant has not presented a proposal of at least one of the degree programmes contained in Part Four of this Act fulfilling the demands of the Standards pursuant to in Section 78a (2) b) point 1; the negative standpoint of the Accreditation Bureau must contain a justification. If the Ministry learns that the facts contained in the justification of the Accreditation Bureau do not conform to reality or to Law, it can request a new proceeding during which the Accreditation Bureau will issue a new standpoint and will amend the justification. If the remonstrance against the Ministry's decision on the rejection of the application for State Approval is directed against the substance of the negative standpoint of the Accreditation Bureau, the Minister will request the confirmation or the amendment of the standpoint on the application for State Approval from the Accreditation Bureau; during processing of the request by the Accreditation Bureau to which the body of the Accreditation Bureau which has issued the negative statement belongs, the term for issue of the standpoint is suspended.
- (3) If the Ministry grants the State Approval, it will also make a decision concerning the registration of the internal regulations. The final determination of granting State Approval and the registration of internal registration will both become effective on the date of the final legal decision by which the applicant was awarded the accreditation of a degree programme. In the event that the Ministry will not grant the State Approval, the applicant is entitled to submit a new application for the granting of State Approval at the earliest after one year since the final legal decision to not grant State Approval.
- (4) The State Approval expires if the applicant who was legally awarded the State Approval in three months after the final legal decision on granting the State Approval does not submit an application for the accreditation of a degree programme within one year from the date on which the approval came into force, will not be granted the accreditation, or within two years from the date referred to above will not begin to offer at least one degree programme.
- (5) In the event of the dissolution of a legal entity holding State Approval to operate as a private higher education institution by a merger with another legal entity or other legal entities that have State Approval to act as private higher education institutions in accordance with special legal regulation (hereinafter referred to as "a transition"), the State Approval to perform as a private higher education institution of the expiring legal entity together with its valid accreditation of degree programmes and pertinent limitation of accreditation and also its students shall be transferred to the new legal entity, provided that the new legal entity have their registered seat, central administration, or main commercial site in one of the states of the European Union or that it was established in accordance with the Law of one of the member states of the European Union.
- (6) In the case of the differing periods of validity of accreditations for the same degree programmes being transferred to the successor to the legal entity in accordance with Subsection 5, a longer period of validity will apply from the time of the effectiveness of the transfer; prior to the expiration of the accreditation for these degree programmes the successor to the legal entity may request an extension of the validity in accordance with Section 80 (3). If the successor to the private higher education institution has been created by a merger in accordance with Subsection 5, it is obliged to request registration of its internal regulations at the Ministry within 30 days of its establishment.

- (7) The provisions of Subsection 5 concerning the transfer of the accreditation of the degree programmes of the expiring legal entity to the successor to the legal entity do not apply in the case of transference of institutional accreditation and the accreditation for the habilitation procedures and the procedures for the appointment of professors. However, in the case of degree programmes that are provided by private higher educational institutions and are based on institutional accreditation, one day before the transition they will become degree programmes that are carried out by the successor to the higher educational institution for a period of three years. The students of these degree programmes will also transfer to the successor to the higher educational institution.

#### **Section 40**

##### **Financing of Private Higher Education Institutions**

- (1) Legal entities authorized to act as private higher education institutions must make provision for financing their teaching and creative activities.
- (2) The Ministry may offer private higher education institutions subsidies for scholarships and bursaries listed in Section 91 (2) e) and Section 91 (3). Conditions pertaining to subsidies, their use and settlement are subject to general regulations on the use of financial resources from the state budget.
- (3) The total amount of the subsidies provided under Subsection (2) is determined on the basis of the strategic plan of the private higher education institution and the annual implementation plan of the strategic plan, the strategic plan of the Ministry, the types and relative costs of the accredited degree programmes, the number of students and the results achieved in teaching, scholarly and creative activities and their demands.
- (4) The provision of subsidies to private higher education institutions for research and development is subject to special regulations relating to providing support for research and development.<sup>7a)</sup>

#### **Section 41**

##### **Internal Regulations**

- (1) The internal regulations of private higher education institutions stipulate which officers and official bodies exercise competency according to Parts IV to XI of this Act.
- (2) Registration of the internal regulations of private higher education institutions and any subsequent changes are subject to the same provisions as in Section 36.

#### **Section 42**

##### **Other Obligations of Private Higher Education Institutions**

- (1) A private higher education institution is obliged:



- a) to prepare an annual report on its activities, present this to the Ministry and make it public in the form of a non-periodical publication;<sup>11)</sup> if it has received a subsidy, an annual report on its financial management as well, in the form and by the date stipulated by the Minister;
  - b) to prepare a strategic plan, to discuss it with the Ministry and to make it public, in addition to the annual implementation plan of the strategic plan, in the form of a non-periodical publication<sup>11)</sup> by the date and in the form stipulated by the Minister;
  - c) to provide the Accreditation Bureau and the Ministry with information needed for their activities as stipulated in this Act, this information to be provided upon the request of the Accreditation Bureau or the Ministry free of charge and by the dates requested;
  - d) to carry out the internal evaluation of the quality of the educational, creative, and related activities of the higher education institution in compliance with the conditions set out in Section 77b;
  - e) to post on the public part of its website a list of the accredited degree programmes it offers, including their types and profiles, modes of study and the standard lengths of study and their accessibility for handicapped people, and a list of the fields in which it has received accreditation to carry out procedures for conferring “*venia docendi*” (habilitation) and for the appointment of professors; the institution is obliged to inform the Accreditation Bureau in advance about any changes that are carried out in regard to the scope of the authorizations that result from the institutional accreditation and also about any changes in the list of the degree programmes that are offered;
  - f) to post on the public part of its website relevant information about limitations to or withdrawal of institutional accreditation, about limitations to or termination of the authorization to offer a degree programme, about limitations to or withdrawal of accreditation of degree programmes, or about the suspension or withdrawal of accreditation to carry out procedures for conferring “*venia docendi*” (habilitation) and for the appointment of professors;
  - g) to post on the public part of its website the registered internal regulations of the public higher education institution including information about their validity and effectiveness;
  - h) to take appropriate measures to allow for study by parents and persons who serve as custodians of children in substitution of parental care based on decisions of responsible bodies in accordance with the Civil Code<sup>29)</sup> or legal regulations regarding National Social Support<sup>30)</sup> for the approved time of the parenthood;
  - i) to notify the Ministry if a petition for bankruptcy has been filed against the private higher education institution or if such bankruptcy proceedings have been concluded pursuant to regulations on insolvency and the methods of its resolution<sup>13)</sup>, or if the private higher education institution was legally convicted of a crime;
  - j) to notify the Ministry and the Accreditation Bureau of the liquidation of the legal entity authorized to act as the private higher education institution, or its termination in compliance with Section 39a (5).
- (2) The contents of the annual report on the activities of a private higher education institution are subject to the same provisions as in Section 21 (2), unless stipulated otherwise in a special regulation.<sup>14)</sup>
  - (3) The contents of the annual report on the financial management of a private higher education institution are subject to the same provisions as in Section 21 (3), unless stipulated otherwise in a special regulation.

- (4) The annual report on activities, the annual report on financial management and the strategic plan of the private higher education institution must be made available to the public.

### **Section 43**

#### **Competency of the Ministry**

- (1) Should any measures of a private higher education institution contravene the Act or any other legal regulation and should the Act not stipulate any other means of review, the Ministry will call upon the higher education institution to remedy the situation within a reasonable length of time.
- (2) The Ministry may withdraw State Approval from a private higher education institution if:
- a) the institution lacks any accredited degree programme within the period of one year after the legal decision granting the State Approval due to withdrawal of the accreditation of a degree programme, the expiry of validity of accreditation of a degree programme, or notification of termination of an accredited degree programme, and if it has no institutional accreditation in the field of education;
  - b) accreditation of more than two degree programmes or institutional accreditation in at least two fields of education has been withdrawn in the course of one year;
  - c) based on the Ministry's request, the institution fails to take any corrective action in compliance with Subsection (1) or (5); or
  - d) the institution is in a serious breach of the obligations set forth by this Act or by its internal regulations.
- (3) The Ministry will withdraw State Approval if the application contained incorrect data essential for granting such approval and the errors were not corrected until the delivery of the decision granting the State Approval or if changes occur that would not have made it possible to grant approval.
- (4) If State Approval is withdrawn, the legal entity is no longer authorized to act as a higher education institution and to carry out accredited activities.
- (5) If not precluded by the nature of the matter at issue, the Ministry is obliged to notify the private higher education institution in advance of the state of affairs as listed in Subsection (2) and call on it to remedy the situation within a reasonable length of time.
- (6) Should a private higher education institution cease to be engaged in educational activities for reasons other than the withdrawal of State Approval, it is obliged to notify the Ministry of this without delay.
- (7) If the approval to act as a higher education institution is withdrawn, the legal entity in question is obliged to provide its students with a possibility to carry on with their studies in the same or similar degree programme at a different higher education institution.

## **PART IV**

### **DEGREE PROGRAMMES AND FIELDS OF STUDY**

## **Section 44**

### **A Degree Programme**

- (1) A higher education is earned through studies within the framework of an accredited degree programme offered in line with the curriculum for the given mode of studies. For these purposes, a degree programme offered by a higher education institution in the scope of a field or fields of education for which the institution has an accreditation is also considered an accredited degree programme.
- (2) Each degree programme includes the following components:
  - a) the name of the degree programme, its type, mode and objectives; information about the profile of the degree programme in the case of a Bachelor's or Master's degree programme;
  - b) definitions of graduates' profiles of the given degree programme;
  - c) descriptions of individual courses;
  - d) the principles and conditions for curriculum design and, where appropriate, the length of practical training realized;
  - e) the standard length of studies, calculated for an average study load and expressed in academic years;
  - f) the conditions that must be met by students within the framework of their degree programme and upon its completion pursuant to Sections 45 (3), 46 (3) and 47 (4), including the contents of state examinations;
  - g) the academic degree awarded;
  - h) the definition of the field or fields of study in the scope in which a degree programme is to be offered and the succession of other types of degree programmes in the same or related areas or fields of study; in the case of a combined degree programme, the share of basic topics belonging to each study area in the education expressed as a percentage.
- (3) The curriculum sets out the chronological succession of courses and contents, as well as the study mode and the ways in which study results will be evaluated.
- (4) There are three modes of study: on-site, distance or a combination of these (combined studies).
- (5) The profile of a Bachelor's or Master's degree programme can be:
  - a) professional-oriented, with an emphasis on acquiring the practical skills necessary for the pursuit of a profession, based on necessary theoretical knowledge; or
  - b) academic-oriented, with an emphasis on the theoretical knowledge necessary for vocational performance, including creative activities, while providing an opportunity for the acquisition of essential practical skills.
- (6) For degree programmes realized by a higher education institution or its parts, the institution appoints and dismisses a guarantor of a degree programme from its academic staff in compliance with the rules set out by the internal regulations of the higher education institution. Only such member of academic staff who fulfils the conditions set out by the standards of accreditation of a degree programme for proper performance in compliance with Subsection (7) can be appointed a guarantor of a degree programme. Only an associate

professor, professor, or visiting professor can be appointed as a guarantor of a Master's or Doctoral degree programme.

- (7) In particular, a guarantor of a degree programme coordinates preparations of the curriculum of a degree programme, supervises the quality of its realization, evaluates the degree programme, and cooperates on its development.
- (8) A degree programme falls under one field of study if the specialized knowledge or skills from the basic topics examined by a state exam or by the defence of a thesis fall under one field of study. A degree programme is a combined degree programme if the specialized knowledge or skills from the basic topics examined by a state exam or by the defence of a thesis fall under more than one field of study.

#### **Section 44a** **Field of Study**

- (1) A field of study is a factually defined area of a higher education in scope in which degree programmes of a similar or related content orientation that reflect the same theoretical and methodological foundations of a specific field of study are prepared, approved, and realized.
- (2) A list of fields of study constitutes Appendix 3 to this Act.
- (3) The Government will establish definitions of individual fields, including:
  - a) the basic topics which characterize and define a specific field of study;
  - b) a list of typical degree programmes that fall under a specific field of study;
  - c) the framework profile of the graduates of a given field of study with the three specified main goals of education, including specialized knowledge, skills, and other competencies, and characteristic professions, in particular regulated professions which are relevant.

#### **Section 45** **Bachelor's Degree Programme**

- (1) Bachelor's degree programme is intended to provide the qualifications for practicing a profession as well as for continuing to study in a Master's degree programme.
- (2) The standard length of studies including practical training is no less than three and no more than four years.
- (3) The degree programme is completed with a final state examination that as a rule includes the defence of a Bachelor's thesis.
- (4) Graduates of Bachelor's degree programmes are awarded the academic degree of "*bakalář*" ("Bachelor", abbreviated as "Bc.", used in front of the name). There is an equivalent academic degree in the area of the fine arts – "*bakalář umění*" ("Bachelor of Fine Arts", abbreviated as "BcA.", used in front of the name). Graduates in fine arts who were admitted to studies pursuant to Section 48 (2) are awarded their academic degrees only upon

completing secondary education completed by the “*maturitní zkouška*” exam, or tertiary professional education at a conservatory.

#### **Section 46** **Master’s Degree Programme**

- (1) Master’s degree programme is intended to promote the acquisition of both theoretical and practical knowledge based on current scientific and scholarly knowledge, research and development and to lead students to apply this knowledge and develop their creative facilities. Master’s degree programmes in the area of the fine arts are designed to provide demanding artistic training and encourage the development of the students’ talents.
- (2) If not stated otherwise by this Act, Master’s degree programme follows on from Bachelor’s degree programme ; the standard length of such a programme is no less than one and no more than three years. Depending on the nature of the degree programme, Master’s degree programme does not follow on from a Bachelor’s degree programme. In this event the standard length of studies is no less than four and no more than six years.
- (3) The degree programme is completed with a final state examination that includes the defence of a Master’s thesis. Studies in the field of general medicine, veterinary medicine and veterinary hygiene are completed with an advanced Master’s (“*rigorózní*”) state examination.
- (4) Graduates of Master’s degree programmes are awarded the following academic degrees:
  - a) “*Inženýr*” (“Engineer”, abbreviated as “Ing.”, used in front of the name) in the fields of economics, technical sciences and technologies, agriculture and forestry and in military fields of study;
  - b) “*Inženýr architekt*” (“Engineer Architect”, abbreviated as “Ing. arch.”, used in front of the name) in the field of architecture;
  - c) “*Doktor medicíny*” (“Doctor of Medicine”, abbreviated as “MUDr.”, used in front of the name) in the field of general medicine;
  - d) “*Doktor zubního lékařství*” (“Doctor of Dental Medicine”, abbreviated as “MDDr.” used in front of the name);
  - e) “*Doktor veterinární medicíny*” (“Doctor of Veterinary Medicine”, abbreviated as “MVDr.”, used in front of the name) in the field of veterinary medicine and veterinary hygiene;
  - f) “*Magistr umění*” (“Master of Fine Arts”, abbreviated as “MgA.”, used in front of the name) in the area of the fine arts;
  - g) “*Magistr*” (“Master”, abbreviated as “Mgr.”, used in front of the name) in other areas of study.

Graduates of Master’s degree programmes in fine arts who were admitted to studies pursuant to Section 48 (2) are awarded their academic degrees only upon completing secondary education completed by the “*maturitní zkouška*” exam, or tertiary professional education at a conservatory.

- (5) Holders of the academic degree of “*Magistr*” are entitled to take an advanced Master’s (“*rigorózní*”) state examination in the same area of study and defend an advanced Master’s

(“*rigorózní*”) thesis. Higher education institutions may charge a fee in connection with the operations involved with processing applications and holding this examination; such a fee may not exceed twice the amount of the basic cost pursuant to Section 58 (2). For a fee, these graduates have the right to make use of the facilities and information technology needed to prepare for this examination in compliance with rules specified by the higher education institution. Those who pass the advanced Master’s (“*rigorózní*”) state examination are awarded the following academic degrees:

- a) “*Doktor práv*” (“Doctor of Law”, abbreviated as “JUDr.”, used in front of the name) in the field of law;
  - b) “*Doktor filozofie*” (“Doctor of Philosophy”, abbreviated as “PhDr.”, used in front of the name) in the area of the humanities, teacher education and the social sciences;
  - c) “*Doktor přírodních věd*” (“Doctor of Natural Sciences”, abbreviated as “RNDr.”, used in front of the name) in the area of the natural sciences;
  - d) “*Doktor farmacie*” (“Doctor of Pharmacy”, abbreviated as “PharmDr.”, used in front of the name) in the field of pharmacy;
  - e) “*Licenciát teologie*” (“Licentiate of Theology”, abbreviated as “ThLic.”, used in front of the name) or “*Doktor teologie*” (“Doctor of Theology”, abbreviated as “ThDr.”, used in front of the name) in the field of theology.
- (6) Upon passing the state Master’s examination in accordance with Subsection (5), the higher education institution shall issue a degree certificate. It represents an official public document provided with the Czech Republic’s national emblem<sup>16)</sup> and containing the name of the particular higher education institution and information about the academic degree conferred. The higher education institution usually issues the degree certificate concerning the passed state Master’s examination at an academic ceremony. If the recipient of the degree had been assigned a birth number, the education institution is entitled to include it in the degree certificate.

## Section 47

### Doctoral degree programme

- (1) Doctoral degree programme is aimed at scientific research and independent creative activities in the area of research or development, or independent theoretical and creative activities in the area of the fine arts.
- (2) The standard length of studies is no less than three and no more than four years.
- (3) Studies within the framework of Doctoral degree programme is subject to individual curricula under the guidance of a supervisor.
- (4) Doctoral studies are completed with a doctoral state examination and the public defence of a doctoral thesis. These are intended to show the ability of the candidate to carry out independent activities in the area of research or development, or independent theoretical and creative artistic activities. The thesis must contain original as well as published results or results accepted for publication.<sup>15)</sup>

- (5) Graduates of doctoral degree programmes are awarded the academic degree of “*Doktor*” (“Doctor”, abbreviated as “Ph.D.”, used after the name).
- (6) Studies within the framework of doctoral degree programme is monitored and evaluated by a doctoral studies board appointed in compliance with the internal regulations of a higher education institution or one of its constituent parts that offers the accredited degree programme in question. Higher education institutions or their constituent parts may agree on creating a common doctoral studies board for degree programmes in the same area of studies. The Chair of a common doctoral studies board is a guarantor of a doctoral degree programme.

### **Section 47a**

- (1) Studies in Bachelor’s, Master’s and Doctoral degree programmes may also be carried out in cooperation with foreign higher education institutions that offer degree programmes with related contents.
- (2) Conditions of cooperation may be modified, in accordance with Subsection (1), in compliance with provisions of this Act and legal regulations of the state where the cooperating higher education institution has been established, by an agreement of participating higher education institutions; in particular they can modify admission procedures, details concerning organization of parts of the degree programme performed at a foreign higher education institution and conditions for completion, details of documents required for completion and recognition of the passed examinations or other study obligations fulfilled at a foreign higher education institution, possibly information on a joint academic degree, and about other rights and duties of students in accordance with internal regulations of the foreign higher education institution and the Law of the state in which the study will take place.
- (3) Graduates of studies in degree programmes offered in cooperation with foreign higher education institutions are awarded academic titles pursuant to Sections 45 (4), 46 (4) and 47 (5) and in addition, according to the circumstances, academic titles of the foreign higher education institutions pursuant to current legislation in the relevant state. The diploma includes the name of the foreign higher education institution with which the cooperation was carried out and may include the information that the foreign academic title is a joint title also awarded simultaneously at the foreign higher education institution.

### **Section 47b**

#### **Providing Public Access to Theses**

- (1) Higher education institutions are obliged to make public, at no profit to themselves, the Bachelor’s, Master’s, Doctoral, and advanced Master’s (“*rigorózní*”) theses that have been defended at their institutions, including the readers’ reports and the document on the course of the defence and the results of the defence. The institution will do this by making available a database of these theses. The means of providing access to these theses is stipulated in the internal regulations of the higher education institution. The higher education institution will not make a Doctoral thesis public, if the Doctoral thesis was already made public by other means.

- (2) Bachelor's, Master's, Doctoral, and advanced Master's ("*rigorózní*") theses that have been submitted by candidates for defence must also be made available to the public at least five days before the defence at a place designated for this purpose in the internal regulations of the higher education institution, and where this is not the case, in the department or other place at the higher education institution where the defence of the thesis will be taking place. Any individual is entitled, at his/her own expense, to make extracts, copies or photocopies of theses thus made available.
- (3) By handing in a thesis, its author automatically gives assent to its being made public pursuant to the provisions of the Act, irrespective of the result of the defence.
- (4) A higher education institution can delay the publication of Bachelor's, Master's, Doctoral, and advanced Master's ("*rigorózní*") theses or their parts for the duration of the barrier to publishing<sup>31)</sup>, but only for three years. Information about the delay together with the reasons must be published in the same place as the Bachelor's, Master's, Doctoral, and advanced Master's ("*rigorózní*") theses. After the defence of the Bachelor's, Master's, Doctoral, or advanced Master's ("*rigorózní*") thesis which is to be published with delay in compliance with the first Sentence, the higher education institution will send one copy to the Ministry to be stored, without undue delay.

#### **Section 47c**

##### **The Proceeding at a Public Higher Education Institution concerning Statement of Invalidity of State Examinations or Their Parts or the Thesis Defence**

- (1) During the proceeding concerning the statement of invalidity of the state examinations or their parts, the thesis defence, or the state doctoral examinations, the decision will be made by the Rector of the public higher education institution at which the state exam or dissertation defence in question has taken place.
- (2) The Rector shall express his/her decision of invalidity of the state examinations or their parts or of the thesis defence if the person whose state examinations or their parts or whose thesis defence is concerned:
  - a) has not met the conditions or requirements presented in the Higher Education Act, the degree programme, and the Study and Examination Regulations for passing the state examination or its parts or the thesis defence because of an intentional crime; or
  - b) has not met or only apparently met the conditions or requirements presented by the Higher Education Act, the degree programme, and the Study and Examination Regulations for completing the state examination or its parts or the dissertation defence because of an unauthorized usage of another person's work in gross violation of legal provisions concerning copyright protection<sup>32)</sup> or because of another intentional activity not mentioned in a), in case of permanent or repeated violation of good manners or in such a case where the possibility of gaining standard knowledge and skills by participants of the given degree programme was significantly disturbed.
- (3) In case of failing to meet conditions for completion of state examinations or their parts or the dissertation defence in accordance with Subsection (2) a) and b), such case is deemed to present an objective state of discontinuity between the actual state of affairs and facts



confirmed by the higher education diploma when a higher education diploma has been issued without the recipient having passed the state examinations or its parts or the thesis defence.

- (4) Proceedings for expressing the invalidity are initiated ex officio. It can be initiated by the Rector as well:
  - a) at the very latest 3 years after the legal effect of the decision by which a particular person was sentenced for an intentional crime, if the case as per Subsection (2) a) applies; or
  - b) at the very latest 3 years from the date of performing the state examination or apparently performing the state examination or its last part or of the Doctoral thesis defence, if it is the case pursuant to Subsection (2) b).
- (5) If the Rector has not found any reasons for the statement of invalidity of the thesis defence or its part in accordance with (2), proceedings for the statement of the invalidity shall be discontinued.
- (6) The documentation of proceedings for the statement of invalidity is represented by a statement of the Review Panel. The Review Panel consists of 7 members, 6 of whom are appointed by the Rector from amongst the professors, associate professors, and other experts, while the seventh member is appointed by the Rector from amongst the students of the public higher education institution. Details concerning the composition of the Review Panel shall be determined by the integral regulations of the public higher education institution. The Review Panel shall decide by the absolute majority of all its members.

#### **Section 47d**

- (1) In the proceedings of the declaration of the decision of annulment, the Rector shall make his or her decision within one hundred and fifty days from the initiation of the proceedings. The Review Panel shall submit their decision within ninety days from the Rector's request. If the Rector derogates from the statement made by the Review Panel, he or she is obliged to state the reasons for his or her decision.
- (2) There can be no appeal against the Rector's declaration of the decision of annulment of the state examinations or their part or of the defence of the Doctoral thesis. The decision comes to force on the first day after the period of two months after the declaration of the decision. Timely presentation of the claims at the administrative justice<sup>33)</sup> has a delaying effect.
- (3) The other party to the proceedings concerning the declaration of the decision of annulment is only the person whose state examinations or their part or whose defence of a Doctoral thesis is in question.

#### **Section 47e**

- (1) On the effective day of the final decision of invalidity of the state examinations or their parts or of the thesis defence, the particular person loses his/her higher education credentials, which he/she has received because of their particular study along with his/her academic degree; from this day the degree certificate and its supplement also lose their validity.
- (2) On the effective day of the final decision of the Rector of invalidity of the advanced Master's state examination ("*rigorózní zkouška*") referred to in Section 46 (5) or its parts, the

particular person whose state examination or its part is concerned loses his/her academic degree. On this day, also the diploma certifying the completion of the advanced Master's state examination ("*rigorózní zkouška*") loses its validity.

- (3) If a student of a Master's or Doctoral degree programme stops, due to the decision in accordance with Subsection (1), to meet the condition for admission to studies under the existing degree programme in accordance with Section 48 (1) or (3), s/he shall be expelled from the studies under the existing degree programme on that effective day.
- (4) Student rights are not acquired based on decisions in accordance with Subsection (1) by persons described in Section 47d (3). However, in special cases, the Rector of the public higher education institution can stipulate in his/her decision that on the effective day of the decision the specific person acquires the right of enrolment into a specified degree programme and consequent commencement of the study in the first year of the degree programme.
- (5) Effects of past dealings and proceedings carried out or of decisions made by the specific person shall remain unaffected by the statement of the invalidity of the state examination or its parts or of the thesis defence, namely if the specific person made them in terms of executing power of public authority or regulated professions or activities demanding a higher education proved by means of a diploma and its supplement, which lose their validity in accordance with Subsection (1).
- (6) The higher education institution is obliged to inform its superior body about the statement of invalidity of the state examination or its parts or of the thesis defence within 1 day from the effective day of such decision, if the invalid examination or defence was conducted in terms of a degree programme focused on preparations for a regulated profession.

#### **Section 47f**

##### **The Proceeding of Statement of Invalidity of State Examinations or Their Parts or the Thesis Defence at a Private Higher Education Institution**

Any proceeding regarding the statement of invalidity of state examinations or their parts or of the thesis defence at a private higher education institution shall be carried out in accordance with the provisions of Section 47c to Section 47e similarly, however participating bodies of the private higher education institution are to be determined in the internal regulations of the private higher education institution. Effects of the decisions in accordance with Section 47e (1) to (5) shall also remain valid for the purposes of decisions issued in terms of a review proceeding at a private higher education institution.

#### **Section 47g**

##### **The Proceeding of the Statement of Invalidity of State Examinations or Their Parts or the Thesis Defence at a State Higher Education Institution**

Any proceeding regarding the statement of the invalidity of state examinations or their parts or of the thesis defence at a state higher education institution shall be performed in accordance with the provisions of Section 47c to Section 47e by analogy. Effects of the decisions in accordance with Section 47e (1) to (5) are also valid and shall remain valid for the purposes of decisions issued in terms of a review proceeding at the state higher education institution.

## PART V STUDIES AT A HIGHER EDUCATION INSTITUTION

### Admission to Studies

#### Section 48

- (1) Admission to studies in Bachelor's or Master's degree programmes is conditional upon the completion of secondary education completed by the "*maturitní zkouška*" examination. Students in the field of fine arts may also be admitted upon the completion of tertiary professional education provided at a conservatory. Admission to a Master's degree programme following a Bachelor's degree programme is conditional upon the completion of any type of degree programme.
- (2) In exceptional cases, admission to studies in the area of the fine arts may also be permitted for applicants who have not completed secondary education completed by the "*maturitní zkouška*" examination, or tertiary professional education provided at a conservatory.
- (3) Admission to a Doctoral degree programme is conditional on the completion of studies in a Master's degree programme; in addition, doctoral students in the area of the fine arts must hold an academic degree.
- (4) If a student who gained secondary education by completing a secondary education programme at a foreign secondary education institution, an international secondary education institution, a European secondary education institution which is in compliance with Convention defining the Statute of the European Schools, or at a school which is allowed by the Ministry to provide compulsory education in compliance with the Education Act applies for a Bachelor's or non-consecutive Master's degree programme, he or she shall demonstrate meeting the conditions of secondary education completed by the "*maturitní zkouška*" examination by means of:
  - a) a document proving general recognition of the equivalence or validity of a foreign document concerning receiving secondary education in the Czech Republic in accordance with the Education Act or past legal provisions;
  - b) a document proving granting of the European Baccalaureate;
  - c) a foreign document concerning a foreign secondary education completed by the "*maturitní zkouška*" examination, if it is automatically its equivalent in the Czech Republic in accordance with its international agreements without any further administration procedures;  
or
  - d) a foreign document concerning a foreign secondary education attained by study under a secondary education programme at a foreign secondary school in accordance with the regulations of the foreign country and which enables its holder in the given foreign country to take part in a Bachelor's or a consecutive Master's degree programme; provision of Section 90 (2) second sentence and Section 90 (3) shall be used analogically, but the higher education institution may also ask for additional information about the contents and scope of the foreign secondary education and a confirmation of the particular foreign secondary education school or another particular foreign body in terms of the fact that a participant in the secondary education programme of the given foreign secondary education school is, in the specific foreign state, entitled to attend a Bachelor's degree programme or a non-consecutive Master's degree programme.

- (5) If a student who gained foreign higher education by completing a degree programme at a higher education institution abroad applies for a Doctoral or a consecutive Master's degree programme, he or she should demonstrate meeting the conditions stated in the third sentence of Subsection (1) or in Subsection (3) by means of:
- a) a document for general recognition of a foreign higher education in the Czech Republic acquired in accordance with Section 89 and 90 or the latest legal provisions;
  - b) a foreign document concerning a foreign higher education, if it is automatically equivalent in the Czech Republic in accordance with its international agreements without any further administration procedures; or
  - c) a document for general recognition of a foreign higher education acquired based on study under a foreign higher education programme at a foreign higher education institution in accordance with legal provisions of the foreign state; provisions of Section 90 (2), second sentence, and Section 90 (3) shall be used analogically, but the higher education institution may also ask for additional information concerning the contents and scope of the foreign secondary education and a confirmation of the particular foreign higher education and a confirmation of a particular foreign body in terms of the fact that the higher educational institution concerned is authorized to provide higher education in the specific foreign state.
- (6) The provisions referred to in Subsection (4) d) and (5) b) are only executed when the student demonstrates a foreign document proving the meeting of the conditions of completion of secondary education completed by the "*maturitní zkouška*" examination to the higher education institution which has Institutional Accreditation for at least one field of study and this institution has no doubts about sufficient level, scope, or content of the previous foreign education of a student. If necessary, the higher education institution will ask the student to prove his or her education in the manner referred to in Subsection (4) a) or (5) a).
- (7) A higher education institution may levy a fee of maximum 20% of the basis set out in accordance with Section 58 (2) for operations associated with the evaluation of meeting the conditions for admission to a degree programme in compliance with Subsection (4) d) and (5) c). The fee constitutes a part of the income of the higher education institution.

### Section 49

- (1) Higher education institutions and faculties are free to specify additional conditions for admission to studies that relate to specific knowledge, abilities, talent or results achieved at secondary schools, tertiary professional schools or higher education institutions. Admission to a Master's degree programme following a Bachelor's degree programme may also be conditional upon the similarity of both programmes or the number of credits acquired in certain types of courses during studies. Credits are understood as a quantitative expression of the workload of a certain part of studies. In addition, higher education institutions and faculties may set a limit to the number of applicants who have met the requirements that will be admitted; where more applicants have met these requirements, then admission will be on the basis of their ranking order. The admission to certain degree programmes also may be conditional upon the applicant's medical fitness. The applicant's medical fitness is evaluated in relation to requirements of medical fitness for a given degree programme which are made public by the higher education institution in compliance with Subsection (5). The applicant is obliged to submit a document with such requirements of medical fitness to a health service

provider prior to evaluation of his or her medical fitness. Health conditions of the applicant shall be proven by means of a medical report issued by a general practitioner for children and youth; if the applicant is not registered with such a provider, then his/her health conditions shall be determined by any provider in these professional fields. The determining physician will be a general practitioner for children and youth. If the field of study is related to sports or physical education, the medical report shall be issued by a provider from the field of medicine for physical education.

- (2) The conditions for the admission of foreigners to study in degree programmes must make it possible for obligations resulting from international agreements that are binding on the Czech Republic to be met.
- (3) Higher education institutions and faculties are free to specify different admission conditions for applicants who have already completed a degree programme or part of a programme or for applicants who are currently enrolled in another degree programme at a higher education institution in the Czech Republic or abroad or who have completed an educational programme or its part at a tertiary professional school or who are studying an accredited educational programme at a tertiary professional school in the Czech Republic or abroad.
- (4) The fulfilment of conditions specified in Subsections (1) and (3) is subject to verification, as a rule by means of an entrance examination.
- (5) The deadline for submitting applications for admission, how they are to be submitted in paper or electronic form, the conditions for admission pursuant to Subsections (1) and 3), as well as the method for determining whether the conditions have been met and the date by which this will be made known, must be made public by higher education institutions or faculties well in advance, but in any case, no less than four months before the deadline. Should an entrance examination be required as one of the conditions for admission, the higher education or faculty must make public the form of the examination, a general description of its contents and the criteria by which it will be evaluated. All the above information must be posted on the public part of the website of the higher education institutions and faculties. The maximum number of students that will be admitted to study in individual degree programmes must also be made public in the same manner.
- (6) If a degree programme has been granted an accreditation or an institutional accreditation for a field of study by the Accreditation Bureau, the higher education institution or faculty need not observe the requirement to make the above information public at least four months before the deadline for submission of admission applications, where this might prevent the academic year beginning on time. In such a case, the period within which applications must be submitted may be shortened, though not to less than one month. The other conditions set out in Subsection (5) remain unchanged.

## **Section 50**

### **Admission Procedure**

- (1) The admission procedure begins upon receipt of the application for admission to study at a higher education institution or its constituent part that offers the relevant degree programme. The application must include the applicant's first name(s) and family name, identity number (if this has been assigned), and place of permanent residence in the Czech

Republic or place of residence outside the Czech Republic. Foreigners must also include the date of birth, sex, place of residence in the Czech Republic and citizenship. The admission participant is only the applicant with the relevant application for studies.

- (2) The decision on admission to studies in a degree programme provided by a faculty is made by the Dean of the faculty. The decision on admission to studies in a degree programme provided by a higher education institution is made by the Rector.
- (3) Admission to studies at private higher education institutions is decided by the officer or official body specified in their internal regulations.
- (4) The decision has to be made within no more than thirty days from the time when the admission conditions were verified in compliance with Section 49 (5). The higher education institution is not obliged to inform the applicant about the possibility to comment on the documents of the decision prior to the submission of such decision. If an applicant's place of residence is unknown, delivery of the decision takes the form of posting it on the official notice board.
- (5) After being informed of the decision, the applicants are entitled to examine their materials. A higher education institution may provide applicants with copies of their materials instead of the possibility to examine original materials.
- (6) Applicants are entitled to appeal against the decision within thirty days from its announcement.
- (7) The appeal administrative body is represented by the Rector.
- (8) The Rector shall review compliance of the negative decision and proceedings preceding the issuing of the decision with legal provisions, internal regulations of the higher education institution and with admission requirements stipulated by the higher education institution.
- (9) A higher education institution or a faculty must make the course and results of admission procedures public no later than within fifteen days of their conclusion. Should written entrance examinations constitute a part of the admission procedure, the higher education institution or the faculty will release a statistical survey of all the component parts of the entrance examinations. The Ministry will issue a decree concerning the procedure and conditions for making public information about the course and results of entrance examinations, including the requirements for basic statistical data.
- (10) Higher education institutions or faculties will process and make available data for statistical purposes in agreement with a special regulation.<sup>15a)</sup>

### **Section 51** **Enrolment in Studies**

- (1) Applicants are entitled to enroll in studies upon receiving confirmation that they have been admitted to studies. Applicants must enroll during the period of time specified by the higher education institution or one of its constituent parts.

- (2) Enrolment is carried out at the higher education institution or at the constituent part of the institution that offers the relevant degree programme.

## **Section 52**

### **Curriculum and Academic Year**

- (1) Studies are divided chiefly into semesters, years or blocks. Each semester, year or block consists of a teaching period, an examination period and a vacation period.
- (2) The length of the academic year is twelve calendar months; the Rector decides on the date when the academic year begins.

## **Section 53**

### **State Examinations**

- (1) State examinations take place before examination boards; state examinations and their results are public.
- (2) The right to examine at state examinations is reserved for professors, associate professors and specialists approved by the relevant Scientific, Artistic, or Academic Board.
- (3) The Ministry may appoint additional members of examination boards, drawing on distinguished specialists in the relevant fields.

## **Section 54**

### **Interruption of Studies**

- (1) Studies in a degree programme may be repeatedly interrupted provided that the conditions stipulated in the Study and Examination Regulations are met. Study and Examination Regulations include provisions for the maximum total length for the interruption of studies.
- (2) Students have a right to interrupt their studies based on pregnancy, childbirth, or parenthood for the recognized period of parenthood. Students are also entitled to interrupt their studies based on the guardianship of a child, which is replacing parental care on the basis of the decision of a relevant authority, in compliance with the Civil Code or the legislation that sets the state social support.
- (3) The duration of interruption of studies for a recognized period of parenthood is not included in the total duration of interruption of studies in accordance with Subsection (1), nor in the maximal length of studies, if set by the internal regulations.
- (4) Individuals lose their status as students during the period when studies are interrupted. Upon the expiration of the period of interruption, the individual is eligible to re-enroll in studies. The higher education institution will establish the conditions upon which the person in

a recognized period of parenthood may apply for studies again, prior to the expiration of the period of interruption.

### **Section 54a**

- (1) Special regulations concerning the studies. In combination with the custody of children, the student is entitled to prolong the period for the completion of the study duties along with conditions of passing to the next term, year, or block in accordance with the Study and Examination Regulations, namely during the period of maternity leave,<sup>15b)</sup> with the proviso that s/he will not interrupt the studies during this period.
- 2) A student who presents to the university or the faculty a confirmation issued by a sport body representing the sports field in the Czech Republic that s/he represents the Czech Republic in a sports field, is entitled to modifications of the study curriculum to enable the student to take part in this representation and in necessary preparations.

### **Section 55** **Closure of Studies**

- (1) Closure of studies is accomplished by completing a degree programme. Closure of studies occurs on the date when the state examination at the end of studies, or the last part of this examination, is passed.
- (2) The higher education diploma and diploma supplement serve as documents attesting to the closure of studies and the awarding of an academic degree.

### **Section 56**

- (1) Studies also come to an end when:
  - a) a student decides to abandon studies;
  - b) a student fails to meet the requirements of a degree programme as set out in the Study and Examination Regulations;
  - c) the accreditation of a degree programme is revoked;
  - d) the accreditation of a degree programme expires;
  - e) the implementation of a degree programme is terminated due to reasons stated in Section 81b (3);
  - f) the authorization to implement a degree programme expires (Section 86 (3) and (4));
  - g) a student has been expelled pursuant to Section 47e (3), or under Section 47f or Section 47g;
  - h) a student has been expelled pursuant to Section 65 (1) c) or under Section 67.
- (2) The date when studies come to an end pursuant to Subsection (1) a) is that of the date of delivery to the higher education institution or faculty where the student is enrolled of a written statement by the student that he/she wishes to abandon studies. The date when studies come to an end pursuant to Subsection (1) b) is that stipulated in the Study and Examination Regulations. The date when studies come to an end pursuant to Subsection (1) c) is that stipulated in the decree of the Ministry at the latest. The date when studies come to



an end pursuant to Subsection (1) d) is that announced by the higher education institution as marking the expiry of the degree programme or the date marking the end of the awarded accreditation period. The date when studies come to an end pursuant to Subsection (1) e) is the last day of the three-year period defined in the first sentence of Section 81b (3). The day when studies come to an end pursuant to Subsection (1) f) is that of the date of expiration of authorization to realize a degree programme based on institutional accreditation. The day when studies come to an end pursuant to Subsection (1) g) is that when the decision on the nullity of state examinations required to conclude the studies of a degree programme or its part or a defence of a thesis pursuant to Section 47c to Section 47e, Section 47f, or Section 47g comes into effect. The day of closure of studies pursuant to Subsection (1) h) is that of the date of the legal decision on expulsion from studies.

- (3) Decisions on the termination of studies pursuant to Subsection (1) h) as well as on the interruption of studies pursuant to Section 54 are made by the bodies listed in Section 50 (2) and (3); decision-making is subject to Section 50 (4) to (6) by analogy, with the only party of the proceedings being the person whose studies are in question.

### **Section 57** **Documentation of Studies**

- (1) The documents relating to studies in a degree programme and graduation from a degree programme are as follows:
- a) the student identity card;
  - b) the student record book;
  - c) the higher education diploma;
  - d) the document listing completed exams;
  - e) the student status certificate;
  - f) the diploma supplement.
- (2) The student identity card is given to the student by a higher education institution when he or she enrolls in the studies. This document confirms the legal standing of a student which entitles him or her to use the rights and benefits arising from the laws or internal regulations of a higher education institution.
- (3) The main purpose of the student record book is to record individual courses and to indicate the results achieved in these courses. The data stipulated in the previous sentence may also be kept in a higher education institution's or faculty's electronic information system. In this case, the higher education institution or faculty is required to ensure that the data in the electronic information system cannot be manipulated by unauthorized persons. The student record book in this case is a transcript of these data officially confirmed by the relevant higher education institution or faculty.
- (4) The higher education diploma attests to the completion of a degree programme.
- (5) The certificate listing completed exams or the certificate on studies are issued to:
- a) persons that have completed studies in a degree programme pursuant to Section 56

- (1);
  - b) students;
  - c) graduates of degree programmes.
- (6) The diploma supplement is issued to graduates of degree programmes.
- (7) Higher education diplomas and certificates are public documents which include the national coat of arms of the Czech Republic<sup>16)</sup> in addition to the designation of the relevant higher education institution and the academic degree awarded; higher education diplomas are usually presented at an academic ceremony.
- (8) In the documents listed in Subsection (1) and in the decisions and certificates listed in Section 50 to Section 69, Section 89 to Section 91 and Section 99, the higher education institution may include the identity number of the individual concerned, if such a number has been assigned.

### **Section 58** **Study-related Fees**

- (1) Public higher education institutions may set fees related to entrance procedures. The maximum amount of these fees is 20% of the base.
- (2) The base for setting study-related fees is 5% of the average amount allotted to one student from total non-capital expenditures provided by the Ministry from the state budget to public higher education institutions in the particular calendar year. The base is announced by the Ministry by the end of January in the calendar year, and applies to the academic year begun in that calendar year. Data pertaining to the previous calendar year are used for calculation of the base.
- (3) Should a student's enrolment in a degree programme exceed the standard length of studies in a Bachelor's or Master's degree programme by more than one year, the public higher education institution sets a fee corresponding to at least one and a half times the base for each further six months of study begun. The length of studies also includes the length of all preceding studies in Bachelor's or Master's degree programmes that have not been completed pursuant to Sections 45 (3) or 46 (3), unless they are previous studies, which came to an end and were followed by the completion of a degree programme of the same type. The length of time in which the student was enrolled in these degree programmes, or enrolled concurrently in these degree programmes and in the current programme is calculated only once. Prior to that, the registered period of parenthood is excluded from the total length of studies calculated in compliance with this Subsection.
- (4) Should a public higher education institution offer degree programmes carried out in a foreign language, it sets study fees for Bachelor's, Master's or Doctoral degree programmes and may set fees for operations associated with the admission procedure. The provisions of Subsections (1) to (3) do not apply to the setting of study-related fees.
- (5) Public higher education institutions will set and announce on the public part of their website the study-related fees for the following academic year not later than the last day before the

deadline for submission of admission applications. Should a public higher education institution set and announce the amount of the fees for the following year later than that, it cannot charge fees for the students admitted for studies from the beginning of the following academic year in a greater amount than those that were set for the academic year when those students applied for studies. The rules for setting the size of these fees and how and by when they must be paid are stipulated in the Statutes of the public higher education institution.

- (6) Study-related fees, with the exception of those indicated in Subsection (4), are regarded as income for the scholarship and bursary fund of the public higher education institution.
- (7) Decisions on fixing study-related fees pursuant to Subsection (3) must be announced at least ninety days before payment is due. In the case of an appeal against a decision to impose study-related fees, the Rector may reduce, waive or defer the date of payment of the fees, taking into account in particular the study results and the social circumstances of a student in accordance with provisions in the Statutes of the public higher education institution.
- (8) Study-related fees set pursuant to Subsections (1) to (4) are not subject to general regulations on fees.

### **Section 59**

Study-related fees determined by private higher education institutions are set out in their internal regulations.

### **Section 60** **Lifelong Learning**

- (1) Higher education institutions may provide – either free of charge, or subject to payment – lifelong learning programmes within the framework of their educational activities. Lifelong learning may be either profession-oriented or interest-oriented. Detailed conditions pertaining to lifelong learning are stipulated in the institutions' internal regulations. These must be provided in advance to all participants in lifelong learning programmes.
- (2) Higher education institutions issue certificates to all graduates of lifelong learning programmes. If graduates of lifelong learning programmes become students within the framework of accredited degree programmes pursuant to the provisions of this Act (Section 48 to Section 50), the higher education institution may recognise credits acquired in the lifelong learning programme for up to 60 per cent of the amount of credits required for the completion of studies.
- (3) Participants in lifelong learning are not granted the legal status of student under the provisions of this Act.

### **Section 60a** **Education as part of an Internationally Recognised Course**

- (1) Public higher education institutions may provide – either free of charge or subject to payment – education through an internationally recognised course focused on enhancing the expertise of students or graduates of a higher education institution within the framework of their educational activities (hereinafter the “course”). Detailed conditions pertaining to the course are stipulated in the institutions’ internal regulations. These must be provided in advance to the course participants.
- (2) Higher education institutions issue certificates to all graduates of the course. Higher education institutions may award an internationally recognised title to successful graduates.
- (3) Participants in the course are not considered students under the provisions of this Act.

## **PART VI STUDENTS**

### **Section 61**

- (1) An applicant becomes a student on the date of enrolment in studies; an individual whose studies were interrupted regains the status of student on the date of his/her re-enrolment in studies.
- (2) A student loses his/her student status on the date of the termination of studies pursuant to Section 55 (1) and Section 56 (1) and (2), or the interruption of studies pursuant to Section 54.

### **Section 62 Students’ Rights**

- (1) A student is entitled:
  - a) to study within the framework of one or more degree programmes;
  - b) to choose courses and design his/her curriculum pursuant to the provisions of the degree programme;
  - c) to choose a teacher for a particular subject, where that subject is taught by more than one teacher;
  - d) to take examinations pursuant to the provisions of the degree programme or the Study and Examination Regulations;
  - e) to enrol in a further stage of the degree programme upon fulfilling the requirements stipulated in the degree programme or the Study and Examination Regulations;
  - f) to propose a topic for his/her Bachelor’s thesis, Master’s thesis, advanced Master’s (“*rigorózní*”) thesis or doctoral thesis;
  - g) to make use of facilities and information technologies needed for study in a degree programme in compliance with the regulations stipulated by the higher education institution;
  - h) to elect members and be elected to the Academic Senate, if this body has been established;
  - i) to be given scholarships and bursaries provided by the higher education institution upon fulfilling the conditions stipulated in the Scholarship and Bursary Regulations.

- (2) Students taking practical classes and undergoing practicums are subject to general regulations on work safety and health protection and the working conditions of women.<sup>18)</sup>

### **Section 63** **Students' Obligations**

- (1) The obligations of a student with respect to studies follow from his/her degree programme and the Study and Examination Regulations.
- (2) A student must comply with the internal regulations of the higher education institution and its constituent parts.
- (3) Furthermore, a student is obliged:
- a) to pay study-related fees and provide the data needed for calculating the size of these fees;
  - b) to report his/her postal or data box address to the higher education institution or its constituent part where he/she is enrolled;
  - c) to report to the higher education institution about the loss of his/her health competency for the studies, if this competency represented a condition for admission to the studies in accordance with Section 49 (1);
  - d) to present himself or herself in person, when summoned by the Rector, the Dean or a higher education institution employee authorized by them, in order to discuss questions pertaining to the course of study or the termination of study.
- (4) Students neglecting their obligations under Subsection (3) must reimburse the higher education institution for any resulting costs.

### **Section 64** **Disciplinary Infractions**

A disciplinary infraction occurs when obligations stipulated in legal regulations or in the internal regulations of a higher education institution or its constituent parts are infringed.

### **Section 65**

- (1) The following sanctions may be imposed for disciplinary infractions:
- a) admonition;
  - b) conditional expulsion, including the specification of a deadline by which certain conditions must be met;
  - c) expulsion.
- (2) Should the discussion of a disciplinary infraction lead to its being rectified, no sanction need be imposed.

- (3) In imposing sanctions, the character of the action constituting the infraction, the circumstances leading up to it, its consequences, the extent of liability as well as the former behaviour of the student who committed the infraction and any demonstrated effort to remedy the consequences will be taken into account. Expulsion is only possible in the case of the deliberate commission of a disciplinary infraction.

### **Section 66**

A disciplinary infraction may not be dealt with if more than a year has passed since it was committed or if a final verdict has been handed down in the case of a criminal matter. The one-year limit does not include any time in which the individual was not a student.

### **Section 67**

#### **Special Provision on Expulsion**

Students who were admitted to studies as a consequence of a fraudulent act on their part will be expelled.

### **Section 68**

#### **Decisions on Students' Rights and Obligations**

- (1) The higher education institution makes decisions on students' rights and obligations concerning:
- a) consent to an exceptional examination re-sit session, should this be permitted by the Study and Examination Regulations;
  - b) consent to the repetition of a part of studies designated in Section 52 (1), should this be permitted by the Study and Examination Regulations;
  - c) the interruption of studies;
  - d) recognition of examinations or fulfilment of other students' obligations and the prescription of equivalency examinations, including recognition of examinations passed in the scope of a degree programme realized by a higher education institution or faculty and recognition of examinations or other students' obligations or courses or other comprehensive parts of studies completed in the scope of an accredited education programme at a tertiary professional school;
  - e) the grant of a scholarship or bursary;
  - f) the fixing of study-related fees pursuant to Section 58 (3) and (4);
  - g) failure to meet the requirements as stipulated in Section 56 (1) b);
  - h) disciplinary infractions;
  - i) expulsion pursuant to Section 67.
- (2) The only participant in proceedings concerning the student's rights and duties is the student. During proceedings in matters in accordance with Subsection (1) a) to f), the higher education institution is not obliged to inform the student of options for his/her expression regarding documents concerning the decision. The right to view the documents pertains to students only after the announcement of the decision.

- (3) Issuing the decision represents the first action of the higher education institution during proceedings in matters pursuant to paragraph c) and e), if they are in compliance with the internal regulations of the higher education institution or the faculty started in an official capacity, and in matters given in Subsection (1) f). Challenging documents concerning the decision represents the first action of the higher education institution in matters in accordance with Subsection (1) g), whereas the higher education institution can make the challenge through an electronic information system of the higher education institution.
- (4) The student can appeal against the decision within 30 days from its announcement. A delaying effect of the appeal cannot be excluded.
- (5) The appeal administrative body is represented by the Rector.
- (6) The Rector shall review legal compliance of the negative decision and proceedings preceding the decision with legal provisions, internal regulations of the higher education institution and its faculty.
- (7) As a result of decisions taken pursuant to the Rector's decision, the officers and official bodies of a public higher education institution or one of its constituent parts will take measures, where these are required, to restore a student's rights and to eliminate or at least mitigate the consequences of a wrong decision.

### **Section 69**

- (1) Disciplinary proceedings are initiated by the Disciplinary Committee of a public higher education institution, acting upon a submission from the Rector where this concerns the disciplinary infraction of a student that is not enrolled in any faculty, and from a Dean in the case of students enrolled at a faculty. The submission contains a description of the act in question as well as any supportive evidence, and a justification for regarding the act as a disciplinary infraction. The disciplinary proceedings begin with the student being notified of the submission. Discussion of the disciplinary infraction takes place in the presence of the student. This discussion of the infraction may only take place in the absence of the student if he or she has been invited to the session in due form, but has failed to excuse him/herself in advance. Neither the Rector nor the Dean may impose a sanction more severe than that decided on by the Disciplinary Committee.
- (2) The disciplinary proceedings are abandoned if it becomes clear that the act in question is not in fact a disciplinary infraction or if no evidence is presented that it was committed by the student or if the person who has been charged with the infraction is no longer a student.
- (3) Subsections (1) through (2) are applicable by analogy to proceedings on expulsion under Section 67.

### **Section 69a**

#### **Delivery of Documents to Students and Study Applicants**

- (1) The higher education institution delivers documents to study applicants in proceedings in

accordance with Section 50 either by itself or by means of mail service providers. If a decision issued in proceedings in accordance with Section 50 is positive in reference to the request of the study applicant, it is possible to deliver the decision to the applicant by means of the electronic information system of the higher education institution, if it is so stipulated by the internal regulations of the higher education institution and the applicant agreed to this method of delivery in advance. The day of the delivery and of the announcement of the decision in this case is considered to be the first day after making the decision available in the electronic information system for the applicant.

- (2) If a delivery of documents in proceedings in accordance with Section 68 fails because the student did not meet the obligations provided in Section 63 (3) b), or if the delivery of documents to an address given by the student fails, then the documents shall be delivered by means of a public announcement, whereas the higher education institution is not obliged to establish a guardian for the student.
- (3) A positive decision in matters in accordance with Section 68 (1) a), b), and d) concerning the student's request and the decision in matters in accordance with Section 68 (1) e) shall be delivered by means of the electronic information system of the higher education institution, if it is stipulated in internal regulations of the higher education institution; considered as the day of the delivery and the announcement of the decision is the first day following the publication of the decision in the electronic information system of the higher education institution.

## **PART VII ACADEMIC STAFF**

### **Section 70 Academic Staff**

- (1) The academic staff is made up of the professors, associate professors, assistant professors, visiting professors, lecturers, and scientific research and development staff who are the employees of a higher education institution carrying out both teaching and creative activities, in accordance with negotiated type of work in the contract. Members of the academic staff are required to guard the good name of the higher education institution.
- (2) Should a higher education institution create a post of a member of academic staff who is categorized as an visiting professor, it can only be occupied by an individual who reached a status equivalent to associate professor or professor abroad. Such a post can be also held by an individual who is an important expert and who has been working in the given field of study for at least twenty years. The post of an visiting professor can be created by a higher education institution which has institutional accreditation in a given field of study. The post can be filled after the Academic Board's consultation.
- (3) Other specialists may take part in teaching, based on contracts for work carried out outside of the employment relationship.
- (4) The internal regulations of a higher education institution specify the status of visiting professor and *professor emeritus*.



## **Section 71** **Appointment of Associate Professors**

An associate professor in a particular field is appointed by the Rector on the basis of the procedure for conferring “*venia docendi*” (the habilitation procedure).

## **Section 72** **Procedure for Conferring “*Venia docendi*” (Habilitation Procedure)**

- (1) The aim of the habilitation procedure is to confirm the scholarly, scientific or artistic qualifications of the applicant, particularly on the basis of a habilitation thesis and its defence and of other scholarly, scientific, specialist or artistic work, as well as the applicant’s competence as a teacher, based on an evaluation of his/her habilitation lecture and previous teaching experience.
- (2) The habilitation procedure is initiated at the request of the applicant. The proposal must include a curriculum vitae, documents attesting to the higher education acquired and pertinent academic degrees awarded, documents proving teaching experience, a list of scholarly, scientific, specialist or artistic work, a list of scholarly, scientific, specialist or artistic research fellowships both at home and abroad, and any other documents demonstrating scholarly, scientific or artistic qualifications. The proposal must also specify the field in which the habilitation is being sought. In addition, the applicant must submit a habilitation thesis.
- (3) A habilitation thesis may be:
  - a) a written thesis offering new scholarly or scientific knowledge; or
  - b) a collection of already published scientific or scholarly papers or technical papers supplemented with a commentary; or
  - c) a published monograph introducing new scholarly or scientific knowledge; or
  - d) a work of art or an artistic achievement or a collection of these, for example an outstanding public artistic activity.
- (4) The proposal is submitted to the Dean of the faculty that is accredited in the relevant habilitation field, or to the Rector, should it be the higher education institution that is accredited in the relevant field. If all of the required components of the proposal are not submitted and the applicant, having been informed of this, fails to provide them in due time, the Dean or the Rector will terminate the habilitation procedure.
- (5) If the habilitation procedure is not terminated pursuant to Subsection (4), the Dean or the Rector submits the proposal to the Scientific or the Artistic Board of the faculty or the higher education institution along with a proposal to set up a five-member Habilitation Board. The Habilitation Board consists of professors, associate professors and other distinguished representatives in the relevant or a related field. The Board must be chaired by a professor and at least three members of the Board must be experts from an institution other than that carrying out the habilitation procedure.

- (6) The Scientific or the Artistic Board may waive the requirement of higher education in the case of applicants in artistic fields.
- (7) The Habilitation Board as approved by the Scientific or the Artistic Board appoints three readers for the habilitation thesis, one of whom at most may come from the higher education institution carrying out the habilitation procedure. The bodies and faculties of the higher education institution or, as the case may be, the higher education institution's department, and the Habilitation Board act with the appropriate urgency.
- (8) The Habilitation Board assesses the scholarly, scientific or artistic qualifications of the applicant in the relevant field and his/her previous teaching experience. It assesses the quality of the habilitation thesis on the basis of the readers' reports. The Habilitation Board then votes by ballot on whether to nominate the applicant as an associate professor. If the proposal does not obtain a majority of the votes of all members of the Habilitation Board, the Board recommends termination of the habilitation procedure. An approved nomination is presented to the Scientific or the Artistic Board by the Chair of the Habilitation Board or a member of this board designated by its Chair.
- (9) The habilitation lecture and the defence of the habilitation thesis take place at a public session of the Scientific or the Artistic Board. After a discussion, during which the applicant has the opportunity to comment on the readers' reports, defend his/her habilitation thesis and enlarge upon his/her previous scholarly, scientific or artistic and teaching work, the Scientific or the Artistic Board votes by ballot on whether to nominate the applicant as an associate professor.
- (10) If the nomination does not obtain a majority of the votes of all members of the Scientific or the Artistic Board, one of the Boards terminates the habilitation procedure.
- (11) The Scientific or the Artistic Board passes the approved nomination of an associate professor to the Rector. If the Rector disagrees with the proposal, he submits the proposal together with his/her reasons for rejecting it to the Scientific or the Artistic Board of the higher education institution. The Scientific Board discusses the issue and votes by ballot on whether to nominate the applicant as an associate professor. If the nomination does not obtain a majority of the votes of all members of the Scientific or the Artistic Board, the habilitation procedure is terminated. Otherwise, the Rector appoints the applicant an associate professor.
- (12) If the habilitation procedure is terminated, the habilitation thesis together with the accompanying documents are returned to the applicant.
- (13) The habilitation procedure is not subject to the Code of Administrative Procedures. Details of the habilitation procedure will be set by the higher education institution in its internal regulations.
- (14) The applicant is entitled to raise objections to the course of the habilitation procedure within thirty days. If the Dean disagrees with the objections, he/she passes them on to the Rector. The decision of the Rector is final. The Dean's or the Rector's decision must be justified.

- (15) If permitted by the internal regulations of the higher education institution, the habilitation procedure may take place before the Scientific Board of an institute of the higher education institution. In this case, the duties of the Dean are performed by the director of the institute.
- (16) A higher education institution can set a fee for operations related to the habilitation procedure up to a maximum of four times the amount of the basis pursuant to Section 58 (2). The higher education institution is obliged to announce the amount of the fee on its office board. The fee constitutes a part of the income of the higher education institution.

### **Section 73** **Appointment of Professors**

- (1) A professor in a specific field is appointed by the President of the Czech Republic upon the recommendation of the Scientific or the Artistic Board of a higher education institution in compliance with the Section 74.
- (2) Such a recommendation of the Scientific or the Artistic Board of a higher education institution is presented by the Minister.
- (3) The Minister shall return a proposal for the appointment of a professor back to the Scientific or Artistic Board of the higher education institution if it has not respected the proceedings for the appointment of a professor in accordance with Section 74. Any returning of the proposal must be justified.
- (4) The appointment of professors is not subject to the Code of Administrative Procedures.
- (5) The appointment of professors takes place at least twice a calendar year.

### **Section 74** **Procedure for the Appointment of Professors**

- (1) The aim of the procedure for the appointment of a professor is to show the teaching and scholarly, scientific or artistic qualifications of the applicant, who must be an outstanding and recognized figure in his/her particular field. The initiation of this procedure is conditional upon the person's previous appointment as an associate professor through the habilitation procedure, as long as the presentation of a habilitation thesis formed part of this procedure. In exceptional cases, when the individual concerned is already a professor at a prestigious higher education university abroad, the Rector, acting upon a recommendation from the Scientific or the Artistic Board of the higher education institution, may waive the provision that the applicant must have been appointed an associate professor before the procedure for his/her appointment as a professor can begin.
- (2) The procedure for the appointment of a professor is initiated at the request of the applicant, whose proposal must be supported by at least two written references from professors in the same or a related field, or at the request of a Dean or the Rector in the form of a proposal submitted to the Scientific or the Artistic Board of the faculty that is accredited in the relevant field, or to the Scientific or the Artistic Board of the higher education institution if accreditation for this field has been awarded to the higher education institution. The

procedure may also be initiated by the Scientific Board of a faculty or of the higher education institution on its own accord. The proposal must include the requirements itemized in the second sentence of Section 72 (2); it must also specify the field in which the procedure for the appointment of a professor is being initiated.

- (3) In order to examine the proposal, the relevant Scientific or the Artistic Board, acting upon a proposal from the Dean or the Rector, approves a five-member Board consisting of professors, associate professors and other distinguished representatives in the relevant or a related field. The Board must be chaired by a professor and at least three members of the Board must be experts from an institution other than that carrying out the procedure for the appointment.
- (4) The Scientific or the Artistic Board may waive the requirement of higher education in the case of applicants in artistic fields.
- (5) The Board assesses the qualifications of the applicant and votes by ballot on whether to nominate the applicant as a professor. If the proposal does not obtain a majority of the votes of all members of the Board, the Board recommends termination of the habilitation procedure. An approved nomination is presented to the Scientific or the Artistic Board that authorized the Board by the Chair of the Board or a member authorized by him/her. The Scientific or the Artistic Board invites the applicant to give a lecture at one of its public sessions presenting his/her conception of the scholarly, scientific or artistic work and teaching in the relevant field.
- (6) After the lecture, the Scientific or the Artistic Board votes by ballot on whether to nominate the applicant as a professor. In the case of the Scientific or the Artistic Board of a higher education institution, approved nominations are submitted to the Minister. In the case of the Scientific or the Artistic Board of a faculty, the nomination is passed to the Scientific or the Artistic Board of the higher education institution, which votes by ballot on submitting the nomination to the Minister. The provisions of Section 72 (10) are applicable in both cases by analogy.
- (7) The procedure of the appointment of a professor is not subject to the Code of Administrative Procedures. The details of the procedure for the appointment of a professor will be set by a higher education institution in its internal regulations. The bodies of the higher education institution or the faculty or, as the case may be, the higher education institution's department, and the Board shall act without any undue delay during the professor appointment procedure.
- (8) The applicant is entitled to raise objections to the course of the procedure for appointment as a professor at the faculty and higher education institution levels within thirty days. Any objections are evaluated by the Rector, whose decision is final.
- (9) If permitted by the internal regulations of the higher education institution, the procedure for the appointment of a professor may take place before the Scientific Board of an institute of the higher education institution that performs the same functions as the Scientific Board of a faculty. In this case, the duties of the Dean are performed by the director of the institute.
- (10) A higher education institution can set a fee for the operations associated with the professor appointment procedure.

### **Section 74a**

#### **Proceedings at the Public Higher Education Institution for the Statement of Invalidity of the Appointment of an Associate Professor**

- (1) The statement of invalidity of the appointment of an associate professor shall be decided by the Rector of the public higher education institution at which the particular habilitation proceedings took place.
- (2) The Rector will make the statement of the invalidity of the appointment of an associate professor if it has been proven during the proceedings of invalidity of the appointment of an associate professor that the person whose pedagogic and scientific or artistic competency had been examined and who has been appointed to an associate professor proved his/her competency:
  - a) as a consequence of a premeditated criminal act; or
  - b) as a consequence of an intentional unauthorized use of a third party work in gross violation of copyright<sup>32)</sup> or another intentional action against good manners not contained under a).
- (3) Proceedings for expressing the invalidity are initiated ex officio. It can be also initiated by the Rector:
  - a) at the very latest within 3 years from the legal effect of the decision by which a particular person was sentenced for an intentional crime in cases as per Subsection (2) a); or
  - b) at the very latest within 5 years from finishing the habilitation proceedings, in cases as per Subsection (2) b).
- (4) If the Rector finds no reason for the statement of invalidity of the appointment of an associate professor, he/she will stop the proceedings.
- (5) A part of the documentation for the Rector's decision as per Subsection (1) comprises a statement of a five-member Review Panel. Members of the Review Panel shall be appointed by the Rector from amongst professors, associate professors, or other experts, whereas one of the members shall be appointed by the Rector from amongst state employees of the Ministry upon the Minister's proposal. The majority of the Review Panel members shall be experts not employed by the public higher education institution at which the proceedings of invalidity take place.
- (6) Details concerning the composition of the Review Panel shall be determined in the internal regulations of the public higher education institution.
- (7) The Review Panel decides by absolute majority of all its members with a secret vote about the invalidity of the appointment of an associate professor.

### **Section 74b**

- (1) The deadline for the announcement of the decision is one year from the date of the initiation of the procedure.

- (2) If the Rector deviates in his/her statement concerning the invalidity of the appointment of an associate professor or in his/her decision on suspension of proceedings regarding statements of invalidity from the statement of the Review Panel, he/she is obliged to justify his/her statement or decision.
- (3) It is not possible to appeal against the decision of the Rector concerning the invalidity of an appointment of an associate professor. The decision shall be effective on the first day after the expiration of the period of 2 months from the announcement of the particular decision; timely submission of a claim in administrative proceedings<sup>33)</sup> has a delaying effect.
- (4) The only party of the procedure is the individual whose appointment for associate professor is in question.

### **Section 74c**

- (1) If the decision of invalidity of the appointment of an associate professor is expressed by the Rector, then the person in question ceases to be an associate professor from the day when the legally valid decision of the invalidity of the appointment of the associate professor becomes effective. A repeated appointment of associate professor of the particular person can occur only in terms of a new habilitation procedure.
- (2) If a person is no longer an associate professor in accordance with Subsection (1), effects of previous proceedings, procedures, or decisions of this person in cases when the person acted in power of public authority or in terms of a regulated profession or activity at which the competency of an associate professor is required remain unaffected. Previous appointment of the person in question for a professor shall also remain unaffected.

### **Section 74d**

#### **Proceedings at a Private Higher Education Institution for the Statement of Invalidity of the Appointment of an Associate Professor**

Proceedings about stating the invalidity of the appointment of an associate professor at a private higher education institution shall be carried out in accordance with the provisions of Section 74a to Section 74c similarly, however participating bodies of the private higher education institution are to be determined in the internal regulations of the private higher education institution. Effects of the decisions in accordance with Section 74c (1) to Section (2) are also valid for a decision issued in terms of a review proceeding at a state higher education institution.

### **Section 74e**

#### **Proceedings at a State Higher Education Institution for the Statement of Invalidity of the Appointment of an Associate Professor**

Proceedings about stating the invalidity of the appointment of an associate professor at a state higher education institution shall be carried out in accordance with the provisions of Section 74a to Section 74c similarly. Effects of the decisions in accordance with Section 74c (1) to (2) are also valid for a decision issued in terms of a review proceeding at a state higher education institution.

### **Section 75**

#### **Publishing Information on Habilitation Procedures and Procedures for the Appointment of Professors**

- (1) A higher education institution or one of its constituent parts must post information on the commencement of a habilitation procedure or procedure for the appointment of a professor on the public section of the website without delay. This information must include the schedule of relevant public sessions of Scientific or Artistic Boards. Information on the termination of these procedures must also be made public immediately.
- (2) A higher education institution must provide the Ministry with the following information:
  - a) On the commencement of a habilitation procedure or procedure for the appointment of a professor: first name, surname, the date of birth, the address of permanent residence, sex, place of residence in the Czech Republic, citizenship and data on employment of the applicant.
  - b) During the course of a habilitation procedure or procedure for the appointment of a professor: changes in the data listed under a) or, in the case of interruption of the procedure, the reasons why and the date when this occurred.
  - c) On the termination of a habilitation procedure or procedure for the appointment of a professor: the result and the date when this occurred.
- (3) Information on the commencement of a habilitation procedure or procedure for the appointment of a professor will be made public by the Ministry in an appropriate manner. This also applies to the results of these procedures.
- (4) The habilitation thesis will be made public pursuant to Section 47b, if it was not made public by other means.

### **Section 76**

#### **Sabbatical Leave**

- (1) Six-months' sabbatical leave is provided to academic staff of higher education institutions, at their request, once every seven years, unless this is not possible because of serious circumstances related to carrying out the educational tasks of the higher education institution.
- (2) Academic staff on sabbatical leave are entitled to their salaries.

### **Section 77**

#### **Competitive Selection Procedures at Public Higher Education Institutions**

- (1) Academic posts at public higher education institutions must be filled through competitive selection procedures. Such a procedure is not required in the case of the re-employment of an academic employee in his/her current post, or in cases set forth by the internal regulations of a public higher education institution.
- (2) The announcement that applications are being received for an academic post must be made public on the public section of the website of the higher education institution or one of its constituent parts at least thirty days prior to the deadline for the submission of applications.

- (3) Details on competitive selection procedures for posts of academic workers at a public higher education institution are laid out in the internal regulations of public higher education institutions.
- (4) Concluding habilitation procedures or procedures for the appointment of professors and associate professors in terms of those procedures do not constitute any employment relations for the higher education institution at which these procedures have taken place.

## **PART VIII EVALUATION OF A HIGHER EDUCATION INSTITUTION**

### **Section 77a**

#### **Methods of evaluation of a higher education institution**

- (1) A higher education institution guarantees the quality of education and related creative activities and other related activities.
- (2) Scholarly, creative, and related activities of a higher education institution are subject to regular evaluation.
- (3) Evaluation of teaching, creative, and related activities of a higher education institution is realized as an internal and external evaluation.
- (4) External evaluation of a higher education institution is carried out by the Accreditation Bureau in cases referred to in Section 84. The higher education institution can order external evaluation by a generally recognized agency at its own expense.

### **Section 77b**

#### **Quality Assurance of the Educational, Creative, and Related Activities and Internal Evaluation of the Quality of the Educational, Creative, and Related Activities of a Higher Education Institution**

- (1) A higher education institution is obliged to establish and manage the quality assurance system of the educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution.
- (2) The quality assurance of teaching, creative, and related activities of a higher education institution includes utilization of intentions and methods in the matter of assuring the quality of teaching, creative, and related activities based on:
  - a) the definition of the role and strategy of a higher education institution;
  - b) the definition of the obligations of the executives and members of the bodies and their constituent parts of a higher education institution in relation to the quality of teaching, creative, and related activities;
  - c) the organization of a higher education institution and the establishment of the eligibility, competences, and obligations of the bodies, executives, and members of the bodies of a higher education institution and its constituent parts;



- d) financial, personnel, and informational resources for the execution of teaching and related creative activities;
  - e) the cooperation and interrelationships of a higher education institution with other higher education institutions, public research institutions, and other legal entities concerned with research, experimental development, or innovations, with employers of graduates of higher education institutions, with businessmen active in the industry and business sphere, with business associations and other individuals or bodies executing, supporting, or utilizing teaching or creative activities of a higher education institution or its accomplishments;
  - f) standards and methods of the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution;
  - g) remedy and prevention measures and measures adopted for improvement;
  - h) the internal regulations and documents concerned with monitoring the quality of teaching, creative, and related activities of a higher education institution.
- (3) Internal evaluation of the quality of the educational, creative, and related activities of a higher education institution are based on:
- a) the application of standards and methods of the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution;
  - b) elaborating a report on internal evaluations of the higher education institution based on educational, creative, and related activities of the higher education institution describing attained qualitative outputs of the higher education institution together with measures accepted for removing potential deficiencies; the report of the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution shall be performed in terms stipulated in the internal regulations of the higher education institution, yet not less frequently than once in 5 years, and the report is to be updated every year by means of an appendix describing changes made in terms of quality and control provisions;
  - c) making the report on the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution and additions to the report available for the bodies and members of the bodies of a higher education institution and its constituent parts and the Accreditation Bureau and the Ministry.

### **Section 77c**

#### **The Processing of the Data of the Artistic Outcomes**

- (1) A higher education institution which offers a degree programme or degree programmes in “Art,” a degree programme or degree programmes which include courses on artistic creation or which falls under the Artistic Board of a higher education institution or a faculty (hereinafter referred to as the “Art School”) keeps school records of the artistic outcomes for the purposes of evaluation, comparison, and information of artistic outcomes.
- (2) An artistic outcome recorded in compliance with this Act is represented by a piece of art or an artistic expenditure produced by a member of Academia of an artistic school, created as a part of fulfilling study or job obligations at a given art school, or in relation to such obligations.

- (3) The Ministry maintains a register of artistic outcomes with information provided by artistic schools from their register of artistic outcomes. The register of artistic outcomes is an information system of public administration.
- (4) The register of artistic outcomes of an artistic school and the register of artistic outcomes maintain the following items concerned with artistic outcomes:
  - a) first name and surname, or other names and surname at birth, of the author of the work or the performer (hereinafter referred to as “the creator of the outcome”);
  - b) the birth number of the creator of the outcome; in the case that the creator of the outcome is a foreigner, his/her date of birth, sex, and citizenship;
  - c) information about membership in the Academia of an artistic school of the creator of the outcome;
  - d) academic title, academic function, and scientific and pedagogic or artistic and pedagogic titles of the creator of the outcome;
  - e) information about the form of the outcome and the date of its publication or performance.
- (5) The artistic school is obliged to provide the Ministry with information from the school register of artistic outcomes in compliance with Subsection (4) for the register of artistic outcomes. The artistic school is entitled to gather, process, and maintain the information about artistic outcomes created by the members of its Academia and provide access to them to:
  - a) the Accreditation Bureau and its bodies;
  - b) persons and bodies who will demonstrate an authorization established by a special Act.
- (6) the school register of artistic outcomes and the register of artistic outcomes can be examined by persons whose personal information is contained in these information systems in the scope of information regarding the person in question including records about the availability of their personal information.

## **PART IX ACCREDITATION**

### **Section 78 Accreditation**

- (1) Authorization of a higher education institution to realize degree programmes pursuant to the conditions established by this Act arises from the institutional accreditation of a degree programme.
- (2) By an institutional accreditation the higher education institution becomes authorized to independently create and implement a certain type or types of degree programme in determined fields of study. In terms of its institutional accreditation, the higher education institution is entitled to implement a combined degree programme provided that the higher education institution possesses the particular institutional accreditation for all the fields of study to which the degree programmes belong.

- (3) Institutional accreditation is granted to such higher education institution which complies with the standards for a specified field of study in a given type of degree programme as it is established by Section 78a (2) a) and which has a working quality assurance system of the educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution.
- (4) If the authorization to offer a particular degree programme of a given type and prospective profile does not arise from the institutional accreditation of a higher education institution, a higher education institution can obtain such authorisation by being granted accreditation for a given degree programme.
- (5) The accreditation of a degree programme is granted to the higher education institution that complies with the standards for accreditation of a given type in accordance with Section 78a (2) b).
- (6) In the case of a degree programme by which requirements for performance of a regulated profession would be fulfilled, granting the accreditation of a degree programme is conditioned upon the statement of the particular approval body<sup>19a)</sup> that participants in the given degree programme would be prepared for performance of the particular profession. If there is an accreditation of a degree programme focused on the preparation of specialists in the field of security of the Czech Republic, then a condition for granting the accreditation of the degree programme is represented by a positive statement of the Ministry of Defence and the Ministry of the Interior.
- (7) In the case of a degree programme by which requirements for performance of a regulated profession would be fulfilled, the realization of such a degree programme is conditioned upon the authorization by a particular approval body based on an institutional accreditation for the given field of study.<sup>19a)</sup> The approval shall be not granted if the approval body finds that students would not be properly prepared for performance of the given profession. If there is an accreditation for a degree programme focused on the preparation of specialists in the field of security of the Czech Republic, then a condition is the approval of the Ministry of Defence and the Ministry of the Interior.
- (8) If practical training during the degree programme can be performed only at premises with accreditation in accordance with special legal regulations,<sup>19b)</sup> the accreditation of a degree programme or its implementation is conditioned upon an authorization resulting from an institutional accreditation for the particular field of study in addition to a positive statement in accordance with Subsection (6) and authorization in accordance with Subsection (7) and also the accreditation of practical education granted in accordance with the special legal provision.
- (9) If a degree programme is not accredited or realized in the scope of a field of study for which the higher education institution was granted the accreditation, the higher education institution cannot admit applicants, hold classes, carry out examinations, or award academic degrees.
- (10) Within the framework of the accreditation of Master's degree programmes, a decision is also made on the right to award academic degrees pursuant to Section 46 (5). In the case of institutional accreditation, this right arises from the institutional accreditation for a given field of study. The right to award titles pursuant to Section 46 (5) can be practiced only if the higher education institution is entitled to realize at least one Doctoral degree programme

in a given field of study.

### **Section 78a** **Standards of Accreditation**

- (1) The Accreditation Bureau, in its execution in accordance with this Act, follows in the scope of discretion the standards of accreditation, which means a set of requirements concerned with higher education institutions established with respect to a given kind of procedure, purpose of evaluation, or types and profiles of degree programmes.
- (2) Standards of accreditation include:
  - a) in the case of institutional accreditation:
    1. a list of requirements for the institutional environment of a higher education institution, especially the strategy and management of a higher education institution, degree programmes and their students, creative activities, especially research, international cooperation, cooperation with professional practice, academic workers, sources and the quality assurance system of the educational, creative and related activities, and the internal evaluation of the educational, creative and related activities of a higher education institution;
    2. a list of requirements for a degree programme in the scope of a given field of study, especially content specification of a degree programme, a profile of the graduate, professional knowledge and professional skills in relation to a given field of study, personnel, financial, material, and other provisions of a degree programme, including requirements associated with the assurance of conditions of equality in access to higher education for applicants and students with disabilities, and requirements for the extent of international cooperation and the extent of cooperation with professional practice.
  - b) in the case of the accreditation of a degree programme:
    1. a list of minimum requirements for a degree programme, especially the content specification of a degree programme, a profile of the graduate, professional knowledge and professional skills in relation to a given field of study, personnel, financial, material, and other provisions of a degree programme, including requirements associated with the assurance of conditions of equality in access to higher education for applicants and students with disabilities, and requirements for the extent of international cooperation and the extent of cooperation with professional practice;
    2. requirements in terms of a control system assuring and controlling all activities of the higher education institution, especially teaching activities and related creative activities, with respect to the requirement that the study environment supports the fulfilment of the purpose of a higher education institution;
    3. requirements for assuring the quality of teaching, creative, and related activities and evaluations of the quality of teaching, creative, and related activities of a higher education institution;
  - c) in the case of the accreditation of habilitation procedures and the accreditation for the appointment of a professor, the set of requirements needed for demonstrating the capacities of a higher education institution to lead the procedure in question pursuant to Section 72 or Section 74, along with a list of requirements for the extent and quality of associated teaching and creative activities, the extent of international cooperation, and the extent of cooperation with the professional practice.

## **Section 79**

### **The accreditation of a degree programme**

- (1) The accreditation of a degree programme is granted by the Accreditation Bureau, based on a written application submitted by a higher education institution.
- (2) The written application from a higher education institution for the accreditation of a degree programme must include the following:
  - a) the name of the higher education institution or its constituent part that is responsible for providing the degree programme;
  - b) the components of the degree programme under Section 44 (2), in the case of a combined degree programme, a share of the basic topics relevant to individual areas of knowledge in the education expressed as a percentage;
  - c) evidence of appropriate staff, financial, material, and other support for the degree programme for at least the standard length of study, including information about adjustment of the demand to provide for conditions of equal access to the higher education;
  - d) a description of the planned development of the degree programme, its rationale and the anticipated number of students to be admitted and information about assumed career opportunities of the graduates;
  - e) a self-evaluating report describing and evaluating the fulfilment of individual requirements arising from the relevant standards for accreditation pursuant to Section 78a (2) b);
  - f) in the case of degree programmes after the completion of which professional requirements for practice of a regulated profession are immediately acquired, as well as a statement that the relevant degree programme is focused on preparation for the practice of a regulated profession and a positive standpoint of the relevant recognition body<sup>19a)</sup> with respect to the appropriate competence on the part of graduates to practice this profession;
  - g) in the case of degree programmes focused on the preparation of professionals in the field of the defence of the Czech Republic, a statement that the relevant degree programme is focused on the preparation of professionals for practice in the field of defence of the Czech Republic, and a positive standpoint of the Ministry of Defence or the Ministry of the Interior with respect to the appropriate competence on the part of the graduates to practice a profession in this field.
- (3) The Accreditation Bureau will make a decision regarding the application within one hundred and twenty days from the date of delivery. It evaluates the fulfilment of the standards for accreditation and considers the fulfilment of the quality assurance system of the educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution, or the evaluations provided by one of the professional evaluation agencies pursuant to Section 77a (4).
- (4) The Accreditation Bureau will not grant the accreditation of a degree programme:
  - a) if a degree programme does not meet the requirements stated in Part Four of this Act;
  - b) if a degree programme does not meet the standards for accreditation of a given type of a degree programme pursuant to Section 78a (2) b);
  - c) if a degree programme is not adequately provided especially with respect to personnel, finances, and facilities, or if a higher education institution has not created conditions for ensuring a proper education and related creative activities;

- d) if a higher education institution lacks a functioning quality assurance system of the educational, creative, and related activities and the internal evaluation of the quality of the educational, creative, and related activities of a higher education institution pursuant to Section 77b;
  - e) if a degree programme was not granted a positive standpoint of the relevant recognition body, in the case of the degree programme in question referred to in Section 78 (6); or
  - f) if the application contains incorrect data crucial for awarding the accreditation of a degree programme, and these were not corrected until the date of announcement of the decision.
- (5) The application can be also submitted by a higher education institution which was legally granted State Approval which has not yet come into force. The regulations set by Subsections (1) to (4) will be applied in a similar manner.
- (6) If a combined degree programme is concerned, the fulfilment of the requirements arising from Subsection (4) c) are evaluated in relation to all fields of study under which a degree programme falls, to the extent equal to the share of a given field of study in this degree programme at least.

### **Section 80**

- (1) The accreditation for a degree programme is granted by the Accreditation Bureau for a period of ten years. The accreditation can be awarded or extended for a period shorter than ten years if:
- a) the accreditation of a given degree programme is granted to the applicant for the first time;
  - b) the accreditation of a given degree programme is granted or extended especially with respect to providing its students a possibility to complete their studies; or
  - c) the applicant does not provide sufficient provisions and development of a degree programme with respect to the personnel, financial, and equipment provisions for the period of ten years.
- (2) The decision shall contain the type of degree programme and the standard time span of the studies; in the case of a Bachelor's or Master's degree programme, also its profile. The decision will also contain the field of study to which the degree programme belongs. In the case of a combined degree programme, the decision will contain, in addition to the fields of study, also the information about their share of the curriculum.
- (3) The validity of a particular accreditation may be repeatedly extended. The procedure for the extension of the accreditation's validity is subject to the provisions of Section 79.
- (4) A higher education institution may request an extension of the accreditation of a degree programme that it is already offering.
- (5) Accreditation of a degree programme expires upon removal of the accreditation, the declaration of the higher education institution that the programme has been cancelled, or upon the elapsing of the period for which the accreditation was granted. The higher education institution provides students with the option of continuing their studies in the same or a similar degree programme at the same or another higher education institution.

- (6) If a higher education institution's application is rejected, a higher education institution can submit a new application for accreditation of the same or similar degree programme two years from the date when the legal decision on the rejection of the application came into force.
- (7) If a higher education institution's application for accreditation is withdrawn, a higher education institution can submit a new application for accreditation of the same or similar degree programme two years after the date when the legal decision on the withdrawal of the accreditation came into force.
- (8) If a higher education institution is sanctioned of an administrative infraction in accordance with Section 93n (1), the higher education institution can submit a new request for a degree programme accreditation after the expiration of a 5-year period from the effective day of the sanction decision.

### **Section 81**

- (1) Application for accreditation of a degree programme may be made, together with a higher education institution, by a legal entity with domicile, its central administration or the main site of its business activities in one of the member states of the European Union, or that was set up or established according to the laws of one of the member states of the European Union, and that carries out information on the teaching and creative activities.
- (2) Along with the application for accreditation, the legal entity must include an agreement made with the higher education institution on mutual cooperation in the provision of a degree programme. This higher education institution will admit applicants for studies in the degree programme and award the appropriate degree to the graduates of this degree programme. The higher education diploma will also specify where the studies in the degree programme took place.
- (3) The application for accreditation of a degree programme under Subsections (1) and (2) is subject to the provisions of Section 79 by analogy.
- (4) In the case of joint implementation of a doctoral degree programme, the agreement will also stipulate the representation of the legal entity and the higher education institution in the Doctoral Studies Board.

### **Section 81a** **Institutional Accreditation**

- (1) Institutional accreditation is granted to a higher education institution for a field or fields of study and, in the scope of these fields, for a relevant type or types of degree programme by the Accreditation Bureau, on the basis of a written application submitted by a higher education institution. If the higher education institution submitted, along with the request for institutional accreditation, a request for the accreditation of the habilitation procedure or procedure for appointment of professors, then both of these requests are subject to one common proceeding.

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- (2) A written request for institutional accreditation contains:
- a) the name of the higher education institution;
  - b) specification of a field or fields of study in which the higher education institution will be active and specification of a type or types of degree programme;
  - c) a report of the internal evaluation of the quality of the educational, creative and related activities of a higher education institution and potential additions to this report;
  - d) a self-evaluation report describing and evaluating the fulfilment of individual requests arising from respective standards for accreditation, including requests concerning financial, equipment, and other provisions of a higher education institution and its development.
- (3) The Accreditation Bureau will make its decision within one hundred and fifty days. When doing so, it also evaluates the fulfilment of standards for accreditation stated in Section 78a (2) a) and considers the fulfilment of the quality assurance system of the educational, creative and other related activities and of the internal evaluation of the quality of the educational, creative and other related activities and potentially, the evaluation by one of the evaluation agencies as per Section 77a (3). In the case mentioned in Subsection (1) in the second sentence, the Accreditation Bureau also considers fulfilment of standards for accreditation referred to in Section 78a (2) c) and the results of the evaluation mentioned in Section 82 (4).
- (4) The Accreditation Bureau will not award institutional accreditation for a field or fields of study, if:
- a) a higher education institution does not meet the standards pursuant to Section 78a (2) a) for institutional accreditation in a given type of a degree programme;
  - b) a higher education institution has not established an Internal Evaluation Board;
  - c) a higher education institution does not have a working system for assurance of the quality of teaching, creative, and related activities of a higher education institution and has not produced the self-evaluating report;
  - d) a quality assurance system for teaching, creative, and other related activities of the higher education institution does not guarantee that the higher education institution will be able to independently evaluate degree programmes proposed for implementation at the same higher education institution, namely in terms of requirements contained in Section 77b to Section 79;
  - e) for the purpose of the proposed educational activity in the respective field or fields of study, the higher education institution does not provide guarantees in terms of the creative development of the higher education institution connected with the particular educational activity or the necessary personnel, financial, and material assets for further development;
  - f) by the date of the application submission, the higher education institution has not implemented at least two degree programmes lasting at least 10 years, from those at least 1 degree programme in the proposed field of study; or
  - g) there was incorrect information in the application and by the date of the decision these deficiencies have not been removed.
- (5) If there are parallel proceedings concerning an application for granting the accreditation of habilitation procedures or procedures for the appointment of professors, the higher education institution shall also submit to the Accreditation Bureau the essentials in accordance with



Section 82 (2). The reasons for not granting the accreditation of habilitation procedures or procedures for the appointment of professors by the Accreditation Bureau are listed in Section 82 (6).

- (6) If the higher education institution does not have institutional accreditation and its request for granting institutional accreditation for one or more fields of education is rejected, then the higher education institution can submit a new request for granting institutional accreditation after the expiration of 2 years from the effective date of legal validity of the decision concerning the rejection of the application.
- (7) The request for institutional accreditation cannot be submitted until the expiration of 5 years from the effective date of the legal validity of the decision, based on which it was removed:
  - a) from the higher education institution, the institutional accreditation for a particular field or a field of study; or
  - b) it was subjected a administrative sentence because of administrative infraction in accordance with Section 93n (1).
- (8) If a higher education institution with institutional accreditation asked for an extension of the institutional accreditation for another field or fields of study and this application was rejected, then the higher education institution can request an extension of the institutional accreditation for another field or fields of study after the expiration of 2 years from the effective date of the legal validity of the decision of disallowing the application.

### **Section 81b**

- (1) Institutional accreditation for a field or fields of study is granted for a period of 10 years. The institutional accreditation is granted for a period of 5 years if it is granted to a higher education institution for the particular field or fields of study the previous application of which for the extension of accreditation was rejected immediately after the previous request for extension of the institutional accreditation. The decision on granting institutional accreditation for the field or fields of study must contain information about a type or types of degree programmes which will be offered in a given field or fields of study by a higher education institution on the basis of the institutional accreditation.
- (2) Institutional accreditation is expired by the expiration of the period for which it was granted, by the withdrawal of the accreditation, or by the announcement of renouncement made by a higher education institution to the Accreditation Bureau. The renouncement of the institutional accreditation is not admissible after the procedure of its withdrawal is initiated.
- (3) If the institutional accreditation for a field or fields of study expires, the degree programmes offered by a higher education institution on the basis of the institutional accreditation are considered, to the date of the expiry of the institutional accreditation, to be the degree programmes accredited for the period of 3 years. Within 120 days from the date of the expiry of the accreditation for fields of study for these degree programmes, the Accreditation Bureau is obliged to make a decision on the potential limitation or removal of the accreditation of a degree programme in accordance with Section 86 (2) a) or b).

- (4) In the case that degree programmes cease to be offered due to reasons referred to in Subsection (3), a higher education institution is obliged to secure that the students of a given degree programme have a possibility to continue their studies in the same or similar degree programme at the same or another higher education institution.

### **Section 81c**

A higher education institution with institutional accreditation may in the period of validity of the institutional accreditation submit a request for the extension of its scope for another field of fields of study or for another type or types of degree programme in the scope of the field for which a higher education institution was already granted institutional accreditation. The procedure concerning the extension of the scope of the institutional accreditation is carried out pursuant to Section 81a. The period of validity of the institutional accreditation is not extended by the extension of its scope.

### **Section 81d**

- (1) Should a higher education institution with institutional accreditation intend to offer a degree programme in cooperation with another legal entity, it can only do so after having been granted accreditation pursuant to Section 81, in the case that the degree programme in question is to be offered outside of the field of study for which the higher education institution was granted the institutional accreditation.
- (2) If a degree programme in question is to be offered in the scope of a field of study for which a higher education institution was granted institutional accreditation, the higher education institution is allowed to realize it in cooperation with another legal entity only:
- a) on the basis of having been granted accreditation pursuant to Section 81; or
  - b) in the case that it is in accordance with the decision to grant institutional accreditation. In such cases, the cooperating legal entity can only be a workplace of the Czech Academy of Sciences with the status of a public research institution.

### **Section 82**

#### **Accreditation of Habilitation Procedures and Procedures for the Appointment of Professors**

- (1) The authority of a higher education institution or one of its constituent parts to carry out the habilitation procedure or procedure for the appointment of professors in a particular field is subject to accreditation awarded by the Accreditation Bureau.
- (2) The written application from a higher education institution for accreditation must include the following:
- a) the name of the higher education institution or its constituent part that is responsible for carrying out the procedure;
  - b) the field of habilitation procedures or procedures of professorial appointment;
  - c) a description of the quality assurance system of the educational, creative, and related activities, of the internal evaluation of the quality of the educational, creative, and related

- activities, and of the evaluations of necessary personnel, financial, equipment, and other provisions and its development;
- d) a list of the members of the Scientific or the Artistic Board of the higher education institution or members of the concerned parts of the Scientific or Artistic Board.
- (3) Accreditation of the habilitation procedure and procedure for the appointment of professors is subject to the provisions of Section 79 (3) by analogy.
- (4) The Accreditation Bureau decides whether the facts documented under Subsection (2) c) and d) constitute a sufficient prerequisite for an objective assessment of the teaching and scholarly, scientific or artistic qualifications of applicants for appointment as professor or associate professor.
- (5) The Accreditation Bureau makes a decision on awarding accreditation within one hundred and twenty days.
- (6) The Accreditation Bureau will not grant accreditation if:
- a) the higher education institution does not meet the requirements for the objective evaluation of pedagogical and scientific or artistic qualifications of an applicant for the appointment of an associate professor or professor pursuant to Subsection (4) or due to other reasons does not provide sufficient guarantees that it will carry out the habilitation procedure or procedure for the appointment of professors in a proper fashion;
- b) the higher education institution does not offer a Doctoral degree programme which corresponds in its focus with the focus of the habilitation procedure or procedure for the appointment of professors for a period at least twice as long as the standard length of studies; or
- c) the request contains incorrect data deemed crucial to awarding the accreditation and the incorrect data were not eliminated.
- (7) Accreditation for the habilitation procedure or procedure for the appointment of professors is granted for ten years at most, beginning from the day on which the decision takes legal effect.
- (8) The accreditation for the habilitation procedure or procedure for the appointment of professors comes to an end by the expiration of the period for which the accreditation was granted, the withdrawal of the accreditation, or the announcement of a higher education institution to the Accreditation Bureau that the higher education institution renounces the accreditation.

### **Section 82a**

The Government will establish standards for institutional accreditation, standards for the accreditation of a degree programme, standards for the accreditation of the habilitation procedure, and standards for the accreditation of the procedure for the appointment of professors by means of a regulation.

### **Section 83**

#### **The Accreditation Bureau and its Status, Scope of Authority and Organization**

- (1) The Accreditation Bureau is established. The members of the bodies of the Accreditation Bureau are independent in their decisions pursuant to Subsection (2). Activities of the Accreditation Bureau are materially, administratively, and financially secured by the Ministry.
- (2) The Accreditation Bureau:
  - a) makes decisions on institutional accreditations;
  - b) makes decisions on accreditations of degree programmes;
  - c) makes decisions on accreditations of habilitation procedures and accreditations of the appointment of professors;
  - d) carries out external evaluations of teaching, creative, and related activities of a higher education institution;
  - e) adopts measures in compliance with Section 81b (3) and Section 86;
  - f) issues standpoints regarding the granting of state approval and provides synergies in assessment of the meeting of the conditions referred to in Section 93f (5) a) and Section 93h (5) a) upon the Ministry's request;
  - g) makes assessments of matters regarding higher education presented by the Minister and issues its standpoint on them;
  - h) produces annual reports on its activities;
  - i) exercises other activities established by this Act.
- (3) The Accreditation Bureau and the Ministry provide each other with information needed for their activities upon each other's request in compliance with this Act.

### **Section 83a**

- (1) An executive organ of the Accreditation Bureau, according to Section 83c (2), is represented by the Accreditation Bureau Board with 15 members, consisting of a Chair of the Accreditation Bureau Board, 2 Vice-Chairs of the Accreditation Bureau Board, and other members of the Accreditation Bureau Board. A membership in the Accreditation Bureau Board represents a public office; appointments to the posts of Chair, Vice-Chair, and other members of the Accreditation Bureau Board does not constitute either employment or a service relationship of a civil servant. The Chair of the Accreditation Bureau Board is a Chair of the Accreditation Bureau at the same time; the two Vice-Chairs of the Accreditation Bureau Board are Vice-Chairs of the Accreditation Bureau at the same time. A negotiation of the Accreditation Bureau Board is summoned and directed by the Chair.
- (2) The head of the Accreditation Bureau is the Chair of the Accreditation Bureau. He or she appoints and dismisses members of the Evaluation Commissions and exercises additional competences conferred to him or her under this Act.
- (3) The Chair of the Accreditation Bureau, in his/her absence, is represented by the Vice-Chairs of the Accreditation Bureau to the full extent of their capacity. The Chair and the Vice-Chairs of the Accreditation Bureau are authorised to give orders for the performance of civil service

under the Civil Service Act or binding instructions under Section 11 of the Labour Code to civil servants assigned to the Ministry acting at the Office of the Accreditation Bureau.

- (4) The activities of the members of the Accreditation Bureau Board and of the Evaluation Commissions are of general interest<sup>4)</sup> and as such, the Ministry provides remuneration for their performance. The remuneration of the Chair, Vice-Chairs, and other members of the Accreditation Bureau Board shall be determined by the Government upon the proposal of the Minister, taking into account the high professional requirements imposed on the activities of these officials and their responsibility for the proper and independent performance of the Accreditation Bureau. The remuneration of the members of the Evaluation Commissions shall be determined by the statute of the Accreditation Bureau.
- (5) The members of the Accreditation Bureau Board and the members of the Evaluation Commissions shall be entitled to travel allowances to the same extent, amount, and conditions as in the case of employees in an employment<sup>5)</sup>, whereby the place of their residence shall be considered as their workplace. Travel allowances are provided by the Ministry, while the provisions of Section 206 (3) and (4) of the Labour Code shall not be applicable.
- (6) The Statute of the Accreditation Bureau is approved by the Government at the petition of the Accreditation Bureau Board submitted through the Minister.

### **Section 83b**

#### **Appointment and Dismissal of members of the Accreditation Bureau**

- (1) The Chair, two Vice-Chairs, and eleven other members of the Accreditation Bureau Board are appointed by the Government for the period of six years from among generally recognized professional authorities. The Government appoints one member from among students for a period of two years. Five members of the Accreditation Bureau Board, including the Chair, are appointed by the Government upon the Minister's proposal from among persons proposed by the Ministry, by other central bodies of the State Administration, by professional associations, by organizations of employers, or by other entities or bodies executing, supporting, or utilizing teaching or creative activities of higher education institutions or their accomplishments. Nine members of the Accreditation Bureau Board are appointed by the Government upon the Minister's proposal from among the persons proposed by the representative bodies of higher education institutions in compliance with the Section 92. And one member is appointed by the Government upon the Minister's proposal from among the students proposed by a representative body of higher education institutions referred to in Section 92 (1) a). Members are appointed in such a way that 9 members of the Accreditation Bureau Board, including the Chair and one Vice-Chair, shall remain as long-term acting academic staff and 5 members of the Accreditation Bureau Board, including 1 Vice-Chair, are persons acting in practice, experienced in the academic environment, in particular representatives of professional chambers established by law. The Minister shall discuss the petition for the appointment of the Chair of the Accreditation Bureau Board with the representative bodies of higher education institutions under the provisions of Section 92 before submitting it to the Government.

- (2) If a post of a member of the Accreditation Bureau Board comes to an end prior to expiry of his or her term of office, the new member is appointed for the rest of the respective term of office. The same person can be appointed a member of the Accreditation Bureau Board for two terms at most.
- (3) No person legally convicted of an intentional criminal offence or a person whose legal capacity has been restricted may be appointed to the Accreditation Bureau Board.
- (4) The function of a member of the Accreditation Bureau Board is incompatible with that of a Member of Parliament, Senator, Member of the Government, Judge, Public Prosecutor, or Member of the Supreme Audit Office. Furthermore, it is also incompatible with the position of Rector, Vice-Rector, Dean, Vice-Dean, Director of a higher education institution, member of the Academic Senate of a higher education institution or faculty, Bursar, or Secretary of the Faculty, as well as the corresponding functions at a private higher education institution.
- (5) Members of the Accreditation Bureau Board exercise their function in their personal capacity and are permitted to take instructions regarding their exercising of the function.
- (6) The Chair of the Accreditation Bureau or the Vice-Chairs of the Accreditation Bureau must not perform paid or unpaid positions at higher education institutions, must not be members of their bodies, and must not participate in entrepreneurial or decision-making activities of legal entities acting as universities. Furthermore, they must not be in an employment or other similar relation with higher education institutions and shall not provide, directly or indirectly, counselling or other similar assistance to higher education institutions at a fee; this shall not apply if they participate in teaching at higher education institutions pursuant to the provisions of Section 70 (3).
- (7) Other members of the Accreditation Bureau Board are allowed to exercise any scientific, pedagogic, or literary activities if these activities do not interrupt the dignity or undermine the belief in independence and impartiality of the Accreditation Bureau Board. If members of the Accreditation Bureau Board exercise another gainful occupation, apart from their function, they are obliged to do so in a manner that does not undermine the proper administration of the function of a member of the Accreditation Bureau Board and does not undermine the belief in independence and impartiality of the Accreditation Bureau.
- (8) The Government may dismiss a member of the Accreditation Bureau Board if he/she for a period of six months, without serious reason, fails to perform any functions or if he/she commits acts disputing the independence of the performance of the competence of the Accreditation Bureau. The Accreditation Bureau Board may file a motion to dismiss a member of the Accreditation Bureau Board to the Government.
- (9) The function of a member of the Accreditation Board comes to an end by:
  - a) the expiry of the term of office;
  - b) the renouncement of the function;
  - c) removal from the function;
  - d) the day of death or the date on which the decision of the court on the declaration of death or of a missing person comes into full force and effect;

- e) the date of completion of a degree programme in the case of a member appointed from among students;
  - f) the date of the emergence of the fact of concurrent incompatible functions; or
  - g) the date of the full force and effect
1. of a decision of the court, under which a member of the Accreditation Bureau Board was convicted for committing an intentional offence or sentenced to an unconditional prison sentence for committing a negligent offence;
  2. of a decision of the court approving the agreement of guilt of a member of the Accreditation Bureau Board and the sentence for committing an intentional criminal offence;
  3. of a decision of the Public Prosecutor to suspend the submission of an application for the punishment of a member of the Accreditation Bureau Board for an intentional criminal offence;
  4. of a decision of the Public Prosecutor or a court to suspend the prosecution of a member of the Accreditation Bureau Board for committing an intentional criminal offence or to approve a settlement in the criminal proceedings conducted in the matter of the committing of an intentional criminal offence by a member of the Accreditation Bureau Board; or
  5. of a decision of the court limiting the legal capacity of a member of the Accreditation Bureau Board.

### **Section 83c**

#### **The Scope of the Authority of the Accreditation Bureau Board**

- (1) The Accreditation Bureau Board makes decisions in all matters belonging to the scope of the authority of the Accreditation Bureau, except where required by law.
- (2) The Accreditation Bureau Board is designated to:
  - a) pass a proposal concerning the statute of the Accreditation Bureau and present it to the Government through the Minister;
  - b) make decisions in administration procedures lead by the Accreditation Bureau at the first stage
    1. on applications for institutional accreditation and the extension of its scope, for the accreditation of a degree programme and the extension of both its validity and its scope, the accreditation of habilitation procedures, or the accreditation of procedures for the appointment of professors;
    2. on the restriction or withdrawal of the accreditation of a degree programme, the restriction or withdrawal of institutional accreditation in a field of study, the restriction or withdrawal of accreditation for habilitation procedures or for procedures of appointment of professors, and the restriction or withdrawal of authorization to offer a degree programme on the basis of institutional accreditation pursuant to Section 86 (3) and (4);
    3. on the annulment of measures pursuant to Section 86 (9);
  - c) present initiatives for the adjustment of standards for accreditations established by the regulations of the Government pursuant to Section 82a to the Ministry;

- d) establish recommended instructions and methods of evaluation of the Accreditation Bureau produced on the basis of initiatives by the Chair of the Accreditation Bureau in compliance with the standards of accreditation pursuant to the Section 78a;
  - e) issue a standpoint towards the type of a higher education institution and make assessments of objections raised against the standpoint;
  - f) produce a report on external evaluations of the teaching, creative, and related activities of a higher education institution pursuant to Section 84 and make assessments of objections raised against this report;
  - g) issue a standpoint towards the granting of State Approval;
  - h) issue a standpoint on the personnel, financial, and material security of a foreign higher education degree programme and to fulfil the conditions for due provision of teaching and related creative activities of the applicant for the permission or authorisation to provide foreign higher education in the territory of the Czech Republic, provided the Ministry requests the co-operation of the Accreditation Bureau while assessing the fulfilment of the conditions stated in Section 93f (5) a) or Section 93h (5) a);
  - i) include candidates for the position of an assessor in the Pool of Evaluators;
  - j) pass a resolution on the basis of a motion of at least one third of its members, of representative bodies of higher education institutions, or of the Minister on the submission of a petition to dismiss a member of the Accreditation Bureau Board.
- (3) For adoption of the resolution in matters pursuant to Subsection (2) a), an approval of two thirds of all members of the Accreditation Bureau Board is needed.
- (4) An appeal may be lodged against the decision in the matter referred to in Subsection (2) b) to the Appeals Committee of the Accreditation Bureau. The Appeals Committee reviews the correlation of the contested decision and the procedure that preceded it with the legislation and the statute of the Accreditation Bureau. The Appeals Committee can only confirm the contested decision and dismiss the appeal or cancel the appeal or its part and refer the case back to be renegotiated or abolish the decision or its part and terminate the proceedings.
- (5) The Accreditation Bureau shall publish the statement of final decisions issued pursuant to Subsection (2) b) and the operative part of final decisions on appeals issued pursuant to Subsection (4) on the website of the Ministry.

### **Section 83d**

#### **The Appeals Committee of the Accreditation Bureau**

- (1) The Appeals Committee of the Accreditation Bureau has five members appointed and dismissed by the Government. Members of the Appeals Committee of the Accreditation Bureau are appointed from among persons with higher education which is a condition for registration to the list of trainee lawyers kept by the Czech Bar Association pursuant to the law on the Legal Profession. Three members of the Appeals Committee are appointed from among persons proposed by the representative bodies of higher education institutions referred to in the Section 92.
- (2) The activity of the members of the Appeals Committee of the Accreditation Bureau is an act in the general interest<sup>4)</sup> and as such, the Ministry provides remuneration for their performance, the amount of which shall be determined by the Statute of the Accreditation



Bureau. Members of the Appeals Committee of the Accreditation Bureau shall also be entitled to travel allowances to the same extent, amount, and conditions as in the case of employees in an employment<sup>5)</sup>, whereby the place of their residence shall be considered as their workplace. Travel allowances are provided by the Ministry, while the provisions of Section 206 (3) and (4) of the Labour Code shall not be applicable.

### **Section 83e** **The Evaluation Committee and the Pool of Evaluators**

- (1) An advisory body of the Accreditation Bureau Board is the Evaluation Committee which is established by the Chair of the Accreditation Bureau. Members of the Evaluation Committee are appointed from among persons registered to the Pool of Evaluators. The proposal made by members of the Evaluation Committee will be presented by the Accreditation Bureau to the respective higher education institution to issue a standpoint. In the case of a negative standpoint of the higher education institution, the Accreditation Bureau will propose another member or members of the Evaluation Committee. This adjusted proposal is not presented to the higher education institution to issue its standpoint. The provision of the Code of Administrative Procedures on exclusion from discussing and making decisions in cases is applied to members of Evaluation Committees by analogy. The Accreditation Bureau Board makes decisions in case of the bias objection.
- (2) The statute of the Accreditation Bureau will establish:
  - a) the number of members of the Evaluation Committee established for the preparations of documents for individual procedures pursuant to Section 83c (2) b) and g) and for individual external evaluations. There is always one student among the members of an Evaluation Committee;
  - b) criteria for filling the Pool of Evaluators for each of the fields of study with respect to representation of the people who work in the higher education area or other areas in compliance with Subsection (6) e);
  - c) the rules for the selection of members of Evaluation Committees from the Pool of Evaluators.
- (3) The Pool of Evaluators is administrated by the Accreditation Bureau. The list serves to register persons who may be appointed to Evaluation Committees. The list is divided into sections with respect to fields of study. The biggest number of persons for each field in the list will be established by the statute of the Accreditation Bureau.
- (4) Only such person who is generally recognised as a professional authority in the relevant field of study or a student in the relevant field of study may be enrolled in the Pool of Evaluators, and whose enrolment in the Pool of Evaluators was proposed by the Ministry or another central administrative authority, a representative body of a higher education institution pursuant to the provisions of Section 92, or a professional organisation or another legal entity referred to under the provisions of Section 77b (2) e) or who, at the request of the Accreditation Bureau published on the website of the Ministry, has shown an interest in participating in the activities of Evaluation Committees. Registration shall be executed if the given person meets the conditions for inclusion in the Pool of Evaluators set out by the Accreditation Bureau Board after consulting the representative bodies of higher education

institutions on the basis of the approved resolution of the Accreditation Bureau Board and written consent of the person enrolled to participate in the activities of Evaluation Committees for a period of 6 years. In the case of persons specialising in the “Security Sector Fields,” the consent of the Ministry of Defence or the Ministry of the Interior is also required for their registration. There is no legal entitlement to be enrolled in the Pool.

- (5) An evaluator can be excluded from the Pool of Evaluators by the Accreditation Bureau Board prior to the expiry of the period of registration upon his or her request on the basis of his or her initiative with an explanation or on the basis of the initiation of the Ministry with explanation made by the Ministry, the Ministry of the Interior, or the Ministry of Defence.
- (6) The Pool of Evaluators keeps the following information about evaluators:
  - a) name and surname, or other names and surname at birth, date of birth, and address of permanent residence. In the case of foreigners, also sex, registered address of residence in the Czech Republic, and citizenship;
  - b) in the case of an evaluator who is not a student, the focus of his or her higher education, academic titles, academic degrees, successfully completed habilitation procedures and procedures for the appointment of professors with degrees or fields in which the titles and degrees were awarded, and degrees and fields in which habilitation procedures and procedures for the appointment of professors were completed, and the name of the higher education institution at which the habilitation procedure or the procedure for appointment of professors took place;
  - c) in the case of an evaluator who is a student, the name of the institution and the name of the degree programme in which he or she is enrolled;
  - d) in the case of an employee of a higher education institution, the type of fundamental employment relationship to the higher education institution and its name;
  - e) the occupation of the evaluator and his/her possible association with higher education, including a statement of whether he/she is a current or former academic or scientific employee of a higher education institution, an emeritus rector or another former or current official of a higher education institution or its constituent part, an expert from the field of state, territorial, or public administration, an expert from the field of employers of higher education graduates, from a business sector cooperating with higher education institutions or from the sector of research institutions, or another practitioner, and the field of study the evaluator is active in.
- (7) The extraction from the Pool of Evaluators is made public by the Accreditation Bureau by means of the website of the Ministry, which includes each evaluator’s name and surname, titles and academic degrees, occupation and professional orientation. In the case of students, their legal standing of a student is included and the name of the higher education institutions which they are enrolled at is included.

### **Section 83f**

#### **The Office of the Accreditation Bureau**

The office of the Accreditation Bureau is a division of the Ministry and it fulfils the tasks associated with professional, organizational, and technical provisions of activities of the

Accreditation Bureau including administration of databases related to the activities of the Accreditation Bureau and carrying out the tasks of the Accreditation Bureau during administration procedures, with the exception of activities reserved for the bodies or entitled officials set up by law.

#### **Section 84**

##### **The External Evaluation of a Higher Education Institution's Activities and Supervision**

- (1) The Accreditation Bureau carries out the supervision of higher education institutions' compliance with legislative measures during the realization of the accredited activities and the external evaluations of teaching, creative, and related activities of a higher education institution.
- (2) The evaluation pursuant to Subsection (1) is carried out:
  - a) upon the Minister's initiative; or
  - b) in such case that the Accreditation Bureau finds serious reasons for exceptional evaluations.
- (3) During evaluation in accordance with Subsection (1), the Accreditation Bureau may utilise the results of the internal evaluation of the quality of the educational, creative, and other related activities of the higher education institution and any evaluation executed by a generally recognised evaluation agency in accordance with Section 77a (4), which for the purposes of this Act shall mean an agency registered in EQAR (European Register of Quality Assurance Agencies) or is a member of ENQA (European Association for Quality Assurance in Higher Education).

#### **Section 85**

##### **Obligations for Realization of the Accredited Activities**

A higher education institution which was granted accreditation is, in the period of validity of the accreditation, obliged:

- a) to respect all of the requirements arising from Sections 77b and 78a;
- b) to improve the system of assessment of the quality of teaching, creative, and related activities and of the internal evaluations of the quality of the educational, creative, and related activities of the higher education institution and fulfil the goals of the strategic plan for the educational and creative activities of the higher education institution;
- c) to inform the Accreditation Bureau about important changes that take place at the higher education institution and have or may have an impact on the realization of the accredited activities;
- d) to provide a report of the internal evaluation of the quality of the educational, creative, and related activities of the higher education institution with additions to this report to the Accreditation Bureau, or other additional information upon the Accreditation Bureau's request.

#### **Section 86**

##### **The Corrective Measures for Deficiencies in Realization of Accredited Activities**

- (1) If the Accreditation Bureau discovers any deficiencies in the provision of accredited activities, it will ask the higher education institution to remedy the situation within a reasonable length of time.
- (2) If the Accreditation Bureau discovers serious deficiencies arising in the course of the implementation of a degree programme whose accreditation was awarded to a higher education institution or which was accredited to a higher education institution by law and which is not offered by a higher education institution on the basis of institutional accreditation in the scope of the field of study for which a higher education institution was awarded the institutional accreditation, depending on the nature of the case, it will make a decision on:
  - a) restriction of the accreditation of a degree programme, consisting of a ban on admitting new applicants to study in the relevant degree programme; or
  - b) revocation of accreditation.
- (3) If the Accreditation Bureau discovers serious deficiencies in the realization of a degree programme on the basis of the institutional accreditation in the scope of the field or fields of study for which a higher education institution was granted institutional accreditation, depending on the nature of the case, it will make a decision on:
  - a) restriction of the authorization to offer a degree programme, consisting of a ban on admitting new applicants to study in the relevant degree programme;
  - b) termination of the authorization to offer the relevant degree programme;
  - c) restriction of the institutional accreditation for the field or fields of study, consisting of a termination of the right to create other degree programmes in this field or fields of study and extend existing degree programmes in this field or fields of education; or
  - d) revocation of institutional accreditation for the field or fields of study.
- (4) If the Accreditation Bureau discovers serious deficiencies in the activities of a higher education institution which was granted institutional accreditation, it will decide in the matter of revocation of institutional accreditation for the fields of study in which the deficiencies were discovered. It can also make a decision in the matter of adoption of measures referred to in Subsection (3) a) and b).
- (5) If the Accreditation Bureau discovers serious deficiencies in the habilitation procedures or the procedures for appointment of professors, it will make a decision, depending on the nature of the case, on the suspension or revocation of accreditation for the habilitation procedures or the procedures for the appointment of professors in the fields of study in which the deficiencies were discovered.
- (6) The measures referred to in Subsections (2) to (5) can be accepted by the Accreditation Bureau in the case that the discovered deficiencies pursuant to Subsection (1) were not corrected in the previously set length of time after the Accreditation Bureau's call, or in the case that the higher education institution did not provide synergies necessary for the execution of the Accreditation Bureau's scope of authority.
- (7) The Accreditation Bureau can also revoke accreditation if the situation at a higher education institution, one of its constituent parts, or the cooperating legal entity is such that a request for accreditation would be justifiably rejected.

- (8) In the case of revocation of accreditation pursuant to Subsection (2) b) or termination of authorization pursuant to Subsection (3) b), a higher education institution is obliged to provide students with the possibility of continuing their studies in the same or a similar degree programme at the same or another higher education institution.
- (9) If the reasons for the adoption of corrective measures pursuant to Subsections (2) a), (3) a) or c), or measures for suspension of accreditation pursuant to Subsection (5) cease to exist, the Accreditation Bureau will abolish the adopted measures.

### **Section 86a**

- (1) The party of the proceedings in cases referred to in Sections 78 to 86 is only such higher education institution which is the holder of accreditation or the applicant for accreditation. The party of the proceedings is also the respective legal entity concerned with teaching and creative activities referred to in Section 81 (1).
- (2) The party of the proceedings pursuant to Section 79 (5) is only the applicant who was legally granted State Approval to act as a private higher education institution by the decision which has yet come to force.
- (3) The party of the proceedings of awarding institutional accreditation is also a legal entity pursuant to Section 81d (2) b), if a higher education institution is to gain the right to realize a degree programme in cooperation with this legal entity by the decision to award institutional accreditation to the higher education institution.

## **PART X**

### **STATE ADMINISTRATION**

#### **Section 87**

#### **Competency of the Ministry**

- (1) The Ministry:
  - a) registers the internal regulations of higher education institutions;
  - b) draws up an annual report on the state of the system of higher education and the strategic plan of the Ministry and makes them public;
  - c) discusses and evaluates the strategic plans of the public higher education institutions and the strategic plans of the private higher education institutions as well as the annual plans of their realization;
  - d) distributes funding from the state budget (from funds provided for the educational system) to higher education institutions and monitors their use;
  - e) monitors the financial management of public higher education institutions pursuant to a special regulation;<sup>20)</sup>
  - f) grants state permission pursuant to Section 39 and 39a;
  - g) by order, determines:

1. the method and conditions of the process of admission procedures;
  2. the format and structure of the data message and the technical conditions and deadlines for the transfer of data pursuant to Section 87b (4);
  3. the deadlines, structure, and form of the transfer of data from higher education institutions to the Ministry pursuant to i);
  4. the format and structure of the data message and the technical conditions and deadline for the transfer of data pursuant to Section 90b (3);
- h) appoints and dismisses additional members of examination boards pursuant to Section 53 (3);
- i) collects and makes use of information on applications for admission to studies and on participants in and graduates of lifelong learning programmes and information contained in the student register, in compliance with special regulations and aggregated data about employees of higher education institutions and their remuneration. In collecting and making use of this information and in carrying out statistical analyses it is authorized (or in turn may authorize individuals) to make use of the identity number of applicants for admission to studies in a degree programme, individuals admitted to studies in a degree programme, students studying in a degree programme, and persons who have interrupted or completed their studies in a degree programme, as well as of participants in lifelong learning and graduates of lifelong learning. Higher education institutions must transfer these data in compliance with deadlines, structures, and forms established by implementing law;
- j) keeps:
1. the register of artistic outcomes pursuant to Section 77c;
  2. a publicly accessible register of higher education institutions and offered degree programmes pursuant to Section 87a;
  3. the register of associate professors, professors, and exceptional professors of higher education institutions pursuant to Section 87b;
  4. the register of proceedings of applications for the recognition of foreign education and qualifications acquired abroad pursuant to Section 90b;
- k) in compliance with the provisions of this Act, regulates higher education institutions within the framework of the work of the state administration;
- l) carries out the responsibilities of the higher administrative body for higher education institutions in administrative proceedings;
- m) adopts measures pursuant to Sections 37, 38, and 43;
- n) recognizes foreign higher education and qualifications acquired abroad under Sections 89 to 90a;
- o) grants scholarships funded from the state budget pursuant to Section 91;
- p) provides material and financial assistance for the activities of the Accreditation Authority;
- q) gives its consent or expresses its views on issues listed in Section 95;
- r) provides methodological assistance to higher education institutions in drawing up Statutes and other regulations of higher education institutions and faculties, keeping records on students and reporting statistics and in the areas of librarianship, information systems and international relations;
- s) makes material and financial awards to outstanding students, graduates of degree programmes and other persons for exceptional levels of academic achievement and results achieved in creative activities;

- t) provides the Accreditation Bureau with information necessary for the execution of its scope of authority upon its request in accordance with set deadlines;
- u) on the basis of documents from the Accreditation Bureau, informs the recognition bodies on decisions to grant accreditation for a degree programme focused on preparation for the pursuit of a regulated profession or on realization of a degree programme of such focus in the scope of the field of study for which the given institutional accreditation was granted for which a standpoint pursuant to Section 78 (6) and Section 79 (2) f) has been issued. The Ministry sends the accredited degree programme to the recognition body along with the information provided;
- v) makes available specific financial support from the European Funds via the state budget to legal and physical entities as recipients or co-recipients who, on the basis of agreements made between themselves, work on projects aimed at educational activities carried out at higher education institutions on the basis of publicly announced competitions;
- w) determines the amount of the specified financial support from the European Funds that the recipient must provide to the co-recipient pursuant to paragraph v). The provision of specified financial support is not subject to a special regulation;<sup>20a)</sup>
- x) grants approval or authorization for the provision of foreign higher education in the territory of the Czech Republic pursuant to Section 93a (3) and (5) and Sections 93f and 93h and exercises control over compliance with legislation in the field of provision of foreign higher education in the territory of the Czech Republic.
- y) debates administrative infractions by this Act and imposes administrative sentences for them;
- z) performs higher verification of higher education diplomas and diploma supplements issued by universities in the Czech Republic for the purpose of their use abroad, by verification of signatures and stamps on referred instruments.

(2) The Ministry also

- a) gives permission to examine the register of artistic outcomes in compliance with Section 77c:
  - 1. to the Accreditation Bureau and, under the condition of showing evidence of legal interest, to Rectors of both public and private higher education institutions, to the bodies of private education institutions fulfilling the function of Rector, and to employees of higher education institutions who were specially authorised for this task by said bodies of a higher education institution;
  - 2. to individuals whose personal data are mentioned in the register; they can examine specifically data concerning themselves, including data regarding examinations of their personal data;
- b) gives permission to examine the register of associate professors, professors, and visiting professors of higher education institutions referred to in Subsection (1) j) point 3 and in Section 87b:
  - 1. to the Accreditation Bureau and, under the condition of showing evidence of legal interest, to Rectors of public, state and private higher education institutions, to the bodies of private education institutions fulfilling the function of Rector, and to employees of higher education institutions who were specially authorised for this task by said bodies of a higher education institution. The higher education institution uses information from the Registry of Associate Professors, Professors, and Visiting Professors for the purposes of identifying facts relating to accreditation issues and the emergence or eventual overlapping of core labour relations;
  - 2. to individuals whose personal data are mentioned in the register; they can examine

- specifically data concerning themselves, including data regarding examinations of their personal data;
3. to statutory bodies of providers of foreign higher education in the territory of the Czech Republic under the condition of showing evidence of legal interest;
- c) grants access to the Register of Proceedings of Applications for Recognition of Foreign Higher Education and Qualifications as referred to in Subsection (1) j) point 4 and under Section 90b:
1. to the Accreditation Bureau;
  2. to the Ministry of Defence, the Ministry of the Interior, Rectors of public higher education institutions, and employees of public higher education institutions who were specially authorised for this task by the Rectors of public higher education institutions. The referred bodies and public higher education institutions shall utilise information from the register for the purposes of determination of facts in their proceedings of applications for recognition of foreign higher education and qualifications or in proceedings of applications for admission to studies;
  3. to Rectors of state higher education institutions, bodies of private higher education institutions executing the function of the Rector, and their employees authorised by them, for the purposes of determining facts in proceedings of applications for admission to studies;
  4. to those who demonstrate their entitlement under a special law;
  5. to individuals whose personal data are in the register; they are permitted to examine the data concerning themselves.

#### **Section 87a**

##### **The Register of Higher Education Institutions and Offered Degree Programmes**

- (1) The register of higher education institutions and offered degree programmes is an information system of public administration which serves especially for the purposes of finding facts in procedures concerning accreditations. The administrator of the register of higher education institutions and offered degree programmes is the Ministry.
- (2) The register of higher education institutions and offered degree programmes is divided with respect to higher education institutions, fields of study, and types of degree programmes and their profiles. The Register includes the List of Providers of Foreign Higher Education in the territory of the Czech Republic, referred to under the provisions of Section 93a, and their foreign higher education degree programmes.
- (3) The structure of the register is established by the Ministry. The Accreditation Bureau, higher education institutions, and providers of foreign higher education in the territory of the Czech Republic provide the required data relevant to the register to the Ministry.

#### **Section 87b**

##### **The Register of Associate Professors, Professors, and Visiting Professors**

- (1) The register of associate professors, professors, and visiting professors is an information system of public administration which serves for recording information about employees of public, state, and private higher education institutions who hold posts of associate professors, professors, or visiting professors. The administrator of the register of associate professors, professors, and visiting professors is the Ministry.



- (2) The register of associate professors, professors, and visiting professors includes the following information about the employees referred to in Subsection (1):
  - a) name and surname, or other names or surname at birth, year of birth, municipality of permanent residence; in the case of foreigners also sex, address of registered residence in the Czech Republic, and citizenship;
  - b) information on the date an employee obtained a higher education degree, their academic titles, scientific rankings, and successfully completed habilitation procedures and procedures for the appointment of a professor, including the programmes and fields in which the titles and degrees were obtained and in which the habilitation procedures and the procedures for the appointment of professors were completed, and the identification of the higher education institution at which the habilitation or appointment proceeding was executed, and the appointment dates of an associate professor or a professor;
  - c) data on the commencement, changes, and termination of the basic employment of an employee with a higher education institution, or, in the case of a state higher education institution, with the Czech Republic, including data on the extent of work expressed in terms of the number of hours worked per week or per calendar year or another relevant period, and on the period for which the basic employment with the higher education institution or with the Czech Republic is negotiated and other similar data on the employment, when the position of an academic at a state higher education institution is occupied by a soldier in active duty or by an active member of the Police of the Czech Republic.
- (3) Users of the register of associate professors, professors, and visiting professors are:
  - a) the Ministry;
  - b) the Accreditation Bureau;
  - c) Rectors of public higher education institutions and of state higher education institutions, the bodies of private higher education institutions fulfilling the function of the Rector, and employees of education institutions who were specially authorised for this task by Rector;
  - d) an employee of a higher education institution whose data are recorded in the register, if the data are concerned with himself or herself.
- (4) The Ministry will establish the format and structure of the data message by the decree by which public, state, and private higher education institutions announce changes in the data concerning their employees, technical conditions, and deadlines for transfer of the data.
- (5) Data concerning the associate professors and professors in a fundamental employment relationship working as pedagogic or scientific workers for providers of foreign higher education in the territory of the Czech Republic referred to in the Section 93a are part of the register. Regulations from Subsections (1) to (4) will be applied by analogy.

## **Section 88**

### **Register of Students**

- (1) Every higher education institution must keep a register of students. The register of students is used to keep records on students and serves for budgetary and statistical purposes.
- (2) The register of students records the personal name and surname or other names and surname at birth, identity number, marital status and address of permanent residence of the student; in

the case of foreigners, also the date of birth, sex, place of registered residence in the Czech Republic and citizenship.

(3) The main information on individual students included in the register of students is as follows:

- a) the date of enrolment in studies;
- b) previous education;
- c) the degree programme and mode of study;
- d) enrolment in the next academic year or block of studies;
- e) state examinations passed and academic degrees awarded;
- f) interruption of studies;
- g) closure of studies;
- h) the number of the academic diploma and its supplement if it was included.

The structure of information records contained in the database and the technical details are laid out by the Ministry after discussion with the higher education institution.

(4) Entries in the register of students may only be made by authorized employees of the higher education institution; entries pursuant to Subsection (3) a) and c) to g) must be made immediately following the events in question. The register of students and documents relating to these events are regarded as archive records; archiving as well as making abstracts and copies of records are subject to special regulations.<sup>21)</sup>

(5) The higher education institution will provide the relevant records contained in the register of students to those who can demonstrate a legal interest.

## **Section 89**

### **Recognition of Foreign Higher Education and Qualifications**

(1) Upon the request of a graduate of a foreign higher education institution, a certificate of recognition in the Czech Republic of his/her higher education or some part of this education will be issued by:

- a) the Ministry, in cases where the Czech Republic is bound by an international treaty with a country in which the higher education institution is established and recognized and the Ministry is authorized by this treaty to grant such recognition;
- b) in all other cases, a public higher education institution providing a degree programme that has similar contents.

(2) In cases of doubt, the Ministry will decide on whether a public higher education institution has the required authority, or will take the decision concerning recognition of the higher education or some part of this education itself.

(3) The public higher education institution issues the certificate based on its knowledge of the quality of the foreign higher education institution in question or based on the extent of knowledge and acquired skills evinced by the higher education qualification.

- (4) The provisions of Subsections (1) to (3) apply in an analogous fashion to individual examinations taken at higher education institutions abroad, should it not be a case of a joint degree programme with a higher education institution according to the Act.

### **Section 90**

- (1) Decisions pertaining to the recognition by a public higher education institution of higher education and qualifications acquired abroad are made by the Rector.
- (2) This recognition is based on the original or a legally attested copy of a diploma, certificate or similar document issued by the foreign higher education institution, or the original or a legally attested copy of a diploma supplement and supplementary information confirming that the degree programme was carried out by an institution authorised to provide education comparable to higher education pursuant to this Act as well as information on the contents of the higher education studies abroad. If requested, an officially certified translation of these documents must be presented.
- (3) Unless otherwise provided for in an international treaty to which the Czech Republic is bound, a public higher education institution or the Ministry may require that the authenticity of signatures and stamps on the original documentation be verified by the Ministry of Foreign Affairs of the country in which the higher education institution that issued the document is domiciled, or by a relevant foreign body and the relevant embassy of the Czech Republic.
- (4) In the case of an individual who has been granted international protection in the form of asylum or subsidiary protection<sup>21a)</sup> in the Czech Republic or some other member state of the European Union, or who on the basis of international commitments the Czech Republic is obliged to regard as a refugee or exile or a person in a situation similar to that of refugees, the document required pursuant to Subsection (2) and the verification of authenticity required pursuant to Subsection (3) may be replaced by a sworn statement made by the individual in question concerning the facts otherwise attested to by such a document or verification.
- (5) If the public higher education institution or in the case of Section 89 (2) the Ministry discovers substantial differences in the degree programmes being compared, the request for recognition will be refused.

### **Section 90a**

- (1) When submitting an application for recognition of foreign higher education and qualifications in compliance with Section 89, the applicant must pay:
- a) a fee for operations associated with proceedings regarding an application for recognition of foreign higher education and qualification pursuant to Subsection (2) in the case that the application is submitted to a public higher education; or
  - b) an administrative fee pursuant to Subsection (3) in the case that the application is submitted to the Ministry, the Ministry of the Interior, or the Ministry of Defence.
- (2) Should an application for recognition of foreign higher education and qualifications pursuant to Section 89 be submitted to a public higher education institution, the public higher education

institution collects a fee of 3,000 CZK for operations associated with the proceedings regarding an application for recognition of foreign higher education and qualifications. The fee is part of the income of the public higher education institution; the payment shall be realized directly to its bank account.

- (3) The submission of an application for recognition of a foreign higher education degree and qualifications under the provisions of Section 89 to the Ministry, the Ministry of the Interior, or the Ministry of Defence shall be subject to charges in accordance with the Act on Administrative Fees.<sup>34)</sup>

### **Section 90b**

#### **The Register of Proceedings regarding Applications for Recognition of Foreign Higher Education and Qualifications**

- (1) The Ministry keeps the register of proceedings regarding applications for recognition of foreign higher education and qualifications pursuant to Section 89, which is an information system of public administration. The data which are entered into the register by the Ministry, the Ministry of Defence, the Ministry of the Interior, and public higher education institutions are:
- a) the name or names and surname, date of birth, and address of permanent residence of the applicant; in the case of foreigners also sex, address of registered residence in the Czech Republic, and citizenship;
  - b) the designation of the foreign proof of education which the application concerns, including the name and registered office of the foreign higher education institution which issued it and the designation of the State under the jurisdiction of which the document was issued;
  - c) details of the outcome of the application proceedings indicating the body deciding on the application and indicating the file reference which the proceedings were conducted under, including the reference number, the date of the copy, and the date of the issue of the decision on the application.
- (2) The data from the register will be provided by the Ministry to entities and bodies referred to in Section 87 (2) c) upon their request.
- (3) The Ministry sets out the format and structure of the data message by means of a decree through which the public higher education institutions, the Ministry of Defence, and the Ministry of Interior shall notify of data concerning the administrative proceedings, technical conditions, and deadlines for data transmission.

## **PART XI**

### **SCHOLARSHIPS**

#### **Section 91** **Scholarships and Bursaries**

- (1) Students of higher education institutions are eligible for scholarships and bursaries.

- (2) Scholarships and bursaries funded from the subsidy or block grant may be awarded in the following cases:
- a) for outstanding study results;
  - b) for outstanding scholarly, scientific, research, development, artistic or other creative results contributing to the enhancement of knowledge;
  - c) for research, development and innovation activities pursuant to a special regulation;<sup>8e)</sup>
  - d) in the case of a student's difficult social conditions;
  - e) in other cases, worthy of special consideration.
- (3) Bursaries awarded pursuant to Subsection (2) d) are also available for students who qualify for increased child support according to a special regulation<sup>21a)</sup> provided that the relevant family income ascertained for the purpose of child support does not exceed the family subsistence level multiplied by a factor of 1.5. A bursary is provided for ten months of each academic year for the standard length of studies. The size of a bursary for one month corresponds to one fourth of the basic rate of the minimum monthly wage. The amount of such determined scholarship shall be rounded up to decimal places. To qualify for the bursary, the student must produce a written notification, issued at his/her request by the social security office that initially granted child support, stating that the family income ascertained for the purpose of child support for third calendar quarter of the year did not exceed the family subsistence level multiplied by 1.5. The notification for the purpose of awarding the bursary is valid for 21 months from the end of the quarter for which the family income was ascertained. A student may claim a bursary only once during a specific period of time.
- (4) Scholarships and bursaries funded from the subsidy or block grant may also be awarded in the following cases:
- a) in support of studies abroad;
  - b) in support of studies in the Czech Republic;
  - c) to students in Doctoral degree programmes.
- (5) Scholarships and bursaries are awarded to students by the higher education institution or faculty in accordance with its Scholarship and Bursary Regulations.
- (6) Scholarships and bursaries are awarded by the Ministry pursuant to Subsections (2) and (4) in accordance with programmes announced by the Minister, taking into account obligations under international treaties binding on the Czech Republic. The Ministry may also award these scholarships and bursaries to citizens of the Czech Republic who study at higher education institutions abroad.

## **PART XII**

### **REPRESENTATIVE BODIES OF HIGHER EDUCATION INSTITUTIONS**

#### **Section 92**

- (1) The representative bodies of higher education institutions are:

- a) a body composed of members of the academic communities of higher education institutions delegated by their representative academic bodies [the Council of Higher Education Institutions];
  - b) a body composed of representatives of higher education institutions [the Czech Rectors' Conference].
- (2) Details on the procedure for the establishment of these bodies and their rules of procedure are laid out in their Statutes.
- (3) The Minister and the representative bodies of higher education institutions will discuss proposals and measures that have a significant impact on higher education institutions, including proposals of law regulations regarding fields of study, standards for accreditations, admission procedure, and the statute of the Accreditation Bureau.
- (4) In particular, the representative bodies of higher education institutions will:
- a) submit recommendations for the membership of the Accreditation Bureau Board in compliance with Section 83b (1). Recommendations are submitted by both bodies referred to in Subsection (1);
  - b) submit recommendations for the inclusion of individuals to the Pool of Evaluators in compliance with Section 83e to the Accreditation Bureau Board;
  - c) be allowed to submit initiatives regarding the content of implementation laws established by this Act to the Ministry.

### **PART XIII**

#### **TEACHING HOSPITALS**

##### **Section 93**

- (1) Clinical as well as practical instruction in the study fields “General Medicine and Dentistry”, “Healthcare fields” and “Pharmacy” takes place primarily at teaching hospitals.<sup>22)</sup> At these hospitals, scholarly, scientific, research and development activities are also carried out.
- (2) Details pertaining to this are set out in a special regulation.

### **PART XIV**

#### **PROVIDERS OF FOREIGN HIGHER EDUCATION IN THE TERRITORY OF THE CZECH REPUBLIC**

##### **Section 93a**

##### **Foreign Higher Education Institution and Domestic Legal Entity**

- (1) Foreign higher education institution shall mean a legal entity established under the law of a foreign state which is in a foreign state, based on the legal regulations of which it was established, (hereinafter referred to as the “home state”), a part of the higher education system

of the home state, and which provides education in such home state the completion of which provides higher education in the home state under its legal regulations.

- (2) A foreign higher education institution, having its registered office, central administration, or principal place of business in the territory of any other EU Member State or which was established or founded under the law of any other EU Member State (hereinafter referred to as the "European foreign higher education institution") shall be authorised to provide foreign higher education under a foreign higher education degree programme in the Czech Republic, conducted under laws of its home state, provided it is registered in the Czech Republic to fulfil the information duties arising from the provisions of Section 93b (1).
- (3) A foreign higher education institution which is not a European foreign higher education institution (hereinafter referred to as "non-European foreign higher education institution") shall be entitled to provide a foreign higher education under a foreign higher education degree programme in the territory of the Czech Republic in accordance with the legislation of its home state, provided the Ministry has granted it a permit under the provisions of Section 93f to provide foreign higher education in the territory of the Czech Republic (hereinafter referred to as the "domestic permit").
- (4) A domestic legal entity which intends to provide higher education under a foreign higher education degree programme of a European foreign higher education institution in the territory of the Czech Republic as part of a cooperation with a European foreign higher education institution in accordance with the legislation of the home state of such European foreign higher education institution (hereinafter referred to as the "Branch of a European foreign higher education institution") shall be entitled to execute such education in the territory of the Czech Republic, provided it is registered in the Czech Republic for the fulfilment of the information obligations arising under the provisions of Section 93d (1).
- (5) A domestic legal entity which intends to provide higher education under a foreign higher education degree programme of a non-European foreign higher education institution in the territory of the Czech Republic as part of a cooperation with a non-European foreign higher education institution in accordance with the legislation of the home state of such non-European foreign higher education institution (hereinafter referred to as "non-European higher education institution branch") shall be entitled to provide such education in the territory of the Czech Republic, provided the Ministry has awarded it an authorization under the provisions of Section 93h to provide foreign higher education in the territory of the Czech Republic (hereinafter referred to as the "domestic authorization").
- (6) The conditions for the provision of education set out under special legal regulations shall not be affected by the provisions of Subsections (2) to (5).
- (7) The provisions of Sections 89 to 90b shall apply accordingly to the recognition of documentary evidence of education gained through studies at a foreign higher education institution in the Czech Republic.

### **Section 93b**

#### **Information Obligations of a European Foreign Higher Education Institution**

- (1) A European foreign higher education institution which intends to provide foreign higher education and a foreign higher education degree programme through a domestic legal entity

or alone in accordance with the legislation of the home state in the territory of the Czech Republic shall be obligated to register with the Ministry for fulfilment of the information obligations and do so before the execution of foreign higher education activities in the territory of the Czech Republic.

(2) The European foreign higher education institution referred to in Subsection (1) shall be required:

- a) to notify the Ministry that it intends to provide foreign higher education and a foreign higher education degree programme in the territory of the Czech Republic;
- b) to submit documentary evidence proving its establishment and functioning in the home state as a state-recognised higher education institution to the Ministry;
- c) to notify the Ministry of the place of conducting foreign educational activities under foreign higher education degree programmes and, depending on the type of degree programmes, also the execution of creative activities in the territory of the Czech Republic;
- d) to submit information on studies under a foreign higher education degree programme which it intends to carry out or carries out in the territory of the Czech Republic to the Ministry; in particular, information concerning its content, the employability of graduates, the organisation of studies, the awarded academic or other degree, the extent of study, and the rights and obligations of students;
- e) to submit documents of accreditation or another form of recognition of a foreign higher education degree programme to the Ministry in accordance with the legislation of its home state;
- f) to notify the Ministry of changes in the data referred to under paragraph a) to e) within 30 days of their implementation;
- g) to notify the Ministry of the termination of the provision of foreign higher education in the territory of the Czech Republic;
- h) to publish the following on the public parts of their website:
  1. the list of foreign higher education degree programmes, which it carries out in the territory of the Czech Republic, including their type or their breakdown into fields of study, forms of education, and standard lengths of studies;
  2. documents on the validity of the accreditation or another form of recognition of foreign higher education degree programmes carried out in the territory of the Czech Republic in accordance with the legislation of its home state;
  3. the conditions for admission into study in the territory of the Czech Republic, the method of application submission, and information on admission into studies;
  4. information on the legal status of a student and a graduate of a foreign higher education degree programme;
  5. the established fees associated with the studies;
  6. a description of the credit system, if applicable;
  7. the place of study under a foreign higher education degree programme;
  8. a list of programmes of further continued education;

i) to publish study and examination regulations on the public section of its website.

(3) The duties referred to under Subsection (1) and Subsection 2 a) to e) must be fulfilled prior to the commencement of foreign higher education in the territory of the Czech Republic. The obligations referred to under Subsection (2) g) must be fulfilled within 30 days of the



termination of the foreign higher education in the territory of the Czech Republic. Duties referred to under Subsection (2) h) and i) must be fulfilled so that the currently valid data are published no later than 30 days after the relevant change in the published data was implemented. If the relevant documents or information are not prepared in the Czech language, the provider shall publish and submit them in accordance with the provisions of Subsection (2) together with their Czech translation.

### **Section 93c**

#### **Other Obligations of a European Foreign Higher Education Institution**

A European foreign higher education institution registered for the fulfilment of information obligations is also required:

- a) to provide up-to-date data on foreign higher education degree programmes carried out in the territory of the Czech Republic for the purposes of the list of providers of foreign higher education in the territory of the Czech Republic and their foreign higher education degree programmes;
- b) to annually prepare and submit to the Ministry, and to publish on the public part of its website, an annual report on the activities of the foreign higher education institution in the territory of the Czech Republic in the appropriate calendar year no later than the end of April of the following calendar year; the content of the annual report shall be governed accordingly under the provisions of Section 21 (2);
- c) to prepare and submit to the Ministry, and publish on the public part of their website, the strategic plan of the foreign higher education institution in the territory of the Czech Republic no later than 4 months from the date of registration for the fulfilment of information obligations;
- d) to provide the Ministry with information necessary for its activities under this Act at its request by the stipulated deadlines and free of charge;
- e) to keep student registers of students studying in the territory of the Czech Republic, to which the provisions of Section 88 shall apply accordingly;
- f) to provide up-to-date data for the registry of associate professors, professors, and visiting professors of higher education institutions on associate professors and professors acting as pedagogical or scientific staff at the European foreign higher education institution in the territory of the Czech Republic;
- g) to notify the Ministry of its termination.

### **Section 93d**

#### **Information Obligations of a Branch of a European Foreign Higher Education Institution**

- (1) A branch of a European foreign higher education institution is obligated to apply to the Ministry for the fulfilment of information obligations before commencing the provision of education in a foreign higher education degree programme in the territory of the Czech Republic.
- (2) A branch of a European foreign higher education institution is obliged:
  - a) to notify the Ministry that it intends to provide foreign higher education and a foreign higher education degree programme in the territory of the Czech Republic;

- b) to submit documentary evidence of the establishment and functioning of the appropriate foreign higher education institution in the home state as a state-recognised higher education institution to the Ministry;
  - c) to notify the Ministry of the place of conducting foreign educational activities under foreign higher education degree programmes and, depending on the type of degree programmes, also the execution of creative activities in the territory of the Czech Republic;
  - d) to submit information on studies under a foreign higher education degree programme which it intends to carry out or perform in the territory of the Czech Republic to the Ministry; in particular, information concerning its content, the employability of graduates, the organisation of studies, the awarded academic or other degree, the extent of study, and the rights and obligations of students;
  - e) to submit documents of accreditation or another form of recognition of the foreign higher education degree programme to the Ministry, which it intends to carry out in the territory of the Czech Republic, according to the legislation of the home state of the relevant European foreign higher education institution;
  - f) to submit an agreement or agreements or other documents demonstrating and regulating the cooperation of a domestic legal entity with the relevant foreign higher education institution to the Ministry;
  - g) to notify the Ministry of changes in the data referred to under paragraph a) to f) within 30 days of their implementation;
  - h) to notify the Ministry of the termination of the provision of foreign higher education in the territory of the Czech Republic;
  - i) to publish the following on the public parts of their website:
    - 1. the list of foreign higher education degree programmes which it carries out in the territory of the Czech Republic, including their type or their breakdown into fields of study, forms of education, and standard lengths of studies;
    - 2. documents on the validity of the accreditation or another form of recognition of foreign higher education degree programmes carried out in the territory of the Czech Republic in accordance with the legislation of the home state of the appropriate foreign higher education institution;
    - 3. the conditions for admission into study in the territory of the Czech Republic, the method of application submission, and information on admission into studies;
    - 4. information on the legal status of a student and a graduate of the foreign higher education degree programme;
    - 5. the established fees associated with the studies;
    - 6. a description of the credit system, if applicable;
    - 7. the place of study under a foreign higher education degree programme;
    - 8. a list of programmes of further continued education;
  - j) to publish study and examination regulations on the public section of its website.
- (3) The obligations referred to under Subsection (1) and Subsection (2) a) to f) must be fulfilled prior to the commencement of the provision of foreign higher education and the provision of a foreign higher education degree programme in the territory of the Czech Republic. The obligations referred to under Subsection (2) h) must be fulfilled within 30 days of the completion of the provision of a foreign higher education and the execution of a foreign higher education degree programme in the territory of the Czech Republic. Obligations referred to under Subsection (2) i) and j) must be fulfilled so that the currently valid data are published no later than 30 days after the relevant change in the published data was

implemented. If the relevant documents or information are not prepared in the Czech language, the provider shall publish and submit them in accordance with the provisions of Subsection (2) together with their Czech translation.

### **Section 93e**

#### **Other Obligations of a Branch of a European Foreign Higher Education Institution**

A branch of a European foreign higher education institution operating in the Czech Republic shall also be obligated:

- a) to provide up-to-date data on foreign higher education degree programmes realized in the territory of the Czech Republic for the purposes of the list of providers of foreign higher education in the territory of the Czech Republic and their foreign higher education degree programmes;
- b) to annually prepare and submit to the Ministry, and to publish on the public part of its website, an annual report on the provision of foreign higher education in the territory of the Czech Republic in the appropriate calendar year no later than the end of April of the following calendar year; the content of the annual report shall be governed accordingly under the provisions of Section 21 (2);
- c) provide the Ministry with information necessary for its activities under this Act at its request by the stipulated deadlines and free of charge;
- d) keep a register of students listing the students studying in the territory of the Czech Republic; the register will be accordingly subject to Section 88;
- e) provide up-to-date information about assistant professors and professors working as teaching or scientific staff at a branch of a European higher education institution in the territory of the Czech Republic for the register of assistant professors, professors, and visiting professors at higher education institutions;
- f) to notify the Ministry of the termination of the relevant European foreign higher education institution.

### **Section 93f**

#### **Award of a Domestic Permit to Non-European Foreign Higher Education Institutions**

- (1) The domestic permit is awarded to a non-European foreign higher education institution by the Ministry upon its written request.
- (2) The applicant for the award of a domestic permit shall, along with the application, submit to the Ministry:
  - a) documentary evidence proving its establishment and functioning in the home state as a state-recognised higher education institution;
  - b) details of its statutory bodies;
  - c) the place of conducting foreign educational activities under foreign higher education degree programmes and, depending on the type of degree programmes, also the execution of creative activities in the territory of the Czech Republic;
  - d) information about the study in the foreign higher education degree programme which it intends to carry out in the territory of the Czech Republic, in particular its content, the

- employability of graduates, the organisation of study, the awarded foreign academic or other degree, the extend of study, and the rights and obligations of students,
- e) documents on accreditation or another form of recognition of foreign higher education institution degree programmes carried out in the territory of the Czech Republic in accordance with the legislation of its home state;
  - f) evidence of the applicant's authorisation under the legislation of its home state to provide foreign higher education in the territory of the Czech Republic, provided that the legislation of the home state governs or limits such authorisation; if such authorisation is not regulated or limited by the legislation of the home state, the applicant shall prove this fact in their statement.
- (3) The Ministry decides on the application within 150 days.
- (4) In the event that the foreign higher education degree programme which the applicant intends to offer in the territory of the Czech Republic is intended to be focused on preparation for the pursuit of a regulated profession, the Ministry will ask the competent recognition authority<sup>19a)</sup> for an opinion on whether a graduate of this degree programme will be adequately prepared to pursue this regulated profession under special legislation.<sup>35)</sup> In case of degree programmes focused on the preparation of security and defence experts, the Ministry will request an opinion of the Ministry of the Interior and the Ministry of Defence on whether the graduates will be adequately prepared to pursue an occupation in the relevant field.
- (5) The Ministry shall not award a domestic permit, if:
- a) the foreign higher education degree programme which the applicant intends to carry out in the territory of the Czech Republic does not have adequate personnel, financial, or material resources, or if the applicant has not established conditions appropriate for the proper teaching and related creative activities;
  - b) the application contained incorrect data decisive for the award of the domestic permit and if such shortcomings were not remedied on the date of the issue of the decision;
  - c) the evidence of education gained through the completion of the study in the Czech Republic would not be equivalent to the evidence of education obtained by completing the relevant study in the home state of the applicant for a domestic permit;
  - d) the graduates of the study in the Czech Republic would not be entitled to the issue of documentary evidence of their studies if they are not issued by a non-European foreign higher education institution but by another authorised body in accordance with the legislation of their home state;
  - e) the activity of a non-European foreign higher education institution in the Czech Republic would be in conflict with the legislation of its home state according to the information provided by the appropriate authority of its home state;
  - f) the activity of a non-European foreign higher education institution in the Czech Republic would be in conflict with the legislation of the Czech Republic;
  - g) the study is to prepare students for a regulated profession and if it is the statement of the competent recognition body<sup>19a)</sup> that its graduates would not be adequately prepared to pursue said profession regulated under a separate legal regulation;<sup>35)</sup> or
  - h) the study is intended to educate security and defence experts and, in the opinion of the Ministry of the Interior or the Ministry of Defence, the graduates would not be adequately prepared to pursue an occupation in this field.
- (6) The decision on the award of a domestic permit shall include the names of foreign higher education degree programmes which the non-European foreign higher education institution

is authorised to execute in the territory of the Czech Republic, as well as the name of the state the legal regulations of which govern such foreign higher education and the foreign academic or other title awarded to its graduates.

- (7) The domestic permit shall be awarded for a period of 6 years.
- (8) If the Ministry finds that the non-European foreign higher education institution does not act in accordance with the provisions of the domestic permit, it shall request it to remedy any shortcomings within the deadline of 90 days. If the non-European foreign higher education institution fails to remedy said shortcomings within the set deadline, the Ministry shall issue a decision on the revocation of the domestic permit.
- (9) The Ministry may, upon the request of a non-European foreign higher education institution, decide to expand the domestic permit for the implementation of other foreign higher education degree programmes; the provisions of Subsections (1) to (6) shall apply accordingly. The decision of the expansion of a domestic permit shall not extend its validity.
- (10) A domestic permit awarded by the Ministry cannot be transferred to another legal entity or passed to a legal successor of the non-European foreign higher education institution.
- (11) The Ministry shall decide on the revocation of the domestic permit within 30 days after the receipt of the notification of the non-European foreign higher education institution on termination of the implementation of foreign higher education degree programmes in the Czech Republic.

### **Section 93g**

#### **Other Obligations of a Non-European Foreign Higher Education Institution**

A non-European higher education institution operating in the Czech Republic shall also be obligated:

- a) to provide up-to-date data on foreign higher education degree programmes carried out in the territory of the Czech Republic for the purposes of the list of providers of foreign higher education in the territory of the Czech Republic and their foreign higher education degree programmes;
- b) to annually prepare and submit to the Ministry, and to publish on the public section of its website, an annual report on the activities of the foreign higher education institution in the territory of the Czech Republic in the appropriate calendar year no later than the end of April of the following calendar year; the content of the annual report shall be governed accordingly under the provisions of Section 21 (2);
- c) to prepare and submit to the Ministry, and publish on the public section of their website, the strategic plan of the foreign higher education in the territory of the Czech Republic no later than 4 months from the date of the awarding of the domestic permit;
- d) to provide the Ministry with information necessary for its activities under this Act at its request by the stipulated deadlines and free of charge;
- e) to keep student registers of students studying in the territory of the Czech Republic, to which the provisions of Section 88 shall apply accordingly;
- f) to provide up-to-date data for the registry of associate professors, professors, and visiting professors of higher education institutions on associate professors and professors acting as

- pedagogical or scientific staff at the non-European foreign higher education institution in the territory of the Czech Republic;
- g) to notify the Ministry of its termination;
  - h) to notify the Ministry of the termination of the provision of foreign higher education in the territory of the Czech Republic;
  - i) to publish the following on the public section of their website:
    - 1. the list of foreign higher education degree programmes which it offers in the territory of the Czech Republic, including their type or their breakdown into fields of study, forms of education, and standard periods of study;
    - 2. documents on the validity of the accreditation or other form of recognition of foreign higher education degree programmes carried out in the territory of the Czech Republic in accordance with the legislation of its home state;
    - 3. the conditions for admission into study in the territory of the Czech Republic, the method of application submission, and information on admission into studies;
    - 4. information on the legal status of a student and a graduate of the foreign higher education degree programme;
    - 5. the established fees associated with the studies;
    - 6. a description of the credit system, if applicable;
    - 7. the place of study under a foreign higher education degree programme;
    - 8. a list of programmes of further continued education;
  - j) to publish study and examination regulations on the public section of its website.

### **Section 93h**

#### **Granting Domestic Authorisation to a Branch of Non-European Higher Education Institutions**

- (1) Domestic authorisation is granted to a branch of a non-European higher education institution by the Ministry at the written request of the relevant branch.
- (2) The applicant for domestic authorisation submits the following to the Ministry together with the domestic authorisation application:
  - a) documents proving the establishment and operation of the relevant non-European higher education institution in the home country as a state-recognised higher education institution;
  - b) information about the statutory bodies of the non-European higher education institution;
  - c) information about the location of the educational activities in the foreign higher education degree programme and, depending on the type of the degree programme, also of creative activities in the territory of the Czech Republic;
  - d) information about the study in the foreign higher education degree programme which it intends to carry out in the territory of the Czech Republic, in particular its content, the employability of graduates, the organisation of study, the awarded foreign academic or other degree, the scope of study, and the rights and obligations of students;
  - e) documents proving accreditation or another form of recognition of the foreign higher education degree programme which it intends to carry out in the territory of the Czech Republic, under the legislation of the home country of the relevant non-European higher education institution;
  - f) agreement or agreements or other documents proving and regulating the cooperation of the relevant domestic legal entity with the relevant non-European higher education institution.

- (3) The Ministry decides on the application within 150 days.
- (4) In the event that the foreign higher education degree programme, which the applicant intends to carry out in the territory of the Czech Republic, is intended to be focused on the preparation for the pursuit of a regulated profession, the Ministry will ask the competent recognition authority<sup>19a)</sup> for their standpoint on whether a graduate of this degree programme will be adequately prepared to pursue this regulated occupation under special legislation.<sup>35)</sup> In the case of degree programmes focused on the preparation of security and defence experts, the Ministry will request the opinion of the Ministry of the Interior and the Ministry of Defence on whether the graduates will be adequately prepared to pursue an occupation in the relevant field.
- (5) The Ministry will not grant a domestic authorisation if
  - a) the foreign higher education degree programme which the applicant intends to carry out in the territory of the Czech Republic does not have adequate personnel, financial, or material resources or if the applicant has not established conditions appropriate for the proper teaching and related creative activities;
  - b) the application contains incorrect data relevant to the granting of the domestic authorisation and such defects are not remedied by the decision issue date;
  - c) documents certifying education obtained by completing the study in the Czech Republic would not be equal to documents certifying education obtained by completing the relevant study in the home country of the relevant non-European higher education institution;
  - d) graduates of the programme in the Czech Republic would not be entitled to the issue of education certificates if they are not issued by the relevant non-European higher education institution, but instead by another authorised body under the legislation of its home country;
  - e) the operation of the relevant non-European higher education institution in the territory of the Czech Republic by the applicant would, in accordance with the information of the competent authority of the home country of the relevant non-European higher education institution, be in conflict with the legislation of its home country;
  - f) the operation of the relevant non-European higher education institution in the territory of the Czech Republic by the applicant would be in conflict with the legislation of the Czech Republic;
  - g) the study is to prepare for the performance of a regulated profession and if it is the opinion of the competent recognition body<sup>19a)</sup> that its graduates would not be adequately prepared to pursue said profession regulated under a separate legal regulation;<sup>35)</sup> or
  - h) the study is intended to educate security and defence experts and, in the opinion of the Ministry of the Interior or the Ministry of Defence, the graduates would not be adequately prepared to pursue an occupation in this field.
- (6) The decision on granting a domestic authorisation contains the titles of the foreign higher education degree programmes of the non-European higher education institution which the branch of the non-European higher education institution is authorised to offer in the territory of the Czech Republic, the name of the country the legislation of which regulates the foreign higher education provided, and the foreign academic degree or other title awarded by the non-European higher education institution to the graduates.
- (7) Domestic authorisations will be granted for a period of 6 years.

- (8) If the Ministry finds out that a branch of a non-European higher education institution does not operate in accordance with its domestic authorisation, it will request it to remedy the deficiencies within 90 days. If the branch of a non-European higher education institution does not remedy the deficiencies, the Ministry will issue a decision to withdraw the domestic authorisation. An appeal against a decision to withdraw a domestic authorisation has a suspensive effect.
- (9) At the request of a branch of a non-European higher education institution, the Ministry may decide to expand the domestic authorisation to include other foreign higher education degree programmes; Subsections (1) to (6) shall apply accordingly. A decision to expand a domestic authorisation does not extend its validity.
- (10) A domestic authorisation granted by the Ministry cannot be transferred to another legal entity and does not pass on to the legal successor of a branch of a non-European higher education institution.
- (11) The Ministry will decide to withdraw a domestic authorisation within 30 days from the delivery of a notice from a branch of a non-European higher education institution regarding the termination of its foreign higher education degree programmes in the Czech Republic.

### **Section 93i**

#### **Other Obligations of Branches of Non-European Higher Education Institutions**

A branch of a non-European higher education institution operating in the Czech Republic is also obliged:

- a) to provide up-to-date data on foreign higher education degree programmes offered in the territory of the Czech Republic for the purposes of the list of providers of foreign higher education in the territory of the Czech Republic and their foreign higher education degree programmes;
- b) to annually prepare and submit to the Ministry, and to publish on the public part of its website, an annual report on the provision of foreign higher education in the territory of the Czech Republic in the appropriate calendar year no later than the end of April of the following calendar year; the content of the annual report shall be governed accordingly under the provisions of Section 21 (2);
- c) to provide the Ministry with information necessary for its activities under this Act at its request by the stipulated deadlines and free of charge;
- d) to keep a register of students listing the students studying in the territory of the Czech Republic; the register will be accordingly subject to Section 88;
- e) to provide up-to-date information about associate professors and professors working as teaching or scientific staff at the branch of a European higher education institution in the territory of the Czech Republic for the register of associate professors, professors, and visiting professors at higher education institutions;
- f) to notify the Ministry of the termination of the relevant European higher education institution,
- g) to notify the Ministry of the termination of the provision of foreign higher education in the territory of the Czech Republic.

### **Section 93j**

#### **Relationship to the Definition of Systematic Preparation for Future Profession under Special Regulations on State Social Support and Pension Insurance**



- (1) Where the State Social Support Act or the Pension Insurance Act stipulates that the Ministry is entitled to decide for the purposes of state social support or pension insurance that education within a foreign higher education degree programme carried out in the territory of the Czech Republic by a foreign higher education institution or a domestic legal entity is placed at the level of study at higher education institutions in the Czech Republic, the Ministry may do so only in the event that:
  - a) it is education provided by a European higher education institution, if the foreign higher education institution was registered for the information obligations under Section 93b (1) at the time of the relevant study;
  - b) it is education provided by a branch of a European higher education institution, if the branch was registered for the information obligations under Section 93d (1) at the time of the relevant study;
  - c) it is education provided by a non-European higher education institution, if the foreign higher education institution had domestic permit under Section 93f at the time of the relevant study;
  - d) it is education provided by a branch of a non-European higher education institution, if the foreign higher education institution had domestic authorisation under Section 93h at the time of the relevant study.
  
- (2) If the students of a foreign higher education degree programme provided in the territory of the Czech Republic by a domestic legal entity do not have the legal status of a student of the relevant foreign higher education institution during the period of education in accordance with the legislation of the home country of the relevant foreign higher education institution, even though the relevant foreign higher education institution issues a higher education diploma or another certificate of completion of foreign higher education to the graduates, the study of the students may be made equal to study at higher education institutions in the Czech Republic under the State Social Support Act or under the Pension Insurance Act provided the conditions set out in Subsection (1) are met, only if it is a European higher education institution.

**Section 93k****Collaboration with the Home Countries of European Higher Education Institutions**

Where the Ministry or the Accreditation Bureau finds that a European higher education institution or a branch of a European higher education institution provides incorrect information in the fulfilment of its obligations to disclose information under Sections 93b to 93e during its operations in the Czech Republic or otherwise seriously violates the laws of the Czech Republic or the home country of the European higher education institution or directly binding legal acts of the European Union, it will notify the accreditation body of the home country supervising the educational activities of higher education institutions of the home country or another competent authority. The Ministry or the Accreditation Bureau proceed similarly should they have a reasonable suspicion that the conduct of the European higher education institution or a branch of a European higher education institution in the territory of the Czech Republic is in serious violation of the above regulations or that there are significant discrepancies between the actual implementation of foreign higher education degree programmes in the territory of the Czech Republic and the conditions of such implementation resulting from the legislation or relevant decisions of the home country of the European higher education institution. General information on the facts set out in the first and second sentence is published by the Ministry or the Accreditation Bureau on the Ministry's website.

**Section 93l**

Regulations 93a to 93k will not be used in realization of degree programmes pursuant to Section 47a.

**PART XV****ADMINISTRATIVE INFRACTIONS****Section 93m****Administrative Infraction of Natural Person**

- (1) A natural person commits an administrative infraction by intentionally unlawfully using academic function or title higher education institution graduate.
- (2) A fine up to CZK 5,000 will be imposed for an administrative infraction under Subsection (1).

**Section 93n****Administrative Infraction of Legal Entities**

- (1) A legal entity commits an administrative infraction by:
  - a) using, contrary to Section 2 (3), the following terms in its title:
    1. "higher education institution" or derived forms of the words, despite not being a higher education institution; or
    2. "university" or derived forms of the word, despite not being a university; or

- b) awarding academic titles or conducting habilitation procedures or procedures for the appointment of professors using academic insignia or conducting academic ceremonies in violation of this Act.
- (2) A public higher education institution commits an administrative infraction by failing to provide the Ministry and the Accreditation Bureau with information pursuant to Section 21 (1) c).
  - (3) A private higher education institution commits an administrative infraction by failing to provide the Ministry and the Accreditation Bureau with information pursuant to Section 42 (1) c).
  - (4) A European higher education institution commits an administrative infraction by:
    - a) providing foreign higher education in a foreign higher education degree programme in the territory of the Czech Republic in violation of Section 93a (2); or
    - b) failing to comply with any of the obligations under Section 93b (2) or (3) or Section 93c.
  - (5) A branch of a European higher education institution commits an administrative infraction by:
    - a) providing foreign higher education in a foreign higher education degree programme in the territory of the Czech Republic in violation of Section 93a (4); or
    - b) failing to comply with any of the obligations under Section 93d (2) or (3) or Section 93e.
  - (6) A non-European higher education institution commits an administrative infraction by:
    - a) providing foreign higher education in a foreign higher education degree programme in the territory of the Czech Republic in violation of Section 93a (3); or
    - b) failing to comply with any of the obligations under Section 93g.
  - (7) A branch of a non-European higher education institution commits an administrative infraction by:
    - a) providing foreign higher education in a foreign higher education degree programme in the territory of the Czech Republic in violation of Section 93a (5); or
    - b) failing to comply with any of the obligations under Section 93i.
  - (8) A fine up to CZK 2,000,000 will be imposed for an administrative infraction under Subsection (1), Subsection (6) a), or Subsection (7) a); a fine up to CZK 500,000 will be imposed for an administrative infraction under Subsection (2) or (3) or under Subsection (4) a) and b), Subsection (5) a) and b), Subsection (6) b), or Subsection (7) b).

## **Section 93o**

### **Common Provisions for Administrative Infractions**

- (1) Administrative infraction under Section 93m will be handled by municipal authority of the municipality with extended competence. Administrative infractions under Section 93n will be handled by the Ministry.
- (2) Fines under Section 93m (2) will be collected and enforced by municipal authority of the municipality with extended competence. Fine under Section 93n (8) will be collected and enforced by the Ministry.

## PART XVI

### MILITARY AND POLICE HIGHER EDUCATION INSTITUTIONS

#### Section 94

- (1) The purpose of military higher education institutions is to educate specialists, particularly for the armed forces.<sup>36)</sup> They educate specialists in the field of security of the Czech Republic and citizens for the defence of the state.<sup>37)</sup> These institutions are also open to students that are not members of the military on active service.
- (2) The purpose of police higher education institutions is to educate specialists, particularly for the security forces<sup>38)</sup> and local police forces. They educate professionals in the field of security of the Czech Republic.<sup>22a)</sup> These institutions are also open to students that are not members of the security forces.

#### Section 95

- (1) Military higher education institutions are part of the organisational component of the state<sup>23)</sup> linked to the Ministry of Defence and are financed from the state budget, particularly from funds provided for the Ministry of Defence. Police higher education institutions are organisational components of the state<sup>23)</sup> financed from the funds provided for the Ministry of the Interior; they are subject to the provisions of Part II, with the exception of Sections 14, 15, 17 (1) d) and Sections 18, 19, 20 and, in the case of financing of education of members in active service, 18a. State higher education institutions are not subject to Section 2 (2). State higher education institutions may be provided with resources pursuant to Section 18 (2) a) and b) and Subsection (5). The Ministry may grant a scholarship subsidy to a military higher education institution under Section 91 (2) e) or under Section 91 (3) for students who are not active military personnel and who study degree programmes in the area of security studies under conditions similar to the conditions under which it provides such subsidies to public higher education institutions; the conditions of subsidies, their use, and settlement are governed by general regulations for the management of state budget funds.
- (2) Admission of members of the military on active service to study at military higher education institutions is subject to the requirements of the Ministry of Defence. Military service and the conditions for students who are members of the military on active service are subject to special regulations.<sup>24)</sup> The number of students that are not members of the military on active service is specified each year on the basis of Ministry of Defence requirements for the education of students who are members of the military on active service.

- (3) Admission of applicants to study at police higher education institutions is subject to the requirements of the Ministry of the Interior.
- (4) Military and police higher education institutions that have been granted accreditation for at least one doctoral degree programme may request accreditation for a Master's or another doctoral degree programme carried out in cooperation with a public higher education institution. Joint responsibility for these degree programmes must be defined in a previously signed agreement between the participating higher education institutions in which their mutual obligations are set out. Approval to sign such an agreement must be obtained from the Ministry and the Ministry of Defence or the Ministry of the Interior.
- (5) Military and police higher education institutions make public the results of their scholarly, scientific, research and development activities in compliance with general regulations on the protection of classified information and official secrets.<sup>25)</sup>
- (6) Military higher education institutions keep a register of students who are soldiers on active service and a register of other students; the same applies to police higher education institutions with respect to students in a service relationship and other students.
- (7) The Minister of Defence (with respect to military higher education institutions) and the Minister of the Interior (with respect to police higher education institutions) are entrusted with the authority:
  - a) to submit proposals for the nomination and dismissal of the Rector to the President of the Czech Republic;
  - b) to decide, upon the recommendation of the Rector, on the establishment, merger, amalgamation, splitting or dissolution of a faculty;
  - c) to set the Rector's salary;
  - d) to undertake the activities stipulated in Section 21 (1) a) and b);
  - e) to submit to the President of the Czech Republic nominations of the Scientific Board of a higher education institution for the appointment of a professor;
  - f) to delegate persons to carry out activities within the competency of individual officers and official bodies of a newly established higher education institution pursuant to Section 103 (1).
- (8) The Ministry of Defence (with respect to military higher education institutions) and the Ministry of the Interior (with respect to police higher education institutions) exercise the competency of the Ministry:
  - a) to register their internal regulations pursuant to Section 36 following expression of its view by the Ministry;
  - b) to allocate financial resources coming from the state budget;
  - c) to monitor the legality and effective management of the financial and material resources coming from the state budget and the management of property in the ownership of the Czech Republic;
  - d) to set study-related fees;
  - e) to decide whether to waive fees for the use of specialized facilities;
  - f) to make decisions with regard to granting and paying scholarships and bursaries to students and citizens of the Czech Republic studying abroad;

- g) to decide whether to grant, in accordance with programmes announced by the Minister of Defence or the Minister of the Interior, scholarships and bursaries that are not listed in Section 91 (2) and (4), if the student undertakes to continue on active service as a regular soldier or in a service relationship as a policeman for a given period of time after graduating from the higher education institution;
  - h) to appoint and dismiss additional members of boards of examiners pursuant to Section 53 (3);
  - i) to collect and make use of information from the register of students in agreement with special regulations;
  - j) to carry out the responsibilities of the higher administrative body for higher education institutions in administrative proceedings;
  - k) to adopt measures pursuant to Sections 37 and 38;
  - l) to carry out the activities listed in Section 21 (1) a) to c) and Section 75;
  - m) to provide methodological assistance to higher education institutions in drawing up Statutes and other regulations of higher education institutions and faculties, keeping records on students and reporting statistics and in the areas of librarianship, information systems and international relations.
- (9) The Ministry of Defence in the area of military science and the Ministry of the Interior in the area of security services perform the obligations of the Ministry and public higher education institutions under Sections 89 and 90 with respect to the recognition of higher education and qualifications acquired abroad and tasks of the Ministry during the execution of higher verification of documents pursuant to Section 87 (1) z).
- (10) Section 77 is applicable to members of the military on active service employed as academic personnel at military higher education institutions as well as members of the Police of the Czech Republic and other security forces in a service relationship employed as academic personnel at police higher education institutions. Their service status remains unchanged. The appointment of other academic staff is subject to Section 77 accordingly; academic staff are employees of the state classified in the relevant organisational unit of the state. For the duration of a creative leave of absence, academic staff are entitled to wages and, in the case of academic staff in service, to the service income; a creative leave of absence of members of the Police of the Czech Republic and other security forces in service is considered to be the performance of service under special legislation.<sup>38)</sup>
- (11) Students at military higher education institutions who are members of the military on active service and students at police higher education institutions in a service relationship as members of the Police of the Czech Republic are subject to the provisions of this Act, unless stipulated otherwise by means of special regulations.<sup>24)</sup>
- (12) The studies of members of the military on active service at military higher education institutions may also be terminated if they no longer meet the conditions stipulated by special regulations for the service of regular members of the military.
- (13) Prior to issuing a decision concerning accreditation pursuant to Sections 78 to 82 and Section 86 for military higher education institutions, the Accreditation Bureau will ask for the standpoint of the Ministry of Defence. If the decision concerns police higher education institutions, it will ask for the standpoint of the Ministry of the Interior.

- (14) The Ministry debates intentions and measures of the Ministry considered significant for state higher education institutions with the Ministry of Defence and the Ministry of the Interior.

## **PART XVII**

### **AMENDMENT AND SUPPLEMENT TO CZECH NATIONAL COUNCIL ACT NO. 586/1992 COLL. ON INCOME TAX, IN THE WORDING OF LATER REGULATIONS**

#### **Section 96**

Czech National Council Act No. 586/1992 Coll. on income tax, as amended by Czech National Council Act No. 35/1993 Coll., Act No. 96/1993 Coll., Act No. 157/1993 Coll., Act No. 196/1993 Coll., Act No. 323/1993 Coll., Act No. 42/1994 Coll., Act No. 85/1994 Coll., Act No. 114/1994 Coll., Act No. 259/1994 Coll., Act No. 32/1995 Coll., Act No. 87/1995 Coll., Act No. 118/1995 Coll., Act No. 149/1995 Coll., Act No. 248/1995 Coll., Act No. 316/1996 Coll., Act No. 18/1997 Coll., Act No. 151/1997 Coll., Act No. 209/1997 Coll., Act No. 210/1997 Coll., and Act No. 227/1997 Coll. is amended as follows:

1. In Section 4 (1) k), the words “and from the resources of a public higher education institution” are inserted after the word “budget”.
2. In Section 18, a new Subsection (5) in the following wording is inserted after Subsection(4):  

(5) In the case of taxpayers that are public higher education institutions, all incomes are subject to taxation with the exception of the following:

  - a) incomes from investment transfers;
  - b) interest on current account deposits”.
3. In Section 18, what have hitherto been Subsections (5) to (11) are now identified as Subsections (6) to (12).
4. In Section 18 (7), the words “public higher education institutions” are inserted after the words “public benefit associations”.

## **PART XVIII**

Repealed

### **Section 97**

Repealed

## **PART XIX**

### **COMMON, INTERIM AND CONCLUDING PROVISIONS**

#### **Section 98**

- (1) Fields of study within which, under current regulations, higher education institutions provide a self-contained part of undergraduate studies, undergraduate studies or postgraduate studies and which are listed in the Statutes of these institutions, become degree programmes by this Act. Accreditation will be awarded for a period of four years under the following conditions:
  - a) a self-contained part of undergraduate studies according to Section 21 of Act No. 172/1990 Coll. on Higher Education Institutions will be considered a Bachelor's degree programme by this Act;
  - b) undergraduate studies according to Section 18 of Act No. 172/1990 Coll., will be considered a Master's degree programme by this Act;
  - c) postgraduate studies according to Section 22 of Act No. 172/1990 Coll., will be considered a doctoral degree programme by this Act.
- (2) The right to award academic degrees under Section 46 (5) only applies to higher education institutions and faculties in the fields of study within which they are entitled to provide postgraduate studies on the basis of a decision of the Ministry under Section 41 of Act No. 172/1990 Coll.
- (3) Previous authorization of higher education institutions and faculties to carry out the habilitation procedure and procedure for the appointment of professors will expire as of 1 July 1999. If the Rector files a request to the Ministry before this date pursuant to Section 82 (2), previous authorization to carry out the habilitation procedure and procedure for the appointment of professors in relevant fields will remain in force until a decision is made by the Ministry.

#### **Section 99**

- (1) The academic/scientific degree of "doktor" ("Doctor") and the degree of "bakalář" ("Bachelor") awarded pursuant to Act No. 172/1990 Coll. will be regarded as the academic degree of "doktor" ("Doctor") and "bakalář" ("Bachelor") by this Act.
- (2) The academic degree of "inženýr" ("Engineer") awarded to graduates of technical higher education institutions in the field of architecture pursuant to Section 21 of Act No. 172/1990 Coll. will be replaced by the academic degree of "inženýr architekt" (i.e. "Engineer Architect", abbreviated as "Ing. arch.", used in front of the name). Upon request, the higher education institution will issue a certificate documenting this change.
- (3) The academic degree of "bakalář" ("Bachelor"), awarded to graduates of a self-contained part of undergraduate studies at a higher education fine arts institution pursuant to Section 21 of Act No. 172/1990 Coll. will be replaced by the academic degree of "bakalář umění" (i.e. "Bachelor of Fine Arts", abbreviated as "BcA.", used in front of the name). Upon request, the higher education institution will issue a certificate documenting this change.



- (4) The academic degree of “magistr” (“Master”) awarded to graduates of higher education fine arts institutions pursuant to Section 21 of Act No. 172/1990 Coll. will be replaced by the academic degree of “magistr umění” (i.e. “Master of Fine Arts”, abbreviated as “MgA.”, used in front of the name). Upon request, the higher education institution will issue a certificate documenting this change.
- (5) Graduates of higher education institutions that have been awarded the academic degree of “magistr” (“Master”) pursuant to Section 21 (2) and Section 43 (2) of Act No. 172/1990 Coll., with the exception of graduates listed in Subsection (9), may take an advanced Master’s (“*rigorozní*”) state examination in the same field of study and earn an academic degree pursuant to Section 46 (5).
- (6) Graduates of university-type higher education institutions that have been awarded the academic degree of “magistr” (“Master”) in the field of economics pursuant to Section 21 (2) of Act No. 172/1990 Coll. may request replacement of this degree with the academic degree of “inženýr” (i.e. “Engineer”, abbreviated as “Ing.”). Upon request, the higher education institution will issue a certificate documenting this change.
- (7) Academic degrees pursuant to Section 21 (2) of Act No. 172/1990 Coll. may also be used by graduates of military higher education institutions who completed their studies prior to this Act coming into effect. This will apply if these graduates had not been awarded an academic degree, a professional designation or another degree of a higher education institution graduate pursuant to previous regulations. Upon request, the higher education institution will issue a certificate documenting the awarding of this degree.
- (8) The provisions of Subsection (7) do not apply to graduates of the Military Political Academy.
- (9) Graduates of postgraduate studies that have been awarded the academic degree of “magistr” (“Master”) and the academic/scientific degree of “doktor” (“Doctor”) pursuant to Sections 21 (2) and 43 (2) and Section 22 of Act No. 172/1990 Coll., are awarded academic degrees pursuant to Section 46 (5) of this Act. Upon request, the higher education institution will issue a certificate documenting the awarding of these degrees.
- (10) Graduates of postgraduate studies that have been awarded the academic/scientific degree of “doktor” (“Doctor”) pursuant to Section 22 of Act No. 172/1990 Coll. may apply to the higher education institution to have the abbreviation “Dr.” replaced with the abbreviation “Ph.D.”. Upon request, the higher education institution will issue a certificate documenting the change of academic/scientific degree abbreviation.
- (11) Graduates of Doctoral degree programmes in the study field of theology that have been awarded the degree “doktor teologie” (Doctor of Theology, abbreviated as “Th.D.”, used after the name) pursuant to Section 47 (5) may apply to the higher education institution to have the abbreviation “Th.D” replaced with the degree “doktor” (Doctor, abbreviated as “Ph.D.”, used after the name). Upon request, the higher education institution will issue a certificate documenting the change of this degree and abbreviation.
- (12) The academic degree of “doktor” (abbreviated as “Ph.D.”, used after the name) will be awarded to graduates in medical and veterinary studies that have completed their studies

pursuant to Section 22 of Act No. 172/1990 Coll. Upon request, the higher education institution will issue a certificate documenting the awarding of this degree.

### **Section 100**

- (1) On this Act coming into effect, postgraduate studies leading to the awarding of the degree of “kandidát věd” (i.e. “Candidate of Science”, abbreviated as “CSc.”) will cease to be opened. Participants in these programmes that started their studies pursuant to previous regulations may complete their studies pursuant to those regulations, provided they finish the defence of their dissertations by 31 December 2001.
- (2) Postgraduate students referred to in Subsection 1 may request to be admitted to doctoral degree programmes. Their acceptance is subject to evaluation of their previous studies and examinations passed as part of the CSc. programme.

### **Section 101**

- (1) Public higher education institutions are those higher education institutions listed in Appendix 1; military and police higher education institutions are those military and police higher education institutions listed in Appendix 2.
- (2) The higher education institutions listed in Subsection (1) must submit their internal regulations for registration, modified pursuant to the provisions of this Act, by 1 July 1999.
- (3) The validity of appointment or election of academic officers and their terms of office are not affected by this Act.
- (4) Students enrolled at higher education institutions listed in Appendix 1 and Appendix 2 as of 1 January 1999 will be regarded as students under the provisions of this Act. Higher education institutions must enter these students in the Register of Students by 1 March 1999.
- (5) As of 1 January 1999, the Ministry will acquire right of property management with respect to state property for which the higher education institutions listed in Appendix 1 enjoyed right of property management up to this date. After discussion with a public higher education institution, the Ministry may decide to transfer this property to the possession of the relevant public higher education institution; in the case of property needed for providing teaching, scholarly, scientific, research, development, artistic or other creative activities in the course of carrying out accredited degree programmes, it will always be so decided upon a request from a public higher education institution. The decision must specify the name and domicile of the public higher education institution, an itemized list of the property being transferred, as well as liabilities relating to this property and the date on which the property and related liabilities are transferred to the public higher education institution. This decision is not be subject to general regulations on administrative proceedings.
- (6) Property to which the Ministry acquired right of property management as of 1 January 1999 pursuant to Subsection (5) and public higher education institutions' own property are not subject to general regulations on insolvency and its resolution.<sup>13)</sup>

- (7) The rights and liabilities of faculties that constitute constituent parts of the higher education institutions listed in Appendix 1 and Appendix 2 as of 1 January 1999 will be transferred to the relevant higher education institution.

### **Section 102**

Academic degrees, professional designations and other degrees awarded to graduates of higher education institutions pursuant to previous regulations, with the exceptions listed in Section 99, will remain unchanged. The degrees of “kandidát věd” (i.e. “Candidate of Science”, abbreviated as “CSc.”) and “doktor věd” (i.e. “Doctor of Science”, abbreviated as “DrSc.”) awarded pursuant to previous regulations will remain unchanged.

### **Section 103**

- (1) Newly established public higher education institutions and military or police higher education institutions must constitute their officers and official bodies within two years of their foundation at the latest. The competency of the officers and official bodies specified in Section 7 will be exercised to the extent necessary by persons delegated by the Minister until the time these officers and bodies are constituted.
- (2) Newly established faculties must constitute their officers and official bodies within one year of their foundation at the latest. The competency of the officers and bodies specified in Section 25 will be exercised to the extent necessary by a person delegated by the Rector until the time these officers and bodies are constituted.
- (3) In the case of newly established institutes of higher education institutions, the competency of the officers and official bodies specified in Section 34 will be exercised to the extent necessary by a person delegated by the Rector until the time these officers and bodies are constituted.

### **Section 104**

The duties of the members, Chair and Vice-Chair of the Accreditation Commission pursuant to Section 83 will be carried out by the members of the Accreditation Commission established pursuant to Section 17 of Act No. 172/1990 Coll., and Czech Republic Government Order No. 350/1990 Coll., on the Accreditation Commission until the time these persons are appointed.

### **Section 105**

Where the appointment or removal of a member of a body of a higher education institution or part thereof is subject to the consent of another body of the higher education institution or part thereof under this Act, such appointment or removal will not take place without such consent.

### **Section 106**

- (1) The provisions of this Act will be used unless they are in violation of an international agreement binding on the Czech Republic.

- (2) For the purpose of this Act the contracting parties to the European Economic Area Agreement and the Swiss Confederation are also considered to be member states of the European Union.

### **Section 107**

The property of public higher education institutions must have been brought into compliance with this Act by 31 December 1999.

### **Section 107a**

Repealed

### **Section 108**

#### **Quashing Provisions**

- (1) Clauses 5, 8 and 9 in Article I of Act No. 216/1993 Coll. amending and supplementing Act No. 172/1990 Coll. on higher education institutions are made void.
- (2) The following are made void:
1. Sections 33 through 41, 43 and 45 of Act No. 39/1977 Coll. on the education of new research workers and the further improvement of qualifications of research workers.
  2. Act No. 172/1990 Coll. on higher education institutions in the wording of Act No. 216/1993 Coll.
  3. Act No. 232/1992 Coll. on police higher education institutions and the establishment of the Police Academy.
  4. Section VI of Czech National Council Act No. 26/1993 Coll. amending and supplementing particular acts in the area of internal order and security as well as relevant provisions.
  5. Czech Republic Government Order No. 350/1990 Coll. on the Accreditation Commission.
  6. Ministry of Education and Culture Regulation No. 96/1961 Coll. issuing the statutes of the Institutes of National Economy Planning at undergraduate schools of economics in Prague and Bratislava, as amended by Ministry of Education and Culture Regulation No. 31/1963 Coll.
  7. Czech Academy of Sciences Regulation No. 55/1977 Coll. on further improvement of qualifications and evaluation of the creative capabilities of research workers.
  8. Czech Commission for Scientific Degrees Regulation No. 144/1979 Coll. on the defence of PhD theses (for awarding the “Candidate of Science” degree) and doctoral dissertations by Czechoslovak citizens in COMECON member countries.

9. Ministry of Education of the Czech Socialistic Republic Regulation No. 114/1980 Coll. on granting scholarships and allowances to students enrolled at higher education institutions after passing through secondary boarding-schools for working people.
10. Ministry of Education, Youth and Sports of the Czech Socialist Republic Regulation No. 60/1985 Coll. on supplementary studies of higher education students and graduates of higher education institutions and secondary schools aimed at acquiring teaching qualifications.
11. Section 9 of Czech Socialist Republic Ministry of Education Regulation No. 61/1985 Coll. on further education of pedagogical employees.
12. Ministry of Education, Youth and Sports of the Czech Republic Regulation No. 365/1990 Coll. on granting scholarships at higher education institutions under the jurisdiction of the Ministry of Education, Youth and Sports of the Czech Republic (the Scholarship Rules).
13. Ministry of Education, Youth and Sports of the Czech Republic Regulation No. 447/1990 Coll. on the habilitation of associate professors and the conditions and procedure for the appointment of professors.
14. Ministry of Education, Youth and Sports of the Czech Republic Regulation No. 476/1990 Coll. on the recognition of diplomas and other documents on studies issued by foreign higher education institutions (Regulation on Validation).
15. Ministry of Education, Youth and Sports of the Czech Republic Regulation No. 41/1991 Coll. on material and financial provisions for students of higher education institutions sent to study abroad.
16. Ministry of Education, Youth and Sports of the Czech Republic Regulation No. 67/1991 Coll. on granting scholarships to students in postgraduate programmes, as amended by Decree of the Ministry of Education, Youth and Sports No. 110/1995 Coll.
17. Directive of the Ministry of Education of the Czech Socialistic Republic on financial provisions for students of higher education institutions during their practical training, dated 30 May 1969 ref. no. 19 261/69-III/5, registered under number 30/1969, as amended by Directive of the Ministry of Education of the Czech Socialistic Republic, dated 10 March 1970, ref. no. 12 300/70-III/5, registered under 10/1970.
18. Directive of the Ministry of Education of the Czech Socialistic Republic on accommodating students in student residences, dated 20 July 1982, ref. no. 20 797/8234, registered under 17/1982.
19. Directive of the Ministry of Education of the Czech Socialistic Republic on establishing, dissolving and operating students' canteens and cafeterias at higher education institutions, dated 20 July 1982 ref. no. 20 798/82-34, registered under 17/1982, as amended the directives of the Ministry of Education of the Czech Socialistic Republic dated 16 July 1985 ref. no. 15 330/85-34, registered under 19/1985.

(3) The following are made void:

1. Act No. 53/1964 Coll. on granting scientific degrees and on the State Commission for Scientific Degrees.
2. Act No. 39/1977 Coll. on the education of new research workers and further improvement of qualifications of research workers.
3. Czech Academy of Sciences Regulation No. 53/1977 Coll. on the education of new research workers and on research fellowships, as amended by Czech Academy of Sciences Regulation No. 5/1986.
4. Czech Academy of Sciences Regulation No. 54/1977 Coll., altering some details on employment and legal relationships of participants in scientific education and research fellowships and on granting scholarships, as amended by Czech Academy of Sciences Regulations No. 40/1979, 125/1988 and 393/1992 Coll.
5. Czech Commission for Scientific Degrees Regulation No. 64/1977 Coll. on the procedure for awarding scientific degrees, as amended by Czech Commission for Scientific Degrees Regulation No. 187/1990 Coll.

### **Section 109** **Legal Effect**

This Act will come into effect on 1 July 1998, with the exception of Sections 1 to 82, Sections 84 to 99, Sections 101 to 107 and Section 108 (2), which will come into effect on 1 January 1999, and Section 108 (3), which will come into effect on 31 December 2001.

### **Appendix No. 1 to Act No. 111/1998 Coll.**

#### **Public higher education institutions in the Czech Republic**

Charles University  
*Univerzita Karlova*

Palacký University Olomouc  
*Univerzita Palackého v Olomouci*

Czech Technical University in Prague  
*České vysoké učení technické v Praze*

VŠB – Technical University of Ostrava  
*Vysoká škola báňská – Technická univerzita Ostrava*

Academy of Fine Arts, Prague  
*Akademie výtvarných umění v Praze*

Brno University of Technology  
*Vysoké učení technické v Brně*

University of Veterinary and Pharmaceutical Sciences Brno  
*Veterinární a farmaceutická univerzita Brno*

Masaryk University  
*Masarykova univerzita*

Mendel University in Brno  
*Mendelova univerzita v Brně*

Academy of Performing Arts in Prague  
*Akademie múzických umění v Praze*

Academy of Arts, Architecture and Design in Prague  
*Vysoká škola uměleckoprůmyslová v Praze*

Janáček Academy of Music and Performing Arts in Brno  
*Janáčková akademie múzických umění v Brně*

University of Pardubice  
*Univerzita Pardubice*

Institute of Chemical Technology, Prague  
*Vysoká škola chemicko-technologická v Praze*

Czech University of Life Sciences Prague  
*Česká zemědělská univerzita v Praze*

Technical University in Liberec  
*Technická univerzita v Liberci*

University of Economics in Prague  
*Vysoká škola ekonomická v Praze*

University of Hradec Králové  
*Univerzita Hradec Králové*

University of South Bohemia in České Budějovice  
*Jihočeská univerzita v Českých Budejovicích*

Ostrava University  
*Ostravská univerzita*

Silesian University in Opava  
*Slezská Univerzita v Opavě*

Jan Evangelista Purkyně University in Ústí nad Labem  
*Univerzita Jana Evangelisty Purkyně v Ústí nad Labem*

University of West Bohemia  
*Západočeská Univerzita v Plzni*

Tomáš Baťa University in Zlín  
*Univerzita Tomáše Bati ve Zlíně*

College of Polytechnics in Jihlava  
*Vysoká škola polytechnická Jihlava*

Institute of Technology and Business in České Budějovice  
*Vysoká škola technická a ekonomická v Českých Budějovicích*

### **Appendix No. 2 to Act No. 111/1998 Coll.**

#### **State higher education institutions in the Czech Republic**

Military higher education institution in the Czech Republic

University of Defence in Brno  
*Univerzita obrany v Brně*

#### **Police higher education institution in the Czech Republic**

Police Academy of the Czech Republic in Prague  
*Policejní akademie České republiky v Praze*

### **Appendix No. 3 to Act No. 111/1998 Coll.**

#### **List of Fields of Study**

1. Architecture and Urbanism
2. Security Sector Fields
3. Biology, Ecology, and Environmental Studies
4. Transportation Sciences
5. Economic Disciplines
6. Electrical Engineering
7. Energetics
8. Pharmacy
9. Philology
10. Philosophy, Religious Studies, and Theology
11. Physics
12. History
13. Chemistry



14. Informatics
15. Cybernetics
16. Forestry and Wood Sciences
17. Mathematics
18. Media and Communication Studies
19. Non-teaching Pedagogy
20. Political Sciences
21. Food Science
22. Law
23. Psychology
24. Social Work
25. Sociology
26. Civil Engineering
27. Mechanical Engineering, Technology and Materials
28. Physical Education and Sport; Kinanthropology
29. Mining and Mineral Processing
30. Pedagogy
31. Art
32. Art and Culture Sciences
33. Earth Science
34. Veterinary Medicine, Veterinary Hygiene
35. General Medicine and Dentistry
36. Healthcare Fields
37. Agriculture

### **Effectiveness**

Act No. 210/2000 Coll. amending Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) becomes effective on *1 September 2000*.

Act No. 147/2001 Coll. amending Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) as amended by Act No. 210/2000 Coll., and Act No. 451/1991 Coll. determining some further prerequisites for certain positions on state bodies and organizations of the Czech and Slovak Federative Republic, the Czech Republic and the Slovak Republic, as amended, becomes effective on *1 July 2001*.

Act No. 362/2003 Coll. on amendment to acts related to adoption of the Act on the service relationship of members of the security corps becomes effective on *1 January 2005*.

Act No. 96/2004 Coll. on the conditions for attaining and recognizing qualifications to perform non-medical healthcare professions and to perform activities relating to healthcare provision and on amendments to some related other Acts (the Act on Non-Medical Healthcare Professions) becomes effective on the first day of the calendar month following its promulgation, with the exception of the provisions of Chapter VII, Section 85 (4 and 5) and

Section 95 and 101 which take effect on the day of the entry into force of the agreement on the Czech Republic's accession to the European Union . (*1 April 2004*)

Act No. 121/2004 Coll. amending Act No. 20/1966 Coll. on Care of People's Health as amended, Act No. 160/1992 Coll. on Healthcare in Non-Governmental Healthcare Facilities as amended, Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) as amended, and Act No. 368/1992 Coll. on Administrative Fees as amended, becomes effective on the 30<sup>th</sup> day following the day of its promulgation. (*18 April 2004*)

Article LVI (amendment to the Act on Higher Education Institutions) of Act No. 436/2004 Coll., that amends some laws in connection with the adoption of the Employment Act, becomes effective on the first day of the third month following the day of its promulgation. (*1 October 2004*)

Act No. 473/2004 Coll. amending Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) as amended, becomes effective on the day of its promulgation. (*24 August 2004*)

Act No. 562/2004 Coll. amending Acts related to the adoption of the Education Act becomes effective on *1 January 2005*.

Act No. 342/2005 Coll. on Amendment to Some Acts in relation to the adoption of the Act on public research institutions becomes effective on the day of its promulgation. (*13 September 2005*)

Act No. 552/2005 Coll. amending Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) as amended, and some other Acts, becomes effective on the first day of the calendar month following the day of its promulgation. (*1 January 2006*)

Article X of Act No. 161/2006 Coll. amending Act No. 326/1999 Coll. on the Residence of Foreigners on the Territory of the Czech Republic and on Amendments to Some Related Acts, as amended, and some other Acts, becomes effective on the day of its promulgation (*27 April 2006*) with the exception of:

1. Article I items 4 and 8, item 42, regarding Sections 42d and 42e. item 43, regarding Section 44 (4) g) and Section 44 (5), item 44, regarding Section 44a (2), (6) and (7), item 45, item 46, regarding Section 46 (5), item 47, regarding Section 46c, item 49, regarding Section 48 b), c) and d), item 50, items 61 to 63, items 78 and 80, item 84, regarding Section 119a (4) and (5), item 96, item 118, regarding Section 169 (2) d), and the provisions of Article II items 1, 2 and 4, which come into effect 60 days after its promulgation; and
2. Article I items 22, 26, 28, 29, items 33 to 35, item 47, regarding Section 46b (2) c), item 64, regarding Section 75 (2) a), second and third sentences of Section 75 (3) and Section 77 (2) f), item 65, regarding Section 87e (1) b), Section 87e (3), Section 87k (1) e) and Section 87k (2), item 83, items 91 to 94, item 101, regarding Section 158 (1) b) item 9, items 136 and 137, the provisions of Article II item 13 and the provisions of Article III, which come into effect on the date of abolition of checks on state borders, laid down in the decision of the Council of the European Union on the entry into force of the Convention signed on 19 June

1990 in Schengen between the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands to implement the agreement signed on 14 June 1985 on the gradual abolition of checks at the common borders for the Czech Republic.

Article XII of Act No. 165/2006 Coll. amending Act No. 325/1999 Coll. on Asylum and on Amendment to Act No. 283/1991 Coll. on the Police of the Czech Republic, as amended (the Asylum Act), and some other Acts, becomes effective on *1 September 2006*.

Act No. 310/2006 Coll. amending the Act on Managing Objects to Be Used for Defence and Security Purposes in the Czech Republic and on Amendment to Some Other Acts (the Act on Managing Security Material) becomes effective *1 July 2006*.

Act No. 624/2006 Coll. amending Act No. 561/2004 Coll. on Pre-School, Basic, Secondary, Tertiary Professional and Other Education (the Education Act) as amended, and Act No. 111/1998 Coll. on Higher Education Institutions as amended becomes effective on the day of its promulgation. (*30 December 2006*)

Act No. 261/2007 Coll. on Stabilisation of Public Finances comes into effect on 1 January 2008, with the exception of:

- a) Article XXVIII items 37 and 38, 40 to 49, 51, Article XXIX item 1, Article XXXV item 7 and Article XXXVI item 1, which came into effect on the date of promulgation (i.e. on 16 October 2007);
- b) Article XXXIX and Article XL, which came into effect on 31 December 2007;
- c) Article I items 50, 65, 131, 169, 171, 180, 186, 190, 211, Article XX items 4 and 7, Article XXIII items 4, 11 and 27, Article XXV item 13, Article XXXV items 3, 6 and 17, Article XXXVI items 6 to 11 and 14, Article XLII item 2, Article XLIII item 2, Article XLIV item 2, Article XLV item 2, Article XLVI item 3, Article XLVII item 2, Article XLIX item 6, Article L item 2 and Articles LII to LVIII, which came into effect on 1 January 2009;
- d) Article XXVIII items 36, 39 and 50, which came into effect on 1 July 2009;
- e) Article I items 4 and 66, which came into effect on 1 January 2010.

The provisions of Section 48 of Act No. 235/2004 Coll., on Value Added Tax, in the wording effect from the date of entry into effect of this Act, will expire on 1 January 2011.

Act No. 296/2007 Coll. on Insolvency and Its Resolution (the Insolvency Act), as amended, and some acts related to its adoption, comes into effect on 1 January 2008. Section XXV of Act No. 189/2008 Coll. comes into effect on the first day of the calendar month following its promulgation (on 1 July 2008).

Act no. 110/2009 Coll., amending Act No. 130/2002 Coll. on Support of Research and Development from Public Funds and on amendment to certain related Acts (the Support of Research and Development Act), as amended, and other related acts, comes into effect on 1 July 2009, with the exception of Part II 13 which becomes effective on 1 January 2010.

Act No. 419/2009 Coll., on the Change of the Name of Mendel University of Agriculture and Forestry in Brno and on amendment of Act No. 111/1998 Coll., on Higher Education Institutions and on Amending and Supplementing Other Acts (Higher Education Act), as

amended, entered into effect on 1 January 2010.

Act No. 159/2010 Coll., Amending Act No. 563/2004 Coll., on Pedagogical Staff and on Amending Certain Acts, as amended, Act No. 227/2009 Coll., Amending Certain Acts in Connection with the Adoption of the Basic Registers Act, as amended, and Act No. 111/1998 Coll., on Higher Education Institutions and on Amending and Supplementing Other Acts (Higher Education Act), as amended, came into effect on the first day of the second calendar month following the day of its promulgation (i.e. 1 July 2010).

Act No. 365/2011 Coll., Amending Act No. 262/2006 Coll., Labour Code, as amended, and other related acts came into legal effect on 1 January 2012.

Act No. 420/2011 Coll., on the Amendment of Certain Acts in Connection with the Adoption of the Act on Criminal Liability of Legal Entities and Proceedings Against Them, entered into effect on 1 January 2012.

Act No. 48/2013 Coll., Amending Act No. 111/1998 Coll., on Higher Education Institutions and on Amending and Supplementing Other Acts (Higher Education Act), as amended, and Act No. 117/1995 Coll. on State Social Support, as amended, came into force on the first day of the calendar month following the day of its promulgation (i.e. 1 April 2013).

Act No. 64/2014 Coll., amending some acts in connection with the adoption of the control regulations, came into force on the first day of the calendar month following its promulgation (i.e. 1 May 2014).

Act No. 137/2016 Coll., Amending Act No. 111/1998 Coll., on Higher Education Institutions and on Amending and Supplementing Other Acts (Higher Education Act), as amended, and some other acts, will come into effect on first day of the fourth calendar month following its promulgation, with the exception of the provisions of Article II items 11 to 14, which come into effect on the fifteenth day after its promulgation.

Act No. 230/2016 Coll., Amending Act No. 115/2001 Coll., on Support for Sport, as amended, and other related acts came into effect on 1 January 2017.

Act No. 24/2017 Coll., Amending Certain Acts in Connection with the Adoption of the Budget Liability Law, came into effect on 1 January 2017, with the exception of the twelfth part, which will come into effect on 1 January 2018.

[Indirect amendment:

Act No. 561/2004 Coll., on Pre-School, Primary, Secondary, Tertiary Vocational and Other Education (Education Act) came into effect on 1 January 2005, with the exception of the provisions of Section 20 (3), (5) to (7), which came into effect on the date of its promulgation, and with the exception of the provisions of Sections 77 to 79, 80 (3) to (10), 81 (1) to (8) and 82 (3), which came into effect on 1 September 2007.]

### **Selected provisions of amendments**

Art. III of Act No. 147/2001 Coll.

Transitory provisions

1. Accreditation of degree programmes granted in compliance with the existing Higher Education Act is not affected by this Act. However, applicants for studying accredited Master's degree programmes may only be admitted until 31 December 2003, unless the Rector or the body exercising the Rector's competences files, by this deadline, an application for accreditation or its extension pursuant to Section 79 or Section 80 (2 and 3) of the existing

Higher Education Act with the Ministry of Education, Youth and Sports. If such an application is filed, the granted accreditation remains valid until the Ministry of Education, Youth and Sports takes the relevant decision.

2. Procedures for conferring “*venia docendi*” (habilitation procedures) and procedures for the appointment of professors which have begun before this Act becomes effective may be completed in compliance with the existing Higher Education Act at the latest by 31 December 2002.

Art. V of Act No. 121/2004 Coll.  
Transitory provisions

1. Higher education institutions are obliged to present to the Ministry of Education, Youth and Sports an application for accreditation of the Master’s degree programme in dental medicine within 30 days of this Act becoming effective. The content and scope of the new degree programme in dental medicine must comply with the minimum requirements as stipulated by a special legal regulation and with European Community law.<sup>1)</sup> The last academic year for which it is possible to admit students to the Master’s degree programme in dentistry is 2003/2004. For the academic year 2004/2005 students are only admitted to the Master’s degree programme in dental medicine. Students admitted to the Master’s degree programme in dentistry may complete their studies in line with the Master’s degree programme in dental medicine.

2. Higher education institutions are obliged to present to the Ministry of Education, Youth and Sports an application for accreditation of the Master’s degree programme in pharmacy (hereinafter the “new degree programme in pharmacy”) within 30 days of this Act becoming effective. The content and scope of the new degree programme in pharmacy must comply with the minimum requirements as stipulated by a special legal regulation and with European Community law.<sup>2)</sup> The last academic year for which it is possible to admit students to the Master’s degree programme in pharmacy is 2003/2004. For the academic year 2004/2005 students are only admitted to the new degree programme in pharmacy. Students admitted to the existing Master’s degree programme in pharmacy may complete their studies in line with the new degree programme in pharmacy.

3. Higher education institutions are obliged to present to the Ministry of Education, Youth and Sports an application for accreditation of Bachelor’s degree programmes for the training of general nurses and Bachelor’s degree programmes for the training of midwives within 30 days of this Act becoming effective. The content and scope of the new degree programmes must comply with the minimum requirements as stipulated by a special legal regulation and with European Community law.<sup>3)</sup> The last academic year for which it is possible to admit students to the existing Bachelor’s degree programmes for the training of general nurses and midwives is 2003/2004. For the academic year 2004/2005 students are only admitted to the new degree programmes for the training of general nurses and midwives. Students admitted to the existing Bachelor’s degree programmes for the training of general nurses and midwives may complete their studies in line with the new degree programmes.

- 1) Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the activities of dental practitioners.

- 2) Council Directive 85/432/EEC of 16 September 1985 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of certain activities in the field of pharmacy.
- 3) Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action relating to the taking up and pursuit of the activities of midwives, as amended. Council Directive 77/453/EEC of 27 June 1977 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the activities of nurses responsible for general care, as amended.

Art. II of Act No. 552/2005 Coll.  
Transitory provisions to Art. II

1. Legal entities will ensure their title complies with this Act no later than by 31 December 2007.
2. Legal acts carried out - before this Act becomes effective and in line with the existing Higher Education Act - by a body of a public higher education institution or by a body of a constituent part of a public higher education institution are not affected by this Act.
3. Any fee related to studies which has been determined by a higher education institution in compliance with the existing Higher Education Act before this Act becomes effective is not affected by this Act.
4. As for degree programmes in place as of the day on which this Act becomes effective, the validity of which was granted for the maximum period permissible at the time of granting accreditation and to which accreditation was granted with no additional restriction conditions, the Ministry will extend the validity of accreditation for these programmes for a period determined by this Act, provided that the higher education institution applies for this in writing within two months of this Act becoming effective.
5. Accreditation of the procedure for conferring “*venia docendi*” and the procedure for the appointment of professors in a given field is not affected by this Act. The only exception is accreditation for which the validity period was not determined. Accreditation of these fields expires on 31 December 2015.
6. An individual who took up the post of a rector or dean on the basis of an appointment made before this Act became effective is considered to be an individual who held or holds this post based on appointment in compliance with the new legal regulation. However, the length of the term of office for which the individual was appointed before this Act became effective is subject to the existing legal regulation.

Art. VI of Act No. 624/2006 Coll.  
Transitory provision to Art. III

Act No. 111/1998 Coll. on Higher Education Institutions and on Amendment to Some Related Acts (the Higher Education Act) as amended by this Act is for the first time applied to the budgetary year of 2006.

Art. VI of Act No. 110/2009 Coll.

#### Transitory provision

The commencement, duration, changes in and termination of employment of a member of academic staff negotiated before this Act became effective are subject to the existing legal regulations.

#### Art. X of Act No. 365/2011 Coll.

#### Transitory provision

Fixed-term employments under Section 70 (4) of Act No. 111/1998 Coll., in the wording effective until the date of entry into effect of this Act, will be governed by the existing legislation until their termination.

#### Art. II of Act No. 137/2016 Coll.

#### Transitory provisions

1. Internal regulations governed by Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, will be submitted by higher education institutions to the relevant Ministry for registration within 1 year after the date of entry into effect of this Act. The scope of the faculty's competence resulting from the current existing status and Act No. 111/1998 Coll., in the wording effective prior to the date of entry into effect of this Act remains unaffected until the date of registration of the status of a public higher education institution or its change, modified and submitted for registration under the first sentence and defining the new scope of the faculty's competence to decide or act on behalf of the public higher education institution.
2. The titles of "docent" ("associate professor") and "profesor" ("professor") obtained in the Slovak Republic from 1 January 1993 until the expiration of the Agreement between the Government of the Czech Republic and the Government of the Slovak Republic on the Mutual Recognition of Equivalence of Education Documents Issued in the Czech Republic and the Slovak Republic, signed in Prague on 23 March 2001, are considered equivalent to the titles of "docent" ("associate professor") and "profesor" ("professor") obtained in the Czech Republic in the relevant period.
3. On the date of entry into effect of this Act, accredited degree programmes, which are carried out by higher education institutions in accordance with legislation applicable on the last day before the date of entry into effect of this Act, will become degree programmes accredited under Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, and are accredited for a fixed period, but at least for a period until 31 December 2024; the existing division of these degree programmes into fields of study will remain the same for that period. Measures taken pursuant to Section 85 (2) a) and b) of Act No. 111/1998 Coll., in the wording effective prior to the date of entry into effect of this Act, remain the same in respect of the relevant degree programmes; in the event of their termination or the determination of measures by the National Accreditation Bureau for Higher Education, the provisions of Sections 83c and 86 (2) and (9) of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, will apply to reasonable extent. However, after the date of entry into effect of this Act, the accreditation of an expansion of a degree programme with a new field of study may not be requested and a degree programmes

carried out by a higher education institution within an area of education, for which the higher education institution holds institutional accreditation under Sections 81a and 81b of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, may not be expanded with a new field of study.

4. Where the existing legislation governing professional competence for the pursuit of a profession or activity stipulate requirements relating to the study or completion of a particular field of study or a particular field of study of a particular degree programme, those requirements shall be deemed to have been met even if the relevant study was carried out or completed within the scope of the relevant new degree programme accredited or carried out pursuant to Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, not divided into fields of study.
5. The authorisation of a higher education institution or part thereof to perform habilitation procedures or procedures for the appointment of professors under existing legislation, which the higher education institution had on the last day before the date of entry into effect of this Act, on the date of entry into effect of this Act the authorisation to perform habilitation procedures or procedures for the appointment of professors accredited under Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, for a fixed period, however for a period of at least 3 years from the date of entry into effect of this Act. Measures taken pursuant to Section 85 (3) of Act No. 111/1998 Coll., in the wording effective before the date of entry into effect of this Act, will be maintained.
6. The Ministry of Education, Youth and Sports will open a register of higher education institutions and degree programmes offered and the Register of Proceedings regarding Applications for Recognition of Foreign Higher Education and Qualification by 1 January 2017.
7. The provisions of Section 72 (16) of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, do not apply to habilitation procedures initiated before the date of entry into effect of this Act.
8. The provisions of Section 74 (10) of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, do not apply to procedures for the appointment of professors initiated before the date of entry into effect of this Act.
9. Administrative procedures on accreditations or State Approvals, which have not been legally concluded before the date of entry into effect of this Act, will be completed in accordance with Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act.
10. The appointment of the Chair, Vice-chairs and other members of the National Accreditation Bureau for Higher Education Board for a term of office starting on or after the date of entry into effect of this Act may, in accordance with the procedures set out in Act No. 111/1998 Coll., in the wording effective on the date of entry into effect of this Act, take place even before the date of entry into effect of this Act, however, no earlier than after 30 June 2015.
11. In the first appointment of the members of the National Accreditation Bureau for Higher Education Board, the Government will select the names of five members, except for the Chair of the National Accreditation Bureau for Higher Education, from a group of persons suggested for a six-year term of office, whose term of office will end after 2 years, and five members, except for the Chair of the National Accreditation Bureau for Higher Education,



whose term of office will end after 4 years.

12. For the purposes of the second sentence of Section 83b (2) of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, the term of office of a member of the National Accreditation Bureau for Higher Education will be also the term of office of a member of the Accreditation Commission appointed under Act No. 111/1998 Coll., in the wording effective before the date of entry into effect of this Act.
13. If this Act comes into effect, at least in part, before 31 July 2016, the term of office of the existing members of the Accreditation Commission appointed under Act No. 111/1998 Coll., in the wording effective before the date of entry into effect of this Act, whose term of office would end after the date of entry into effect of at least a part of this Act, will end on the last day before the start date of the terms of office of the members of the National Accreditation Bureau for Higher Education appointed under Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act.
14. The Ministry of Education, Youth and Sports will modify the existing register of associate professors and professors employed by public and private higher education institutions pursuant to Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, within 1 year after the date of entry into effect of this Act.
15. The provisions of Section 90a of Act No. 111/1998 Coll., in the wording effective from the date of entry into effect of this Act, do not apply to proceedings regarding recognition of foreign higher education and qualifications initiated before the date of entry into effect of this Act.
16. If a foreign higher education institution or a domestic legal entity provided foreign higher education in a foreign higher education degree programme in the territory of the Czech Republic already on the date of entry into effect of this Act, it will bring its activity into line with Sections 93a to 93i of Act No. 111/1998 Coll., in the wording effective on the date of entry into effect of this Act, within 13 months after the date of entry into effect of this Act.
17. The name of the public higher education institution "Univerzita Karlova v Praze" ("Charles University in Prague") is replaced by "Univerzita Karlova" ("Charles University"). The name of the public higher education institution "Ostravská univerzita v Ostravě" ("Ostrava University in Ostrava") is replaced by "Ostravská univerzita" ("University of Ostrava").

#### Art. II of Act No. 168/2018 Coll.

##### Transitory provisions

1. For the study in degree programs which were accredited prior to the date of entry into force of this Act pursuant to Article II point 4 of Act No. 137/2016 Coll., as amended from the date of entry into force of Act No. 137/2016 Coll., for a period of 3 years from the date of entry into force of Act No. 137/2016 Coll., the applicant can be admitted to study only until 31 December 2019.
2. For the study in degree programs which were accredited prior to the date of entry into force of this Act pursuant to Article II point 4 of Act No. 137/2016 Coll., in the version effective from the date of entry into force of Act No. 137/2016 Coll., for a period longer than 3 years from the date of the entry into force of Act No. 137/2016 Coll., established by the relevant

decision on the granting, renewal or extension of accreditation issued pursuant to the Higher Education Act before the date of entry into force of Act No. 137/2016 Coll., (hereinafter referred to as the "established period"), the applicant can be admitted to study only before the expiry of the period specified by that decision.

3. The existing measures taken in relation to study programs mentioned in points 1 and 2 before the date of entry into force of this Act pursuant to Section 85 (2) a) and b) of Act No. 111/1998 Coll., in the wording effective prior to the date of entry into effect of Act No. 137/2016 Coll., or on the basis of the appropriate application of the provisions of Section 83c and Section 86 (2) and (9) of Act No. 111 / 1998, as amended by the effective date of Act No. 137/2016 Coll., are not affected by the provisions of points 1 and 2; if the mentioned existing corrective measure lies in a ban on admission of applicants to a study program, such restriction of accreditation shall apply with the concurrent application of points 1 or 2. The provisions of points 1 and 2 are also without prejudice to the competence of the National Accreditation Bureau for Higher Education to cancel the measures mentioned in the first sentence or to establish new measures with the appropriate application of the provisions of Section 83c and Section 86 (2) and (9) of Act No. 111/1998 Coll., in the version effective from the date of entry into force of Act No. 137/2016 Coll., but the prohibition to admit to the study program an applicant according to point 1 or 2 shall always apply no matter of the content of any corrective measure and no matter of eventual annulment of the corrective measure.
- 1) Section 5 (3) of Act No. 424/1991 Coll. on association with political parties and political movements, as amended by Act No. 117/1994 Coll.
  - 2) Section 26 (2) of Act No. 586/1992 Coll. on income tax, as amended.
  - 3) Section 1 (2) a) and Section 2 (3) of Act No. 526/1990 Coll. on prices, as amended.
  - 4) Section 203 (1) of the Labour Code.
  - 5) Section 156 and the following of the Labour Code.
  - 6) For example, Act No. 40/2009 Coll., Criminal Code, as amended, Act No. 89/2012 Coll., Civil Code, Act No. 90/2012 Coll., on Commercial Companies and Cooperatives (Commercial Corporations Act).
  - 7) Section 18 (2) of Act No. 1/1992 Coll. on wages, compensation for standby, and an average salary.
  - 7a) Act on Support for Research and Development. Government Regulation No. 462/2002 Coll., on institutional support for research and development from public resources and evaluating research plans, as amended by Government Regulation No. 28/2003 Coll. Government Regulation No. 461/2002 Coll., on targeted research and development from public resources and on public competitions in research and development.

- 8) Section 7 (1) t) of Act No. 218/2000 Coll. on budget regulations and on amendments to some related Acts (budget regulations), as amended.
- 8a) Section 10 (2) of Act No. 218/2000 Coll. on budget regulations and on amendments to some related Acts (budget regulations), as amended.
- 8b) Sections 12 and 13 of Act No. 218/2000 Coll. on budget regulations and on amendments to some related Acts (budget regulations), as amended.
- 8c) Czech Statistical Office Notification No. 321/2003 Coll., on the implementation of Classification of Types of Structures CZ-CC.
- 8d) Act No. 218/2000 Coll. on budget regulations and on amendments to some related Acts (budget regulations), as amended.
- 8e) Act No. 130/2002 Coll. on the Support of Research and Development from Public Funds and on Amendment to Some Related Acts (the Support of Research and Development Act) as amended
  - Government Regulation No. 461/2002 Coll., on targeted research and development from public resources and on public competitions in research and development
  - Government Regulation No. 462/2002 Coll., on institutional support for research and development from public resources and evaluating research plans, as amended by Government Regulation No. 28/2003 Coll.
- 9) Act No. 563/1991 Coll. on accounting, as amended.
- 9a) Act No. 586/1992 Coll. on income tax, as amended.
- 9b) Section 14 (3) a), b), g) and i) of Act No. 218/2000 Coll., as amended.
- 9c) Section 15 of Act No. 218/2000 Coll., as amended.
- 10) For example, Act No. 563/1991 Coll. on accounting, as amended.
- 11) Act No. 37/1995 Coll. on non-periodical publications.
- 11a) Sections 195 to 198 of Act No. 262/2006 of the Labour Code.
- 13) Act No. 182/2006 Coll. on Insolvency and Its Resolution (the Insolvency Act), as amended.

- 14) For example, Act No. 248/1995 and Act No. 513/1991, as amended.
- 15) Section 10 of Act No. 35/1965 Coll. on literary, scholarly, and artistic works (the Copyright Act).
- 15a) Section 10 of Act 89/1995 Coll., on state statistical services, as amended.
- 15b) Sections 195, 197, and 198 of Act No. 262/2006 of the Labour Code, as amended.
- 16) Section 2 r) of Act No. 352/2001 Coll. on the use of the state symbols of the Czech Republic and on amendments to other Acts.
- 17) Act No. 634/2004 Coll. on administration fees, as amended.  
Act No. 280/2009 Coll. of the Tax Code, as amended.
- 18) Sections 132 through 138 and Section 150 of the Labour Code
- 19a) Act No. 18/2004 Coll. on the Recognition of Professional Qualifications and Other Competences of Nationals of the Member States of the European Union and on Amendment to Related Acts (the Recognition of Professional Qualifications Act).
- 19b) Section 45 (1) of Act No. 96/2004 Coll., on the Conditions for Obtaining and Recognition of Qualifications for Pursuing Paramedical Professions and Activities Associated with the Provision of Healthcare and Amending Certain Related Laws (Act on Paramedical Professions), as amended by Act No. 189/2008 Coll.
- 20) Czech National Council Act No. 552/1991 Coll. on state inspection, as amended by Act No. 166/1993 Coll.
- 20a) Act No. 40/2004 Coll. on public tenders, as amended.
- 21) Czech National Council Act No. 97/1974 Coll. on keeping archives, as amended by Czech National Council Act No. 343/1992 Coll. Directives of the Ministry of the Interior 7/1975 Ú.v. CSSR on the utilization of archive records, reg. number 24/1975, as amended by Czech National Council Act No. 343/1992 Coll.
- 21a) Section 17 of Act No. 117/1995 Coll. on State Social Support, as amended.
- 21a) Act 325/1999 Coll., on asylum and on amendments to Act No. 283/1991 Coll. on the Czech Republic Police, as amended (Act on Asylum), as amended. Council Directive 2004/83/EC from 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.
- 22) For example, Ministry of Health of the Czech Republic Regulation No. 394/1991 Coll. on

the statutes, organization, and activities of teaching hospitals and other hospitals, selected specialized therapeutic institutes, and regional hygienic clinics within the competency of the Ministry of Health of the Czech Republic.

22a) Act No. 361/2003 Coll. on the service of members of the security forces.

23) Czech National Council Act No. 576/1990 Coll., as amended. Ministry of Finance of the Czech Republic Regulation No. 205/1991 Coll. on the management of budget funds from the state budget of the Czech Republic and on financial management of budgetary and subsidized organizations, as amended by Governmental Regulation No. 48/1995 Coll.

24) National Defence Act No. 92/1949 Coll., as amended. Act No. 76/1959 Coll. on specific service relationships of soldiers, as amended. Ministry of Defence of the Czech Republic Regulation No. 113/1996 Coll. implementing some provisions of Act No. 76/1959 Coll. on specific service relationships of soldiers, as amended. Czech National Council Act No. 186/1992 Coll. on service relationships pertaining to the members of the police of the Czech Republic, as amended. Ministry of Defence of the Czech Republic Regulation No. 7/1996 Coll. on monetary and in-kind indemnity of soldiers on active service and students of military schools that are not on active service, as amended by Ministry of Defence of the Czech Republic Regulation No. 310/1996 Coll.

25) Act No. 102/1971 Coll. on the protection of classified information, as amended. Czechoslovak Socialist Republic Government Regulation No. 148/1971 Coll. on the protection of trade secrets, as amended by Czech and Slovak Federative Republic Government Regulation No. 420/1990 Coll. Czech and Slovak Federative Republic Government Regulation No. 419/1990 Coll. on fundamental features constituting a subject of classified information.

27) Act No. 269/1994 Coll. on the criminal record, as amended.

29) Sections 796, 824, 826, 928, 953 and 958 of the Civil Code.

30) Section 7 (10) of Act No. 117/1995 Coll. on State Social Support, as amended.

31) For example, Act No. 121/2000 Coll., on Copyright, on Rights Related to Copyright, and on Amending Certain Acts (Copyright Act), as amended, Act No. 412/2005 Coll., on the Protection of Classified Information and on Security Competence, Sections 504, 2976, and 2985 of the Civil Code.

32) Section 31 of Act No. 121/2000 Coll., as amended.

33) Act No. 150/2002 Coll., the Code of Administrative Procedure, as amended.

34) Act No. 634/2004 Coll. on administration fees, as amended.

- 35) Act No. 95/2004 Coll., on the Conditions for Obtaining and Recognition of Professional Qualifications and Specialised Qualifications for Pursuing the Healthcare Profession of Doctor, Dentist, and Pharmacist, as amended. Act No. 96/2004 Coll., as amended. Act No. 120/2001 Coll., on lawyers, as amended. Act No. 120/2001 Coll., on Court Appointed Executors and Executing Activities (Enforcement Procedure) and on Amending Other Acts, as amended.
- 36) Act No. 219/1999 Coll. on the armed forces of the Czech Republic, as amended.
- 37) Section 52 of Act No. 222/1999 Coll., on the Defence of the Czech Republic, as amended.
- 38) Act No. 361/2003 Sb., on Service of Members of Armed Forces, as amended.