

Rules of Procedure of the Academic Senate Faculty of Law, Masaryk University

(as amended with effect from 21 February 2022)

Pursuant to Section 28(1) of Act No. 111/1998 Coll., on Higher Education and on Amendments and Additions to Other Acts (Act on Higher Education), as amended, I hereby issue these Rules of Procedure of the Academic Senate of the Faculty of Law of Masaryk University.

Article 1

Basic provisions

(1) These Rules of Procedure of the Academic Senate of the Faculty of Law of Masaryk University (hereinafter referred to as the "Rules") are the internal regulations of the Faculty of Law of Masaryk University (hereinafter referred to as the "Faculty") within the meaning of Section 33 (2) (c) of Act No. 111/1998 Coll., on Higher Education and on Amendments and Additions to Other Acts (Act on Higher Education), as amended (hereinafter referred to as the "Act").

(2) The Academic Senate of the Faculty (hereinafter referred to as the "Senate") is a self-governing body of the Faculty within the meaning of Section 25 (1) (a) of the Act. These Regulations shall regulate, in accordance with the Act and the internal regulations of the Faculty and Masaryk University, the exercise of membership and provision of the activities of the Senate, its organisation and rules of its proceedings, documentation of the Senate's activities and information about them.

(3) The composition and organs of the Senate, the basic rules regarding ordinary and extraordinary meetings, quorum, voting, the rights and duties of Senators (hereinafter referred to as "Senate members"), as well as the scope and powers of the Senate are regulated by Articles 20 to 24 of the Statutes of the Faculty (hereinafter referred to as "Statutes"), which are followed by these Regulations.

Article 2

Arrangements of the Senate

(1) The Senate is internally divided into the Academic Staff Chamber (hereinafter referred to as "UKAS") and the Student Chamber (hereinafter referred to as "SKAS").

(2) The chambers of the Senate shall meet independently, appoint their representatives, i.e. the President and, where appropriate, the Vice-President of the chamber, and may adopt their own rules of procedure in accordance with the Act, the Statute and these Rules.

(3) In accordance with Article 24(3) of the Statutes, the Senate shall establish permanent or temporary committees from among its members or other members of the academic community of the Faculty. In doing so, it shall define their composition and tasks. Each committee shall delegate half of its members. The Senate shall select the chairpersons of the committees from among its members. The Commissions shall be established on the date of their establishment and shall terminate on the date of the constituent session of the new Senate.

(4) The Standing Committees of the Senate are the Legislative Committee and the Economic Committee. The Senate shall establish the standing committees no later than at its second session after the beginning of the term of office.

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(5) The Commission shall decide on matters falling within its competence by voting, where each member of the Commission shall have one vote. Unless the Senate decides otherwise during its term of office, the Commission shall be competent to act in the presence of at least half of its members and its resolutions shall be adopted if a majority of the members present are in favour of them. The Commission may act *per rollam*. In such a case, the approval of a majority of all members shall be required for the adoption of a resolution. The Senate may also lay down other rules governing the proceedings of the Commission.

Article 3

Constituent session of the Senate and election of the President of the Senate

(1) The President of the Senate from the previous term convenes and presides over the constituent session of the Senate until the election of a new President. He or she shall convene the meeting so that it is held not later than 2 months after the beginning of the Senate's term of office. The first item on the agenda of the constituent sitting shall be the election of the President of the Senate. At the constituent meeting, the Senate shall also discuss the appropriate dates for ordinary sittings.

(2) Voting for the election of the President shall be by secret ballot. Any member of the Senate may propose a candidate. In the first round of the election, the candidate who obtains an absolute majority of the votes of all members of the Senate shall be elected President of the Senate. If the President of the Senate is not elected, another round shall be held. Each member of the Senate may vote for only one candidate in each round. If the office of President becomes vacant during the term of office, the election shall be held at the next meeting of the Senate.

(3) If the President is censured pursuant to Article 22(5) of the Statute, his office shall cease to exist upon such censure. The Senate shall elect a new President at its next following session at the latest. Pending the election of a new President, the procedure laid down in Article 22(4) of the Statute shall apply.

Article 4

Convocation and meetings of the Senate

(1) The President of the Senate shall be obliged to deliver an invitation to a meeting of the Senate together with the agenda to the members of the Senate not later than 7 days before the proposed commencement of the meeting. The Chair of the Senate shall inform the academic community of the Faculty of the date of the meeting and the proposed agenda in an appropriate manner. In the case of an extraordinary meeting of the Senate, the time limit referred to in the first sentence of this paragraph may be reduced to 48 hours in justified cases; the internal regulations of the Faculty or amendments thereto may not be approved at a meeting convened in this way.

(2) A request to convene an extraordinary session pursuant to Article 21(2) of the Statute shall be submitted in writing to the President and Vice-Presidents of the Senate and shall include a draft agenda. The President of the Senate shall convene the extraordinary session immediately after the request has been submitted. If the President of the Senate fails to convene an extraordinary session within three days of the date of receipt of the request, any Vice-President of the Senate may convene an extraordinary session.

(3) In addition to the persons referred to in Article 21(2) of the Statute, the Rector may also submit a reasoned request for an extraordinary meeting of the Senate.

(4) The agenda shall be drawn up by the President of the Senate or, in the case of a procedure under Article 21(2) of the Statute, by the person who requests the extraordinary convocation of the Senate. The proposed agenda, including any proposals for changes to the agenda, shall be discussed by the Senate at the beginning of the session.

(5) Individual agenda items are usually discussed on the basis of written supporting materials. These materials shall be submitted to the President of the Senate by the proposer requesting consideration no later than 7 days before the date of the Senate meeting. The President of the

Senate shall be obliged to make these materials available to the members of the Senate without delay by appropriate means. As a rule, he/she shall do so in electronic form, by sending them to the members of the Senate together with the invitation to the Senate meeting at which the materials are to be discussed, or by making them available in the relevant document folder in the Masaryk University Information System.

(6) As a rule, meetings of the Senate shall be held in the physical presence of the members of the Senate. A member of the Senate may, for compelling reasons, attend a meeting of the Senate remotely. The member of the Senate shall inform the President of the Senate of this fact at the latest before the Senate meeting begins. Compelling reasons shall include, in particular, study or business trips or health reasons. In case of doubt as to the seriousness of the reasons, the President of the Senate shall decide.

(7) In a debate, the President of the Senate may give the floor to anyone who so requests, normally in the order of their appearance. The Dean or, on his/her behalf, the Vice-Dean, the Rector or, on his/her behalf, the Vice-Rector, the President of the Academic Senate of Masaryk University or, on his/her behalf, a member of the Academic Senate of Masaryk University authorised by him/her, shall have the right to speak at the meeting whenever they so request.

(8) In the event that the normal course of business is disrupted, the length of the speech clearly exceeds the appropriate time or the speech disproportionately deviates from the subject matter of the item under discussion, the President of the Senate may withdraw the floor.

(9) Unless otherwise stated, motions shall be voted on in public. The Senate shall vote by secret ballot on a motion to appoint or remove the Dean and the President of the Senate. On other matters, the Senate shall act by secret ballot if it so decides by a supermajority on the motion of any member of the Senate. In the case of an online or hybrid session, voting shall always be conducted via the Masaryk University Information System.

(10) Decisions on procedure may be taken by acclamation.

Article 5

Initiation of the procedure for the nomination of the Dean

(1) No later than 5 months before the expiry of the term of office of the current Dean, the President of the Senate shall announce in the usual manner, including by posting on the Faculty's official notice board, the date of the meeting at which the Senate will decide on the proposal for the appointment of the Dean, so that this meeting is held at least 3 months before the expiry of the term of office of the current Dean.

(2) In the notice under the preceding paragraph, the President of the Senate shall designate:

- a. a three-member Election Commission composed of members of both chambers of the Senate, including its chairman;
- b. the time limit within which nominations may be submitted for the nomination of a candidate for dean; this time limit must be at least 1 month from the date of the announcement.

(3) The Electoral Commission shall, immediately upon its election, take office and shall do all such acts as are specified in these Regulations and are directed towards the election.

(4) A proposal for a candidate for dean is submitted in writing to the chair of the Election Committee. The proposal must include in particular:

- a. the name and surname of the proposed candidate, date of birth and place of residence;
- b. if the person of the proposed candidate is different from the proposer, also the written consent of the candidate to stand;
- c. if the proposed candidate is covered by Act No. 451/1991 Coll., then also his/her written declaration of fulfilment of the prerequisites for the performance of the function according to that Act;
- d. a structured professional CV of the proposed candidate;

e. the signature of the applicant.

(5) Immediately after the deadline for the submission of proposals, the Electoral Commission shall consider the proposals received. In the case of an incomplete or unclear proposal, it shall invite the proposer to complete the proposal within a reasonable period of time to be determined by it. The Electoral Commission shall then exclude those of the proposed candidates who do not meet the conditions for the performance of the function of dean and those who, despite the invitation, have not consented to candidature, have not remedied the deficiencies in their candidature within the time limit or have subsequently withdrawn from candidature. The Election Committee shall then draw up a list of candidates and publish it on the official board of the Faculty without undue delay.

(6) The Election Committee shall allow the proposed candidates to present their programmes to the academic community. For this purpose, in particular, it shall promptly publish the submitted copies of the programmes on the official Faculty notice board; the proposed candidates shall submit their programmes to the Chairperson of the Election Committee at least 3 weeks before the date of the announced Senate meeting pursuant to paragraph 1.

Article 6

Session of the Senate on the proposal for the appointment of a dean

(1) The meeting at which the Senate decides on a proposal for the appointment of a dean shall be held in such a way as to allow the widest possible participation of the academic community and to allow the proposed candidates to speak publicly before the academic community and to participate in the discussion.

(2) The Senate shall decide on the proposal for the appointment of a dean by secret ballot. Voting shall be by ballot paper containing the names of all proposed candidates. The voting process shall be organised and managed by the Electoral Committee.

(3) In the event that none of the nominated candidates obtains an absolute majority of the votes of all members of the Senate in the first round, a second round of voting shall be held. The two candidates who obtained the highest number of valid votes in the first round shall proceed to the second round. If more than one candidate has obtained the same highest number of valid votes in the first round, all those candidates shall proceed. If there are several candidates who obtained the same second highest number of valid votes in the first round and only one candidate who obtained the highest number of valid votes, all these candidates shall proceed together.

(4) The second round shall be held immediately after the first round, unless the Senate decides by a supermajority on the motion of any member of the Senate that it shall be held later. In that case, the President of the Senate shall fix a suitable date for the second round not later than one week after the date of the first election. Paragraph 1 shall apply *mutatis mutandis* to the second round.

(5) If no candidate receives an absolute majority of the votes of all members of the Senate in the second round, a third round of voting shall be held. The candidate who obtained the highest number of votes in the second round shall proceed to that round. If there are more than one candidate who obtained the same highest number of valid votes in the second round, all those candidates shall advance. Paragraph 3 shall apply *mutatis mutandis*.

(6) If no candidate receives an absolute majority of the votes of all members of the Senate even in the third round, a new election of the dean shall be held. The time limits under Article 5 of the Regulations for such a procedure may be shortened by a decision of the Senate.

(7) The Election Committee shall prepare a report on the voting on the proposal for the appointment of the Dean, containing the number of votes for each candidate in each round of voting. The record, signed by all members of the committee, shall be forwarded by the committee to the Chair of the Senate, who shall promptly post it on the official Faculty bulletin board.

(8) The President of the Senate is obliged, in the event that the Rector refuses to appoint a proposed candidate for Dean, to call a new election for a candidate for Dean without undue delay.

Article 7 Recorder

(1) Minutes shall be taken of every meeting of the Senate. The minutes shall be taken by the minute-taker or by another person authorised by the President of the Senate. The cost of the recorder shall be paid from the budget of the Faculty.

(2) The minutes shall state in particular the date of the meeting, who among the members of the Senate and guests was present and who was excused, who was the presiding officer, the agenda and the order of its items, a summary of the debate on these items, what resolutions were adopted and the numerical results of the vote. The accuracy of the minutes shall be verified by the verifier, who shall be the chairman of the meeting.

(3) The Presiding Officer shall send the minutes to the Presidents of both Chambers without delay after the Senate meeting. If no objections are raised within 7 days, the Chair shall post the minutes on the Faculty's electronic bulletin board and deposit them in the Archives.

(4) Any member of the Senate may object to the accuracy of the minutes at the next meeting. The Senate shall decide on the objections by vote.

(5) Members of the Senate may submit objections to the minutes to the President of the Senate 7 days before the date of the next Senate meeting. The President of the Senate shall place the objection on the agenda and correct the minutes if the Senate decides at that meeting by a majority of the members of the Senate present that the objection is justified.

Article 8 Archive

(1) The originals of the adopted resolutions signed by the President and, in matters referred to in Article 24(1)(b) of the Statute, also by the Dean, shall be deposited in the archives of the Senate (hereinafter referred to as the "Archives") in full, including important data, in particular the name of the proposer and the voting ratio, detailed minutes of the proceedings signed by the recorder and the verifier, and decisions of the Senate bodies signed by the President. The refusal to sign shall not affect the validity of the resolution adopted. Other material relating to the work of the Senate may also be deposited in the archives.

(2) Documents shall be deposited in the archives without undue delay and shall be numbered as follows: [serial number in the year]/[year].

(3) The archives are accessible to members of the academic community and it is permitted to make extracts and copies from them.

Article 9 Final provisions

(1) Internal Regulation No. 9, Rules of Procedure of the Academic Senate, is hereby repealed.

(2) This Internal Regulation shall enter into force on 1 September 2017.

(3) Pursuant to Section 9(1)(b) of the Act, the Academic Senate of the Faculty approved amendments to these Regulations on 8 November 2021 and the Academic Senate of Masaryk University on 21 February 2022.

Brno, 21 February 2022

doc. JUDr. Mgr. Martin Škop, Ph.D., v. r.
Dean

Translated with DeepL-Translator.