

**FULL WORDING OF
ACT NO. 111/1998 COLL.
(AMENDED AND CONSOLIDATED)
ACT ON HIGHER EDUCATION INSTITUTIONS
AND ON THE AMENDMENT AND SUPPLEMENT 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., and Act No. 121/2004 coll., ACT NO. 436/2004, ACT NO. 473/2004, ACT NO.562/2004, ACT NO. 342/2005, ACT NO. 552/2005, ACT NO. 161/2006, ACT. NO. 165/2006, ACT NO. 310/2006, ACT NO. 624/2006, ACT No. 261/2007, ACT NO. 296/2007, ACT NO. 189/2008, ACT NO. 110/2009, ACT NO. 419/2009, ACT NO. 159/2010, ACT NO. 365/2011, ACT NO. 420/2011, AND ACT NO 48/2013 COLL.

The Parliament has resolved upon the following Act of the Czech Republic:

**PART I
FUNDAMENTAL PROVISIONS**

**Article 1
Introductory Provisions**

Higher education institutions represent the highest level of the educational system. They are regarded as top centres of education, independent discernment and creative activity. Higher education institutions play the key role in scholastic, cultural, social and economic development of society by performing the following functions:

- a) maintaining and augmenting acquired knowledge; cultivating scholarly, research, developmental, artistic or other creative activities according to the type and objectives of the institution;
- b) facilitating access to higher education in compliance with democratic principles; providing adequate professional qualification and training for research work and other challenging specialised activities;
- c) rendering other forms of education; facilitating acquisition, enlargement, elaboration and refreshment of knowledge from various areas of learning and culture and thus contributing to lifelong learning;
- d) playing an active role in public discussion on social and ethical questions, cultivating cultural diversity and mutual understanding, shaping civil society and preparing young generation for their life in such a society;
- e) contributing to the development on both national and regional levels while co-operating with various levels of state administration and municipalities as well as in the area of industry and culture;
- f) developing international and namely European co-operation as a fundamental extent of its activities, supporting common projects with similar institutions abroad, mutual recognition of credits and diplomas, exchange of academic staff and students.

Article 2

- (1) Higher education institutions provide accredited study programmes as well as lifelong learning programmes. The type of higher education activities is determined by the type of accredited study programmes being provided. Each study programme is one of the following types: Bachelor, Master, or Doctoral (PhD.).
- (2) Higher education institutions represent legal entities.
- (3) Higher education institutions are either university type or non-university type. In titles of their schools only those which are of university type can use the word “university”. Others can use the wording “institution of higher education”.
- (4) A university type of higher education institution may provide all types of study programmes as well as related subsequent scholarly, research, development, artistic, or other creative activities.
- (5) A non-university type of higher education institution shall provide bachelor’s study programmes and may carry out master’s study programmes as well as related research, development, artistic, or other creative activities. Higher education institutions of this type are not divided into faculties.
- (6) The type of the higher education institution is declared in its Statutes; it must comply with the standpoint of the Accreditation Commission.
- (7) Higher education institutions are public, private, or state. There are military and police state institutions of higher education.
- (8) Other legal entities involved in similar activities may participate in educational, scholarly, research, developmental, artistic or other creative activities of higher education institutions.
- (9) No entities besides higher education institutions are allowed to award academic degrees, perform procedures for obtaining “venium docendi” (habilitation), procedures for the appointment of professors, use academic insignia, and hold academic ceremonies.
- (10) It is prohibited to establish political parties and political movements and perform their activities at higher education institutions¹⁾.

Article 3

Academic Community of a Higher Education Institution

The academic community of a higher education institution is created by its academic staff and students.

Article 4

Academic Liberties and Academic Rights

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

- a) Freedom of science, research and artistic activities as well as making the results public;
- b) Freedom of instruction, namely its openness to variety of scholastic theories, scientific and research methods and artistic trends;
- c) The right of learning that includes free choice of study specialisation within the framework of study programmes as well as freedom of expressing one’s opinion during lecturing;

¹⁾ Art. 5, Par. 3 of Act No. 424/1991 Coll., On Association in Political Parties and Political Movements as amended by Act No. 117/1994 Coll.

- d) The right of academic community members to elect their representative academic bodies;
- e) The right to use academic insignia and hold academic ceremonies.

PART II

Public Higher Education Institutions and Their Parts

Chapter 1

Public Higher Education Institutions

Article 5

Establishment of Public Higher Education Institutions

- (1) Public higher education institutions are established and dissolved by means of an act. The designation and domicile of higher education institutions are also provided for in the act.
- (2) Public higher education institutions may perform a merger or an amalgamation only with other public higher education institutions; they may be divided into other public higher education institutions only. Such changes may be implemented only by means of an act.
- (3) In case of dissolution of a public higher education institution as per Par.1, or its merger, amalgamation or splitting as per Par. 2, the act also provides for legal entities onto which the assets and liabilities are made over. The act also defines which public higher education institutions will enable the students of a dissolved institution to complete their higher education.

Article 6

- (1) Self-government competencies of public higher education institutions include in particular the following:
 - a) Internal organisation,
 - b) Stipulation of the number of applicants admitted to studies, conditions of admission to studies and decision-making during entrance proceedings,
 - c) Design and implementation of study programmes,
 - d) Organisation of studies,
 - e) Decision-making regarding students' rights and duties,
 - f) Objectives of scholarly, research, developmental, artistic or other creative activities and their organisation,
 - g) Definition of legal terms between an employer and an employee; stipulation of the size of the academic staff and the number of other personnel,
 - h) Performing procedures for obtaining "venium docendi" (habilitation) and procedures for the appointment of professors,
 - i) Co-operation with other higher education institutions and legal entities together with international relations,
 - j) Constitution of independent academic bodies at a higher education institution if not stipulated otherwise by this Act,
 - k) Economic management of the higher education institution and assets management in compliance with special regulations,
 - l) Assessment of study-related fees.

- (2) Organisation and activities of public higher education institutions are subject to their internal regulations.
- (3) State authorities may interfere with the activities of public higher education institutions only on the basis of the law and within the law and in the manner provided for in the law.

Article 7

Academic Bodies of Public Higher Education Institutions

- (1) Independent academic bodies of public higher education institutions include:
 - a) The Academic Senate;
 - b) The Rector;
 - c) The Scientific Board or the Artistic Board; the Academic Board at non-university higher education institutions (hereinafter referred to as “the Scientific Board of a public higher education institution”);
 - d) The Disciplinary Commission.
- (2) Other bodies of public higher education institutions include:
 - a) The Board of Trustees of a public higher education institution;
 - b) The Registrar/Bursar.

The Academic Senate of a Public Higher Education Institution

Article 8

- (1) The Academic Senate of a public higher education institution represents its independent representative academic body. It consists of at least eleven members; at least one third and at most one half is constituted by students. The members of the Academic Senate of a public higher education institution are elected from the academic community of a public higher education institution on the basis of their direct voting by ballot. Internal regulations of a public higher education institution outline namely the number of members of the Academic Senate, the manner they are voted for, and the manner of voting for the Chair of the Academic Senate, bodies of the Academic Senate and the manner of their constitution, reasons for terminating a membership in the Academic Senate and possible incompatibility of membership in the Academic Senate with exercise of other duties.
- (2) The membership in the Academic Senate is incompatible with the duties of the Rector, vice-rectors, deans and vice-deans.
- (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-member of the Academic Senate is accepted into another follow-up study programme during his/her term of office, the international regulation of the institution may specify conditions against termination of the term of office in the Senate. The term of all members of the Academic Senate at a public higher education institution is terminated should the Academic Senate fail to hold meetings for six months as per Article 9. A new voting is declared by the Rector in thirty days at the latest.
- (4) The meetings of the Academic Senate of a public higher education institution are open to the public. The Rector, or a vice-rector acting on his behalf, has the right to deliver a speech at the meeting any time s/he makes a request to do so. Upon the Rector's request, the Chair of the Academic senate is bound to call an extraordinary meeting of the Academic Senate of a public higher education institution without delay.

Article 9

- (1) The Academic Senate of a public higher education institution performs the following tasks:
 - a) Upon a recommendation of the Rector, it makes decisions upon establishing, merging, amalgamating, splitting or dissolving individual parts of the higher education institution; if agreement is granted by bodies or persons defined by the Statutes as senior managers, it can also decide upon establishing or dissolving common individual parts of the institution;
 - b) It approves internal regulations of the higher education institution and their parts proposed by the Rector;
 - c) It approves the budget of the higher education institution presented by the Rector and supervises utilisation of financial means of the higher education institution;
 - d) It approves the annual report on activities and the annual report on economic management of the higher education institution presented by the Rector;
 - e) It approves evaluation of the higher education institution presented by the Rector;
 - f) It approves Rector's proposals for nominating or dismissing members of the Scientific Board and the Disciplinary Commission of the public higher education institution;
 - g) It approves conditions of admission to studies in the study programmes that are not provided by individual faculties;
 - h) It resolves upon proposals for nominating or dismissing the Rector;
 - i) It approves long-term intentions in the area of educational, scholarly, research, developmental, artistic or other creative activities of the public higher education institution (hereinafter referred to as "long-term intentions of the public higher education institution") and an annual update of these objectives upon a discussion at the Scientific Board;
 - j) Upon Rector's proposal it revokes an internal regulation, decision or another act of a part of a public higher education institution or suspends its effectiveness if this regulation, decision or act is not in agreement with the special or internal regulations of the public higher education institution.
- (2) The Academic Senate of a public higher education institution makes its statement namely upon the following subjects:
 - a) Design of the study programmes that are not provided by individual faculties;
 - b) Intents of the Rector to appoint or dismiss vice-rectors;
 - c) Legal acts that require consent of the Board of Trustees of the public higher education institution as per Art. 15, Par.1 (a-d);
 - d) Suggestions and standpoints of the Board of Trustees as per Art. 15, Par.3.
- (3) The Academic Senate of a public higher education institution makes its decision on the basis of voting by ballot namely in the case of proposals as per Par. 1 (h). A proposal for nomination of the Rector is accepted should it receive the majority of votes of all Academic Senate members at a public higher education institution. A proposal for dismissal of the Rector is accepted should it receive at least three-fifths of votes of all Academic Senate members at a public higher education institution.

Article 10
The Rector

- (1) The Rector is the head of a public higher education institution. If not otherwise stipulated by the Act, the Rector acts and makes decisions upon all matters pertaining to the institution.
- (2) The Rector is appointed and dismissed by the president of the Czech Republic upon a proposal of the Academic Senate of the public higher education institution. The proposal is presented through the mediation of the Minister of Education, Youth and Sports (hereinafter referred to as “the Minister”).
- (3) The term of office of the Rector is four years. Duties of the Rector at a public higher education institution may be fulfilled by the same person for at most two consecutive terms of office.
- (4) Vice-rectors act on behalf of the Rector in the areas designated by the Rector. Vice-rectors are appointed and dismissed by the Rector.
- (5) Rector’s wage is determined by the Minister.

The Scientific Board of a Public Higher Education Institution
Article 11

- (1) Members of the Scientific Board of a public higher education institution are appointed and dismissed by the Rector.
- (2) Members of the Scientific Board are distinguished representatives of the fields that are the focus of educational, research, developmental, artistic or other creative activities of the higher education institution. At least one third of Scientific Board members are not concurrently the members of the academic community of the institution.
- (3) The Scientific Board of a public higher education institution is chaired by the Rector.

Article 12

- (1) The Scientific Board of a public higher education institution performs the following duties:
 - a) It discusses long-term intentions of the public higher education institution,
 - b) It approves the study programmes the approval of which is beyond the scope of authority of Faculty’s Scientific Board or the Artistic Board (hereinafter referred to as “the Scientific Board of the Faculty”);
 - c) It exercises its duties in procedures for the appointment of professors and procedures for obtaining “venium docendi” (habilitation) in the extent provided for by this Act.
- (2) The Scientific Board of a public higher education institution makes its statements upon questions presented to it by the Rector.

Article 13
The Disciplinary Commission of a Public Higher Education Institution

- (1) Members and the Chair of the Disciplinary Commission of a public higher education institution are appointed by the Rector. Candidates are chosen from the members of the

academic community. Students represent one half of the members of the Disciplinary Commission.

- (2) The term of office of members of the Disciplinary Commission of a public higher education institution shall not exceed two years.
- (3) The Disciplinary Commission of a public higher education institution discusses disciplinary misdemeanours of students of a public higher education institution in the case of students who are not enrolled in any of its faculties. The Disciplinary Commission presents the Rector with its proposal for resolution.
- (4) Should all students of a public higher education institution be enrolled in its faculties, the Disciplinary Commission of a public higher education institution is not established.

The Board of Trustees of a Public Higher Education Institution Article 14

- (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 upon discussion with the Rector with the view of even associating representatives of public life, municipality as well as state administration. Members of the Board of Trustees must not be employed at the pertinent public higher education institution.
- (2) Members of the Board of Trustees of a public higher education institution are appointed for the period of six years. Upon their first appointment a vote is taken by drawing lots in order to take down the names of one third of members whose term of office shall expire in two-year time and one third of members whose term of office shall expire in four-year time.
- (3) The board meeting of a public higher education institution is called by its Chair at least twice a year. The Rector, or a vice-rector and registrar acting on his/her behalf, has a right to take part in the board meetings. The Chair of the Board of Trustees is obliged to call an extraordinary board meeting upon the Rector's request. Election of the Chair, deputy chairs and the line of action of the Board of Trustees of a public higher education institution are defined in its Statutes, which are subject to the approval of the Minister.

Article 15

- (1) The Board of Trustees of a public higher education institution is to render its prior written consent regarding the following issues:
 - a) Legal acts pertaining to higher education institution's acquiring real estate or making real estate over to another party,
 - b) Legal acts pertaining to higher education institution's acquiring movable assets or making movable assets over to another party should the value of these assets exceed five hundred fold the amount above which all belongings are regarded as tangible assets as per special regulations²⁾,
 - c) Legal acts pertaining to higher education institution's connected with establishing an easement or a right of first refusal,

²⁾ Art. 26, Par.6 of the Act No. 586/1992, Coll., On Income Taxes, as amended.

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- d) Legal acts pertaining to higher education institution's intentions to establish another legal entity, or making financial as well as non-financial deposits in these and other legal entities.
- (2) The Board of Trustees of a public higher education institution makes its statements namely upon the following issues:
- a) Long-term intentions of a public higher education institution and other matters to be discussed at the Board presented to it by the Rector or the Minister,
 - b) The budget of a higher education institution,
 - c) The annual report on the activities and the annual report on the economic management of a higher education institution as well as the results of evaluation of higher education institution's activities.
- (3) The Board of Trustees of a public higher education institution presents its suggestions and expresses its standpoints regarding the activities of a public higher education institution; these suggestions and standpoints are made public.
- (4) The price³⁾ in case of contractual assignments of movable assets subject to payment as per Par. 1(b) shall be negotiated in the amount that is considered normal at the given place and time. Movable assets may be assigned free of charge only should it be in the interests of the public or in the case when the free-of-charge assignment is more economical than other methods of treatment of these assets.
- (5) The Board of Trustees shall not approve a legal act should it not comply with the requirement of proper utilisation of higher education institution's assets or should such utilisation jeopardise fulfilment of institution's objectives.
- (6) The Board of Trustees of a public higher education institution is bound to notify the Ministry of Education, Youth and Sports (hereinafter referred to as "the Ministry") of rendering a prior written consent to the legal acts listed in Par.1 (a) to (d) no later than seven days upon giving such consent.
- (7) Legal acts listed in Par. 1 (a) to (d) that were not given a consent of the Board of Trustees of a public higher education institution and reported to the Ministry as per Par. 6 are deemed void.
- (8) The Board of Trustees of a public higher education institution takes heed to the purpose with the view of which the higher education institution was established, exercise of public interests in its activities and proper economic management of its assets.
- (9) Activity of the members of the Board of Trustees of a public higher education institution is deemed an act in the interests of the public⁴⁾. These persons are provided by the public higher education institution with reimbursement of travel expenses as per special regulations⁵⁾; the Ministry is in a position to provide the members with remuneration.
- (10) Activity of the members of the Board of Trustees of a public higher education institution is subject to special regulations⁶⁾.

³⁾ Art. 1, Par. 2(a) and Art. 2, Par. 3 of the Act No. 526/1990 Sb., On Prices, as amended

⁴⁾ Art. 124, Par. 1 and 2 of Labour Code.

⁵⁾ Art No. 119/1992 Coll., On Reimbursement of Travel Expenses, as amended by Act No. 44/1994 Coll..

⁶⁾ For example Art. 255 and 258 of Act No. 140/1961 Coll., Penal Act, as amended by further regulations, Art. 415 of the Act No. 40/1964 Coll., Civil Code, as amended by further regulations, Art. 268 of the Act No. 513/1991 Coll., Commercial Code, as amended.

Article 16
The Registrar

- (1) The Registrar is in charge of economic management and internal administration of a public higher education institution. The Registrar performs his/her duties on behalf of the institution in the extent defined in a provision of the Rector.
- (2) The Registrar is appointed and dismissed by the Rector.

Article 17
Internal Regulations of a Public Higher Education Institution

- (1) Internal regulations of a public higher education institution are defined by means of the following:
 - a) The Statutes of the public higher education institution,
 - b) The Electoral Rules and the Rules of Procedure of the Academic Senate of the public higher education institution,
 - c) Internal wage regulations⁷⁾,
 - d) The Rules of Procedure of the Scientific Board of the public higher education institution,
 - e) The Rules of Tender for filling posts by the academic staff,
 - f) Study and Examination Rules,
 - g) Scholarship Rules,
 - h) Disciplinary Code for Students,
 - i) Other regulations if provided so in the Statutes of the public higher education institution.
- (2) The Statutes of a public higher education institution detail namely the following:
 - a) The name, domicile and type of the higher education institution,
 - b) The legal predecessor,
 - c) Conditions of admission to studies and the method of applying for admission,
 - d) Conditions pertaining to studies of foreign citizens,
 - e) Definition of the contents, conditions and frequency of evaluation of higher education institution's activities,
 - f) The organisational structure,
 - g) Provisions pertaining to study-related fees,
 - h) The rules of using academic insignia and holding academic ceremonies,
 - i) The rules pertaining to the economic management of a public higher education institution.

⁷⁾ *Art.18, Par. 2 of the Act No. 1/1992Coll., On Wages, Remuneration for Work Readiness and Average Earnings.*

Article 18
The Budget of a Public Higher Education Institution

- (1) A public higher education institution prepares its one-calendar-year budget and performs its economic management in compliance with it. The budget of a public higher education institution is designed as a balanced budget.
- (2) The revenues of a public higher education institution include mainly the following:
 - a) Contributions from the state budget toward scientific and research activities, educational activities, developmental activities or other creative activities (hereinafter referred to as “contributions”),
 - b) Support for research, experimental development and innovation from public funds according to special provisions⁸⁾,
 - c) Subsidies from the State Budget (hereinafter referred to as “subsidies”),
 - d) Study-related fees,
 - e) Revenues from property,
 - f) Other revenues or contributions than those listed in (a) from the State Budget, state funds, the National Fund and from the budgets of municipalities and districts.
 - g) Revenues from supplementary activities,
 - h) Income from gifts and inheritance.
- (3) Public higher education institutions are entitled to contributions according to Par. 2 (a). For calculations of contributions according to Par. 2 (a) the following indicators are used: type and financial demands of accredited study programmes and programmes of lifelong learning, number of students and accomplished results in scholarly, research, developmental, artistic or other creative activities and their financial demands. The total amount granted is also strictly dependent on the long-term intentions of a public higher education institution, the long-term objectives of educational/scholarly, research, developmental, artistic or other creative activities in the area of higher education institutions prepared by the Ministry and updated annually (hereinafter referred to as “long-term strategy of the Ministry”). Each public higher education institution is entitled to receive a deposit allowance provided in advance on the basis of decisive data as of 31 October of the previous calendar year. The contribution from the budget is granted in agreement with general rules for granting the means from the state budget unless this Act defines otherwise.^{8a)}
- (4) The Ministry shall determine whether the contribution or subsidy provided represents participation of the state budget in financing the programme^{8b)}, while the contribution or subsidy toward constructions^{8c)} is always participation of the state budget in financing the programme when the price is higher than 10 million Czech crowns. In such a case maintenance and repairs are excluded.
- (5) A public institution of higher education is entitled to receive a subsidy for its development. The institution may receive a subsidy toward the costs of accommodation and provision of meals. Terms for granting subsidies, their use and settlement are governed by general rules for using state budget funds^{8d)} and regulations governing the support of research and development.^{8e)} The total amount granted is dependent on the long-term intentions of a public higher education institution and of the Ministry.

⁸⁾ Art. 7, Par. 1(t) of Act No. 218/2000 Coll., as amended., ^{8e)} Act No. 130/2002 Coll., as amended., ^{8a)} Art. 10, Par. 2 of Act No. 218/2000 Coll., as amended., ^{8b)} Art.12 and 13 of Act No. 218/2000 Coll., as amended., ^{8c)} Communication of Czech Statistical Office No. 321/2003 Coll., ^{8d)} Act No. 218/2000 Coll., as amended., ^{8e)} Act No. 130/2002 Coll., as amended.

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- (6) A public institution of higher education establishes the following funds:
- a) The reserve fund in order to cover losses in subsequent accounting periods;
 - b) The capital assets regeneration fund;
 - c) The scholarship fund;
 - d) The remuneration fund;
 - e) The special purpose-means fund;
 - f) The social fund;
 - g) The operational means fund.
- (7) Funds of public higher education institutions referred to in Par. 6 (a), (b), (d) and (g) are generated from profit unless expressly provided otherwise; the capital assets regeneration fund and the operational means fund draw also from the balance of the contributions in agreement with Par. 2 (a) as of 31 December of the current year; the capital assets regeneration fund also draws finance from depreciation of tangible and intangible assets.⁹⁾ The scholarship fund is supplemented by transferring study-related fees according the Art. 58, Par. 7 and transfers of tax-deductible expenses under a special regulation ^{9a)}. A public higher education institution can distribute profit after taxation to funds only if potential losses from the previous period were settled. Balances of funds as of 31 December of the current year shall be transferred to the following year. The use of the funds referred to in Par. 6 (a) to (d), (f) and (g) and conditions for transfer of financial means between funds defined in Par. 6 (a), (b), (d) and (g) are governed by an internal regulation of the public higher education institution. The institution is required to ensure that the funds generated from the transfer of the contribution balance defined in the first provision will be used only for financing activities which are neither connected with participation in the common market competition nor can affect it.
- (8) Terms of formation and use of funds are determined by an internal regulation so that funds derived from the profits obtained from the implementation of basic research, applied research, experimental development and dissemination of their results through teaching, publishing or technology transfers which have been supported by public funds, return to these activities, their dissemination and teaching.
- (9) The special purpose-means fund is created from:
- (a) purpose-specific donations with the exception of donations for the acquisition and technical improvement of fixed assets,
 - (b) purpose-specific contributions from abroad,
 - (c) purpose-specific public funds including the targeted funds and funds of institutional support of research, experimental development and innovation from public funds that could not be used by the public higher education institution in the year in which they were granted.
- (10) Purpose-specific means defined in Par. 9 (c) can be transferred by the public higher education institution to the fund of purpose-specific means in the amount of 5% of all funds granted for individual research, experimental development and innovations in a given calendar year. In the case of other public fund support the amount is also 5% of the total amount provided in the calendar year. The transfer will be notified to the fund providers.

⁹⁾ Act No... 563/1991 Coll., as amended; ^{9a)} Act No... 586/1992 Coll., as amended

- (11) The purpose-specific means will be used only for the purpose for which they were granted.
- (12) The Social fund generates means of up to 2% of all expenses of the institution on wages, remuneration and work readiness.
- (13) Budget means will be used only for financing the activity for which the institution was established and also for financing supplementary activities defined in Art. 20, Par. 2.

Article 18a **Granting Contributions**

- (1) The Ministry shall decide about granting the contribution defined in Art. 18, Par. 2 (a) upon the institution's request.
- (2) In the decision statement the Ministry shall define the purpose for which the contribution is granted and its amount. The Ministry may also set other conditions and requirements linked to the nature of purpose for which the contribution was granted, or it can be based on the type of the accredited programme which is to be supported by it. For other specifications of the decision, the provisions of a special act will be used accordingly, namely those about granting state contributions^{9b)} and withdrawing state contributions.^(9c) The Ministry will transfer the contribution from its bank account to the bank account of the public higher education institution.
- (3) The Ministry keeps records of provided contributions.
- (4) The public higher education institution is obliged to draw and use the contribution in accordance with the purpose to be achieved and according to special regulations on bookkeeping. Balance at the end of the calendar year is transferred to the institution's fund for the next calendar year as per Art. 18, Par.7. Ministry will withdraw the contribution if the institution's drawing it is in violation of the Act or inconsistent with the purpose of the granted contribution. The same measures will be taken if the accredited programme for which the contribution was provided has terminated or when the contribution is in contradiction to the long-term intentions of the public higher education institution (Art. 12).
- (5) The settlement of contribution from the state budget is considered to be complete after it has been fully drawn in compliance with the Act and the special Act governing budget obligations, or when it has been transferred to the next calendar year as per Art. 18, Par. 7, or when it has been withdrawn from the institution.
- (6) Administrative processing rules do not apply to the decision process of granting and withdrawing contributions.

Article 19 **Assets of Public Higher Education Institutions**

- (1) Public higher education institutions own assets needed to implement activities within their primary objectives. Assets of public higher education institutions include goods, apartments, non-residential premises, rights and other property.

^{9b)} Art. 14, Par.3 (a), (b), (g) and (i) of the Act No. 218/2000, Coll., as amended, ^{9c)} Art.15 of Act No.218/2000 Coll., as amended

- (2) Management of assets of a public higher education institution is within the competency of the Rector or a person so designated in the Statutes of the public higher education institution. In the cases listed in Art.15, Par.1 (a) to (d), the decision is made by the Rector upon a prior consent of the Board of Trustees of the public higher education institution.
- (3) Public higher education institutions must not be in possession of any securities with the exception of securities issued by the state and securities the redemption of which is guaranteed by the state.

Article 20

Economic Management of Public Higher Education Institutions

- (1) Public higher education institutions are bound to use their assets in order to perform tasks in educational, scholarly, research, developmental, artistic or other creative activities. They can also use their assets to perform supplementary activities in compliance with this Act.
- (2) As for the supplementary activities, public higher education institutions perform activities subject to payment and related to their educational, scholarly, research, developmental, artistic or other creative activities or activities that assist in more effective utilisation of human resources as well as material assets. Exercise of supplementary activities must not jeopardise the quality, extent and availability of activities for the implementation of which the public higher education institution was established.
- (3) Public higher education institutions are neither entitled to assume a guaranty for financial debts of other entities, nor to institute the right of pledge to the real estate. Public higher education institutions are neither entitled to become partners of public commercial corporations nor general partners of a limited partnership. Furthermore, public higher education institutions are not entitled to put into commercial corporations or co-operatives immovable assets acquired by public higher education institutions from the state, the provided contribution under Art.18, Par.3 and the subsidy granted under Art. 18, Par.4. Financial and non-financial investments in legal entities are subject to internal regulations laid down by the public higher education institution concerned.
- (4) The state does not provide guaranty for the liabilities of public higher education institutions.
- (5) Public higher education institutions follow double-entry bookkeeping. They are bound to keep costs and revenues related to supplementary activities separate from other costs and revenues. Public higher education institutions observe general regulations on accounting¹⁰⁾ in all other areas.
- (6) The Rector is answerable to the Minister for efficient usage of grants, their settlement with the state budget and proper economical usage of the assets of the public higher education institution.

Article 21

Other Duties of Public Higher Education Institutions

- (1) Public higher education institutions are due to perform the following tasks:
 - a) Elaborate an annual report on activities and an annual report on economic management of the higher education institution in the form of a non-periodical

¹⁰⁾ For example Act No. 563/1991 Coll, as amended

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publication¹¹⁾. This publication is presented to the Ministry once a year by the term and in the form stipulated by the Minister in regulations published in the Bulletin of the Ministry (“Věstník ministerstva”),

b) Elaborate long-term intentions of the public higher education institution, discuss them with the Minister and make them public by the term and in the form stipulated by the Minister,

c) Provide the Accreditation Commission and the Ministry with information needed as per this Act for their activities. This information will be provided upon a request of the Accreditation Commission or the Ministry free of charge and in due term,

d) Provide applicants, students and other persons with information and counselling services related to studies and professional opportunities for graduates of study programmes,

e) Make all possible provisions for equilibrating opportunities for studying at a higher education institution,

f) Take appropriate measures to enable studies for parents with children as long as their maternal or parental time off^{11a)} would last (hereinafter referred to as “approved parental time”),

g) Perform regular evaluation of the higher education institution and make the results of this evaluation public,

h) Use the Official Board to publish a list of accredited and realized degree programmes including their types, division into branches of studies, forms of instruction and their standard study periods and also a list of disciplines in which it is accredited to carry out habilitation procedures or appointments of professors. The information is complete with the inclusion of the faculty which is accredited for the habilitation of a respective study discipline.

(2) The annual report on the activities of a public higher education institution includes, among others, the following items:

a) A list of activities performed within the particular calendar year,

b) Results of evaluation of activities of the higher education institution,

c) Modifications of internal regulations and changes in the bodies of the higher education institution that took place in the course of the year,

d) Other information designated by the Board of Trustees of the public higher education institution.

(3) The annual report on the economic management of a public higher education institution includes, among others, the following items:

a) Annual book balancing and evaluation of its fundamental data,

b) Statement of the auditor on annual book balancing in the case it was verified by an auditor,

c) An outline of financial revenues and expenses,

d) An outline of the extent of revenues and incomes classified per individual sources,

¹¹⁾ Act No. 37/1995 Coll., as amended

^{11a)} Art. 195 to 198 of the Act No. 262/2006 Coll., Labour Code, as amended

- e) The history and final balance of funds,
 - f) The current state and flow of assets and liabilities,
 - g) The total value of costs divided into costs related to supplementary activities and other costs.
- (4) The annual report on activities, the annual report on economic management and the long-term intentions of a public higher education institution and the results of evaluation of public higher education institution' activities must be available to the public.

CHAPTER II

CONSTITUENT PARTS OF PUBLIC HIGHER EDUCATION INSTITUTIONS

Article 22

Partition of Public Higher Education Institutions

- (1) Public higher education institutions can be partitioned into the following parts:
- a) Faculties,
 - b) Institutes of higher education institution,
 - c) Other workplaces focused on educational, scholarly, research, developmental, artistic or other creative activities, or workplaces providing information services;
 - d) Specialised facilities for cultural and sports activities, housing and boarding, particularly for the members of the academic community and facilities supporting operation of higher education institutions.
- (2) Internal regulations of individual parts must comply with internal regulations of public higher education institutions.

Section 1

The Faculty

Article 23

The Faculty

- (1) Each faculty provides at least one accredited study programme and performs scholarly, research, developmental, artistic or other creative activities.
- (2) An independent representative academic body is constituted at each faculty. A faculty has the right to use its academic insignia and hold academic ceremonies.
- (3) A decision regarding the establishment, merger, amalgamation, splitting or dissolution of a faculty is made by the Academic Senate of the public higher education institution upon a proposal of the Rector. Such a decision is subject to an affirmative standpoint of the Accreditation Commission.

Article 24

Liberties of the Faculty

- (1) Bodies of the faculty have the right to make decisions and act on behalf of the public higher education institution regarding the following issues pertaining to the faculty:
- a) Design and implementation of study programmes,

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- b) Objectives and organisation of scholarly, research, developmental, artistic or other creative activities,
 - c) Relations between an employer and an employee,
 - d) Procedures for obtaining “venium docendi” (habilitation) and procedures for the appointment of professors in the extent stipulated by this Act,
 - e) International relations and activities,
 - f) Constitution of independent academic bodies of the faculty and internal organisation of the faculty, if not stipulated otherwise by this Act,
 - g) Utilisation of allocated financial means,
 - h) Supplementary activities and utilisation of resources generated from these activities.
- (2) Bodies of the faculty make decisions on other issues if they are so entrusted in the Statutes of the public higher education institution.

Article 25 Bodies of the Faculty

- (1) Independent academic bodies of the faculty are:
- a) The Academic Senate of the faculty,
 - b) The Dean,
 - c) The Scientific Board of the faculty,
 - d) The Disciplinary Commission of the faculty.
- (2) The Dean’s Assistant represents another body of the faculty.
- (3) The academic community of the faculty consists of the academic staff working at this faculty and students enrolled in this faculty.

The Academic Senate of the Faculty Article 26

- (1) The Academic Senate of the faculty symbolises its independent representative academic body. It consists of at least nine members hereof at least one third and at most one half is constituted by students. The members of the Academic Senate of the faculty are elected from the academic community of the faculty on the basis of all members’ direct voting by ballot. Internal regulations of the faculty outline namely the number of members of the Academic Senate, the manner they are voted for, and the manner of voting for the Chair of the Academic Senate, bodies of the Academic Senate and the manner of their constitution, reasons for terminating a membership in the Academic Senate and possible incompatibility of membership in the Academic Senate with exercise of other duties.
- (2) The membership in the Academic Senate is incompatible with the duties of the Rector, vice-rectors, deans and vice-deans.
- (3) The term of office of the Academic Senate members of the faculty shall not exceed three years. If a student-member of the Academic Senate is accepted into another follow-up study programme during his/her term of office, the international regulation of the institution may specify conditions against termination of the term of office in the Senate. The term of office of all Academic Senate members of the faculty is terminated should

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the Academic Senate fail to hold meetings for six months as per Article 27. A new voting is declared by the Dean in thirty days at the latest.

- (4) Meetings of the Academic Senate of the faculty are open to the public. The Dean, or a vice-dean acting on his behalf, has the right to deliver a speech at the meeting any time s/he makes a request to do so. Upon the Dean's request, the Chair of the Academic senate is bound to call an extraordinary meeting of the Academic Senate of the faculty without delay.

Article 27

- (1) The Academic Senate of the faculty performs the following tasks:
 - a) Makes decisions upon establishing, merging, amalgamating, splitting or dissolving workplaces at the faculty upon a proposal of the Dean,
 - b) Approves drafts of internal regulations of the faculty and proceeds them for approval to the Academic Senate,
 - c) Approves allocation of financial means of the faculty presented by the Dean and supervises their utilisation,
 - d) Approves the annual report on activities and the annual report on economic management of the faculty presented by the Dean,
 - e) Approves conditions of admission to studies in the study programmes provided by the faculty,
 - f) Approves proposals of the Dean for nominating or dismissing members of the Scientific Board and the Disciplinary Commission of the faculty,
 - g) Resolves upon proposals for nominating or dismissing the Dean,
 - h) Approves long-term intentions in the area of educational, scholarly, research, developmental, artistic or other creative activities of the faculty in compliance with long-term intentions of the public higher education institution upon discussion at the Scientific Board of the faculty.
- (2) The Academic Senate of the faculty makes its statement namely upon the following issues:
 - a) Design of study programmes provided by the faculty,
 - b) Intents of the Dean to appoint or dismiss vice-deans.
- (3) The Academic Senate of the faculty makes its decision on the basis of voting by ballot namely in the case of proposals as per subsection 1, letter (g). A proposal for Dean's nomination is accepted should it receive the majority of votes of all members of the Academic Senate of the faculty. A proposal for Dean's dismissal is accepted should it receive at least three-fifths of votes of all Academic Senate members.

Article 28 **The Dean**

- (1) The Dean is the head of the faculty. If not otherwise stipulated by the Act, the Dean acts and makes decisions in all matters pertaining to the faculty.
- (2) The Dean is appointed and dismissed by the Rector upon a proposal of the Academic Senate of the faculty.

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- (3) The Rector may dismiss the Dean on the basis of his/her own decision. Such an act is subject to an approval of the Academic Senate of the faculty and the Academic Senate of the public higher education institution in the event of Dean's gross negligence of his/her duties or gross impairment of the interests of the higher education institution or the faculty.
- (4) The term of the Dean's office is four years. Duties of the Dean at the faculty may be fulfilled by the same person for at most two consecutive terms of office.
- (5) Vice-deans act on behalf of the Dean in the areas designated by the Dean. Vice-deans are appointed and dismissed by the Dean.

The Scientific Board of the Faculty

Article 29

- (1) Members of the Scientific Board of the faculty are appointed and dismissed by the Dean.
- (2) Members of the Scientific Board are distinguished representatives of the fields that are the focus of educational, research, developmental, artistic or other creative activities of the faculty. At least one third of Scientific Board members are not concurrently the members of the academic community of the public higher education institution embodying the faculty.
- (3) The Scientific Board of the faculty is presided by the Dean.

Article 30

- (1) The Scientific Board of the faculty performs the following duties:
 - a) Discusses long-term intentions of the faculty in the area of educational, scholarly, research, developmental, artistic or other creative activity elaborated in compliance with long-term intentions of the public higher education institution,
 - b) Approves the study programmes that are to be provided by the faculty,
 - c) Exercises its duties in procedures for obtaining "venium docendi" (habilitation) and procedures for the appointment of professors in the extent provided for by this Act.
- (2) The Scientific Board of the faculty makes its statements upon questions presented to it by the Dean.

Article 31

The Disciplinary Commission of the Faculty

- (1) Members and the Chair of the Disciplinary Commission of the faculty are appointed by the Dean. Candidates are chosen from the members of the academic community of the faculty. Students represent one half of the members of the Disciplinary Commission of the faculty.
- (2) The term of office of members of the Disciplinary Commission of the faculty shall not exceed two years.
- (3) The Disciplinary Commission of the faculty discusses disciplinary misdemeanours of students enrolled in the faculty and presents the Dean with its proposal for resolution.

Article 32

The Dean's Assistant

- (1) The Dean's Assistant is in charge of economic management and internal administration of the Faculty in the extent specified in the provisions of the Dean.

- (2) The Dean's Assistant is appointed and dismissed by the Dean.

Article 33

Internal Regulations of the Faculty

- (1) Internal regulations of the faculty outline the issues of the faculty that fall within the scope of its self-governing competencies as well as its relations with respect to the public higher education institution if not provided for in the Act.
- (2) Internal regulations of the faculty are vested in the following:
- a) The Statutes of the faculty;
 - b) The Electoral Rules and the Rules of Procedure of the Academic Senate of the faculty,
 - c) The Rules of Procedure of the Scientific Board of the faculty,
 - d) Disciplinary Code for Students,
 - e) Other regulations if provided so in the Statutes of the faculty.
- (3) The contents of the Statutes of the faculty are appropriately subject to Art.17, Par. 2.
- (4) Internal regulations of theological faculties are presented for approval to the Academic Senate of the higher education institution upon receiving an approval from the pertinent church or religious community should the duty of assent be vested in internal regulations of this church or religious community.

Section 2

The Institute of a Higher Education Institution

Article 34

- (1) Institutes of higher education institutions perform scholarly, research, developmental, artistic or other creative activities; they can also take part in providing accredited study programmes or their parts.
- (2) The Academic Senate of a public higher education institution makes decisions upon establishing, merging, amalgamating, splitting or dissolving institutes of higher education institutions upon a proposal of the Rector.
- (3) An institute of a higher education institution is headed by its director, who is appointed and dismissed by the Rector.
- (4) The director of an institute of a higher education institution is authorised to act on behalf of the public higher education institution only concerning the issues so stipulated in internal regulations of the higher education institution.
- (5) The director of an institute of a higher education institution appoints the Scientific Board or the Artistic Board, or the Academic Board of an Institute in case of non-university type institutions. Such an appointment is subject to approval of the Academic Senate of a public higher education institution. Art. 29 and 30 are applied accordingly.

Section 3

Agricultural or Forestry Farm of a Higher Education Institution

Article 35

- (1) Agricultural and forestry farms of a higher education institution are regarded as workplaces of a public higher education institution used for practical training of students

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enrolled in study programmes in the field of agriculture, veterinary medicine and hygiene, or forestry. Further to these study programmes, research and developmental activities are performed.

- (2) Decisions regarding establishment, merger, amalgamation, splitting or dissolution of an agricultural or forestry farm of a higher education institution are made by the Academic Senate of a public higher education institution upon Rector's recommendation.
- (3) An agricultural or forestry farm of a higher education institution is headed by its director appointed and dismissed by the Rector.
- (4) The director of an agricultural or forestry farm of a higher education institution is authorised to act on behalf of the public higher education institution only concerning matters specified within internal regulations of this institution.

CHAPTER III SCOPE OF AUTHORITY OF THE MINISTRY

Article 36

- (1) Internal regulations of a public higher education institution are subject to registration by the Ministry. The request for registration is submitted to the Ministry by the Rector.
- (2) The Ministry shall decide upon the request within ninety days upon its submission. Should the request be accorded, the Ministry will designate the registration in a duplicate of the registered internal regulation. The resolution on registration is not issued.
- (3) Should an internal regulation of a public higher education institution contradict an act or another legal regulation, the Ministry shall reject the request for registration by means of its resolution.
- (4) Internal regulations come into effect by means of their registration.
- (5) Provisions in Par 1 through 4 are also applicable to changes of internal regulations.

Article 37

Should any provisions of a public higher education institution or its part contradict an act or another legal regulation, and there is no other method of revision stipulated in the Act, the Ministry shall invite the higher education institution to make a remedy in due term.

Article 38

- (1) The Ministry may restrict the scope of authority of bodies of the public higher education institution or its part, or it may take away such scope of authority from the public higher education institution or its part should a public higher education institution or its part:
 - a) Fail to constitute any of its independent academic bodies,
 - b) Fail to adopt any internal regulations the adoption of which is compulsory as per this Act,
 - c) Have no accredited study programmes or the accreditation of all its study programmes was temporarily interrupted,
 - d) Demonstrate significant deficiencies in its economic management, thus jeopardising fulfilment of its tasks, or
 - e) Significantly infringe its duties stipulated in this Act.

- (2) Decision-making upon the extent of restriction or forfeiture of the scope of authority is based on the relevancy of insufficiencies as well as the type and the extent of detriment incurred or imminent. The restriction will be carried out in the extent necessary for making a remedy.
- (3) Should the provision as per Par. 1 be applicable to the bodies of the public higher education institution, the scope of authority of these bodies is devolved to the Ministry or a public higher education institution delegated by the Ministry to perform this scope of authority on the basis of a mutual agreement. Should the provision as per Par. 1 be applicable to the bodies of a part of the public higher education institution, the scope of authority of these bodies is devolved to the Rector.
- (4) If not precluded by the nature of the matter, the Ministry is bound to provide the public higher education institution with prior notification of the facts mentioned in Par.1 and invite it to make a remedy in due term.
- (5) Should the reasons for making a decision upon provision as per Par. 1 cease, the Ministry shall cancel the measures taken.

PART III PRIVATE HIGHER EDUCATION INSTITUTIONS

Article 39 State Permission

- (1) Legal entities with domicile, headquarters or main business place in the territory of a member-state of the European Union, or those which have been established according to the legal system of a member-state of the European Union, are authorised to act as private higher education institutions if granted the state permission by the Ministry.
- (2) Authorisation of private higher education institutions is non-negotiable and does not pass to their legal successors.
- (3) Upon a request of organisers or founders of a private higher education institution, the Ministry may grant the state permission prior to registering the legal entity that is to act as a private higher education institution into the companies' register or another register (hereinafter referred to as "the register") if a proof is provided that such a legal entity was constituted or established. This legal entity is bound to provide the Ministry with an abstract of record no later than fifteen days upon the receipt of the pertinent document on registration in the register. The state permission comes into effect upon the legal entity coming into existence.
- (4) The request for granting the state permission contains the following:
 - a) The name, domicile and type of the higher education institution,
 - b) Legal form of the legal entity and its statutory body,
 - c) Long-term intentions of educational, scholarly, research, developmental, artistic or other creative activities of the higher education institution (hereinafter referred to as "the long-term intentions of the private higher education institution"),
 - d) Data pertaining to provision of financial, material, personnel and information sources for the activities of the private higher education institution,
 - e) Design of study programmes,

- f) Design of internal regulations stipulating organisation and activity of the private higher education institution and the status of the academic community members.
- (5) The applicant is bound to substantiate the data contained in the request.
- (6) Should any potential insufficiencies in the request as per Par. 4 be removable, the Ministry shall invite the applicant to eliminate these in due term, and it shall interrupt the proceedings. Should the applicant fail to eliminate the insufficiencies within the stipulated term, the Ministry shall make its resolution on the basis of the original data.
- (7) The Ministry shall make its resolution on the request no later than 150 days upon the date of its receipt. Prior to making a resolution the Ministry shall ask the Accreditation Commission to present its standpoint over the design of the study programmes.
- (8) The Ministry shall not grant the state permission in the following cases:
- a) The Accreditation Commission has issued a negative standpoint to all submitted study programmes,
 - b) The higher education institution is not deemed capable of providing sufficient conditions for educational, scholarly, research, developmental, artistic or other creative activities; or
 - c) The design of internal regulations is in conflict with applicable acts or other legal regulations,
 - d) The legal entity applying for the state permission was convicted of a criminal offence due to which it cannot guarantee its duly functioning as a higher education institution even when it is regarded as not being convicted of the criminal act. For decision if a reason against granting the permission has been fulfilled, the Ministry will request a Criminal Register report in agreement with other legal regulations²⁷⁾. Both the application and the report are submitted electronically to enable an access from a distance.
- (9) Should the Ministry grant the state permission, it shall also make its resolution on accreditation of pertinent study programmes and registration of internal regulations.
- (10) The state permission becomes ineffective in the case of the private higher education institution's failure to commence its educational activities within two years upon permission's coming into effect.

Article 40

Financing of Private Higher Education Institutions

- (1) Legal entities authorised to act as private higher education institutions are bound to make provisions for financial means for their educational, scholarly or research, developmental, artistic or other creative activities.
- (2) The Ministry may provide private higher education institutions classified as public utility organisations¹²⁾ with grants for providing accredited study programmes and lifelong learning programmes as well as related scholarly, research, developmental, artistic or other creative activities. The provision of subsidies for scholarships can be granted to private higher education institutions in agreement with Art. 91, Par. 2 (e) and Art. 91, Par. 3. The conditions pertaining to grants, their utilisation and accounting are subject to general regulations for expending resources coming from the state budget.

²⁷⁾ Act No. 269/1994 Coll., as amended

¹²⁾ Act No. 248ú1995 Coll., as amended

- (3) The total amount granted as per Par. 2 is dependent on the long-term intentions of a private higher education institution and their annual updating, the long-term strategy of the Ministry, the type and financial requirements of accredited study programmes, the number of students and the results achieved in educational, scholarly research, developmental, artistic or other creative activities and their demands.
- (4) Special regulations guiding support of research and development^{7a)} are used to govern the process of granting subsidies to private higher education institutions.

Article 41 **Internal Regulations**

- (1) Internal regulations of private higher education institutions stipulate the bodies authorised as per Parts IV to IX of this Act.
- (2) Registration and changes of internal regulations of private higher education institutions are subject to similar stipulations as in Art. 36.

Article 42 **Other Duties of Private Higher Education Institutions**

- (1) A private higher education institution is due to perform the following tasks:
 - a) Elaborate an annual report on its activities in the form of a non-periodical publication¹¹⁾. Should it be awarded a grant, it must also elaborate an annual report on economic management of the higher education institution. Both publications shall be presented to the Ministry in the form and term stipulated by the Minister,
 - b) Elaborate long-term intentions of the private higher education institution, discuss them with the Minister and make them public in the form of a non-periodical publication¹¹⁾. This publication and its annual update must be presented in the form and term stipulated by the Minister,
 - c) Provide the Accreditation Commission and the Ministry with information needed as per this Act for their activities. This information will be provided upon a request of the Accreditation Commission or the Ministry free of charge and in due term;
 - d) Perform regular evaluation of the higher education institution and make the results of this evaluation public;
 - e) Maintain a list of accredited study programmes offered by the private higher education institution including their type, form of lecturing, and the standard length of study; maintain a list of disciplines within which the private higher education institution is authorised to perform procedures for obtaining “venium docendi” (habilitation) or procedures for the appointment of professors,
 - f) Notify the Ministry in the case a petition in bankruptcy was filed against the private higher education institution or such a petition was concluded as per general regulations on bankruptcy and compensation¹³⁾, or a private higher education institution was convicted of a criminal act,
 - g) Notify the Ministry of the extinction of the legal entity authorised to act as the private higher education institution.

¹³⁾ Act No. 182/2006 Coll., as amended

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- (2) The contents of the annual report on activities of a private higher education institution are subject to similar provisions as per Art. 21, Par. 2, if not stipulated otherwise by means of special regulations¹⁴⁾.
- (3) The contents of the annual report on economic management of a private higher education institution are subject to similar provisions as per Art. 21, Par. 3, if not stipulated otherwise by means of special regulations.
- (4) The annual report on activities, the annual report on economic management and the long-term intentions of a private higher education institution and the results of evaluation of private higher education institution's activities must be available to the public.

Article 43

Scope of Authority of the Ministry

- (1) Should any provisions of a private higher education institution contradict the Act or another legal regulation, and there is no other method of revision stipulated in the Act, the Ministry shall invite the higher education institution to make a remedy in due term.
- (2) The Ministry may withdraw the already granted state permission from a private higher education institution in the following cases:
 - a) It has no accredited study programmes,
 - b) Accreditation of more than two study programmes was cancelled within one year,
 - c) Accreditation of all study programmes was interrupted,
 - d) Activities of the private higher education institution demonstrate significant deficiencies jeopardising fulfilment of its tasks as per this Act; or
 - e) The private higher education institution infringes its duties stipulated in its internal regulations or in this Act.
- (3) The Ministry shall withdraw the state permission should the request contain incorrect data crucial for granting the state permission or should there be such changes that would render granting of such permission impossible.
- (4) Upon withdrawing the state permission the legal entity is no longer authorised to act as a higher education institution. At the same time, the Ministry resolves upon cancelling the accreditation of study programmes.
- (5) If not precluded by the nature of the matter, the Ministry is bound to provide the private higher education institution with prior notification of facts mentioned in Par.2 and invite it to make a remedy in due term.
- (6) Should a private higher education institution cease to perform educational activities for reasons other than withdrawing the state permission, it is bound to notify the Ministry about it without delay.

PART IV

THE STUDY PROGRAMME

Article 44

- (1) The higher education is earned by means of studies within the framework of an accredited study programme as per the curriculum for a given form of studies.

14) For example Act No. 248/1995 Coll., Act No. 513/1991 Coll.

- (2) Each study programme consists of the following parts:
 - a) The study programme's title, its type, form and objectives of studies,
 - b) Classification of the study programme into branches of study, their attributes and feasible combinations as well as definition of graduate profiles in particular branches of study,
 - c) Characterisation of individual subjects of study,
 - d) Principles and conditions pertaining to the curriculum design; possibly the length of practical training required,
 - e) The standard length of study expressed in academic years as it pertains to an average study load,
 - f) Conditions that must be met by students within the framework of their study programme and upon its completion as per Art. 45, Par. 3, Art. 46, Par. 3 and Art. 47, Par. 4, including the contents of state examinations,
 - g) The academic degree awarded,
 - h) Links to other types of study programmes at the same or a similar field of study.
- (3) The contents and the chronological succession of courses, form of studies and study results verification are also specified within the curriculum.
- (4) The form of study determines the following: daily (full-time) studies, distance studies, or a combination of these.

Article 45

Bachelor Study Programme

- (1) A bachelor's study programme is aimed at providing a qualification to practise a profession and to continue studying on a master's programme. A bachelor's study programme makes direct use of all new contemporary knowledge and methods whilst including, in the scope required, theoretical findings.
- (2) The standard length of study including practical training is at least three years and at most four years.
- (3) The study programme must be completed in due form with a final state examination that usually includes a defence of a bachelor thesis.
- (4) Graduates of bachelor study programmes are awarded the academic degree of "bakalář" (i.e. "Bachelor", abbreviated as "Bc.", used in front of the name). There is an equivalent academic degree in the field of arts – "bakalář umění" (i.e. "Bachelor of Arts", abbreviated as "BcA.", used in front of the name). Graduates in arts admitted to studies per Art. 48, Par.2 are awarded their academic degrees only upon completing their comprehensive secondary education, comprehensive vocational secondary education*, or higher vocational education provided by conservatories.

Article 46

Master Study Programme

- (1) Master study programmes are aimed at acquiring new theoretical findings based on current scientific knowledge, research and development. It is required to master the

** Also the Act No. 561/2004 Coll. It is based on the change of Art. 45, Par. 4, Art. 46, Par. 4 and Art. 8, Par. 1 and 2. Effective of 1 September, 2009.*

application of these findings and develop abilities for creative activity. Master programmes in the field of arts are aimed at challenging artistic training and the development of artistic talent.

- (2) A master's study programme is a follow-up to a bachelor's study programme; the standard length of such a programme is at least one year and at most three years. Should it be required by the nature of a study programme, and the master's study programme is not a follow-up to any bachelor's study programme, this programme may yet be accredited; in this event the standard length of such a programme shall be at least four and at most six years.
- (3) Master study programmes are completed by a final state examination and a defence of a diploma thesis. Studies in the field of medicine, veterinary medicine and hygiene are completed in due form by passing a rigorous state examination.
- (4) Graduates of master study programmes are awarded the following academic degrees:
 - a) "Inženýr" (i.e. "Engineer", abbreviated as "Ing.", used in front of the name) in the fields of economics, technical branches of study, agriculture, forestry and military science,
 - b) "Inženýr architekt" (i.e. "Engineer Architect", abbreviated as "Ing. arch.", used in front of the name) in the field of architecture,
 - c) "Doktor medicíny" (i.e. "Doctor of Medicine", abbreviated as "MUDr.", used in front of the name) in the field of medical studies,
 - d) "Zubní lékař" (i.e. "Dentist", abbreviated as "MDDr." used in front of the name),
 - e) "Doktor veterinární medicíny" (i.e. "Doctor of Veterinary Medicine", abbreviated as "MVDr.", used in front of the name) in the field of veterinary studies and hygiene,
 - f) "Magistr umění" (i.e. "Master of Arts", abbreviated as "MgA.", used in front of the name) in the field of arts,
 - g) "Magistr" (i.e. "Master", abbreviated as "Mgr.", used in front of the name) in other fields of study.

Graduates of master study programmes in arts, admitted to studies per Art. 48, Par. 2, are awarded their academic degrees only upon completing their comprehensive secondary education school leaving examination* or higher vocational education provided by conservatories.

- (5) The holders of the academic degree of "Magistr" are in a position to pass a rigorous state examination in the same branch of study and defend a dissertation. According to Art. 58, Par. 2, the higher education institution can demand a fee for processing the application for studied. These graduates have the right to use equipment and information technologies needed to prepare for this examination in compliance with the rules specified by the higher education institution. Upon passing the state examination the following academic degrees are awarded:
 - a) "Doktor práv" (i.e. "Doctor of Law", abbreviated as "JUDr.", used in front of the name) in the field of law,
 - b) "Doktor filozofie" (i.e. "Doctor of Philosophy", abbreviated as "PhDr.", used in front of the name) in the field of humanities, pedagogical and social sciences,
 - c) "Doktor přírodních věd" (i.e. "Doctor of Natural Sciences", abbreviated as "RNDr.", used in front of the name) in the field of natural sciences,

- d) “Doktor farmacie” (i.e. “Doctor of Pharmacy”, abbreviated as “PharmDr.”, used in front of the name) in the field of pharmacy,
- e) “Licenciát teologie” (i.e. “Licentiate of Theology”, abbreviated as “ThLic.”, used in front of the name) or “Doktor teologie” (i.e. “Doctor of Theology”, abbreviated as “ThDr.”) in the field of catholic theology.

Article 47
Doctoral Study Programme

- (1) Doctoral study programmes are aimed at scientific research and independent creative activities in the field of research or development, or independent theoretical and creative activities in the field of arts.
- (2) The standard length of study is at least three years, at most four years.
- (3) Studies within the framework of doctoral study programmes are subject to individual curricula under the guidance of a tutor.
- (4) The doctoral study is completed with a state doctoral examination and the defence of a dissertation. These are to prove the ability of independent activity in the field of research/development, or independent theoretical and creative artistic activity. The dissertation must contain original and published results or the results accepted for publication¹⁵⁾.
- (5) Graduates of doctoral study programmes are awarded the academic degree of “Doktor” (i.e. “Doctor”, abbreviated as “Ph.D.”, used after the name), or “Doktor teologie” (i.e. “Doctor of theology”, abbreviated as “Th.D.”, after the name) in the field of theology.
- (6) Studies within the framework of doctoral study programmes are monitored and evaluated by a Specialist Branch Board appointed in compliance with internal regulations of the higher education institution or its part that has the corresponding study programme accredited. The study programmes in the same field of study may be evaluated by a common Specialist Board, if such an agreement is made among several higher education institutions or their parts. The chair of the Specialist Board is chosen from its members on the basis of their voting.

Article 47a
Publishing Final Theses

- (1) As a non-profit activity, higher education institutions publish dissertation, diploma, bachelor and rigorous theses which were defended together with opponents’ evaluations and the report about the proceedings and results of the defence via a database of qualification theses in its possession. The form of publishing is defined by an internal regulation of the higher education institution.
- (2) Dissertation diploma, bachelor and rigorous theses submitted by the candidate must be made publicly available at least five working days prior to the defence. The public audience must be provided with an access to them in the place defined by the internal regulation of the institution or, if not defined, at the workplace of the institution where the defence is to be held. Any person interested can make copies or duplicates at their own costs.
- (3) The general rule is that by submitting the thesis the candidate agrees with publication of the work in compliance with the Act regardless the result of the defence.

¹⁵⁾ Art. 10 of the Act No. 35/1965 Coll.

PART V
STUDIES AT A HIGHER EDUCATION INSTITUTION

Admission to Studies

Article 48

- (1) Admission to studies in bachelor's and master's study programmes is conditional upon the completion of comprehensive secondary education or comprehensive vocational secondary education. Students in the field of arts may also be admitted upon the completion of tertiary professional education provided by conservatories. Admission to a master's study programme as a follow-up to a bachelor's study programme is conditional upon the due completion of the bachelor's study programme in question.
- (2) Studies in the field of arts are also accessible to applicants that have not completed their comprehensive secondary education, comprehensive vocational secondary education, or higher vocational education provided by conservatories.
- (3) Admission to a doctoral study programme is conditioned by proper completion of studies in a master study programme; doctoral students in the field of arts must hold an academic degree in the field of arts.

Article 49

- (1) Higher education institutions or faculties are at liberty to specify other conditions of admission to studies, pertaining to the particular knowledge required, abilities, talent, or results achieved at secondary schools, of tertiary professional schools or higher education institutions. Admission to a master's study programme as a follow-up to a bachelor's study programme may also be conditional upon the similarity of both programmes and the number of credits acquired during studies in selected subjects. Credits are understood to be the quantitative expression of the study load in a certain part of studies. In addition, a maximum number of admitted applicants that have met the requirements may be specified; should there be more applicants that have met such requirements, the order of the best applicants may be decisive for their admission.
- (2) Conditions pertaining to admission of foreign citizens to studies in study programmes must allow fulfilment of obligations resulting from international contracts binding for the Czech Republic.
- (3) Higher education institutions or faculties are at the liberty to specify different conditions of admission pertaining to those applicants that have already passed through a study programme or its part, or the applicants that are currently passing another study programme at a higher education institution in the Czech Republic or abroad.
- (4) Fulfilment of conditions specified in Par. 1 through 3 is subject to verification, generally by means of an entrance examination.
 - (1) The deadline for submitting applications for admission, conditions of admission as per Par. 1 and 3 as well as the term and method of verification of meeting these conditions must be made public by a higher education institution or a faculty in advance, but no less than four months ahead of time. Should an entrance examination represent a part of such verification, it is necessary to make public its form, an outline of its contents and criteria of its evaluation. This information must be posted on an official board of a higher education institution or a faculty. The maximum number of students admitted to studies in a pertinent study programme must be made public in the same manner.

- (2) If the study programme is accredited, the higher education institution or faculty are not obliged to keep the four-month period for submitting applications to keep the commencing of the academic year. In such a case the period for submitting applications can be shorter, at least one month. Other conditions listen in Par. 5 are without change.

Article 50
Entrance Proceedings

- (1) Entrance proceedings are commenced upon receipt of a written application for admission to studies at a higher education institution or its part providing the pertinent study programme. In the application the following details must be included: name or names, surname, birthday certificate if allocated, address of permanent stay in the Czech Republic or the address outside the Czech Republic. Foreigners also include their date of birth, gender, address in the Czech Republic and citizenship.
- (2) The decision on admission to studies in a study programme provided by the faculty is made by the Dean of this faculty. The decision on admission to studies in a study programme provided by the higher education institution is made by the Rector.
- (3) Admission to studies at private higher education institutions is decided by the body specified in their internal regulations.
- (4) Decision-making on admission to studies is not subject to general regulations on administration proceedings.
- (5) The resolution must be made in writing no later than thirty days upon verifying the conditions of admission to studies. The resolution must contain substantiation as well as information on the possibility of submitting an application for review. The resolution must take the form of personal delivery. The method of alternate delivery is stipulated in internal regulations. The delivery of resolution to applicants whose abode is not known takes the form of posting at the official board.
- (6) Applicants are entitled to examine all their materials that have an impact on making decision on their admission to studies.
- (7) Applicants may request a review of the resolution. The request must be submitted to the body that have issued the resolution no later than thirty days upon its receipt; default of this deadline may be pardoned in the event of serious reasons. Should such a body be represented by the Dean, he/she may accord the request independently and change the resolution; otherwise, the Dean shall pass the request to the Rector who will then make the decision. The Rector shall alter decisions made in conflict with the Act, internal regulations of the higher education institution or its part, or conditions stipulated in Art. 49, Par.1 and 3. Otherwise, the Rector will reject the request and confirm the original resolution.
- (8) A higher education institution or a faculty shall make the course of entrance proceedings public no later than fifteen days upon their conclusion. Should written entrance examinations constitute a part of entrance proceedings, the higher education institution or the faculty shall release statistical survey of all parts of entrance examinations. The Ministry shall set forth by a Decree the procedure and conditions upon which the course and results of entrance examinations are disclosed, including requirements for basic statistical data.
- (9) The higher education institution or the faculty processes and provides data on applicants for the purposes of statistic reports in compliance with a special regulation.

Article 51
Enrolment in Studies

- (1) The applicant is entitled to enrol in studies upon receiving a resolution on admission to studies. Applicants enrol in the term specified by the higher education institution or its part.
- (2) The enrolment takes place at the higher education institution or its part that provides the pertinent study programme.

Article 52
Arrangement of Studies and Academic Year

- (1) Studies are divided mainly into semesters, academic years or blocks. Each semester, year or block consists of lecturing periods, examination periods and vacations.
- (2) The length of an academic year is twelve calendar months; the commencement of an academic year is specified by the Rector.

Article 53
State Examinations

- (1) State examinations take place in front of a board of examiners; the course of a state examination and its results are open to the public.
- (2) State examinations shall be conducted only by professors, associate professors (readers) and specialists approved by the pertinent Scientific Board.
- (3) The Ministry is to appoint remaining members of the board of examiners from distinguished specialists in the pertinent field.

Article 54
Interruption of Studies

- (1) Studies in a study programme can be repeatedly interrupted provided that conditions stipulated in the Study and Examination Rules are met. Study and Examination Rules specify the maximum total length for interruption of studies.
- (2) A student is entitled to interrupt studies always in connection with pregnancy, giving birth and the complete length of recognized parenthood.
- (3) The period of interrupted studies due to parenthood is not counted in the complete period of study interruptions as per Par. 1, nor to the maximum duration of studies.
- (4) Persons lose their student status during the period of interruption. Upon expiration of the period of interruption, a person is again eligible to enrolment in studies. The higher education institution defines conditions for the person with interrupted studies due to parenthood so that s/he can enrol to studies before the originally set period of interruption expires.

Article 54a
A Special Regulation about Arrangement of Studies

In connection with taking care of children a student is entitled to prolonged periods for fulfilling student duties and for meeting criteria for advancement into the successive semester, year or block prescribed mainly by the Study and Examination Regulations. The prolongation corresponds to the length of time which would normally be taken by

a maternity leave^{15b)}, in the case that the student does not interrupt studies during this time.

Termination of Studies

Article 55

- (1) Proper completion of studies consists of graduating in the applicable study programme. The date of completion corresponds to the date of passing the state examination required at the end of studies or the last part of this examination.
- (2) Completion of studies and acquisition of an academic degree are documented by means of the higher education diploma and the diploma supplement.

Article 56

- (1) Studies are also terminated in the following cases:
 - a) A student has decided to quit studies,
 - b) A student has failed to meet the requirements specified in the study programme as per Study and Examination Rules,
 - c) Withdrawal of the study programme accreditation,
 - d) Expiration of the study programme accreditation as per Art. 80, Par. 4,
 - e) A student has been excluded from studies as per Art. 65, Par. 1 (c) or as per Article 67.
- (2) The date of termination of studies as per Par.1 (a) corresponds to the date of delivery of a written statement of terminating one's studies to the higher education institution or a faculty the student is enrolled in. The date of termination of studies as per Par.1 (b) is the date stipulated in the Study and Examination Rules. The date of termination of studies as per Par.1 (c) is at the latest the date of expiration of the term stipulated in the decree of the Ministry. The date of termination of studies as per Par.1, letter (d) is the date of study programme cancellation by the higher education institution or the date of the accreditation expiry. The date of termination of studies as per Par.1 (e) is the date the resolution on exclusion from studies comes into effect.
- (3) The decision on the termination of studies as per Par. 1(e) as well as interruption as per Art. 54 are made by bodies listed in Art. 50, Par. 2 and 3; decision making is subject to Art. 50, Par. 4 through 7 by analogy.

Article 57

Documents on Studies

- (1) Documents on studies in a study programme and documents certifying graduation in a study programme are listed below:
 - a) Student's identification,
 - b) Student's credit book,
 - c) Higher education diploma,
 - d) Evidence of completed exams,

^{15b)} Art. 195, 197 and 198 of the Act No. 262/2006 Coll.

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- e) Certificate of Studies,
 - f) Diploma supplement.
- (2) Student's identification is a document handed to students upon their entry in the register of students.
- (3) Student's credit book is a document used for registering individual courses, results of inspection of study achievements or study performance. The details listed in the first sentence can be registered also electronically in the information system of the higher education institution or faculty. In such a case, the institution is obliged to secure the data in the electronic information system against interception of unauthorized persons. In this case, the transcript of data officially certified by the higher education institution or faculty is considered to be the equivalent of the credit book.
- (4) The higher education diploma represents an evidence of completing a study programme in the pertinent branch of study.
- (5) Evidence of completed exams and the document on studies are provided to:
- a) Persons that have completed studies in the pertinent study programme as per Art.56, Par. 1,
 - b) Students upon their request,
 - c) Graduates of study programmes upon their request.
- (6) The diploma supplement is handed to graduates from study programmes.
- (7) Higher education diplomas and diploma supplements are public documents bearing the national emblem of the Czech Republic ¹⁶⁾ in addition to designation of the pertinent higher education institution and the academic degree awarded; higher education diplomas are usually presented at an academic ceremony.
- (8) In the study documents as per Par. 1 and in decisions on certificates as per Art. 50 to 69, Art. 89 to 91 and Art. 99, the higher education institution is entitled to include birthday certificate numbers of the person, if it has been assigned.

Study-Related Fees **Article 58**

- (1) Public higher education institutions are at liberty to set fees related to entrance proceedings. 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 corresponding 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 will be announced by the Ministry in January of a calendar year; the base applies to the academic year starting within the same calendar year. Data pertaining to the past calendar year are used for calculation of the base.
- (3) Should student's enrolment in a bachelor or a master study programme exceed the standard length of study by more than one year, the public higher education institution shall set a fee for every six-month period commenced. The fee corresponds to at least one and a half multiple of the base. The length of studies shall also include the length of preceding studies within bachelor's or master's study programmes which have not been duly completed under Art. 45, Par.3 or Art. 46, Par. 3. The period in which a student was

¹⁶⁾ Art. 2 (r) of the Act No. 352/2001 Coll., as amended

enrolled in the study programme and in parallel in others, is counted in the complete period of studies only once. From the total period of studies the time devoted to parenting is deducted.

- (4) Should a graduate of a bachelor or a master study programme be enrolled in another bachelor or master study programme, the public higher education institution shall set an annual study fee each year commenced, not exceeding the base as per Par.2; this provision is not applicable to graduates of a bachelor study programme that are enrolled in a consequent follow-up master study programme, or several regular study programmes not exceeding the standard length of study of one study programme. Should the total length of additional studies exceed the standard length of study, the public higher education institution shall set a study fee as per Par. 3.
- (5) Should a public higher education institution provide study programmes conducted in a foreign language, it shall set study fees for bachelor, master or doctoral study programmes. Setting study-related fees in this case is not subject to provisions in Par. 2, 3 and 4.
- (6) A public higher education institution shall announce the amount of study-related fees for the next academic year as per Par. 1 through 5 before the date of submitting applications for study. The amount of this fee, its form of payment and due date shall be stipulated in the Statutes of the public higher education institution.
- (7) Study fees with the exception of those in Par. 5 are deemed an income of the scholarship fund of the public higher education institution.
- (8) The decision on the amount of the study fee as per Par. 3 or Par. 4 is issued at least ninety days before the payment is due. Upon a student's application for review of the study-related fee, the Rector is at liberty to reduce, waive or defer the due date of study-related fees taking account of study results and social standing of a student as per provisions included in the Statutes of the public higher education institution.
- (9) Study-related fees set as per Par. 1 through 5 are not subject to general regulations on fees¹⁷⁾.

Article 59

Study-related fees at a private higher education institution are set by the private higher education institution by means of its internal regulations.

Article 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 can be either profession-oriented or interest-oriented. Detailed conditions pertaining to lifelong learning are stipulated in internal regulations. These must be provided in advance to all participants in lifelong learning programmes.
- (2) Higher education institutions shall issue certificates of graduation to all graduates in lifelong learning programmes. A higher education institution can recognise credits acquired by successful graduates of lifelong learning programmes opened within the framework of accredited study programmes and acquired within the lifelong study programme, up to 60 per cent of credits required for due completion of the study, provided that such graduates become students under this Act (Par. 48 through 50).

¹⁷⁾ Act No. 337/1992, Coll., as amended. Act No. 368/1992, Coll., as amended.

- (3) Participants in lifelong learning are not regarded as students as per this Act.

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Studies in Internationally Recognized Courses

- (1) Higher education institutions may provide – either free of charge, or subject to payment - internationally recognised course focus on increasing specialisation of students or graduates from a higher education institution abroad. The specific details of such a course are defined by an internal regulation. Course takers must be acquainted with the conditions in advance.
- (2) Higher education institutions issue a certificate of completing a course to the graduates. Successful graduates of such a course can be awarded an internationally recognized degree.
- (3) Course participants are not regarded as students as per this Act.

**PART VI
STUDENTS**

Article 61

- (1) An applicant becomes a student on the date of enrolment in studies; a person whose studies were interrupted becomes a student on the date of repeated enrolment in studies.
- (2) A person loses its student status on the date of terminating one's studies as per Article 55, Par. 1 and Article 56, Par. 1 and 2, or interrupting one's studies as per Article 54.

**Article 62
Student's Rights**

- (1) A student is entitled to the following:
- a) Study within the framework of one or several study programmes,
 - b) Choose subjects of study and design his/her curriculum as per the rules of a study programme,
 - c) Choose a teacher for the subject of study lectured by several teachers,
 - d) Take examinations under conditions stipulated in the study programme or the Study and Examination Rules,
 - e) Enrol in the next part of the study programme upon fulfilling requirements stipulated in the study programme or the Study and Examination Rules,
 - f) Propose a topic for one's bachelor thesis, diploma thesis, rigorous thesis, or dissertation thesis,
 - g) Use equipment and information technologies needed for studies in a study programme in compliance with the rules stipulated by the higher education institution,
 - h) Elect members and be elected as a member of the Academic Senate, should this body be established,
 - i) Be granted a scholarship from financial means of the higher education institution upon fulfilling conditions for granting a scholarship stipulated in the Scholarship Rules.

- (2) Students performing practical training are subject to general regulations on work safety and health protection and working conditions of women¹⁸⁾.

Article 63
Student's Duties

- (1) Student's duties pertaining to his/her studies result from the study programme and the Study and Examination Rules.
- (2) A student is obliged to abide by internal regulations of the higher education institution and its parts.
- (3) Furthermore, a student is obliged to:
- a) Cover study-related fees and provide data needed to set the amount of these fees,
 - b) Report one's delivery address to the higher education institution or its part he/she is enrolled in,
 - c) Come upon being called forth by the Rector, the Dean or a higher education institution's employee authorised by them to discuss questions pertaining to the course of study or the termination of study.
- (4) A student guilty of neglecting his/her duties as per Par. 3 is bound to compensate the higher education institution for costs such incurred.

Disciplinary Misdemeanours
Article 64

A disciplinary misdemeanour represents a caused infringement of one's duties stipulated in legal regulations or internal regulations of a higher education institution or its parts.

Article 65

- (1) The following sanctions can be inflicted for disciplinary misdemeanours:
- a) Admonition,
 - b) Exclusion from studies on probation, including the term and conditions of acquittal,
 - c) Exclusion from studies.
- (2) Should a discussion of disciplinary misdemeanour alone result in a remedy, the infliction of a sanction can be relinquished.
- (3) While inflicting sanctions, regard is paid to the pattern of behaviour with which the misdemeanour was committed, circumstances of the misdemeanour, consequences caused, the extent of guilt, as well as former behaviour of the student who committed the misdemeanour and demonstrated effort to make a remedy of consequences. Exclusion from studies is possible only in case of intentional commitment of a disciplinary misdemeanour.

Article 66

A disciplinary misdemeanour cannot be discussed upon expiration of a one-year term from its commitment or cognisable condemnatory verdict in the matter of the criminal case.

Article 67

Special Provisions on Exclusion from Studies

Students admitted to studies consequent upon their fraudulent act will be excluded from studies.

Decision Making on Students' Rights and Duties

Article 68

- (1) Decision-making on students' rights and duties is not subject to any general regulations on administration proceedings. The decision must be made no later than thirty days upon receipt of an application or a notification of the subject matter.
- (2) Resolution on students' rights and duties must be delivered to students in an evincible manner. The resolution is designated in the documentation on students administered by the higher education institution or its part in which the students are enrolled.
- (3) Resolution on the following issues:
 - a) Consent to extraordinary examination re-sits should such an option be allowed for in the Study and Examination Rules,
 - b) Consent to repeating a part of studies designated in Art. 52, Par.1, should such an option be allowed for in the Study and Examination Rules,
 - c) Consent to the interruption of studies,
 - d) Recognition of examinations and assignment of differential examinations,
 - e) Granting a scholarship,
 - f) Setting the study-related fee in compliance with Art. 58, Par. 3 and 4,
 - g) Failure to meet requirements as per Art. 56, Par. 1 (b),
 - g) Disciplinary misdemeanours,
 - h) Exclusion from studies as per Article 67must be issued in writing and it must contain substantiation as well as information on the possibility of making an application for review. The resolution must take the form of personal delivery. The method of alternate delivery in case of subject matters a) through f) may be stipulated in internal regulations of the higher education institution or its part.
- (4) Students may request a review of the resolution. The request must be submitted to the body that have issued the resolution no later than thirty days upon its delivery as per Par. 3; default of this deadline may be pardoned in the event of serious reasons. Should such a body be represented by the Dean, he/she may accord the request independently and change the resolution; otherwise, the Dean shall pass the request to the Rector who will then make the decision. The Rector shall alter decisions made in conflict with the Act or internal regulations of the higher education institution or its part. Should there appear facts substantiating suspension of proceedings, the resolution on disciplinary misdemeanours and exclusion from studies as per Article 67 will be annulled.
- (5) In consequence to the resolution as per Par. 4, the bodies of a public higher education institution or its parts shall take such measures to restore student's rights and eliminate or alleviate consequences of an erroneous decision.

Article 69

- (1) Disciplinary proceedings are initiated by the disciplinary commission of a public higher education institution upon a proposal of the Rector. This applies to discussing disciplinary misdemeanours of students that are not enrolled in any of the faculties. In the case of students enrolled in a faculty, the proposal is made by the Dean. The proposal contains a description of an act, and possibly any supportive evidence as well as justification for regarding the act as a disciplinary misdemeanour. The disciplinary proceedings are initiated upon notifying the student with the proposal. Disciplinary misdemeanour is discussed orally while student being present. Should a student be absent albeit invited, the oral discussion could take place only in case he/she does not make one's excuse. Neither the Rector nor the Dean may inflict a sanction more severe than the one of the Disciplinary Commission.
- (2) The disciplinary proceedings shall be suspended should it become clear that the act does not represent a disciplinary misdemeanour or there is no evidence it was committed by the student or such a person is no longer a student.
- (3) The request for review always has a dilatory effect.
- (4) Paragraphs 1 through 3 are applicable to proceedings on exclusion from studies as per Article 67 by analogy.

**PART VII
ACADEMIC STAFF**

**Article 70
Academic Staff**

- (1) The academic staff is represented by employees of a higher education institution performing pedagogical, scholarly, research, developmental, artistic or other creative activities. The academic staff members are to take heed of the good name of the higher education institution.
- (2) The academic staff members include professors, associate professors, senior assistants, assistants, lecturers as well as scientific, research and development workers taking part in pedagogical activities.
- (3) The academic staff at a higher education institution performs duties of teachers.
- (4) In compliance with Art. 79, Par. 1 (c), only professors or associate professors who are employed as members of academic staff of the institution as per Par. 1 and 2 can guarantee the quality and development of a study programme taught by the pertinent higher education institution or its constituent part.
- (5) Other specialists may take part in lecturing on the basis of work contracts beyond the scope of regular employment.
- (5) The statute of visiting professors is stipulated in internal regulations of the higher education institution.

**Article 71
Appointment of Associate Professors**

An associate professor in the pertinent field is appointed by the Rector on the basis of procedure for obtaining "venium docendi" (habilitation procedure).

Article 72
Procedure for Obtaining “Venium Docendi”
(Habilitation Procedure)

- (1) The habilitation procedure is to prove scientific or artistic qualifications of an applicant, particularly on the basis of habilitation thesis and its defence, other scholarly, special or artistic work as well as applicant’s competence based on evaluation of his/her habilitation paper and previous lecturing experience.
- (2) Habilitation procedure is initiated upon a proposal of the applicant. The proposal must be accompanied by the applicant’s curriculum vitae, papers documenting acquired higher education and pertinent academic degrees awarded, documents proving lecturing experience, a list of scholarly, special or artistic work, a list of completed scholarly, special or artistic research fellowships both at home and abroad, or possibly other documents demonstrating scholarly or artistic qualifications. The proposal also designates the field of pertinent habilitation procedure. The applicant is to submit his/her habilitation thesis.
- (3) Habilitation thesis is specified as follows:
 - a) A written thesis comprising new scientific knowledge; or
 - b) A collection of published scholarly papers or technical papers supplemented with a commentary; or
 - c) A published monograph introducing new scientific knowledge; or
 - d) An artistic work or an artistic performance or a collection of these, e.g. an outstanding public artistic activity.
- (4) The proposal is submitted to the Dean of the faculty that is accredited in the pertinent field of habilitation, or the Rector, should the higher education institution be accredited in the pertinent field. Should there be insufficiencies in the proposal and the applicant fails to eliminate these in due term, the Dean or the Rector shall end the habilitation procedure.
- (5) In the case the habilitation procedure is not terminated as per Par. 4, the Dean or the Rector shall submit this matter to the Scientific Board of the faculty or the higher education institution together with a draft of composition of a five-member Habilitation Board. The Habilitation Board consists of professors, associate professors and other distinguished representatives of the pertinent 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 performing the habilitation procedure.
- (6) The Scientific Board may waive the requirement of higher education in the case of applicants in artistic fields.
- (7) The Habilitation Board in a composition approved by the Scientific Board shall appoint three opponents of the habilitation thesis. At most one opponent may come from the higher education institution performing the habilitation procedure.
- (8) The Habilitation Board shall assess scholarly or artistic qualifications of the applicant in the pertinent field and his/her previous lecturing experience. It shall assess the habilitation thesis based on opponents’ reviews. The Habilitation Board shall then vote by ballot in order to make decision on appointing the applicant an associate professor. Should the nomination acquire minority of votes of all members of the Habilitation Board, the Board shall recommend termination of the habilitation procedure. The

proposal shall be presented to the Scientific Board by the Chair of the Habilitation Board or a member authorised by the Chair.

- (9) Habilitation paper and the defence of the habilitation thesis take place at a public meeting of the Scientific Board. During a debate the applicant has an opportunity to make a statement upon opponents' reviews, defend his/her habilitation thesis and enlarge upon his/her scholarly, artistic and pedagogical work performed hitherto. Upon the debate, the Scientific Board takes a vote by ballot whether or not the applicant should be appointed an associate professor.
- (10) Should the nomination receive minority of votes of all Scientific Board members, the habilitation procedure shall be terminated by the Scientific Board.
- (11) The Scientific Board shall pass the nomination of an associate professor to the Rector. Should the Rector disagree with the proposal, the Rector shall submit the proposal together with his/her substantiation to the Scientific Board of the higher education institution. The Scientific Board shall discuss this issue and take voting by ballot whether or not the applicant should be appointed an associate professor. Should the nomination receive a minority of votes of all Scientific Board members, the habilitation procedure shall be terminated. Otherwise, an associate professor is appointed by the Rector.
- (12) In the case of terminating the habilitation procedure, the habilitation thesis together with attached documents and substantiation shall be returned to the applicant.
- (13) The habilitation procedure is not subject to general regulations on administration proceedings.
- (14) The applicant is entitled to raise objections to steps taken during the habilitation procedure. Should the Dean fail to accord the objections, he/she shall pass them to the Rector. The resolution of the Rector is deemed a final one.
- (15) If so stipulated in internal regulations of the higher education institution, the habilitation procedure can take place in front of the Scientific Board of an institute of the higher education institution. The duties of the Dean are then performed by the director of the institute.

Article 73

Appointment of a Professor

A professor in a specific field is appointed by the president of the Czech Republic upon a proposal of the Scientific Board of a higher education institution presented by the mediation of the Minister.

Article 74

Procedure for the Appointment of a Professor

- (1) The procedure for the appointment of a professor is to demonstrate pedagogical, scholarly or artistic qualifications of an applicant, who represents an outstanding and distinguished personality within his/her field. Initiation of this procedure is conditioned by the person's previous appointing as an associate professor pursuant a habilitation procedure, should a presentation of habilitation thesis constitute its part. The Rector upon a proposal of the Scientific Board of the higher education institution can waive foregoing appointment of an associate professor in exceptional cases. This applies to nominating persons who are already acting as professors at renowned higher education institutions abroad.

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- (2) Procedure for the appointment of a professor is initiated upon applicant's proposal supported by at least two written references made by professors in the same or a similar field, or upon a proposal of the Dean or the Rector presented to the Scientific Board of the faculty that is accredited for the pertinent field of appointment, or to the Scientific Board of the higher education institution should the accreditation for this filed be awarded to the higher education institution. The procedure can be initiated by the Scientific Board of the faculty or the higher education institution at its own incentive. The proposal is to contain appurtenances detailed in Art. 72, Par. 2, 2nd sentence; the proposal also specifies the field within which the procedure for the appointment of a professor is initiated.
- (3) In order to review the proposal, the Dean or the Rector charges the pertinent Scientific Board with approving a five-member Evaluation Board consisting of professors, associate professors and other distinguished representatives of the pertinent or a similar 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 performing the procedure of appointment.
- (4) The requirement of higher education completion may be waived by the Scientific Board in the case of applicants in artistic fields.
- (5) The Evaluation Board shall assess qualifications of the applicant and vote by ballot in order to make decision upon appointing the applicant a professor. Should the nomination acquire a minority of votes of all members of the Evaluation Board, the Board shall recommend termination of the procedure of appointment. The proposal together with its substantiation shall be presented by the Chair of the Evaluation Board or a member authorised by the Chair to the Scientific Board that have approved the Board. This Scientific Board shall invite the applicant to make a lecture at a public meeting of the Board, putting forth conception of scholarly or artistic work and lecturing in the pertinent field.
- (6) The Evaluation Board shall then vote by ballot in order to make decision upon appointing the applicant a professor. The nomination in the case of the Scientific Board of a higher education institution is upon its approval presented to the Minister. The nomination in the case of the Scientific Board of a faculty is upon its approval passed to the Scientific Board of the higher education institution that takes voting by ballot on submitting the nomination to the Minister. Stipulations as per Art. 72, Par. 10, apply in both cases by analogy.
- (7) The procedure for the appointment of a professor is not subject to general regulations on administration proceedings.
- (8) The applicant is entitled to raise objections to steps taken during the procedure of appointment at a faculty or a higher education institution. Objections are evaluated by the Rector. The resolution of the Rector is deemed a final one.
- (9) If so stipulated in internal regulations of the higher education institution, the procedure for the appointment of a professor can take place at the Scientific Board of an Institute of a higher education institution that performs the same functions as the Scientific Board of a faculty. The duties of the Dean are then performed by the director of the Institute.

Article 75

**Releasing Information on Habilitation Procedures
and Procedures for the Appointment of Professors**

- (1) A higher education institution or its part shall post information on initiation of habilitation procedures and procedures for the appointment of professors at an official board without delay. Information on termination of these procedures must be made public immediately as well.
- (2) A higher education institution shall provide the Ministry with the following information:
 - a) At initiation of a habilitation procedure or a procedure for the appointment of a professor: first name, surname, birthday certificate number, marital status and permanent address; in the case of foreigners, also the date of birth, sex, place of abode in the Czech Republic, nationality and citizenship and also data on employment of the applicant.
 - b) During a habilitation procedure or a procedure for the appointment of a professor: changes in the data listed under a), or reasons for and the date of interrupting the procedure.
 - c) At termination of a habilitation procedure or a procedure for the appointment of a professor: the date and the result of the procedure.
- (3) The Ministry shall make information on initiating a habilitation procedure or procedure for the appointment of a professor public in an appropriate manner.

Article 76

Sabbatical

- (1) Six-month sabbatical is provided to academic staff members of higher education institutions upon their request once in seven years. Sabbatical is not provided if prevented so by serious circumstances pertaining to pursuing educational tasks of the higher education institution.
- (2) Academic staff members on sabbatical are entitled to wages.

Article 77

Tenders at a Public Higher Education Institution

- (1) Posts of academic employees at public higher education institutions are filled on the basis of tenders. Organisation of a tender is not deemed necessary in the case of repeated employment of an academic employee at the post already occupied by this employee.
- (2) Organisation of a tender must be made public at the official board of a higher education institution or its part as well as in public mass media covering the whole republic at least thirty days prior to the deadline for submitting an application.
- (3) Details on tender organisation are stipulated in internal regulations of a public higher education institution.

**PART VIII
ACCREDITATION**

**Accreditation of a Study Programme
Article 78**

- (1) Study programmes are subject to accreditation awarded by the Ministry.
- (2) In the case of non-accredited study programmes, it is impossible to admit any applicants, hold lectures, examinations or award academic degrees.
- (3) Within the framework of accreditation of master study programmes, a decision is also made upon the right to award academic degrees as per Art. 46, Par. 5.

Article 79

- (1) A written application of a higher education institution for study programme accreditation includes the following:
 - a) Designation of the higher education institution or its part in charge of providing the study programme,
 - b) Components of the study programme as per Art. 44, Par. 2,
 - c) Evidence of personnel, financial, material, technical and information provisions pertaining to the study programme for at least the standard length of study, including the data on the guarantor of the study programme,
 - d) Objectives of the development of the study programme, its justification and expected number of admitted applicants,
 - e) In the case of study programmes in the field of health services, it is necessary to acquire the standpoint of the Ministry of Health concerning possible employment of graduates in this field¹⁹⁾,
 - f) In the case of training for the regulated professions also an announcement that the pertinent study programme is focused on training for the regulated profession together with the standpoint of the pertinent decisive body about the appropriate qualification of graduates for functioning in their profession. ^{19a)}
- (2) The Ministry is to convey the application immediately to the Accreditation Commission, which shall make its judgement about it no later than 120 days from the date of receipt.
- (3) Should it be possible to eliminate any insufficiencies that may occur in the application, the Accreditation Commission shall call upon the higher education institution to eliminate these in due term and at the same time it shall interrupt its reviewing procedure. Should the higher education institution fail to eliminate the insufficiencies in due term, the Accreditation Commission shall issue its standpoint based on the original documentation.
- (4) No later than thirty days upon receiving the standpoint of the Accreditation Commission, the Ministry shall make its decision upon awarding the accreditation. While doing so, it must pay regard to the general conception of educational, scholarly, research, developmental, artistic or other creative activities of the higher education institution as well as assessment of its activities.

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- (5) The Ministry shall not award the accreditation in the following cases:
- a) The study programme does not comply with the requirements listed in Part 4 of this Act,
 - b) Sufficient staff, equipment and information provisions are not granted for the study programme,
 - c) Implementation of the study programme is not backed up by sufficient financial, material or technical resources,
 - d) The higher education institution is not deemed capable of providing sufficient guarantees for lecturing,
 - e) The Application contains incorrect data deemed crucial for awarding the accreditation,
 - f) The Accreditation Commission has issued a negative standpoint,
 - g) The legal entity applying for the state permission was convicted of a criminal offence due to which it cannot guarantee its duly functioning as a higher education institution even when it is regarded as not being convicted of the criminal act. For decision if a reason against granting the permission has been fulfilled, the Ministry will request a Criminal Register report in agreement with other legal regulations. Both the application and the report are submitted electronically to enable an access from a distance.
- (6) On the ground of reasons listed in Par. 5 (a) and (b), the Accreditation Commission shall not issue an affirmative standpoint to the Application for study programme accreditation as per those listed in Par. 5 (a) and (b).
- (7) Upon agreement with the Accreditation Commission, the Ministry shall issue a decree detailing the contents of the written application for the study programme accreditation.
- (8) Upon Ministry defining that the justification of the negative statement of the Accreditation Commission is against the law, the Ministry can initiate a new procedure of the Accreditation Commission to commence to issue a new standpoint and to eliminate inaccuracies in the reasoning.

Article 80

- (1) An accreditation of a study programme is awarded for at most ten years from the date of resolution coming into effect.
- (2) Validity of an accreditation can be extended repeatedly. Proceedings on the extension of accreditation's validity are subject to stipulations in Art. 79.
- (3) While providing an accredited study programme, the higher education institution may request an accreditation of its extension.
- (4) An accreditation of a study programme expires upon higher education institution's declaring cancellation of the study programme or upon the expiry of the time for which the accreditation was awarded. The higher education institution provides students with an option to continue their studies in the same or a similar study programme at the same or another higher education institution.

Article 81

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- (1) An accreditation of a study programme may be requested also by legal entities with domicile, headquarters or the seat of its business enterprise in the territory of a member-country of the European Union or which was established in compliance with the legal system of a member-country of the European Union and which is undertaking educational, scholarly, research, developmental, artistic or other creative activities. Such a request is made together with a higher education institution.
- (2) The legal entity shall present a request for accreditation as well as a contract on mutual co-operation while providing a study programme made with a higher education institution. This higher education institution admits applicants for studies in study programmes and awards appurtenant academic degrees to the graduates of these study programmes. The location of the study programme implementation is also designated on the higher education diploma.
- (3) A legal entity as per Par. 1 may request an accreditation of a study programme independently. Should the Accreditation Commission express its affirmative standpoint, the Ministry shall invite the higher education institution to make a contract as per Par. 2 and grant the accreditation upon making this contract. Should the higher education institution refuse to make such a contract, it shall declare its resolution together with substantiation to the Ministry and Accreditation Commission within thirty days.
- (4) The request for accreditation of a study programme as per Par. 1 through 3 is subject to stipulations in Art. 79 appropriately.
- (5) In case of joint implementation of a doctoral study programme, the contract also stipulates representation of the legal entity and the higher education institution in the Specialist Branch Board.

Article 82

Accreditation of Habilitation Procedures and Procedures for the Appointment of Professors

- (1) Authority of a higher education institution or its part to perform habilitation procedures or procedures for the appointment of professors in the pertinent field is subject to accreditation awarded by the Ministry.
- (2) A written request of a higher education institution for accreditation comprises of the following:
 - a) Designation of the higher education institution or its part that is to perform the procedure,
 - b) Field of habilitation or appointment,
 - c) Information on educational, scholarly, research, developmental, artistic or other creative activities of the higher education institution or its part in the pertinent field,
 - d) Information on professors and other academic staff lecturing and pursuing this field or a similar field at the higher education institution or its part,
 - e) A list of members of the Scientific Board at the higher education institution or its part.
- (3) The accreditation of habilitation procedures and procedures for the appointment of professors is subject to stipulations in Art. 79, Par. 2 and 3 by analogy.

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- (4) The Accreditation Commission shall assess whether or not the facts documented as per Par. 2 (c) through (e) constitute sufficient pre-requisites for an objective assessment of pedagogical, scholarly or artistic qualifications of an applicant for the appointment of a professor or an associate professor. The Accreditation Commission shall then express its standpoint over the request.
- (5) The Ministry shall make its resolution upon awarding accreditation within thirty days upon receiving the standpoint of the Accreditation Commission. The Ministry takes account of long-term intentions of a public higher education institution or long-term intentions of a private higher education institution as well as assessment of activities performed by the higher education institution.
- (6) The Ministry shall not award the accreditation in the following cases:
 - a) The higher education institution does not provide sufficient guarantees for performing habilitation procedures or procedures for the appointment of professors,
 - b) No accreditation has been awarded for a doctoral study programme within the framework of which the field of habilitation/appointment or its substantial portion is lectured at the higher education institution or its part,
 - c) The request contains incorrect data deemed crucial for awarding the accreditation,
 - d) The Accreditation Commission has issued a negative standpoint,
 - e) The legal entity applying for the state permission was convicted of a criminal offence due to which it cannot guarantee its duly performing habilitation procedures or procedures for professor appointments even when it is regarded as not being convicted of the criminal act. For decision if a reason against granting the permission has been fulfilled, the Ministry will request a Criminal Register report in agreement with other legal regulations. Both the application and the report are submitted electronically to enable an access from a distance.
- (7) An exception from stipulations in Par. 6 (b) can be made by the Ministry in the case of newly established branches.
- (8) The accreditation for habilitation procedures or procedures for the appointment of professors may be awarded for at most ten years.

The Accreditation Commission

Article 83

- (1) The Accreditation Commission consists of 21 members. The Chair, vice-chair and members of the Accreditation Commission are appointed by the Government upon a nomination of the Minister. Prior to making a nomination, the Minister shall request references from the representation of higher education institutions, the Governmental Board of the Czech Republic for Research and Development and the Academy of Sciences of the Czech Republic and discuss the nomination with these institutions.
- (2) Members of the Accreditation Commission are appointed for a six-year term; they can be appointed for the maximum of two terms of office. Upon the first appointment of the members of the Accreditation Commission, the Government is to specify the names of one third of members whose term of office shall expire in two-year time and one third of members whose term of office shall expire in four-year time.
- (3) Members of the Accreditation Commission represent irreproachable persons enjoying general authority as experts.

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- (4) The membership in the Accreditation Commission is incompatible with the duties of the Rector, vice-rectors and deans.
- (5) A member of the Accreditation Commission may be dismissed only in the case of long-term non-participation in the work of the Accreditation Commission, or upon his/her own request.
- (6) Members of the Accreditation Commission perform their duties independently.
- (7) In order to perform specialist preparatory work for its proceedings, the Accreditation Commission may establish work groups the composition of which must correspond to the type of the study programme, its form and objectives of studies. In the case of accreditation of habilitation procedures or procedures for appointing professors, the composition must correspond to the type or a related type of the branch in which accreditation is to be awarded.
- (8) The mode of action of the Accreditation Commission as well as its work groups is stipulated in the Statutes of the Accreditation Commission approved by the Government. Upon approving the Statutes by the Government, the Ministry shall make it public in an appropriate manner.
- (9) Material and financial means for the activities of the Accreditation Commission are provided by the Ministry.
- (10) Submissions to the Accreditation Commission are made via the Ministry.
- (11) Activity of the Accreditation Commission members and their work groups is deemed an act in the interests of the public⁴⁾. These persons are provided with reimbursement of travel expenses as per special regulations⁵⁾ and may be provided with recompense.

Article 84

- (1) The Accreditation Commission takes heed to the quality of higher education and performs comprehensive evaluation of educational, scholarly, research, developmental, artistic or other creative activities of higher education institutions. In order to achieve these objectives, it must perform the following:
 - a) Evaluate activities pursued by higher education institutions and the quality of accredited activities and publish the results of such evaluations,
 - b) Assess other issues pertaining to the system of higher education presented to it by the Minister and express its standpoint over these issues.
- (2) The Accreditation Commission issues its standpoint over the following:
 - a) Requests for accreditation of study programmes,
 - b) Requests for authorisation to perform habilitation procedures and procedures for the appointment of professors,
 - c) Establishment, merger, amalgamation, splitting or dissolution of a faculty of a public higher education institution,
 - d) Granting the State Permission for a legal entity desiring to operate as a private higher education institution,
 - e) Determining the type of a higher education institution.

Article 85

- (1) Should the Accreditation Commission discover any deficiencies occurring while implementing accredited activities, it shall invite the higher education institution or the co-operating legal entity to make a remedy in due term.
- (2) In the event of serious deficiencies occurring while implementing a study programme, the Accreditation Commission shall make the following proposal to the Ministry depending on the nature of the matter:
 - a) Restriction of accreditation consisting in a ban on admitting new applicants to the studies in the pertinent study programme; or
 - b) Temporary termination of accreditation consisting in a ban on performing state examinations and awarding academic degrees; or
 - c) Withdrawal of accreditation.
- (3) In the case of serious deficiencies in habilitation procedures or procedures for the appointment of professors, the Accreditation Commission shall invite the Ministry to withdraw or temporarily terminate the accreditation, depending on the nature of the matter.
- (4) The Accreditation Commission shall invite the Ministry to withdraw the accreditation in the case of circumstances occurring at the higher education institution, its part, or at the co-operating legal entity, substantiating rejection of the request for accreditation.
- (5) Should the reasons for taking measures as per Par. 2 (a) or (b) or Par. 3 cease, the Accreditation Commission shall invite the Ministry to cancel the measures taken.
- (6) The Ministry shall make its resolution as per Par. 2 through 5 within 120 days upon receiving a proposal from the Accreditation Commission.

Article 86

- (1) In the event of temporary termination or withdrawal of accreditation of a study programme, the higher education institution is bound to provide students with the possibility to continue their studies in the same or a similar study programme at the same or another higher education institution.
- (2) The Ministry shall stipulate adequate term for fulfilling duties as per Par. 1.

PART IX

STATE ADMINISTRATION

Article 87

Scope of Authority of the Ministry

The Ministry performs the following tasks:

- a) registers internal regulations of higher education institutions,
- b) draws up an annual report on the state of the system of higher education and long-term strategy of the Ministry and making it public (Art. 18, Par.4),
- c) discusses and evaluates long-term intentions of public higher education institutions and long-term intentions of private higher education institutions as well as their annual update,

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- d) distributes funds from the state budget (chapter on the educational system) to higher education institutions and monitors their utilisation,
- e) audits the economic management of public higher education institutions; these activities are subject to special regulations²⁰⁾;
- f) grants State Permission as per Art. 39,
- g) makes resolution upon awarding accreditation to study programmes and awarding accreditation to habilitation procedures and procedures for the appointment of professors in the pertinent field,
- h) appoints other members of the Board of Examiners as per Art. 53,
- i) collects and makes use of information contained in the Register of Students, data on graduates and lifelong learning programme graduates in compliance with special regulations; for collecting and utilising information and for statistical analyses, it can, independently or via a person appointed to do so, use the birthday certificates of applicants, admitted students, students in their regular studies or in lifelong learning programmes, persons who have interrupted or terminated studies and graduates from regular and lifelong learning programmes,
- j) manages an electronic register of professors and associate professors employed at public and private higher education institutions for purposes of assessing applications for accreditations; the entries for individuals contain the following information:
 - 1. name/s, surname, birthday certificate if granted, date of birth and permanent address of the employee, in the case of foreigners also gender, address in the Czech Republic and citizenship,
 - 2. information on the field of higher education of the employee, his/her academic titles, including programmes or fields in which the titles have been awarded,
 - 3. information on starting, changing and terminating employment or employments, including data on extent of work expressed by amount of hours of work per week, or calendar year or any other relevant period and about the time framework for which the contract with the higher education institution is signed,
 - 4. information on working status of an associate professor or professor; for collecting, utilising and other processing of information, the Ministry can, independently or via a person appointed to do so, use birthday certificates of employees registered; the structure of information records in the database and its technical conditions shall be stipulated by the Ministry alongside the periods in which public and private higher education institutions are to report changes of data relevant for their employees,
- k) manages higher education institutions within the framework of state administration in compliance with this Act,
- l) meets tasks set by superior administration body of higher education institutions within the framework of administration proceedings,
- m) adopts measures as per Art. 37, 38, 43 and 85;
- n) recognises higher education and qualifications acquired abroad as per Art. 89 and 90,
- o) grants scholarships from the state budget as per Art. 91,

²⁰⁾ Act No. 552/1991, Coll. as amended in Act No. 166/1993 Coll.

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- p) provides material assistance and funds for the activities of the Accreditation Commission,
- q) gives consent or expresses opinions on issues listed in Art. 95,
- r) provides methodical assistance to higher education institutions regarding preparation of statutes and other regulations of higher education institutions and faculties, keeping records on students, statistical reporting, librarianship, information systems and relationships with foreign countries,
- s) grants material and financial awards to excellent students, graduates of study programmes and other persons for extraordinary study results and results achieved in scientific, research, development, artistic, and other creative activities,
- t) provides information to the Ministry of Health on issuing decisions on granting accreditation for a health oriented programme on which an opinion under Art. 79, Par. 1 (e) has been issued; and sends the accredited study programme to the Ministry of Health alongside provided information,
- u) provides support for specific purposes from European funds via contributions from the state budget to legal and physical entities and receivers or co-receivers on the basis of contracts signed between these persons and solving projects focusing on educational activities performed by higher education institutions on the basis of a public tender,
- v) defines a proportion of specific purpose support from European funds which the receiver is obliged to grant to the co-receiver as per stipulation in section (t). No special regulations are used for granting the specific-purpose support ^{20a}.

Article 88

Register of Students

- (1) Every higher education institution keeps a register of students. The register of students is used to keep records on students and it serves for budgetary and statistical purposes.
- (2) The register of students is used to keep the first name, surname, citizen's birthday certificate number, marital status and permanent address; in the case of foreigners it is also the date of birth, gender, place of abode in the Czech Republic and citizenship.
- (3) The register is to contain namely the following data on individual students:
 - a) The date of enrolment in studies,
 - b) Previous education,
 - c) Study programme, branch of study, form of studies,
 - d) Enrolment in the next academic year or a block of study,
 - e) Completed state examinations and academic degrees awarded,
 - f) Interruption of studies,
 - g) Termination of studies.

The structure of information records contained in the database and the technical conditions shall be stipulated by the Ministry upon a discussion with the higher education institution.

- (4) Records in the register of students can be made only by so authorised employees of the higher education institution; records as per Par. 3 (a) and (c) through (g) must be made immediately upon the conclusive event taking place. Register of students and documents

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on conclusive events are regarded as archive records; archiving as well as making abstracts and copies of records are subject to special regulations²¹⁾.

- (5) The higher education institution shall provide pertinent record contained in the register of students to those who demonstrate legal interest.

Recognition of Higher Education and Qualifications Acquired Abroad

Article 89

- (1) Upon the request of a graduate of a foreign higher education institution, a certificate of recognition of higher education or its part in the Czech Republic shall be issued by:
 - a) The Ministry in the case when the Czech Republic is bound by an international treaty with a country in which the higher education institution is established and recognised and the Ministry is authorised to recognition by means of this treaty,
 - b) In all other cases, the public higher education institution providing a study programme similar in its contents.
- (2) If in doubt, the appurtenance of the public higher education institution shall be determined by the Ministry, or the Ministry shall resolve upon recognition of higher education by itself.
- (3) A public higher education institution shall issue the certificate based on its knowledge of the pertinent foreign higher education institution or based on the extent of knowledge and skills evinced by the higher education qualification.
- (4) Stipulations in Par. 1 through 3 apply similarly to individual examinations taking place at higher education institutions abroad, should it not be the case of a joint study programme with a higher education institution as per this Act.

Article 90

- (1) Decisions pertaining to the recognition of higher education acquired abroad and qualifications acquired at a public higher education institution are made by the Rector.
- (2) The recognition is based on a diploma or its authenticated copy, a certificate or a similar document issued by the foreign higher education institution, or possibly a diploma supplement or its authenticated copy and supplementary information confirming that the study programme was implemented by an institution authorised to provide education comparable to higher education as per this Act and information on the contents of higher education studies abroad. If requested, the officially certified translation of these documents must be presented.
- (3) If not stipulated otherwise by an international treaty, a public higher education institution or the Ministry may request that the authenticity of signatures and stamps on the original documentation be verified by the Ministry of Foreign Affairs of the state which is the seat of the higher education institution that has issued the document, or a pertinent foreign body and pertinent embassy of the Czech Republic.
- (4) Presentation of the documents defined in Par. 2 and verification as per Par. 3 can be substituted by an affidavit of the facts otherwise evidenced and verified by the requested documents in the following cases: persons who have been granted international protection

²¹⁾ Act No. 97/1974, Coll., as amended in Act No. 343/1992, Coll., Regulation of the Ministry of Interior No. 7/1975, partially 24/1975 Coll, as amended in No. 343/1992 Coll.

in the form of asylum or subsidiary protection in the Czech Republic or another member-state of the European Union and persons who the Czech Republic is bound by its international commitments to view as refugees or exiles or persons in a similar situation as refugees.

- (5) Should the public higher education institution or the Ministry as per Art. 89, Par. 2, identify substantial differences in the study programmes being compared, the request for recognition shall be rejected.

Article 91 Scholarships

- (1) Students of higher education institutions are eligible for scholarships.
- (2) Scholarships covered by subsidies or contribution grants can be granted in the following cases:
- a) For outstanding study results,
 - b) For outstanding scholarly, research, developmental, artistic or other creative results contributing to the enhancement of knowledge,
 - c) For research, developmental and innovation activities according a special regulation^{8e)},
 - d) In the case of student's strenuous social situation,
 - e) In other cases worth special consideration.
- (3) Scholarships pursuant to Par. 2 (d) are also granted to students who are entitled to child benefits under a special legal regulation^{21a)}, if the decisive family income ascertained for the purposes of child benefits does not exceed the product of the amount of the minimum subsistence of the family and the coefficient of 1.5. Scholarships in the amount of 1,620 Czech crowns are awarded for the standard period of ten months in an academic year. The entitlement to receiving the scholarship is demonstrated by the student's submitting a written confirmation issued at his/her request by the state social support body that has granted the benefits. The document confirms that the family income ascertained for the purposes of child benefits for the calendar year referred to in the certificate does not exceed the product of the amount of the minimum subsistence of the family and a coefficient of 1.5. The certificate for the purposes of granting scholarships is valid for the period of 21 months from the end of the year for which the family income was assessed. The student may apply for the scholarship only once in the given time period.
- (4) Scholarships covered by subsidies or contribution grants can also be granted for these purposes:
- a) Support of Czech citizens studying abroad,
 - b) Support of students in the Czech Republic,
 - c) Support of students of doctoral study programmes.
- (5) Scholarships are granted to students by the higher education institution or the faculty according to the Scholarship Rules.

- (6) Scholarships are granted by the Ministry according to conditions stipulated in Par. 2 and 3 and as per programmes set forth by the Ministry, taking into account obligations under international treaties binding for the Czech Republic. Ministry can also grant these scholarships to citizens of the Czech Republic studying at higher education institutions abroad.

**PART X
REPRESENTATION OF HIGHER EDUCATION INSTITUTIONS**

Article 92

- (1) Representation of higher education institutions consists of:
- a) A body composed of the members of academic communities of higher education institutions delegated by their representative academic bodies,
 - b) A body composed of representatives of higher education institutions.
- (2) Detailed procedures describing institution of these bodies and the rules of the procedures are defined in their statutes.
- (3) The Minister and the representation of higher education institutions discuss proposals and measures that have a significant impact on higher education institutions.
- (4) The representation of higher education institutions submits its recommended composition of the Accreditation Commission to the Minister.

**PART XI
TEACHING HOSPITALS**

Article 93

- (1) Clinical as well as practical instruction in the field of medicine, pharmacy and other branches of health services takes place particularly in teaching hospitals²²⁾. These hospitals perform scholarly, research and developmental activities as well.
- (2) Details of the arrangement are provided in special regulations.

**PART XII
MILITARY AND POLICE HIGHER EDUCATION INSTITUTIONS**

Article 94

- (1) The purpose of military higher education institutions is to educate specialists particularly for the armed forces. These institutions are also open to students that are not soldiers in active service.
- (2) The purpose of police higher education institutions is to educate specialists particularly for the security forces^{22a)}. These institutions are also open to students that are not members of the security forces.

Article 95

- (1) Military higher education institutions constitute a part of the budgetary organisation²³⁾ of the Ministry of Defence financed from the state budget from the chapter of the Ministry of Defence. Police higher education institutions represent budgetary organisations²³⁾

²²⁾ For example Regulation of the Ministry of Health No. 394/1991, Coll., ^{22a)} Act No. 361/2003, Coll., ²³⁾ Act No. 576/1990, Coll., Regulation of the Ministry of Finance No. 205/1991, Coll. as amended by the government regulation No. 48/1995, Coll.

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financed from the chapter of the Ministry of the Interior. These are subject to provisions defined in Part II, with the exception of Art. 14, 15 and 17, Par. 1 (c), Art. 18 through 20. State higher education institutions are not subject to Art. 2, Par. 2. State higher education institution can be granted a scholarship subsidy as per Art. 91, Par. 2 (e) or as per Art. 91, Par. 3, the Ministry can grant scholarships to students in study programmes in the field of security studies who are not acting soldiers. Conditions for subsidies, their use and bookkeeping are subject to general regulations for using means from the state budget. .

- (2) Admission of soldiers in active service to study at military higher education institutions is subject to the requirements of the Ministry of Defence. The course of service and material provision of student-soldiers is subject to special regulations²⁴). The number of students who are not soldiers in active service is, as a rule, one third of the capacity of the military higher education institutions and such number is annually specified on the basis of the requirements of the Ministry of Defence for the education of students who are soldiers in active service.
- (3) Acceptance of police members in active service to studies at police higher education institutions is subject to requirements of the Ministry of the Interior.
- (4) Military and police higher education institutions that have been awarded an accreditation of at least one doctoral study programme may request accreditation of a master or other doctoral study programme implemented in co-operation with a public higher education institution. Joint implementation of these study programmes must be defined in a contract between participating higher education institutions thus defining their mutual obligations. Formation of such a contract is subject to an approval of the Ministry of Education, Youth and Sports and the Ministry of Defence or the Ministry of the Interior.
- (5) Military and police higher education institutions publish the results of their scholarly, research and developmental activities in compliance with general regulations on the protection of top and professional secret²⁵).
- (6) Military higher education institutions keep a register of students – soldiers in active service and a register of other students; the same applies to police higher education institutions with respect to students in service relationship and other students.
- (7) The following activities are performed by the Minister of Defence with respect to military higher education institutions and the Minister of the Interior with respect to police higher education institutions:
 - a) Submits proposals for nomination and dismissal of the Rector to the president of the republic,
 - b) Resolves upon establishment, merger, amalgamation, splitting or dissolution of a faculty upon a proposal of the Rector and upon obtaining a standpoint of the Accreditation Commission,
 - c) Determines the wages of the Rector,
 - d) Performs activities stipulated in Art. 21, Par. 1 (a) and (b),
 - e) Submits proposals of the Scientific Board of a higher education institution for the appointment of a professor to the president of the republic,
 - f) Delegates persons to perform activities within the scope of individual bodies of

²⁴ Act No. 92/1949, Coll., Act No. 76/1959, Coll., Ministry of Defence regulation No. 113/1996, Coll., Act No. 186/1992, Coll., Ministry of Defence Regulation No. 7/1996, Coll., as amended by Ministry of Defence Regulation No. 310/1996, Coll.

²⁵ Act No. 102/1971, Coll., as amended by the government regulation No. 420/1996, Coll., and the government regulation No. 419/1990, Coll..

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a newly established higher education institution as per Art. 103, Par. 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 perform the following activities:
- a) Register their internal regulations as per Art. 36 upon a statement being made by the Ministry,
 - b) Allocate financial means coming from the state budget,
 - c) Inspect legitimacy and economic efficiency of the management of financial as well as material resources granted from the state budget and management of property within the ownership of the Czech Republic,
 - d) Determine the amount of study-related fees,
 - e) Are at liberty to waive reimbursement for the usage of specialised facilities,
 - f) Can make a resolution upon granting and paying scholarships to students and citizens of the Czech Republic studying abroad,
 - g) Can grant scholarships as per programmes declared by the Ministry beyond the scope of reasons listed in Art. 91, Par. 2 and 4, should the student covenant to continue upon graduating from the higher education institution in active service as a regular soldier or in service relationship as a policeman for a given period of time,
 - h) Appoint other members of the Board of Examiners as per Art. 53, Par. 3,
 - i) Can collect and make use of information from the register of students in compliance with special regulations,
 - j) Perform duties of a superior administrative body of a higher education institution within administration proceedings,
 - k) Adopt measures as per Art. 37, 38 and 85,
 - l) Perform activities defined in Art. 21, Par. 1 (a) through (c), Art. 75 and Art. 86.
 - m) Provide methodical help to higher education institutions regarding preparation of Statutes and other regulations of higher education institutions and faculties, keeping records on students, statistical reporting, librarianship, information systems and relationships with foreign countries.
- (9) The Ministry of Defence in the area of military science and the Ministry of the Interior in the area of security services perform tasks of the Ministry and a public higher education institution as per Art. 89 and Art. 90 regarding recognition of higher education and qualifications acquired abroad.
- (10) Art. 77 applies to soldiers in active service employed as academic personnel at military higher education institutions as well as members of the Police of the Czech Republic in service relationship employed as academic personnel at police higher education institutions. Their service relationship remains unchanged.
- (11) Students of military higher education institutions employed as soldiers in active service and students of police higher education institutions in service relationship as members of the Police of the Czech Republic are subject to provisions of this Act, if not stipulated otherwise by means of special regulations²⁴⁾.

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- (12) Study of soldiers in active service at military higher education institutions can be terminated in the case when the soldiers no longer fulfil conditions stipulated by means of special regulations for the service of regular soldiers.
- (13) Prior to issuing a resolution upon accreditation as per Art. 78 through 82 and 85 pertaining to military higher education institutions, the Ministry shall request a standpoint of the Ministry of Defence. Should the resolution pertain to police higher education institutions, it shall request a standpoint of the Ministry of the Interior.

PART XIII MODIFICATION AND AMENDMENT OF THE CZECH NATIONAL COUNCIL ACT NO. 586/1992 ON INCOME TAX, IN THE WORDING OF LATER REGULATIONS

Article 96

The Czech National Council Act No. 586/1992 on Income Tax, in the wording of the Czech National Council Act No. 35/1993, Act No. 96/1993, Act No. 157/1993, Act No. 196/1993, Act No. 323/1993, Act No. 42/1994, Act No. 85/1994, Act No. 114/1994, Act No. 259/1994, Act No. 32/1995, Act No. 87/1995, Act No. 118/1995, Act No. 149/1995, Act No. 248/1995, Act No. 316/1996, Act No. 18/1997, Act No. 151/1997, Act No. 209/1997, Act No. 210/1997 and Act No. 227/1997 is modified and amended as follows:

1. In Article 4, Par. 1(k), the words “and from the means of a public higher education institution” are inserted after the word “budget”.
2. In Article 18, a new Par. 5 in the following wording is inserted after Par. 4:
“(5) In the case of tax-payers representing a public higher education institution, all incomes are subject to taxation with the exception of the following:
 - a) Incomes from investment transfers,
 - b) Interest on current account deposits. “
3. Par. 5 through 11 used until now in Art. 18 are identified as Par. 6 through 12.
4. In Art. 18, Par. 7, the words “public higher education institutions” are inserted after the words “public utility organisations”.

Part XIV Repealed

PART XV COMMON, TEMPORARY AND CONCLUDING PROVISIONS

Article 98

- (1) Branches of study, within which higher education institutions as per hitherto regulations provide a comprehensive part of undergraduate studies, undergraduate or postgraduate studies listed in the statutes of these institutions, become study programmes as per this Act. Accreditation is awarded for the period of four years under the following conditions:
- a) A comprehensive part of undergraduate education as per Art. 21 of the Act No. 172/1990, Coll., on Higher Education Institutions is deemed a bachelor study programme as per this Act,

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- b) Undergraduate education as per Art. 18 of the Act No. 172/1990, Coll., is deemed a master study programme as per this Act,
 - c) Postgraduate study as per Art. 22 of the Act No. 172/1990 is deemed a doctoral study programme as per this Act.
- (2) The right to award academic degrees as per Art. 46, Par. 5, applies to higher education institutions and faculties only in the branches within which they are entitled to provide postgraduate study on the basis of a resolution of the Ministry as per Art. 41 of the Act No. 172/1990.
- (3) Hitherto authorisations of higher education institutions and faculties to perform habilitation procedures and procedures for the appointment of a professor expire as of July 1, 1999. Should the Rector file a request to the Ministry within this term as per Article 82, Par. 2, hitherto authorisations to perform habilitation procedures and procedures for the appointment of a professor in pertinent fields remain in force until a resolution is made by the Ministry.

Article 99

- 1) The academic/scientific degree of “doktor” (“Doctor”) and the degree of “bakalář” (“Bachelor”) awarded as per Act No. 172/1990? Coll., are regarded as the academic degree of “doktor” (“Doctor”) and “bakalář” (“Bachelor”) as per this Act.
- 2) The academic degree of “inženýr” (“Engineer”) awarded to graduates of technical higher education institutions in the field of architecture as per Art. 21 of the Act No. 172/1990 is being replaced by the academic degree of “inženýr architekt” (i.e. “Engineer Architect”, abbreviated as “Ing. arch.”, used in front of the name). The higher education institution shall issue a certificate documenting this change upon a request.
- 3) The academic degree of “bakalář” (“Bachelor”) awarded to graduates of a comprehensive part of undergraduate studies at a higher education art institution as per Art. 21 of the Act No. 172/1990, Coll., is being replaced by the academic degree of “bakalář umění” (i.e. “Bachelor of Arts”, abbreviated as “BcA.”, used in front of the name). The higher education institution shall issue a certificate documenting this change upon a request.
- 4) The academic degree of “magistr” (“Master”) awarded to graduates of higher education art institutions as per Art. 21 of the Act No. 172/1990 is being replaced by the academic degree of “magistr umění” (i.e. “Master of Arts”, abbreviated as “MgA.”, used in front of the name). The higher education institution shall issue a certificate documenting this change upon a request.
- 5) The graduates of higher education institutions that have been awarded the academic degree of “magistr” (“Master”) as per Art. 21, Par. 2 and Art. 43, Par. 2 of the Act No. 172/1990 with the exception of graduates listed in Par. 9 are in a position to pass a rigorous state examination in the same field of study and earn an academic degree as per Art. 46, Par. 5.
- 6) The graduates of university-type higher education institutions that have been awarded the academic degree of “magistr” (“Master”) in the field of economics as per Art. 21, Par. 2 of the Act No. 172/1990, Coll., may request replacement of this degree with the

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academic degree of “inženýr” (i.e. “Engineer”, abbreviated as “Ing.”). The higher education institution shall issue a certificate documenting this change upon a request.

- 7) Academic degrees as per Art. 21, Par. 2 of the Act No. 172/1990, Coll., may also be used by graduates of military higher education institutions that had completed their studies prior to this Act coming into effect. This applies in the cases when these graduates had not been awarded an academic degree, a professional designation or another degree of a higher education institution graduate as per hitherto regulations. The higher education institution shall issue a certificate documenting an award of this degree upon a request.
- 8) Provisions of Par. 7 do not apply to graduates of Military Political Academy.
- 9) The graduates of postgraduate studies that have been awarded the academic degree of “magistr” (“Master”) and the academic scientific degree of “doktor” (“Doctor”) as per Art. 21, Par. 2, Art. 43, Par. 2, and Art. 22 of the Act No. 172/1990, Coll., are awarded academic degrees as per Art. 46, Par. 5 hereof. The higher education institution shall issue a certificate documenting an award of these degrees upon a request.
- 10) The graduates of postgraduate studies that have been awarded the academic scientific degree of “doktor” (“Doctor”) as per Art. 22 of the Act No. 172/1990, Coll., may apply to the higher education institution to have the abbreviation “Dr.” replaced with an abbreviation “Ph.D.”, or “Th.D.” in the field of theology. The higher education institution shall issue a certificate documenting the change of academic-scientific degree abbreviation upon a request.
- 11) The academic degree of “doktor” (abbreviated as “Ph.D.”, used after the name) is awarded to graduates in medical and veterinary studies that have completed their studies as per Art. 22 of the Act No. 172/1990, Coll. The higher education institution shall issue a certificate documenting an award of this degree upon a request.

Article 100

- (1) The study of scientific postgraduates leading to the award of the scientific degree “kandidát věd” (i.e. “Candidate of Science”, abbreviated as “CSc.”) will no longer be open upon the new Higher Education Act coming into effect. Participants in these scientific education programmes that had started as per hitherto regulations may complete their education as per these regulations provided they finish the defence of their dissertations by 31st of December 2001.
- (2) Postgraduate students taking part in scientific education programmes may request their admission to doctoral study programmes. Their acceptance is subject to evaluation of their hitherto scientific education and completed candidate exams.

Article 101

- (1) Public higher education institutions are represented by higher education institutions listed in Appendix No. 1, military and police higher education institutions are represented by military and police higher education institutions listed in Appendix No. 2.
- (2) Higher education institutions named in Par. 1 shall submit their internal regulations modified as per this Act for registration by 1st July, 1999.

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- (3) The effectiveness of appointment or election of academic officials and their term of office with respect to this Act remain intact.
- (4) Students enrolled in higher education institutions listed in Appendix No. 1 and Appendix No. 2 as of first of January 1999 are regarded as students as per this Act. Higher education institutions are due to enter these students into the Register of students by 1st of March 1999.
- (5) As of 1st of January 1999, the Ministry's right to manage is extended to the state property which was subject as of this date to the right to manage by higher education institutions listed in Appendix 1. Upon a discussion with a public higher education institution, the Ministry may resolve upon transferring this property to the possession of the pertinent public higher education institution; upon a request of a public higher education institution it shall be so decided always in the event of property needed for providing educational, scholarly, research, developmental, artistic or other creative activities while implementing accredited study programmes. The resolution must specify the designation and domicile of the public higher education institution, itemisation of the property being transferred as well as liabilities relating to this property and the date of transferring the property and related liabilities onto the public higher education institution. This resolution is not subject to general regulations on administration proceedings.
- (6) Property that was transferred to the right to manage by the Ministry on 1st of January 1999 as per Par. 5 as well as inherent property of the public higher education institution is not subject to general regulations on bankruptcy and compensation.¹³⁾
- (7) Rights and liabilities of the faculties that constitute a part of higher education institutions listed in Appendix 1 and Appendix 2 as of first of January 1999 are transferred onto the pertinent higher education institution.

Article 102

Academic degrees, professional designation and other degrees awarded to graduates of higher education institutions as per former regulations with the exceptions listed in Art. 99 remain intact. Scientific degrees "kandidát věd" (i.e. "Candidate of Science", abbreviated as "CSc.") and "doktor věd" (i.e. "Doctor of Science", abbreviated as "DrSc.") awarded as per former regulations remain intact.

Article 103

- (1) Newly established public higher education institutions and military or police higher education institutions are bound to constitute their bodies no later than two years upon their foundation. Duties of the bodies specified in Art. 7 are performed in the necessary extent by persons delegated by the Minister until the time these bodies are constituted.
- (2) Newly established faculties are bound to constitute their bodies no later than one year upon their foundation. Duties of the bodies specified in Art. 25 are performed in the necessary extent by a person delegated by the Rector until the time these bodies are constituted.
- (3) In case of newly established institutes of higher education institutions, the duties of the bodies specified in Art. 34 are performed in the necessary extent by a person delegated by the Rector until the time these bodies are constituted.

²⁶⁾ Act No. 71/1967, Coll.

Article 104

Duties of the members, Chair and vice Chair of the Accreditation Commission as per Art. 83 are performed by the members of the Accreditation Commission established as per Art. 17 of the Act No. 172/1990, Coll., and the Czech Republic governmental ruling No. 350/1990, Coll., on the Accreditation Commission until the time these persons are appointed.

Article 105

If not stipulated otherwise within this Act, proceedings pertaining to matters provided for in this Act are subject to general regulations on administration proceedings.²⁶⁾

Article 106

(1) Provisions of this Act shall be used if not otherwise stipulated in an international contract binding for the Czech Republic.

(2) For the purposes of this Act, countries associated in the Agreement on the European Economic Area and those in the Swiss confederation are considered as member-states of the European Union.

Article 107

Public higher education institutions shall put property relations in compliance with this Act by 31st of December 1999.

Article 108

Quashing Provisions

(1) Clauses 5, 8 and 9 in the Art. I of the Act No. 216/1993, Coll., modifying and supplementing Act No. 172/1990, Coll., On Higher Education Institutions are made void.

(2) The following items are made void:

1. Art. 33 through 41, 43 and 45 of the Act No. 39/1977, Coll., On the Education of New Research Workers and further Qualification Improvement of Research Workers.

2. Act No. 172/1990, Coll., On Higher Education Institutions in the wording of the Act No. 216/1993, Coll.

3. Act No. 232/1992, Coll., On Police Higher Education Institutions and Establishment of the Police Academy.

4. Art. VI of the Czech National Council Act No. 26/1993, Coll., modifying and supplementing particular acts in the area of internal order and security as well as pertinent provisions.

5. Czech Republic Governmental Ruling No. 350/1990, Coll., on the Accreditation Commission.

6. The Decree of the Ministry of Education and Culture No. 96/1961, Coll., issuing the Statutes of the Institutes of National Economy Planning at undergraduate schools of economics in Prague and Bratislava, in the wording of the Decree of the Ministry of Education and Culture No. 31/1963, Coll.

7. The Decree of the Czech Academy of Sciences No. 55/1977, Coll., on further qualification improvement and evaluation of creative capabilities of research workers.

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8. The Decree of the Czech Commission for Scientific Degrees No. 144/1979, Coll., on the Defence of candidate and Ph.D. theses (for awarding the “Candidate of Science” degree) and doctoral dissertations by Czechoslovak citizens in COMECON member countries.

9. The Decree of the Ministry of Education of the Czech Socialistic Republic No. 114/1980, Coll., on granting scholarships and allowances to students enrolled in higher education institutions upon passing secondary boarding-schools for the working people.

10. The Decree of the Ministry of Education, Youth and Sports of the Czech Socialistic Republic No. 60/1985, Coll., on supplementary studies of higher education students and graduates of higher education institutions and secondary schools aimed at acquiring pedagogical qualifications.

11. Art. 9 of the Czech Socialistic Republic Ministry of Education Decree No. 61/1985, Coll., on further education of pedagogical employees.

12. The Decree of the Ministry of Education, Youth and Sports of the Czech Republic No. 365/1990, Coll., on granting scholarships at higher education institutions within the scope of activity of the Ministry of Education, Youth and Sports of the Czech Republic (the Scholarship Rules).

13. The Decree of the Ministry of Education, Youth and Sports of the Czech Republic No. 447/1990, Coll., on habilitation of associate professors and conditions and procedures for the appointment of professors.

14. The Decree of the Ministry of Education, Youth and Sports of the Czech Republic No.476/1990, Coll., on recognition of diplomas and other documents on studies issued by foreign higher education institutions (the Decree on Recognition).

15. The Decree of the Ministry of Education, Youth and Sports of the Czech Republic No. 41/1991, Coll., on material and financial provisions for students of higher education institutions sent to study abroad.

16. The Decree of the Ministry of Education, Youth and Sports of the Czech Republic No. 67/1991, Coll., on granting scholarships to students in postgraduate programmes, in the wording of the Decree of the Ministry of Education, Youth and Sports No. 110/1995, Coll.

17. The Directive of the Ministry of Education of the Czech Socialistic Republic on providing economic security to students of higher education institutions during their practical training, dated 30th of May 1969, file. No. 19 261/69-III/5, registered in figure 30/1969, in the wording of the Directive of the Ministry of Education of the Czech Socialistic Republic dated 10th of March 1970, file. No. 12 300/70-III/5, registered in figure 10/1970.

18. The Directive of the Ministry of Education of the Czech Socialistic Republic on accommodating students in the halls of residence, dated 20th of July 1982, file. No. 20 797/82-34, registered in the figure 17/1982.

19. The 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 20th of July 1982, file no. 20 798/82-34, registered in the figure 17/1982, in the wording of the directives of the Ministry of Education of the Czech Socialistic Republic dated 16th of July 1985, file. No. 15 330/85-34 registered in the figure 19/1985.

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(3) The following items 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 qualification improvement of research workers.
3. The Decree of the Czech Academy of Sciences No. 53/1977, Coll., on the education of new research workers and on research fellowships, in the wording of the Decree of the Czech Academy of Sciences No. 5/1986, Coll.
4. The Decree of the Czech Academy of Sciences No. 54/1977, Coll., modifying particular details on employment and legal relationships of the participants in scientific education and research fellowships and on granting scholarships, in the wording of Decrees of the Czech Academy of Sciences No. 40/1979, Coll., No. 125/1988, Coll., and No. 393/1992, Coll.
5. The Decree of the Czech Commission for Scientific Degrees No. 64/1977, Coll., on the procedure of awarding scientific degrees, in the wording of the Decree of the Czech Commission for Scientific Degrees No. 187/1990, Coll.

Article 109 **Effectiveness**

This Act comes into effect on 1st of July 1998, with the exception of Art. 1 through 82, Art. 84 through 99, Art. 101 through 107 and Art. 108, Par. 2, that come into effect on 1st of January 1999, and Art. 108, Par. 3, which comes into effect on 31st of December 2001.

Transitional Provisions

(Transitional provision relating to Act No. 147/2001, Coll., amending Act No. 111/1998, Coll., on Higher Education Institutions and on the Amendment and Supplement to Some Other Acts (the Higher Education Act), as amended by Act No. 210/2000, Coll., and Act No. 451/1991, Coll., laying down some prerequisites for the performance of some offices in state authorities and organisations of the Czech and Slovak Federal Republic, as amended, which came into effect on 1 July 2001).

1. Accreditations of study programmes granted in accordance with the current Higher Education Act are not prejudiced by this Act. However, applicants may be admitted to study on accredited master's study programmes only until 31 December 2003 at the latest, unless a Rector or a body executing the duties of the Rector applies at the Ministry of Education, Youth and Sports for accreditation, its prolongation or extension under Art. 79 or Art. 80, Par. 2 and 3 of the current Higher Education Act. Should the application be lodged, the previously granted application shall remain valid until the Ministry of Education, Youth and Sports adopts the relevant decision

2. A habilitation (i.e. "venium docendi") procedures and procedures for appointing professors commenced prior to the effective day of this Act may be completed in accordance with the current Higher Education Act not later than 31 December 2002.

(Transitional provisions relating to Act No. 96/2004, Coll., on conditions for recognising qualifications for practising professions other than medical professions relating to health care

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and activities concerning the provisions of health care and on the amendment to some other related acts (the Act on Non-Medical Health Care Professions)).

Higher education institutions are obliged until 31 December 2003 to submit to the Ministry of Education, Youth and Sports an application for accreditation of both bachelor's and master's study programmes aimed at educating nurses responsible for general care, and bachelor's study programmes for educating midwives. The content and scope of new study programmes shall correspond to the minimum requirements stipulated by a special legal regulation and shall comply with the law of European Communities.²⁷⁾ The accreditation granted for current bachelor's study programmes replaced by new bachelor's study programmes for educating nurses responsible for general care and bachelor's study programmes for educating midwives shall expire on the day when new accreditation is granted, however not later than 1 September 2004.

(Transitional provisions relating to Act No. 121/2004, Coll., amending to Act No. 20/1966, Coll., on Public Health Care, as amended, Act No. 160/1992, Coll., on Health Care in Private Health Care Facilities, as amended, Act No. 111/1998, Coll., on Higher Education Institutions and on the Amendment and Supplement to Some Other Acts (the Higher Education Act), as amended, and Act No. 368/1992, Coll., on Administrative Fees and Charges, as amended.

1. Higher education institutions are obliged to submit to the Ministry of Education, Youth and Sports an application for accreditation of master health care study programmes for dental medicine within 30 days from the effective date of this Act. The content and scope of a new study programme in dental medicine shall correspond to the minimum requirements stipulated by a special legal regulation and shall comply with the law of European Communities.²⁸⁾ Students shall be admitted to master's health care study programme in dentistry for the last time in the academic year 2003/2004. During the academic year 2004/2005 students shall be admitted only to the master's health care study programmes in dental medicine. Students admitted to study on the master's health care study programme in dentistry may complete their studies in accordance with the master health care study programme in dental medicine.

2. Higher education institutions are obliged to submit to the Ministry of Education, Youth and Sports an application for accreditation of master's health care study programmes of pharmaceuticals (hereinafter referred to as "the new study programme in pharmacy") within 30 days from the effective date of this Act. The content and scope of a new study programme in pharmacy shall correspond to the minimum requirements stipulated by a special legal regulation and shall comply with the law of European Communities.²⁹⁾ Students shall be admitted to a master health care study programme in pharmaceuticals for the last time in the academic year 2003/2004. During the academic year 2004/2005 students shall be admitted only to the new study programme in pharmacy. Students admitted to study on the current master's health care study programme in pharmaceuticals may complete their studies in accordance with the new study programme in pharmacy.

3. Higher education institutions are obliged to submit to the Ministry of Education, Youth and Sports an application for accreditation of bachelor's study programmes for educating nurses responsible for general care and bachelor's study programmes for educating midwives within 30 days from the effective date of this Act. The content and scope of a new study programme shall correspond to the minimum requirements stipulated by a special legal regulation and shall comply with the law of European Communities.³⁰⁾ Students shall be admitted to bachelor's health care study programmes for educating nurses responsible for general care and midwives for the last time in the academic year 2003/2004. During the academic year 2004/2005 students shall be admitted only to new study programmes for

²⁷⁾ Decree of the Council 77/453/EHS, ²⁸⁾ Decree of the Council 78/687, ²⁹⁾ Decree of the Council 85/432/EHS, ³⁰⁾ Decree of the Council 80/155/EHS

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educating nurses responsible for general care and midwives. Students admitted to study on the current bachelor's health care study programmes for educating nurses responsible for general care and midwives may complete their studies in accordance with the new study programmes.

(Transitional provisions relating to Act No. 552/2005, Coll., by which the Act No. 111/1998, Coll., on Higher Education and on the Amendment and Supplement to Some Other Acts (the Higher Education Act), as amended, as some other Acts).

1. Legal persons shall submit their designation in compliance with this Act not later than 31 December 2007.
2. Legal acts performed before the effective date of this Act as per the existing Act on Higher Education by a public higher education institution or a body of a part of a public higher education institution are not affected by this Act.
3. Assessment of study-related fees as per the existing Act on Higher Education performed by a public higher education institution prior to the effectivity of this Act shall remain unaffected by this Act.
4. For study programmes that are in effect on the effective date of this Act, whose accreditation has been granted for a maximum period of time permitted in awarding accreditation and for which accreditation has been granted without further limiting conditions, the Ministry will extend accreditation for a period stipulated by this Act should the higher education institution request it in writing within two months from the effective date of this Act.
5. Accreditations of habilitation procedures or procedures for the appointment of professors in the pertinent field remain unaffected by this Act, except for accreditation with a specified period of time of validity; accreditation for these programmes expires on 31 December, 2015.
6. The person who commenced the period of office of a Rector or a dean on the basis of nominations before the effective date of this Act is deemed to be the person who has performed or is performing this function on the basis of nominations by the new legislation. The term of office to which the nomination has been made before the effective date of this Act, shall be considered under the previous legislation.

(Transitional provisions relating to Act No. 624/2006, Coll., which amends the Act No. 561/2004, Coll., On Pre-school, Basic, Secondary, Tertiary Professional and Other Education (The Education Act), as amended, and the Act No. 111/1998, Coll., on Higher Education, as amended.)

The Act No. 111/1998, Coll., on Higher Education and on the Amendment and Supplement to some other acts (the Act on Higher Education), as amended, shall be applied as amended for the first time in the budget year 2006.

(Transitional provisions related to Act No. 110/2009, Coll., which amends the Act No. 130/2002, Coll., On Support of Research and Development from Public Funds and on the Amendment and Supplement to some other acts, as amended by successive regulations, and other related acts.)

The formation, duration, amendments and termination of employment of academic staff agreed before the effective date of this Act shall be governed by existing legislation.

(Transitional provisions related to Act No. 365/2011, Coll., which amends the Act No. 262/2006, Coll., Labour Code, as amended, and other related acts.)

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Working contracts for fixed-term employment relationship as per Art. 70, Par. 4 of the Act No. 111/1998, Coll., as effective prior to the effectiveness of this Act, are governed by existing legislation upon their termination.

Effect of the Act

Act No. 210/2000 Coll., amending Act No. 111/1998 Coll., on Higher Education Institutions and on the Amendment and Supplement of Some Other Acts (the Higher Education Act) came into effect on **1 September 2000**.

Act No. 147/2001 Coll., amending Act No. 111/1998 Coll., on Higher Education Institutions and on the Amendment and Supplement of Some other Acts (the Higher Education Act) as amended No. 210/2000 Coll., and Act No. 451/1991 Coll., laying down some prerequisites for performing some offices in state authorities and organisations of the Czech and Slovak Federal Republic, Czech Republic and Slovak Republic, as amended, which came into effect on **1 July 2001**.

Act No. 362/2003 Coll., on the amendment to the acts relating to the adoption of the Act on Service of Security Forces Members which came into effect on **1 January 2005**.

Act No. 96/2004 Coll., on conditions for recognising qualifications for practising professions other than medical professions relating to health care and activities concerning the provisions of health care and on the amendment to some other related acts (the Act on Non-Medical Health Care Professions) shall come into effect on the first day of the calendar month following the day of its publication with the exception of the provisions of Chapter VII, Art. 85, Par. 4 and 5, and Art. 95 and 101, which came into effect on the date when the Agreement of the Accession of the Czech Republic in the European Union comes into force (**1 April 2004**).

Act No. 121/2004 Coll., amending Act No. 20/1966 Coll., on Public Health Care, as amended, Act No. 160/1992 Coll., on Health Care in Private Health Care Facilities, as amended, Act No. 111/1998 Coll., on Higher Education Institutions and on the Amendment and Supplement to Some Other Acts (the Higher Education Act), as amended, and Act No. 368/1992 Coll., on Administrative Fees and Charges, as amended, came into effect on the thirtieth day after its publication (**18 April 2004**).

Art. LVI (change of the Act on Higher Education) of the Act No. 436/2004, Coll., which amends some Acts related to the adoption of the Act on Employment, comes into force on the first day of the third month after its publication. (**1 October 2004**)

Act. No. 473/2004, Coll., which amends Act No. 111/1998, Coll., on Higher Education and on Amendment and Supplement to Other Acts (Act on Higher Education), as amended, came into effect on the day of its publication. (**24 August 2004**)

Act No. 562/2004, Coll., which amends acts related to the adoption of Act on Education came into effect on **1 January 2005**.

Act No. 342/2005, Coll., on Amendment of some acts related to the adoption of Act on Public Research Institutions, came into effect on the day of its publication. (**13 September 2005**)

Act No. 552/2005, Coll., which amends Act No. 111/1998, Coll., on Higher Education Institutions and on amendment and supplement to some other acts (Act on Higher Education Institutions), as amended and some other acts, came into effect on the first day of the calendar month following its publication. (**1 January 2006**)

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Art. X of the Act 161/2006, Coll., which amends Act No. 326/1999, Coll., On the Residence of Foreign Nationals in the Czech Republic and on amendment of some acts, as amended, and some other acts, came into effect on the day of its publication. **(27 April 2006)**

Art. XII of the Act No. 165/2006, Coll., which amends Act No. 325/1999, Coll., On Asylum and on amendment of Act NO. 283/1991, Coll., On the Police of the Czech Republic, as amended, /Act on Asylum), as amended, and some other acts, came into effect on **1 September 2006**.

Act No. 310/2006, Coll., which amends act On Security Material Classes in the Czech Republic and on amendments of some other acts, came into effect on **1 July 2006**.

Act No. 624/2006, Coll., which amends Act No. 561/2004, Coll., On Pre-school, Basic, Secondary, Tertiary Professional and Other Education (Education Act), as amended, and Act No. 111/1998, Coll., on Higher Education Institutions, as amended, came into effect on the day of its publication. **(30 December 2006)**.

Art. LXIII of Act No. 261/2007, Coll., On Stabilization of Public Budgets, came into effect on **1 January 2008**.

Art. LXVI of Act No. 296/2007, Coll., Insolvency Act, as amended, and other acts related to its adoption, came into effect on **1 January 2008**.

Art. XXV of Act No. 189/2008, Coll., came into effect on the first day of the calendar month following the day of its publication (**1 July 2008**).

Act No. 110/2009, Coll., which amends Act No. 130/2002, Coll., On Support of Research and Development from Public Funds, and on amendments of some related acts, as amended and other related acts, came into effect on **1 July, 2009**, with the exception of Section II, (13), which came into effect on **1 January 2010**.

Act No. 419/2009, Coll., on the change of designation of the Mendel University of Agriculture and Forestry in Brno, and on amendments to the act No. 111/1998, Coll., on Higher Education Institutions, and on amendment and supplement of other acts, as amended, came into effect on **1 January 2010**.

Act No. 159/2010, Coll., which amends Act No. 563/2004, Coll., On Pedagogical Staff, and on amendment of some acts, as amends, Act No. 227/2009, Coll., by which some acts linked to the adoption of the Act on Registers, as amended, and Act No. 111/1998, Coll., and on amendment and supplement of other acts, as amended, came into effect on the first day of the second calendar month following the day of its publication (**1 July 2010**).

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

Act No. 420/2011, Coll., on amendment of some acts linked to the adoption of the Act on Corporate Criminal Liability and Proceedings against Legal Entities, came into effect on **1 January 2012**.

Act No. 48/2013, Coll., which amends Act No. 111/1998, Coll., On Higher Education Institutions, and on amendment and supplement of other acts, as amended, came into effect on **1 April 2013**.

Act No. 111/1998 on Higher Education Institutions

**Appendix No. 1 to the Act No. 111/1998
Higher Education Institutions in the Czech Republic**

Charles University in Prague	<i>Univerzita Karlova v Praze</i>
Palacký University in Olomouc	<i>Univerzita Palackého v Olomouci</i>
Czech Technical University in Prague	<i>České vysoké učení technické v Praze</i>
VŠB – Technical University of Ostrava	<i>Vysoká škola báňská – Technická univerzita Ostrava</i>
Academy of Fine Arts in Prague	<i>Akademie výtvarných umění v Praze</i>
Technical University in Brno	<i>Vysoké učení technické v Brně</i>
University of Veterinary and Pharmaceutical Sciences Brno	<i>Veterinární a farmaceutická univerzita Brno</i>
Masaryk University in Brno	<i>Masarykova univerzita v Brně</i>
Mendel University of Agriculture and Forestry in Brno	<i>Mendelova zemědělská a lesnická univerzita v Brně</i>
Academy of Performing Arts in Prague	<i>Akademie múzických umění v Praze</i>
Academy of Arts, Architecture and Design in Prague	<i>Vysoká škola umělecko-průmyslová v Praze</i>
Janáček Academy of Music and Dramatic Arts in Brno	<i>Janáčkova akademie múzických umění v Brně</i>
University of Pardubice	<i>Univerzita Pardubice</i>
Institute of Chemical Technology in Prague	<i>Vysoká škola chemicko-technologická v Praze</i>
Czech University of Agriculture in Prague	<i>Česká zemědělská univerzita v Praze</i>
Technical University in Liberec	<i>Technická univerzita v Liberci</i>
University of Economics in Prague	<i>Vysoká škola ekonomická v Praze</i>
University of Hradec Králové	<i>Univerzita Hradec Králové</i>
University of South Bohemia in České Budějovice	<i>Jihočeská univerzita v Českých Budějovicích</i>
Ostrava University in Ostrava	<i>Ostravská univerzita v Ostravě</i>
Silesian University in Opava	<i>Slezská Univerzita v Opavě</i>
Jan Evangelista Purkyně University in Ústí nad Labem	<i>Univerzita Jana Evangelisty Purkyně v Ústí nad Labem</i>
University of West Bohemia in Pilsen	<i>Západočeská Univerzita v Plzni</i>
Tomas Bata University in Zlín	<i>Univerzita Tomáše Bati ve Zlíně</i>
College of Polytechnics Jihlava	<i>Vysoká škola polytechnická Jihlava</i>
Institute of Technology and Business in České Budějovice	<i>Vysoká škola technická a ekonomická v Českých Budějovicích</i>

Act No. 111/1998 on Higher Education Institutions

**Appendix No. 2 to the Act No. 111/1998
Higher Education Institutions in the Czech Republic**

Military Higher Education Institutions in the Czech Republic:

University of Defence

Univerzita obrany

Police Higher Education Institutions in the Czech Republic:

Police Academy of the Czech Republic
in Prague

Policejní akademie České republiky v Praze

Act No. 111/1998 on Higher Education Institutions

¹⁾ Article 5, subsection 3 of the Act No. 424/1991 on Association in Political Parties and Political Movements, in the wording of the Act No. 117/1994.

²⁾ Article 26, subsection 2 of the Czech National Council Act No. 586/1992 on Income Tax, in the wording of later regulations.

³⁾ Article 1, subsection 2, letter a) and Articles 2 and 3 of the Act No. 526/1990 on Prices, in the wording of later regulations.

⁴⁾ Article 124, subsection 1 and 2 of the Work Code.

⁵⁾ Act No. 119/1992 on Reimbursement of Travel Expenses, in the wording of the Act No. 44/1994.

⁶⁾ For example, Article 255 and 258 of the Act No. 140/1961, the Criminal Code, in the wording of later regulations, Article 415 of the Act No. 40/1964, the Civil Code, in the wording of later regulations, Article 268 of the Act No. 513/1991, the Code of Trade, in the wording of later regulations.

⁷⁾ Article 18, subsection 2 of the Act No. 1/1992 on Wages, Recompense for Work Preparedness and Average Earnings.

⁸⁾ Article 5, subsection 2 of the Czech National Council Act No. 576/1990 on Budget Means Management Policy in the Czech Republic and municipalities in the Czech Republic (Budget Policy of the Republic).

⁹⁾ Articles No. 26 through 33 of the Czech National Council Act No. 586/1992 in the wording of later regulations.

¹⁰⁾ For example, Act No. 563/1991 on Accounting, in the wording of later regulations.

¹¹⁾ Act No. 37/1995 on Non-periodical Publications.

¹²⁾ Act No. 248/1995 on Public Utility Institutions and on Modification and Amendment of other acts.

¹³⁾ Act No. 37/1995 on Non-periodical Publications.

¹⁴⁾ Act No. 328/1991 on Bankruptcy and Compensation in the wording of later regulations.

¹⁵⁾ For example, Act No. 248/1995, Act No. 513/1991 in the wording of later regulations.

¹⁶⁾ Article 10 of the Act No. 35/1965 on Literary, Scholarly and Art Work (the Copyright Act).

¹⁷⁾ Article 1, subsection 2 of the Czech National Council Act No. 68/1990 on the Usage of the National Emblem and the National Flag of the Czech Republic, in the wording of later regulations.

¹⁸⁾ Czech National Council Act No. 337/1992 on Administration of Taxes and Fees, in the wording of later regulations. Czech National Council Act No. 368/1992 on Official Fees, in the wording of later regulations.

¹⁹⁾ Articles 132 through 138 and Article 150 of the Work Code.

²⁰⁾ Article 53 of the Act No. 20/1966 on People's Health Welfare, in the wording of Czech National Council (ČNR) Act No. 548/1991.

²¹⁾ Article 124, subsections 1 and 2 of the Work Code.

²²⁾ Act No. 119/1992 on Reimbursement of Travel Expenses, in the wording of the Act No. 44/1994.

²³⁾ Czech National Council Act No. 552/1991 on State Inspection, in the wording of the Act No. 166/1993.

²⁴⁾ Czech National Council Act No. 97/1974 on Keeping Archives, in the wording of the Czech National Council Act No. 343/1992.

Directives of the Ministry of the Interior 7/1975 Ú.v. ÈSR, on Utilisation of Archive Records, reg. figure 24/1975, in the wording of the Czech National Council Act No. 343/1992.

²⁵⁾ For example, the Ministry of Health of the Czech Republic Decree No. 394/1991 on the Statute, Organisation and Activities of Teaching Hospitals and Other Hospitals, Selected Specialised Therapeutic Institutes and Regional Sanitation Clinics within the Scope of Command of the Ministry of Health of the Czech Republic.

²⁶⁾ Act No. 361/2003 Coll., on Service of Security Forces Members.

²⁷⁾ Czech National Council Act No. 576/1990 in the wording of later regulations.

The Ministry of Finance of the Czech Republic Decree No. 205/1991 on the Management of Budget Means from the State Budget of the Czech Republic and on Financial Management of Budgetary and Subsidised Organisations, in the wording of the Governmental Ruling No. 48/1995.

²⁸⁾ National Defence Act No. 92/1949 in the wording of later regulations.

Act No. 76/1959 on Specific Service Relationships of Soldiers, in the wording of later regulations.

The Ministry of Defence of the Czech Republic Decree No. 113/1996 implementing some provisions of the Act No. 76/1959 on Specific Service Relationships of Soldiers, in the wording of later regulations.

Czech National Council Act No. 186/1992 on Service Relationships pertaining to the members of the Police of the Czech Republic, in the wording of later regulations.

The Ministry of Defence of the Czech Republic Decree No. 7/1996 on Monetary and In Kind Indemnity of Soldiers in Active Service and Students of Military Schools That Are Not In Active Service, in the wording of the Ministry of Defence of the Czech Republic Decree No. 310/1996.

²⁹⁾ Act No. 102/1971 on the Protection of Top Secret, in the wording of later regulations.

Czech and Slovak Socialistic Republic governmental ruling No. 148/1971 on Protection of Business and Professional Secret, in the wording of Czech and Slovak Federative Republic governmental ruling No. 420/1990.

Act No. 111/1998 on Higher Education Institutions

Czech and Slovak Federative Republic governmental ruling No. 419/1990 on Fundamental Facts Constituting the Subject of a Top Secret.

²⁶⁾ Act No. 71/1967 on Administration Proceedings (the Code of Administration Procedure)

²⁸⁾ 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.

²⁹⁾ 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

³⁰⁾ 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

³¹⁾ 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 midwifery

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