

BRNO UNIVERSITY OF TECHNOLOGY

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GUIDELINE NO. 7/2023 PREVENTION OF CONFLICTS OF INTEREST IN HABILITATION AND APPOINTMENT AS PROFESSOR PROCEEDINGS

Article 1

Object of regulation

This guideline sets out the rules and regulates the specific procedure for habilitation procedures and procedures for the appointment of professors (together hereinafter referred to as "the Procedure") at the BUT in order to prevent possible bias or to prevent or exclude possible conflicts of interest between the University authorities and/or the faculty or other unit of the BUT and other persons participating in these procedures.

Article 2

Terms

1. For the purposes of this Guideline and the Regulations, a **conflict of interest** shall be understood as a situation where, with regard to a participant and the conduct of the Procedure, there may be reasonable doubt as to the impartiality of the persons involved.
2. **A biased person** is a person who has a personal interest in a decision or other act in the Procedure or who has a personal, employment or other similar relationship with the applicant. A person shall always be deemed to be biased if
 - a. a close person within the meaning of the relevant provisions of the Civil Code,
 - b. an employee's direct supervisor
 - c. a direct subordinate
 - d. a co-project investigator in the last 5 years
 - e. co-author of publications, provided that he/she has co-authored more than 3 publications in the last 5 years
- (3) For the purposes of this Guideline, a **committee** means a habilitation committee or a committee acting in the procedure for the appointment to professor.
4. **The Vice-Rector/Dean in charge** is the Vice-Rector or Vice-Dean who has been entrusted with the exercise of powers within the agenda of the habilitation procedure and/or the procedure for the appointment to professor, or the agenda related to the activities of the Scientific or Artistic Council.

Article 3
Candidate with a conflict of interest

1. A person holding the position of Rector, Dean or Director of a higher education institute shall not initiate Proceedings before the Scientific Council he/she has appointed.
2. The provisions of paragraph 1 shall also apply to a person in the position of Vice-Rector or Vice-Dean in charge, unless the Rector or Dean grants a written exception. In such a case, however, the Vice-Rector or Vice-Dean in charge shall be obliged to abstain from any decision in the Proceedings.
3. If the Proceedings are initiated by a member of the Scientific Board before which the Proceedings are being conducted, he/she shall abstain from any decision-making in the Proceedings.
4. The Rector shall decide on any exceptions to the procedure under paragraph 1.

Article 4
Persons involved in proceedings

A person who meets the definition of a biased person in relation to the candidate in accordance with Article 2(2) of this Directive may not be a member of the Committee or an opponent of the habilitation thesis.

Article 5
Notification

1. Anyone who becomes aware of a possible or threatened conflict of interest within the meaning of this Directive shall immediately inform the Chair of the Scientific Council before which the proceedings are being conducted.
2. A person who is biased within the meaning of Article 2(2) of this Directive shall immediately inform the Chairperson of the Scientific Council of that fact.
3. If the Chairperson of the Scientific Council assesses the notification as a conflict of interest, he/she shall exclude the biased person and ensure that the excluded person is replaced by a person whose impartiality cannot be questioned.

Article 6
Transitional provisions

The provisions of this Guideline shall apply to proceedings initiated after the entry into force of this Directive.

Article 7
Final provisions

This Guideline shall enter into force on the date indicated at its head.

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rektor