

*On 24 April 2017, pursuant to Section 14, paragraph 1, Act No. 111/1998 Coll., on Higher Educational Institutions and on Amendments and Supplements to Other Acts (Act on Higher Educational Institutions), in the wording of Act No. 137/2016 Coll., I approve the Statute of the Management Board of the Czech University of Life Sciences Prague under no. MSMT-6328/2017.*

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**Mgr. Kateřina Valachová, Ph.D.**  
*Minister of Education, Youth and Sports*

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*UNOFFICIAL TRANSLATION*



## **Statute of the Management Board of the Czech University of Life Sciences Prague [Česká zemědělská univerzita v Praze]**

Pursuant to Section 14, paragraph 1, Act No. 111/1998 Coll., on Higher Educational Institutions and on Amendments and Supplements to Other Acts (Act on Higher Educational Institutions), as amended, (hereinafter the “Act”), the Statute of the Management Board (hereinafter the “MB”) of the Czech University of Life Sciences Prague (hereinafter “CULS”) regulates the election of the Chairman and Vice Chairman, and the course of action of CULS MB.

### **Article 1**

#### **CULS MB Chairman, Vice Chairmen and Secretary**

1. The Chairman:

- a) convenes the CULS MB meeting at least twice annually;
- b) manages the CULS MB meeting;
- c) proposes the agenda of the CULS MB meeting and prepares motions for resolutions;
- d) signs CULS MB documents, in particular previous written consents of CULS MB pursuant to Section 15, paragraph 1 of the Act, as well as other documents that require the signature of the CULS MB Chairman;

- e) is entitled to request of CULS the documents and opinions necessary for the activities of CULS MB pursuant to Section 15 of the Act;
  - f) acts on behalf of CULS MB with the authorization of CULS MB;
  - g) may invite guests to CULS MB meetings;
  - h) manages the activities of the CULS MB Secretary in the manner specified in paragraph 4;
  - i) upon the request of the Rector pursuant to Section 14, paragraph 4 of the Act, convenes an extraordinary CULS MB meeting within three weeks from the date the request is submitted, with the exception of meetings convened within a shorter period, i.e. meetings at which matters are discussed pursuant to Section 15, paragraph 2, letters b) and c) of the Act, and which require the approval of CULS MB upon approval by the CULS Academic Senate, within 2 weeks from the date of the submission of an approved proposal through the Rector.
2. If the Chairman is not present, he or she shall be represented by his or her authorized Vice Chairman. In the event of the death of the Chairman, until a Chairman is elected, an older Vice Chairman shall be entrusted with the office of Chairman.
3. Vice Chairmen:
- a) co-sign the prior written consent of CULS MB issued pursuant to Section 15, paragraph 1 of the Act, so long as they were at a meeting at which the issuing of the prior written consent of CULS MB is approved;
  - b) may act on behalf of CULS MB with the authorization of CULS MB.
4. Secretary:

At CULS, the office of Secretary is held by the CULS Chancellor. The Secretary is not a member of CULS MB, but always takes part in meetings. The Secretary shall be entitled to invite to a CULS MB meeting a member of the Legal Department of the Rectorate. The Secretary carries out the administrative and technical activities necessary for the activities of CULS MB, is responsible for the timely publication of documents for meetings to CULS MB members, for the preparation and publication of minutes, checking of the validity of the term of office of the Chairman, Vice Chairman and individual CULS MB members, delivery of prior written consents in accordance with the Act, and the Secretary checks and takes part in ensuring the fulfilment of obligations that are determined for CULS MB by the Act.

## **Article 2**

### **Election of the Chairman and Vice Chairman**

- 1) The length of the term of office of Chairman and two CULS MB Vice Chairmen is two years; the office of Chairman and Vice Chairman can be held by the same person in CULS MB for at most two immediately consecutive terms of office.
- 2) The validity of the election of the Chairman or Vice Chairman requires the presence of the majority of all CULS MB members.
- 3) Election of the Chairman or Vice Chairman shall always take place at the earliest CULS MB meeting prior to the end of the term of office of the current Chairman or Vice Chairman; in exceptional cases, the election of the Chairman or Vice Chairman may take place at a later CULS MB meeting. If the election of the Chairman and Vice Chairman is to take place at the same meeting, the Chairman shall first be elected, followed by the Vice Chairman.
- 4) The Chairman shall be elected from the CULS MB plenum. The election shall be secret and may have several rounds. A three-member election committee shall first be elected by acclamation from amongst CULS MB members. After ascertaining that all of the present CULS MB members submitted a ballot, the election committee shall be entitled to decide on

completing the voting and shall subsequently be entitled to open the ballot box and familiarize the CULS MB members with the results of the vote.

- 5) When electing the Chairman, the oldest member of the election committee shall request all of the present CULS MB members to nominate candidates for the office of Chairman.
- 6) Candidates nominated to be Chairman shall make a statement regarding whether they agree with the candidacy; if some of the nominated candidates are not present at a meeting, the candidates shall be entitled to make a statement regarding their potential candidacy before a meeting, or their statements shall be provided at a meeting via electronic communication. Other procedures for electing a Chairman shall take place as follows:
  - a) the majority of all CULS MB members must be present during the voting;
  - b) each of the present CULS MB members will place their ballot in the ballot box;
  - c) a valid vote shall be considered a ballot on which is specified only one name of a candidate who expressed consent with his or her candidacy for Chairman; abstaining from the voting shall be considered a ballot that is not filled-in; invalid shall be considered a ballot on which are specified more names, or the name of a CULS MB member who disagreed with his or her candidacy for Chairman;
  - d) if only one candidate is nominated for Chairman who expressed consent with his or her candidacy for the office of Chairman, such a candidate shall not vote; in such a case the election shall have one round, and more than 50% of the votes of all CULS MB members voting for such a candidate shall be necessary in order to elect the Chairman;
  - e) if several candidates are nominated for Chairman, everyone will vote and the election shall have several rounds:
    - i. 1<sup>st</sup> round: more than 50% of the votes of all CULS MB members voting for one candidate who expressed consent with his or her candidacy for Chairman are necessary for electing the Chairman;
    - ii. 2<sup>nd</sup> round: if the Chairman is not elected in the first round, a second round shall be held in which shall take part only the candidates who placed first or second in the first round, if there are several such candidates; the election of the Chairman shall require more than 50% of the votes of all CULS MB members voting for one candidate who expressed consent with his or her candidacy for Chairman;
    - iii. 3<sup>rd</sup> round: if none of the candidates are elected in the second round, a third round will be held with candidates who placed first or second in the second round according to the principles of the second round;
    - iv. If none of the candidates acquire the required majority in the third round, the candidate with the most votes in the third round shall be elected Chairman; if the votes are equal, the election of the Chairman shall be decided via a draw.
- 7) For electing the Vice Chairman, the procedure shall be similar to the election of the Chairman pursuant to paragraphs 5 and 6.
- 8) The elected Chairman and elected Vice Chairman shall take office on the date following the end of meeting at which they were elected.
- 9) Any CULS MB member may submit a motion to dismiss the Chairman or Vice Chairman. The consent of the majority of all CULS MB members in a secret vote is required for adopting the motion.

### **Article 3 CULS MB Meeting**

- 1) CULS MB shall meet at least twice per year, and the meetings shall be convened by the Chairman at least twice per year. Upon the request of the Rector, the Chairman shall be obliged to convene an extraordinary CULS MB meeting within three weeks from when the request is submitted, with the exception of meetings convened within a shorter period, i.e. meetings at which matters are discussed pursuant to Section 15, paragraph 2, letters b) and c) of the Act, and which require the approval of CULS MB upon approval by the CULS Academic Senate, within 2 weeks from the date of the submission of an approved proposal through the Rector.
- 2) The participation of a CULS MB member at a meeting is not substitutable.
- 3) If at least three CULS MB members request as such, the Chairman shall convene a meeting within three weeks from when the request is submitted.
- 4) CULS MB shall have a quorum if the majority of all CULS MB members are present.
- 5) The agenda of meeting shall be proposed by the Chairman, and members shall be informed of the proposal in advance as part of an invitation that shall be sent by the Secretary electronically with the authorization of the Chairman, in such a way that the members receive it at least 7 days before the date of the CULS MB meeting. The invitation must specify the place, date and time of the CULS MB meeting, as well as the proposed agenda of the CULS MB meeting. The agenda of the meeting shall be approved at the opening of the meeting after discussion of proposals for changes thereto. All CULS MB members shall be entitled to submit proposals for changes, and the Secretary and other participants of the meeting may make recommendations for changes and supplementation to the agenda.
- 6) In cooperation with the Secretary, the Chairman shall ensure the timely publication of the documents that shall be discussed at the CULS MB meeting via their placement on the non-public part of the CULS website with dedicated access for CULS MB members, at the latest 7 days before the date of the CULS MB meeting.
- 7) The Chairman shall give the floor to CULS MB members and the other participants specified in paragraph 11 in the order in which they signed up. If pressed for time, the Chairman shall be entitled to determine speaking time or end the discussion, even if some of the individuals who have signed up have not yet been allowed to speak. The Chairman shall give the floor to other participants according to his or her consideration. The provisions of paragraph 11 shall not be affected by the second sentence of this paragraph.
- 8) Resolutions to the individual points of a CULS MB meeting shall be adopted through a vote. Approval of a resolution shall require the consent of the majority of all CULS MB members. Amending proposals shall be voted on in the reverse order in which they were submitted.
- 9) CULS MB may adopt written resolutions outside the meeting (hereinafter “per rollam”). The course of such voting shall take place as follows:
  - a) the Chairman shall first ensure that all CULS MB members are sent the proposal for a resolution with which consent is to be expressed, and the Chairman shall also set a time period during which CULS MB members are to vote, as well as the e-mail address where the CULS MB members are to vote;
  - b) if any CULS MB member informs the Chairman within the set time period that he or she is requesting that the resolution that is to be adopted per rollam be discussed, such a resolution cannot be adopted outside of a CULS MB meeting;
  - c) a resolution shall be adopted if the majority of all CULS MB members voted for it;
  - d) after the end of the time period for voting, the CULS MB Chairman shall inform all CULS MB members of the results of the voting.

In cooperation with the CULS MB Secretary, the CULS MB Chairman shall also record all of the documents associated with the voting, and at the next CULS MB meeting, the Chairman shall provide to the members information on the course and results of the per rollam voting, and the record of this vote shall become a part of the minutes from the following CULS MB meeting.

- 10) If, after approval by the CULS Academic Senate, CULS MB does not make a decision on a proposal to approve any of the documents specified in Section 15, paragraph 2, letters b) and c) of the Act within 2 weeks from the date of their assignment via the Rector, it shall apply that CULS MB approved the proposal. If CULS MB did not approve the proposal specified in the previous sentence, it shall be assigned pursuant to Section 14, paragraph 5 of the Act.
- 11) The Rector, or under representation by the Vice Rector, bursar or the Chairman of the CULS Academic Senate, or under representation by the his or her authorized member of the CULS Academic Senate, as well as a member of the CULS Internal Evaluation Board approved by the Chairman of the CULS Internal Evaluation Board, shall be entitled to take part in a CULS MB meeting, and shall be entitled to speak at a meeting any time they request as such.
- 12) CULS MB meetings are not public. If a decision is made by CULS MB via a vote, the entire meeting, or some parts thereof, may be public.
- 13) If any of the documents for a CULS MB meeting are designated confidential by their originator, CULS MB members, the Secretary and other participants shall be bound by the obligation of confidentiality pursuant to generally binding legal regulations.

#### **Article 4** **Specific Requisites of CULS MB Meetings**

- 1) CULS MB shall be entitled to request professional or expert opinions for discussing certain matters. The evaluators may not be in any sort of relationship with the assessed entity, and they may not be involved in the relevant matter. Opinions must be submitted in writing. The costs for preparing opinions shall be paid by CULS, unless specified otherwise in specific cases.
- 2) Unless the Chairman makes an exception, when issuing the prior written consents specified in Section 15, paragraph 1, letters a) to c) of the Act, the following potential costs are taken into consideration when assessing the costs associated with legal proceedings:
  - a) Lump sum amount for preparing documentation for legal proceedings in the amount of 15,000 CZK, not including VAT;
  - b) amount spent on preparing an expert opinion (if it was not paid for by the other contracting party);
  - c) amount spent on preparing a geometric plan (if it was not paid for by the other contracting party);
  - d) the expected amount that will be spent on taxes on the acquisition of immovable property;
  - e) all administrative and other fees (if they are not paid for by the other contracting party);
  - f) all other expenses associated with legal proceedings (if they are not paid for by the other contracting party).
- 3) A CULS MB resolution adopted at a CULS MB meeting must be suitably publicized at the latest within seven days from the date of the meeting on the public part of the CULS website.

- 4) CULS MB shall make a statement to other matters that were submitted by the Rector for discussion, and it gives suggestions and expresses opinions about the CULS activities that it publishes on the public part of the CULS website.
- 5) CULS MB shall be obliged to inform of the issuing of prior written consent to the legal proceedings specified in Section 15, paragraph 1, letters a) to d) of the Act within seven days from when they are issued to the Ministry of Education, Youth and Sports (hereinafter the "Ministry"). The legal proceedings specified in Section 15, paragraph 1, letters a) to d) of the Act shall be invalid without the consent of CULS MB, and if the Ministry is not notified about them.
- 6) The administrative cost associated with the activities CULS MB shall be paid by CULS.

**Article 5**  
**Closing Provisions**

- 1) The Statute of CULS MB approved by the Minister of Education, Youth and Sports on 1 December 2005 under no. 34 614/05-30 is cancelled.
- 2) This Statute was discussed with the Rector and approved at the CULS MB meeting on 7 March 2017.
- 3) This Statute shall become valid and effective on the date it is approved by the Minister of Education, Youth and Sports.

Ing. Jaromír Vašíček, CSc. in his own hand  
CULS MB Chairman