

Pursuant to Article 112, paragraph 13 of the Act on Scientific Activity and Higher Education (OG 123/03, 198/03, 105/04, 174/04, 2/07, 46/07, 45/09, 63/11, 94 /13, 139 /13, 101/14, 60/15 and 131/17), Article 4 of the Code of Ethics of the University of Split, articles 46 and 52 of the Statute of the Faculty of Humanities and Social Sciences in Split (consolidated text, March 2018), Faculty Council of the Faculty of Humanities and Social Sciences in Split, at the proposal of the Ethics Committee, at the 6th regular session in the acad. yr. 2020/2021, held on March 17, 2021, adopts the

## **RULES OF PROCEDURE OF THE ETHICS COMMITTEE**

### **I. INTRODUCTORY REMARKS**

#### Article 1

- (1) The Ethics Committee of the Faculty of Humanities and Social Sciences in Split (hereinafter: the Ethics Committee) is the body responsible for the implementation of the Code of Ethics of the Faculty of Humanities and Social Sciences in Split (hereinafter: the Code).
- (2) These Rules regulate the functioning of the Ethics Committee and other issues important for its work.

#### Article 2

- (1) The Ethics Committee promotes general ethical principles and values in science and higher education in accordance with the Code.
- (2) The Ethics Committee conducts the procedure of determining the violation of the Code at the Faculty of Humanities and Social Sciences in Split (hereinafter: the Faculty).
- (3) The Ethics Committee prepares annual reports on its work including the data on procedures, acceptability or inadmissibility of violations in the cases under consideration.
- (4) The annual report is submitted to the Dean at the end of each calendar year.

#### Article 3

The Ethics Committee acts independently and autonomously in performance of the tasks within their scope and in the process of determining violations of the Code.

#### Article 4

The Ethics Committee may seek professional assistance in performing its tasks, from relevant experts in scientific fields in which the conflict occurred.

## Article 5

In the procedure of determining a violation of the Code, the Ethics Committee will respect the principle of secrecy and protect the dignity of all persons in the procedure. Members of the Ethics Committee may not disclose information on the subject matter.

## Article 6

The Ethics Committee is responsible for the proper application of these Rules of Procedure.

## II. Composition of the Committee

### Article 7

- (1) The Ethics Committee consists of five members, appointed by the Faculty council.
- (2) Four members from the ranks of the employees are proposed by the Dean's collegium, whilst the representative of students is proposed by the Student Council.
- (3) An effort should be made to respect the equality of gender representation in the appointment.

### Article 8

- (1) The mandate of the members of the Ethics Committee lasts three years and the same person can be appointed at most twice in a row.
- (2) The first session of the Ethics Committee, on which the members elect from among themselves the Chairman and the Deputy Chairman, is convened by the Dean.
- (3) The Secretary of the Ethics Committee, appointed from the ranks of employees by the Dean of the Faculty, participates in the work of the Ethics Committee without the right to make decisions.
- (4) The mandate of the Secretary of the Ethics Committee corresponds with the mandate of the Chairman of the Ethics committee and he/she cannot be appointed several consecutive times.

### Article 9

- (1) Membership in the Ethics Committees shall temporarily cease to a member of the Ethics Committee against whom a procedure for determining a violation of the Code has been initiated, immediately after receiving the request for opinion and until the opinion on violation of the Code has been delivered.
- (2) If it is established in the proceedings that he/she did not commit the violation of the Code, his/her membership shall be automatically renewed.
- (3) In the case referred to in the paragraph (1) of this Article, the Faculty council shall appoint a deputy member of the Ethics Committee at the suggestion of the Chairman of the Ethics Committee.

- (4) If it is established in the proceedings that the member of the Ethics Committee against whom the procedure has been initiated, did commit the violation of the Code, the deputy shall become the full member of the Committee with mandate corresponding to the mandate of the member for whom he/she has been appointed as deputy.

#### Article 10

Membership in the Ethics Committee ends before the expiration of the term:

- at one's own request,
- by delivery of opinion on violation of the Code by the member of the Ethics Committee,
- by the loss of the status of an employee or of a student of the Faculty.

### III. Procedures before the Ethics Committee

#### Article 11

- (1) Proceedings before the Ethics Committee are initiated by a request for an opinion on violation of the Code of Ethics by members of the Faculty community.
- (2) The request from the paragraph (1) of this Article may be submitted only by a natural person who can not be anonymous. The request shall be in writing and include quotation of one or more ethic rules (article, paragraph etc. of the Faculty Code of Ethics), factually explained or substantiated by evidence, signed by the applicant, and presented to the opposing party for response. If the applicant requires the examination of the ethical conduct of a person, the Ethics Committee will deliver all documentation to that person in order to comment on the allegations and provide arguments.
- (3) Based on the submitted request from the paragraph (2) of this Article and within a reasonable delay after its reception, the Ethics Committee delivers the opinion on violation of one or more ethical rules as defined by the code of Ethics.
- (4) The opinion from the paragraph (3) of this Article shall be based only on the allegations and data provided in the request, the attachments and possible additional explanations and responses of the applicant and other persons. The Ethics Committee does not verify the request allegations nor does it have investigative power to establish the facts by its own initiative. If the allegations and the statements about facts are contradictory and the truthfulness of the disputed claims cannot be inferred from the material submitted to procedure, the Ethics Committee will state this circumstance in its opinion.
- (5) The opinion is submitted exclusively to the Dean of the Faculty, to the applicant and to the member of the academic community to whom the request relates.
- (6) The opinion of the Ethics Committee is not binding on the bodies of the Faculty nor anyone else.
- (7) No legal remedy is allowed against the opinion of the Faculty Ethics Committee, nor it is possible to initiate another procedure.

#### Article 12

- (1) Proceedings before the Ethics Committee regarding the request for an opinion on project, research and similar activity is initiated by a request for an opinion on

compliance of an individual project, research or similar activity with ethical rules established by the Faculty Code.

(2) The request referred to in paragraph 1 of this Article may be submitted by the project manager, researcher at project, research leader or some similar activity, and who is employed at the Faculty.

(3) Based on the submitted request referred to in paragraph 1 of this Article, and within a reasonable time from the day of its receipt, the Ethics Committee issues an opinion on the compliance of the individual project, research or similar activities with the ethical rules set out in the Code

(4) The opinion on conformity shall be delivered exclusively to the applicant.

(5) No legal remedy is allowed against the opinion of the Ethics Committee of the Faculty nor can any other proceedings be instituted.

#### **IV. The work of the Ethics Committee**

##### Article 13

- (1) The Ethics Committee performs tasks within its competence at its sessions.
- (2) Sessions of the Ethics Committee are convened by the Chairman. A session of the Ethics Committee may be convened by the Deputy Chairman in the event of the Chairman's impediment.
- (3) A session of the Ethics Committee may be held if more than half of the total number of members are present.
- (4) Sessions of the Ethics Committee are closed to the public.
- (5) Members of the Ethics Committee shall discuss issues that are the subject of the procedure, take a stand on the content of the opinion they will deliver and determine the member of the Ethics Committee who will draw up a written draft opinion based on the discussion.

##### Article 14

- (1) The Ethics Committee may invite to the session the person who filed the request, the person against whom the request was submitted, witnesses and other persons who may provide information relevant for determining the violation.
- (2) The Ethics Committee may discuss the request without the presence of the person to whom the request relates or the witnesses whose summons have been proposed, provided that they have not responded or have not justified their absence even though the invitations were duly delivered.
- (3) The invitation to submit a statement or participate in the session is delivered by registered mail to the official e-mail address of the Faculty employee.

##### Article 15

- (1) The Chairman chairs the session, gives the floor to the members of the Ethics Committee and the invited persons, and ensures order.
- (2) No one may speak at a meeting before requesting and receiving the floor from the chairman.
- (3) The speaker may be admonished to the order and interrupted only by the chairperson.

## Article 16

(1) The opinion determines the ethical acceptability or inadmissibility in the considered case.

(2) The opinion of the Ethics Committee must contain the following information:

- a description of the requirements and issues discussed by the Ethics Committee,
- statement on the principles and rules of the Code discussed in their reply to the request
- reasoned opinion on whether the behavior / research or some other activity is in accordance with the provisions of the Code,
- information on whether the opinion was adopted unanimously or not.

(3) Exceptionally, if the Ethics Committee concludes that based on the request and other received data it cannot give its opinion, that it is not competent to give an opinion or if for any other reason it cannot make an opinion, the Ethics Committee shall inform the applicant and state the reasons.

## Article 17

(1) In adoption of opinions, efforts are made to reach a consensus of all members of the Ethics Committee. If this is not possible, the opinion shall be delivered by a majority vote of all members of the Ethics Committee.

(2) If the opinion is not unanimous, the members of the Ethics Committee who have different views from the majority should submit their dissenting opinions in addition to the opinion of the Committee.

## Article 18

Voting at the session of the Ethics Committee is public.

## Article 19

The members of the Ethics Committee vote by declaring "for" or "against" the proposal of the opinion by roll call.

The roll-call vote is conducted in such a way that each named Member of the Ethics Committee pronounces "for" or "against" the opinion.

The member of the Ethics Committee cannot be restrained.

## Article 20

(1) Minutes shall be kept on the work of the Ethics Committee at the session.

(2) The minutes shall contain: the day, place and time of the session, the names of the members present, the names of the parties to the proceedings, the names of others invited and present at the session, testimonies of all persons who participated in the proceedings and opinion.

(3) The results of the voting shall be entered in the minutes.

#### IV. TRANSITIONAL AND FINAL PROVISIONS

##### Article 21

Noun citations: dean, chairman, member, teacher, scientist, employee, secretary, student, etc. in these Rules cannot be interpreted in any sense as grounds for sexual discrimination or privilege.

##### Article 22

(1) The interpretation of the provisions of these Rules of Procedure is given by the Ethics Committee at its session.

(2) A request for interpretation shall be submitted to the Chairman in writing and it must be substantiated.

##### Article 23

These Rules of Procedure shall enter into force on the eighth day from the day of their publication on the notice board at the Faculty headquarters and on the official website of the Faculty.

CLASS: 003-05 / 21-02 / 0001

REGISTRATION NUMBER: 2181-190-00-21-0010

Split, March 17, 2021

DEAN

Gloria Vickov, PhD

GENERAL SECRETARY

Maja Kuzmanić, mag.iur.

This Code was published on the official website and bulletin board at the headquarters of the Faculty of Humanities and Social Sciences in Split on March 17, 2021 and will enter into force on March 25, 2021.

