

# Act No. 283/1992 Coll.

**Prime Minister of the Government of the Czech Republic**

**promulgates**

**the full version of Act No. 283/1992 Coll., on the Academy of Sciences of the Czech Republic, as amended by Act No. 220/2000 Coll. and Act No. 342/2005 Coll.**

**ACT**

**on the Academy of Sciences of the Czech Republic**

The Czech National Council has resolved to adopt the following Act:

**PART ONE**

**PRINCIPAL PROVISIONS**

**§ 1**

The Academy of Sciences of the Czech Republic (hereinafter referred to as "the Academy") is hereby established. The seat of the Academy is the capital city of Prague.

**§ 2**

1. The Academy performs research through the [institutes](#) of the Academy (hereinafter referred to as "the Institutes").
2. The Academy and its Institutes conclude agreements on international cooperation in the fields of scientific activities and development of technology.

**§ 3**

1. The Academy is an organisational body of the Czech Republic; its activities are financed by the State budget of the Czech Republic.
2. For budget purposes the Academy has the status of a central authority of the Czech Republic and as such it shall establish on behalf of the Czech Republic its Institutes as public research institutions. The funds are budgeted for it in a separate chapter of the Czech Republic.
3. The Academy is authorized to accept financial gifts incl. gifts in foreign currencies. These financial gifts incl. gifts in foreign currencies form the revenue of its reserve fund<sup>1)</sup> and as such represent extra-budgetary revenue.
4. The Academy supports the Learned Society of the Czech Republic, a civic association contributing to free, self-directed advancement of science in the Czech Republic, and represents it towards similar foreign scientific institutions.

## **PART TWO**

### **THE BODIES OF THE ACADEMY**

#### **§ 4**

The bodies of the Academy include:

- a. [Academy Assembly](#) (hereinafter "the Assembly"),
- b. [Academy Council](#) ((hereinafter "the Council") and its Presidium (hereinafter "the Presidium"),
- c. [President](#) of the Academy (hereinafter "the President"),
- d. [Council for Sciences](#) of the Academy (hereinafter "the Council for Sciences").

#### **The Assembly**

##### **§ 5**

1. The Assembly is the supreme self-governing body of the Academy.
2. The Assembly comprises
  - a. the Directors of the Institutes,
  - b. the representatives of Universities (high-grade schools),
  - c. other outstanding domestic and foreign scientists,
  - d. elected representatives of the Institutes,
  - e. outstanding representatives of State administration, industry, commercial circles and banks,

unless further specified differently.

3. The term of office of the Assembly is four years, unless further specified differently.
4. The Assembly meets as required, at least, however, twice a year. It must be convened whenever at least one fifth of its members have requested it.
5. The number of Assembly members, the ways of their election or delegation, the way of procedural conduct and adoption of resolutions of the Assembly shall be provided by the Statutes of the Academy.

##### **§ 6**

The Assembly shall

- a. adopt the Statutes of the Academy which enter into force after they have been approved by the Government of the Czech Republic,
- b. approve the annual report on the activities of the Academy,
- c. approve the budget and the final account of the Academy as well as fund distribution among the individual Institutes,
- d. approve the establishment, consolidation, merger, splitting and dissolution of its Institutions,

- e. decide on proposal for appointing the President from members of the Assembly, and on his/her recall,
- f. elect and recall from their offices the elected members of the Council and members of the Council for Science,
- g. decide about all other matters reserved for it by the Statutes.

## **The Council**

### **§ 7**

1. The Council is the executive body of the Academy.
2. The Council consists of the President, Vice-Presidents, the Chairman of the Council for Sciences and other members elected from the members of the Assembly on the basis of proposals submitted by the Institutes of the Academy.
3. The term of office of the Council is four years. A member of the Council may be elected to this function for two consecutive periods at the most. The membership of the Council is incompatible with the function of the Director of the Institute.
4. After the termination of its functional period the Council shall perform its function until the establishment of the new Council.
5. The number of Council members, the manner of their election, the way of procedural conduct and adoption of resolutions and the amount of remuneration for the exercise of the function in the Council as well as their rights and obligations shall be provided by the Statutes of the Academy.

### **§ 8**

1. The Council shall in particular:
  - a. convene the sessions of the Assembly, submit to it its reports and proposals for review and execute its resolutions,
  - b. manage the current activities of the Academy between the sessions of the Assembly,
  - c. submit to the Assembly the draft annual report on the activities of the Academy,
  - d. submit to the Assembly the draft budget and final account of the Academy incl. the draft of fund distribution among the Institutes,
  - e. elect the elected members of the Presidium of the Council (Sec. 9, para. 2).
2. In an urgent case the Council may decide also about the matters reserved by this Act of by the Statutes for the Assembly. In such a case the Council is bound to convene the Assembly within 30 days from its decision at the latest. If the Assembly does not confirm the decision of the Council, the decision is invalidated.
3. The Council is bound to discuss the issues of the science policy of the Academy with the Council for Sciences.

### **§ 9**

## **The Presidium of the Council**

1. The Presidium is the executive body of the Council.
2. The Presidium consists of the President, the Vice-Presidents, the Chairman of the Council for Sciences and the elected members of the Presidium.
3. The number of the members of the Presidium, the way of their election and the way of the conduct and adoption of resolutions of the Presidium shall be provided by the Statutes of the Academy.

4. In an urgent case the Presidium may adopt a decision also on the matters reserved by this Act or by the Statutes for the Council. In such a case the Presidium is bound to convene the Council within 20 days from its decision at the latest. If the Council does not confirm the decision of the Presidium, the decision is invalidated. The provisions of the preceding clauses do not apply to the matters reserved for the Council in Sec. 8, para. 2.

## **§ 10 The President**

1. The President is the statutory representative of the Academy. The President is authorized to act on behalf of the Academy in all matters.
2. The President shall be appointed and recalled by the President of the Republic from the members of the Assembly and upon the proposal of the Assembly discussed by the Government. The President serves the four-year-tenure. The President may not discharge his/her office for more than two successive tenures.
3. The President shall appoint his/her Vice-Presidents from the elected members of the Presidium.
4. The President shall appoint and recall the Directors of Institutes.
5. The President presides over the sessions of the Assembly, the Council and the Presidium.
6. The Vice-Presidents deputize for the President during his/her absence or if they are authorised by him/her to do so.
7. The authorisation of the Vice-Presidents of the Academy and of other members of the Council to act on behalf of the Academy in defined fields shall be provided by the Statutes of the Academy.

## **§ 11 The Council for Sciences**

1. The Council for Sciences is the permanent advisory body of the Academy Council in matters concerning the preparation and implementation of the science policy of the Academy.
2. The Council for Sciences shall consist of representatives of the Institutes, representatives of the higher education and other scientific institutions, and outstanding foreign scientists.
3. The functional period of the Council for Sciences is four years.
4. From the number of its members the Council for Sciences elects the Chairman of the Council for Sciences.
5. The number of members of the Council for Sciences, the way of their election and dismissal, their rights and obligations and the way of the conduct and adoption of decisions of the Council for Sciences shall be provided by the Statutes of the Academy.

## **PART THREE**

### **THE INSTITUTES**

#### **§ 12**

The Institutes are public research institutions under a special legal regulation<sup>2)</sup>.

## **§ 13**

The Institute

- a. performs scientific research,
- b. contributes to the improvement of the standard of knowledge and education,
- c. contributes to the application of the results of scientific research,
- d. acquires, processes and disseminates scientific information and provides scientific assessments, standpoints and recommendations,
- e. in cooperation with higher education institutions provides doctoral study programmes<sup>4)</sup> and training of scientific workers,
- f. develops international cooperation in the field of science and development of technology,
- g. implements their tasks in cooperation with other scientific and technical institutions; for this purpose it may conclude agreements on association with these institutions,
- h. h. provides infrastructure for research and development<sup>4a)</sup>.

## **§ 14 a 15**

Sections 14 and 15 were deleted.

## **§ 16**

1. The posts of workers with high-grade education in the Institutes shall be manned on the basis of competitions announced by the Director of the Institute.
2. The rules of the competitions shall be defined by the Statutes of the Academy.

## **§ 17**

Section 17 was deleted.

## **PART FOUR**

### **INTERIM AND FINAL PROVISIONS**

## **§ 18**

1. The property and other rights and obligations which will pass to the Czech Republic on the basis of the Act of the Federal Assembly settling the rights and obligations of the former Czechoslovak Academy of Sciences shall pass to the Academy on the day on which this Act has entered into force.
2. On the day on which the Act of the Federal Assembly specified in para. 1 has entered into force the Institutes of the Czechoslovak Academy of Sciences passed by the aforementioned Act of the Federal Assembly to the Czech Republic shall become the Institutes

of the Academy and the Directors and the Councils for Science of these Institutes shall become Directors and Councils for Science of the Institutes under this Act.

### **§ 19**

Within 60 days from the day on which this Act has entered into force the Councils for Science of the Institutes are bound to submit to the Council their proposals for the Directors of the Institutes. The Council is bound to appoint the Directors of the Institutes within 30 days from the submission of the proposal.

### **§ 20**

1. Until the election of the Council under this Act its competence shall be exercised by the existing Committee of the Presidium for the Management of the Institutes of the Czechoslovak Academy of Sciences.
2. The Committee of the Presidium for the Management of the Institutes of the Czechoslovak Academy of Sciences is bound to take, without delay, the steps necessary for the establishment of the Assembly to assure its establishment within 60 days from the day on which this Act has entered into force. The functional period of the so established Assembly shall be one year.
3. The Assembly established under para. 2 shall consist of
  - a. the Directors of the Institutes,
  - b. the representatives of the Institutes elected by the scientific workers of the Institutes at the rate of one representative per every even started 50 scientific workers of the Institute,
  - c. 30 representatives of universities (high-grade schools) delegated by the Council of High-Grade Schools<sup>5)</sup>,
  - d. 20 members appointed by the Government of the Czech Republic.

### **§ 20a**

The tenures of persons discharging the offices of the Director of an Institute or member of the Council of Science of an Institute on the day preceding the day of transformation of an Institute to a public research institution shall terminate on the day preceding the day of the mentioned transformation.

### **§ 21**

This Act shall enter into force on the day on which the Act of the Federal Assembly specified in Sec. 18, para. 1, has entered into force, at the latest, however, on December 31, 1992.

\* \* \*

Act No. 220/2000 Coll., on the amendments to some related Acts in connection with the adoption of the Act on the property of the Czech Republic and its legal relationships, which entered into force on 1 January 2001.

Act No. 342/2005 Coll., on the amendments to some Acts in connection with the adoption of the Public Research Institutions Act, which became effective by its announcement (on 13 September 2005).

Prime Minister:  
Ing. **Paroubek** v. r.

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- 1) Section 48 of Act No. 218/2000 Coll., on budgetary rules and on amendment to some related acts (the Budgetary Rules).
  - 2) Act No. 341/2005 Coll., on public research institutions.
  - 4) Sections 47 and 81 of the Higher Education Act.
  - 4a) Section 2(2)(f) of the R&D Support Act.
  - 5) Section 16 of Act No. 172/1990 Coll.