

FACULTY OF LAW
UNIVERSITY OF RIJEKA
CLASS: 003-01/16-01/3
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Rijeka, 17 May 2016

Pursuant to Article 82, paragraph 4 of the Scientific Activity and Higher Education Act and Article 90, paragraph 1, subparagraph 6 of the Statute of the Faculty of Law of the University of Rijeka, the Faculty Council of the Faculty of Law, University of Rijeka at its 152nd Meeting held on 17 May 2016 adopted the following

REGULATIONS

on Proceeding with an Application to Revoke a Doctoral Title Earned at the Faculty of Law of the University of Rijeka,

Article 1

Scope of application

- (1) These Regulations determine the procedure concerning the applications for revoking a doctoral title awarded by the Faculty of Law of the University of Rijeka, and prior to submitting the request to the Senate of the University of Rijeka pursuant to Article 72, paragraph 2 of the Regulations on the Studies of the University of Rijeka.
- (2) The proceedings for revoking the doctoral title shall be commenced if there is a reasonable suspicion that conditions set in Article 82, paragraph 3 of the Scientific Activity and Higher Education Act are fulfilled.

Article 2

Application

- (1) Any person may file the application for revocation of the doctoral title. The application is filed in writing with the Faculty of Law of the University of Rijeka through the Faculty Secretariat. The application has to contain the name and address of applicant, and a detailed explanation regarding the truthfulness of the allegations, as well as the possible proposal on the evidence.
- (2) The Dean is entitled to classify as confidential the data on documents and acts taken from the moment the application is received until the decision referred to in Article 5 of these Regulations is rendered by the Faculty Council.

Article 3

Proceeding with the application

- (1) Upon receiving the application, the Faculty Secretariat shall determine the identity of the applicant.
- (2) The Faculty Secretariat shall deliver the application to the Council of the Doctoral Study within 15 days.
- (3) The Council of the Doctoral Study shall deliver the application to the person whose doctoral dissertation is being called into question and to the mentor, but also, if needed, to the members of the Committee who reviewed the dissertation, and ask them to provide a written response on the truthfulness of the allegations from the application within 30 days.
- (4) The Council of the Doctoral Study shall issue a preliminary opinion on the truthfulness of the allegations from the application within two months of the receipt of the application. In

verifying the truthfulness of these allegations, the Council of the Doctoral Study may request the Faculty Library or another library or information institution the digital result of the comparison, without scientific or legal assessment, of the doctoral dissertation in question with the formerly published papers of the same or other authors, and other sources of acts or papers cited in the doctoral dissertation necessary for establishing whether the conditions set in Article 82, paragraph 3 of the Scientific Activity and Higher Education Act are fulfilled.

(5) The preliminary opinion of the Council of the Doctoral Study shall be referred to the Faculty Council. The preliminary opinion shall state the reasons and propose the issue of the decision on:

- a) submitting the request to the Senate of the University of Rijeka for the revocation of the doctoral title or
- b) rejection of the application.

(6) The Faculty Council shall discuss the preliminary opinion received from the Council of the Doctoral Study at its next meeting.

Article 4

Appointment of the special Committee

(1) If Faculty Council considers that in order to more completely deliberate over the application, it is necessary to take certain acts or collect certain evidence to render a founded decision on the truthfulness of the allegations from the application, it is entitled to appoint special Committee, which will be authorised to take these actions or collect this evidence.

(2) The Committee referred to in previous paragraph shall consist of three members elected to scientific-teaching title in the scientific branch which is the same or very close to the subject matter researched in the doctoral dissertation in question.

(3) The Committee referred to in paragraph 1 of this Article shall submit the report to the Faculty Council along with the proposal on the decision. The report may contain dissenting opinion by a member of the Committee, which shall state the reasons.

Article 5

Decisions by the Faculty Council

On the basis of the preliminary opinion of the Council of the Doctoral Study or the report of the special Committee, the Faculty Council shall issue a decision on:

- a) submitting the request to the Senate of the University of Rijeka for the revocation of the doctoral title or
- b) rejection of the application.

Article 6

Procedural rights of the person whose doctoral dissertation is called into question

The person whose doctoral dissertation is being called into question has the right to see all the documents and evidence collected during the proceedings, and the right to propose other evidence.

Article 7

Conflict of interest

(1) The person whose doctoral dissertation is being called into question, the mentor and co-mentor, the member of the committee for evaluation or defence of the dissertation and person filing the application for revocation of the doctoral title, and which is at the same time the member of the Council of the Doctoral Study, shall be exempt from the work of the Council of the Doctoral Study related to the application referred to in Article 2 of these Regulations. In

such a case, the Faculty Council shall appoint a member who will replace the exempt member of the Council of the Doctoral Study (replacement member).

(2) The replacement member of the Council of the Doctoral Study shall be appointed among academic staff of the Study who are elected in the scientific-teaching title in the scientific branch, which is the same or very close to the subject matter researched in the doctoral dissertation in question.

(3) None of the persons referred to in paragraph 1 of this Article shall be appointed as the replacement member of the Council of the Doctoral Study referred to in paragraph 1 of this Article or the member of the special Committee referred to in Article 4 of these Regulation; and they are exempt from the work of the Faculty Council related to the application referred to in Article 2 of these Regulations.

Article 8
Entry into force

These Regulations shall enter into force on the eight day of its publication at he Faculty notice board.

D e a n
Prof. Dr. Eduard Kunštek