

Pursuant to Section 36, Para 2, Act no. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to some other Acts (the Higher Education Act), the Ministry of Education, Youth and Sports registered the Rules of Monetary and Non-monetary Deposits in Legal Entities and for Discussing Proposals to Set Up Legal Entities by the Czech Technical University in Prague under ref. no. 31 489/2002-30 on 3 December 2002.

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Director of the Higher Education Department

RULES
OF MONETARY AND NON-MONETARY DEPOSITS IN LEGAL ENTITIES AND FOR
DISCUSSING PROPOSALS TO SET UP LEGAL ENTITIES
BY THE CZECH TECHNICAL UNIVERSITY IN PRAGUE

Article 1

Subject matter of the internal regulation

1. This internal regulation (hereinafter referred to as the “regulation”) regulates the rules of monetary and non-monetary deposits in legal entities by the Czech Technical University in Prague (hereinafter referred to as “CTU”) and discussing proposals to set up legal entities at CTU.
2. This regulation applies to all faculties, university institutes and other constituent parts of CTU.
3. CTU shall not make any legal acts leading to the establishment of legal entities or to monetary or non-monetary deposits in these or other legal entities if the economic results of CTU might be burdened by an economic loss of these legal entities or CTU’s ownership interest in these legal entities.
4. CTU is not allowed to make deposits in legal entities in the form of immovable assets acquired in the ownership of public higher education institutions from the ownership of the state and subsidies granted pursuant to Section 18, Para 3 of Act No. 111/1998 Coll., on Higher Education Institutions and on Amendments and Supplements to some other Acts (the Higher Education Act), (hereinafter referred to as the “Act”). CTU is prohibited to make deposits in legal entities of liabilities that concern doing a job or providing a service.

Article 2

Preliminary proposal to set up another legal entity or making a deposit in a legal entity

1. A preliminary proposal to set up another legal entity or make a monetary or non-monetary deposit in this or another legal entity (hereinafter referred to as a “preliminary proposal”) is presented to the rector by deans of faculties, directors of university institutes, the registrar, heads of other constituent parts of CTU directly subordinated to the rector (hereinafter referred to as the “proposer”).
2. A preliminary proposal shall include the basic definition of the planned proposal, setting the objectives that are to be met by setting up another legal entity or making a deposit in

this or another legal entity, the amount of the proposed monetary or non-monetary deposit, basic legal and economic assessment of ownership interest of CTU, including financing of the legal entity and other information important for the decision to set up another legal entity or make a deposit in this or another legal entity.

3. The decision to accept a preliminary proposal that complies with the requirements set out in Para 2 is taken by the rector, taking into account the opinion of the Rector's Gremium. Rector shall inform the CTU Academic Senate (hereinafter referred to as "AS CTU") about this decision.
4. The rector will return a preliminary proposal that is accepted to the proposer. The proposer will complete the proposal with economic documents,
 - a) Documents that are needed for setting up another legal entity or making a deposit in this or another legal entity pursuant to a special legal regulation¹⁾,
 - b) Definition of the core activity of the legal entity, or the business activity within an additional activity of CTU,
 - c) Other required documents set out by special legal regulations and the rector.
5. The rector will return a preliminary proposal that is not accepted to the proposer together with the negative decision.

Article 3

Approval of legal acts ensuing from a deposit to a legal entity

1. The Academic Senate of the relevant faculty and AS CTU comment on the amended preliminary proposal presented to the rector by the dean; AS CTU comments on other amended preliminary proposals.
2. After AS CTU issues an opinion, the rector presents the amended preliminary proposal together with the AS CTU's opinion to the CTU Board of Directors, asking for the issuance of a prior consent in writing pursuant to Section 15, Para 1 (d) of the Act.
3. In case the CTU Board of Directors issues a prior consent in writing to set up a legal entity and to make a monetary or non-monetary deposit in this or another legal entity, this fact shall be announced in accordance with Section 15, Para 6 of the Act within seven days after it has been issued to the Ministry of Education, Youth and Sports (hereinafter referred to as the "Ministry").
4. The rector makes a decision on setting up a legal entity and making a monetary or non-monetary deposit in this or another legal entity after the issuance of a prior consent in writing by the CTU Board of Directors pursuant to Section 19, Para 2 of the Act.
5. Legal acts by which CTU plans to set up a legal entity or make a monetary or non-monetary deposit in this or another legal entity taken by CTU without a prior consent in writing by the CTU Board of Directors pursuant to Para 2 and without notifying the Ministry pursuant to Para 3 are void in accordance with Section 15, Para 7 of the Act.

¹⁾ For example, the Commercial Code.

Article 4
Final provisions

1. This regulation was approved pursuant to Section 9, Para 1 (b) of the Act by AS CTU on 23 October 2002.
2. This regulation comes into force pursuant to Section 36, Para 4 of the Act on the day it is registered by the Ministry.
3. This regulation comes into effect 15 days after it is registered by the Ministry.

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Rector