

The Ludovika University of Public Service (hereinafter referred to as the University), in order to ensure the effectiveness of its educational and nurturing activities aimed at shaping public service attitudes and professional consciousness, as well as developing public service culture and interactions, and to enforce the requirements of legality and professionalism, in accordance with the relevant legal regulations, especially the Act CCIV of 2011 on Higher Education (hereinafter referred to as HEA), Act XLV of 1996 on the Legal Status of Leaders, Instructors, and Students of Military and Law Enforcement Higher Education Institutions (hereinafter referred to as LSLIML), Act XLII of 2015 on the Legal Status of Service Relationship of the Professional Staff of Law Enforcement Agencies (hereinafter referred to as LSLSR), Act CXXX of 2020 on the Legal Status of Personnel of the National Tax and Customs Administration (hereinafter referred to as LSPTN), Act CCV of 2012 on the Legal Status of Soldiers (hereinafter referred to as LSS), Act CXXXII of 2011 on the Ludovika University of Public Service and on Public Administration, Law Enforcement, and Military Higher Education (hereinafter referred to as NUPEA), Act CL of 2016 on General Administrative Procedures (hereinafter referred to as GAP), and Act I of 2017 on Administrative Court Procedures (hereinafter referred to as ACP), hereby establishes the regulations for exercising student rights and fulfilling student obligations, as well as the procedures for processing student-related applications and appeals, as part of the Student Requirements System of the Organizational and Operational Regulations (hereinafter referred to as Regulations).

## Chapter I General Provisions

### Section 1.

In the application of this Regulation: a) italicized text: the most relevant legal provisions with abbreviations as stated in the introductory provisions of this Regulation;

b) upright text: the provisions of the Regulation.

### Section 2.

Attachment 2 to Act CCIV of 2011

Compulsory Content Elements of Operational Permits and Certain Institutional Documents

...

II. Organizational and Operational Regulations

1. Organizational and Operational Structure

Within the framework of the organizational and operational structure, it is necessary to specify, in particular: the organizational structure, segmentation, leadership framework of the higher education institution, the procedures for the selection of leaders and senior executives, as well as the tasks and operations of individual organizational units, internal communication within the institution, the organization of student events, and the arrangement of services provided to students. An event

organized using the official name of the higher education institution can be held with the permission specified in the organizational and operational structure upon the application of the responsible person (organizer). The organizer's name must be included in the event's participation call. The quality management regulations of the higher education institution are part of the organizational and operational regulations.

...

### 3. Student Requirements System

In the Student Requirements System, it is necessary to specify, in particular:

b) the procedure for exercising student rights and fulfilling student obligations, the process for handling applications related to student status and the procedure for appeals,

(1) This Regulation defines the general rules for the exercise of student rights and the fulfillment of student obligations, the processing of applications related to student status, and the general rules for handling student matters. It also outlines the procedure for filing appeals against decisions, measures, or omissions of the University related to student status violations.

(2) This Regulation applies to all students enrolled in undergraduate and master's programs, specialized further education, higher education vocational training, and doctoral studies at the University, regardless of their legal status (hereinafter referred to as "students"). The provisions of this Regulation must also be appropriately applied to decisions or omissions affecting individuals who have applied to the University and to decisions or omissions related to individuals who previously had student status but no longer do. Where this Regulation mentions students, it includes the aforementioned individuals.

(3) This Regulation applies to the educational organizational unit participating in the education defined in paragraph (2), to other organizational units directly or indirectly involved in educational activities, as well as to tasks related to educational activities, including those performed under any employment relationship – including relationships established based on civil law contracts.

(4) The territorial scope of this Regulation extends to the entire area of the University.

(5) Where this Regulation refers to the Study Department or its head, it should be understood as the organizational unit responsible for academic administration and its head.

## **Chapter II Procedure for Exercising Student Rights and Fulfilling Student Obligations**

According to Section 11 (1) of the Higher Education Act:

a) The higher education institution:

i) defines the provisions regarding its operation and organization (hereinafter referred to as organizational and operational regulations) that are not excluded by legislation or do not need to be stipulated in other regulations based on legal authorization,

ii) can adopt organizational and operational regulations, which are made publicly accessible in an accessible manner on its website and are detailed in Attachment 2,

iii) assists student integration and progress during higher education studies, providing a guidance and counseling system with special attention to students with disabilities, offering support for career planning during and after studies through early career orientation and skill development programs, and supporting the secondary education system through student recruitment,

- iv) fulfills tasks related to talent development and enhancing the social recognition of science,
- v) allows non-enrolled individuals equal access to and attendance of lectures within the framework defined by the organizational and operational regulations while ensuring equal opportunities,
- vi) determines and publishes the requirements for establishing student status in accordance with the provisions of this law (hereinafter referred to as admission requirements),
- vii) ensures that those involved in its activities, including students, instructors, and staff in higher education, maintain the requirements of equal treatment and equal access during their decision-making processes.

(2) The higher education institution must align its activities with its core functions, providing health promotion activities, including organizing regular physical activity and sports, library services, enhancing knowledge-based economy-related financial, entrepreneurial, specialized language skills, and providing opportunities for developing foreign language specialized language skills.

### **Section 12 of the Higher Education Act**

**(5)** If a committee or council established by the senate deals with student matters, except for the credit transfer committee, it must ensure that student representatives can participate in the committee's work. The senate establishes a permanent committee to handle students' academic, examination, and social affairs. In committees dealing with student matters, the participation of students must be ensured, with the condition that in the permanent committee established for handling academic, examination, and social affairs, the number of student representatives and members delegated by the higher education institution cannot be less than twenty-five percent of the committee members.

### **Section 43 of the Higher Education Act**

**(1)** Students have the right to receive comprehensive, accurate, and primarily accessible information, preferably personalized, in a format accessible through the academic system, in accordance with the provisions of the laws and institutional regulations, to initiate and continue their studies, establish their academic schedules, take advantage of the training opportunities and capacities available at the higher education institution, and receive services tailored to their condition, personal abilities, and disabilities. Furthermore, for administrative purposes, they can primarily communicate with the institution through the academic system, preferably electronically, and, unless specified otherwise by law, they can receive the institution's electronically issued documents in authenticated form. They can download these documents from the academic system in any quantity.

**(2)** Students are obliged to:

- a) adhere to the regulations of the higher education institution,
- b) respect the traditions of the higher education institution, as well as the dignity of the institution's employees, fellow students, and peers who have been admitted or transferred to the institution.

### **Section 55 of the Higher Education Act**

**(1)** If a student violates their obligations wilfully and severely, they may be subjected to disciplinary penalties by written decision through disciplinary proceedings.

**(2)** Disciplinary penalties may include:

- a) reprimand,
- b) severe reprimand,
- c) reduction or withdrawal of benefits and allowances defined in the reimbursement and benefit regulations, for a period of up to six months,
- d) suspension from studies for a specified period, up to two semesters,
- e) expulsion from the higher education institution.

**(3)** When determining disciplinary penalties, all circumstances of the act, especially the affected parties, consequences, likelihood of the wrongful behavior repeating, and the severity of the committed act, must be taken into account. With regard to the disciplinary penalty specified in point (c) of paragraph (2), social support cannot be withdrawn. The imposition of penalties specified in points (d) and (e) of paragraph (2) entails the permanent or temporary withdrawal of benefits and allowances related to student status. During the period of disciplinary penalty specified in point (d) of paragraph (2), the student status is suspended. The initiation of disciplinary proceedings or the imposition of disciplinary penalties is not influenced by the student's academic performance.

**(4)** Disciplinary proceedings cannot be initiated if one month has elapsed since the acquisition of knowledge about the disciplinary offense, or if five months have passed since the offense occurred. In the application of these provisions, knowledge is considered when the circumstances giving rise to disciplinary proceedings become known to the authorized party.

**(5)** The procedure for disciplinary proceedings is determined by the higher education institution's organizational and operational regulations. At least one-third of the members of the disciplinary committee must be delegated by the student self-government. During the proceedings, the student must be heard. The disciplinary hearing can proceed even if the student fails to appear despite proper notification.

#### **Section 56 of the Higher Education Act**

**(1)** If a student unlawfully causes damage to the higher education institution or the organizer of practical training in connection with the fulfillment of their academic obligations, they are liable under the rules of the Civil Code (hereinafter: CC).

**(2)** In cases defined in paragraph (1) and in the case of negligent damage, the amount of compensation cannot exceed fifty percent of the minimum wage valid on the day of the damage (minimum wage). In the case of intentional damage, the entire incurred damage must be reimbursed.

**(3)** The student is fully liable for any shortages or damages incurred in items received with an obligation of return or settlement, as long as they are exclusively in their possession, use, or control. The liability is exempted if the shortage was caused by an unavoidable circumstance.

**(4)** The higher education institution and the organizer of practical training are obligated to compensate the student for the damage caused in connection with student status or practical training, according to the provisions of the Civil Code. The higher education institution or the organizer of practical training is exempt from liability only if they can prove that the damage was caused by an unavoidable circumstance outside their operational scope, or if the damage was caused by the unavoidable behavior of the injured party.

#### **Section 60 of the Higher Education Act**

**(1)** In higher education institutions, a student self-government operates as part of the higher education institution to represent student interests. Every student, except as specified in Section 63, is a member, voter, and eligible for election. The student self-government can exercise its rights specified in this law if:

a) it has elected its officials and its statute has been approved,

b) at least twenty-five percent of the full-time students participating in the higher education institution's full-time education have demonstrably participated in the student self-government elections.

**(2)** The statute of the student self-government determines the rules of operation of the student self-government. The statute is approved by the student self-government assembly and becomes effective with the approval of the senate. The senate must declare its decision on the approval of the statute no later than thirty days after the submission, in its first session after the expiration of this period.

#### **Section 26 of the Ludovika University of Public Service Act**

**(1)** The leaders and instructors of the University are entitled to exercise supervisory or supervisory authority concerning candidates for positions in the classes they lead.

#### **Section 27 of the Ludovika University of Public Service Act**

**(1)** Before enrolling, the student must take an oath and must exhibit behaviour worthy of their oath during their student status.

**(2)** To fulfil the obligation stated in paragraph (1), the student may inform the public of their perceived or actual infringement of rights after the final completion of related legal remedies, the authority's definitive decision, the definitive non-definitive decision by the court with a legally binding ruling, or the termination of the criminal procedure, as well as after the suspension by the prosecutor's office or the investigative authority for conditional suspension or mediation purposes, which cannot be further appealed.

This limitation, according to paragraph (2), also applies to the University to respect the student's right to legal remedy.

**(4)** The wording of the oath is contained in the University's study and examination regulations.

#### **Section 28 of the Ludovika University of Public Service Act**

**(1)** While performing their academic tasks, students are obligated to abstain from engaging in political activities. They cannot express political opinions as representatives or agents of political organizations at the University, its dormitories, or during practical training. They are also prohibited from influencing the political opinions of others.

#### **Section 29 of the Ludovika University of Public Service Act**

Students who belong to organizations whose purposes or activities are incompatible with the tasks defined by law for public administration bodies, the Hungarian Defense Forces, or law enforcement agencies must suspend their membership and refrain from related activities for the duration of their student status. The determination of which organizations fall within this category is made by the dean of the student's faculty after consulting the relevant authority.

#### **Section 30 of the Ludovika University of Public Service Act**

**(1)** Students participating in basic and master's military training are particularly obliged to:

- a) participate in tasks related to defense and military duties according to the law on defense,
- b) prepare for the military defense of the homeland, participate in the necessary training, and attend military training organized by the Ludovika Battalion of the Hungarian Defense Forces outside regular classes,
- c) perform guard, duty, standby, courier, military law enforcement, as well as ceremonial and commemorative duties,
- d) perform unit commander tasks based on designation,
- e) participate in coordinated defense activities and perform other military tasks during the declaration of a state of special legal order,
- f) contribute to the implementation of the defense education program, and
- g) perform educational and socialization tasks ordered by the Commander of the Hungarian Defense Forces with the consent of the State Secretary for Defense.

**(3)** Students in the law enforcement training program who are in full-time employment are entitled to reimbursement, determined by separate regulations, for performing tasks specified in paragraphs (2) c), f), and g), and scholarship students are entitled to reimbursement specified in paragraph (2) f), which must be provided in the budget of the respective law enforcement agency. The reimbursement is provided by the relevant law enforcement agency.

**(4)** During their professional internship, students are entitled or obligated, according to their employment status, to participate, be present at any action, take part in measures, and carry out subtasks under supervision, in the execution of the service tasks of the respective agency.

**(5)** Failure to fulfill academic obligations during the performance of tasks specified in paragraphs (1) and (2) f) and g) shall be considered justified as specified in the study and examination regulations. Moreover, students must be provided with the opportunity to fulfill their academic and examination obligations retroactively.

#### **NKEtv. 34. §**

**(1)** The student council exercises the right to give opinions on the adoption and modification of the organizational and operational regulations in the following areas:

- a) academic and examination regulations,
- b) reimbursement and benefit regulations,
- c) the procedure for student feedback on teaching activities.

**(2)** The student council participates in obtaining student feedback on teaching activities and also exercises the right to give opinions on the use of funds allocated for youth policy and student purposes.

#### **NKEtv. 38. §**

**(1)** The leader, lecturer, scientific researcher, other employees, and students of the University, in connection with inventions containing classified information or their publications resulting from scientific research, can initiate patenting only with the permission of the supervising minister.

**(2)** The supervising minister, considering the opinion of the relevant national commander in the case of law enforcement, military, or national security education, can classify the invention or research results as classified information, taking into account Section 17 of Act XXXIII of 1995 on the Protection of Inventions.

#### **NKEtv. 39. §**

The classification and access to carriers of study materials, documentation, library aids containing classified information can be carried out according to the regulations of the University on the protection of classified information based on laws related to the protection of classified information.

#### **Hjt. 2. §**

In the application of this law:

- **Military Officer Candidate:** a person who has been admitted to basic military training and is in student status and contractual service relationship as specified in Chapter XX.

#### **Hjt. 226. §**

**(1)** A person admitted to basic military training shall establish a contractual service relationship with the Hungarian Defense Forces for the duration of the training. After completing the training, their contract is extended for an additional 10 years, and from the completion of the training, the general rules regarding contractual service apply to the member of the military.

**(2)** Military Officer Candidates commit to pursuing their military studies to the best of their abilities. After completing their studies, they are required to serve for at least 10 years, not including voluntary reserve service. The Hungarian Defense Forces undertake to support the military studies of Military Officer Candidates. After successfully completing these studies, candidates are accepted into the officer corps and employed in an appropriate service position.

**(3)** Military Officer Candidates are obliged to meet the training requirements during the specified training period according to the specific regulations for the respective specialization. The period of suspension of student status is not counted toward the training period.

**(4)** The contract and job description must be handed over to Military Officer Candidates no later than the first day of service.

**(5)** After enrollment, Military Officer Candidates are required to complete basic training as specified by the Hungarian Defense Forces.

**(6)** A probationary period of six months must be specified when establishing the contractual service relationship for Military Officer Candidates.

**(7)** The provisions of Section 35 (1) shall apply with the deviation that Military Officer Candidates must be appointed to their initial student rank in the admission contract.

**(8)** If a person admitted to basic military training is a member of the professional or contractual personnel, their professional or contractual service relationship shall terminate upon the establishment of the contractual service relationship according to this Chapter. They lose the rank acquired up to that point, and the contractual service relationship must be established according to paragraph (1). The member's service relationship shall be considered continuous in this case.

#### **Hjt. 229. §**

**(1)** The rank of the Military Officer Candidate is as follows:

- a) From the day of admission, they hold the rank of Student Sergeant.
- b) From August 20th of the year commencing the second academic year, they hold the rank of Student Staff Sergeant.
- c) From August 20th of the year commencing the third academic year, they hold the rank of Student Master Sergeant.
- d) From August 20th of the year commencing the fourth academic year, they hold the rank of Student Warrant Officer.

**(2)** The rank insignia of the Military Officer Candidate is a modified version of the Sergeant, Staff Sergeant, Master Sergeant, and Warrant Officer rank insignia, indicating their student status.

**(3)** The service of the Military Officer Candidate is considered as training time, which must be determined in a way that does not jeopardize the fulfillment of their academic obligations. The Military Officer Candidate is entitled and obliged to reside in the barracks.

**(4)** The suspension of the student status of the Military Officer Candidate does not affect the existence of their contractual service relationship. During the suspension of student status, the Military Officer Candidate can be assigned to serve in defense organizations, gain professional experience, participate in foreign training, and be deployed for training purposes, except for mandatory practice, training, and assignments specified in paragraph (4).

**(5)** During the academic breaks, except for mandatory practice, training, and assignments specified in paragraph (4), the Military Officer Candidate is exempt from service and on-call obligations.

## **Hft. 2. §**

In the application of this law:

- a) **Armed Authority:** a law enforcement agency's professional staff under the law on the service relationship of law enforcement agencies performing law enforcement tasks.
- b) **Dual-status Student:** a person admitted to the law enforcement higher education institution who is a member of the professional staff according to the Law on the Service Relationship of Law Enforcement Agencies (hereinafter: Hszt.) and is pursuing studies in a state-supported education program.
- c) **Scholarship Student:** a person admitted to the law enforcement higher education institution in the full-time program who, based on a scholarship agreement concluded with a law enforcement agency or the immigration and asylum authority (hereinafter together: contracting authority), studies under a scholarship agreement....

## **Hft. 24. §**

**(1)** The benefits of scholarship students are specified in separate legislation and the scholarship agreement. The scholarship agreement can be modified by mutual agreement between the contracting authority and the student. An increase in the student's benefits according to the law does not constitute a modification.

**(2)** The scholarship student undertakes in the scholarship agreement to serve for a specified period at the contracting authority in a professional service relationship or establish a government officer, public officer, public employee, law enforcement administrative service relationship, or defense



employee service relationship, depending on their qualifications and expertise. The contracting authority shall provide suitable employment for the student based on their qualifications and expertise after completing their studies.

#### **Hft. 26. §**

**(1)** Scholarship students are required to wear a uniform or formal dress (hereinafter together: uniform) as specified in separate legislation.

**(2)** Scholarship students cannot wear a uniform at political events. They can wear a uniform at other political events only if officially representing the institution and with the institution leader's permission, as specified in the institution's regulations.

**(3)** Scholarship students can leave the institution only according to the institution's regulations and with permission.

#### **Hft. 32. §**

**(1)** The rights and obligations arising from the service relationship of the dual-status student are governed by the Hszt.

**(2)** In the case of dual-status students, Section 22 of this law does not apply, and the rules of the Hszt. regarding the disciplinary and compensatory liability of the student are applicable.

**(3)** In the case of dual-status students, changes to the institution or department can be made with the permission of the law enforcement agency responsible according to the appointment order.

**(4)** Dual-status students are required to wear a uniform or formal dress as specified by law.

**(5)** In the case of dual-status students, in addition to the provisions listed in Section 48, Paragraphs (6) and 70-72 of the Ftv. are not applicable.

#### **Hft. 34. §**

**(2)** Civilian students participating in law enforcement education must follow the provisions of Section 25 (3) and Section 26, which apply to scholarship students, regarding their professional practice, wearing a uniform, and displaying their academic year insignia.

#### **Hszt. 2. § 22a.**

**Law Enforcement Officer Candidate:** a person admitted to the law enforcement basic training who, during the training period, is in student status and has a candidate officer service relationship as specified in Chapter XXVII.

#### **Hszt. 284. §**

**(1)** The law enforcement officer candidate performs service in the law enforcement officer candidate service relationship (hereinafter: officer candidate service relationship), in which they and the law enforcement agency establishing the officer candidate service relationship with them have obligations and entitlements defined by law. The primary duty of the law enforcement officer candidate is to prepare for service in a service position belonging to the officer classification category in the law enforcement agency.

**(2)** The condition for establishing the law enforcement officer candidate service relationship is that no circumstances excluding student status exist for the law enforcement officer candidate. A person cannot be appointed to the law enforcement officer candidate service relationship if their scholarship

student status or law enforcement officer candidate service relationship has ceased due to a final penalty, resignation, failure to fulfill academic obligations due to own fault, or a final determination of unworthiness.

**(3)** The appointment to the law enforcement officer candidate service relationship and its modifications must be in writing. The law enforcement officer candidate is obliged to pursue their law enforcement studies to the best of their abilities and, after being admitted to the professional staff, to serve for at least 10 years at the law enforcement agency appointing them. The law enforcement agency is obliged to support the law enforcement officer candidate's law enforcement studies, admit them to the professional staff after completing their studies, and employ them in a service position corresponding to their qualifications.

**(4)** The law enforcement officer candidate must fulfill the training requirements within the training period specified in the Training and Output Requirements published for the respective field. The duration of the suspension of student status is not counted towards the training period.

**(5)** The appointment to the law enforcement officer candidate service relationship must be handed over no later than 15 days before the commencement of the basic law enforcement training.

**(6)** The law enforcement officer candidate participates in basic law enforcement training for six months. At the end of the basic law enforcement training, the law enforcement officer candidate takes the "Officer Candidate" exam, and afterward, they take the oath prescribed for members of the professional staff.

**(7)** A probationary period must be stipulated for the law enforcement officer candidate for the duration of the six-month basic law enforcement training. Either party can terminate the law enforcement officer candidate service relationship without cause and with immediate effect during the probationary period. The law enforcement officer candidate service relationship must be terminated during the probationary period for anyone who does not complete the basic law enforcement training due to their own fault or does not meet the requirements of impeccable conduct.

#### **Hszt. 286. §**

**(1)** The law enforcement officer candidate shall serve in the officer candidate rank corresponding to their academic advancement in the officer candidate staff of the law enforcement agency establishing the officer candidate service relationship.

**(2)** The rank of the law enforcement officer candidate is:

- a) Student sergeant from the day of enrollment,
- b) Student staff sergeant from the first day of the academic year in the second year,
- c) Student master sergeant from the first day of the academic year in the third year,
- d) Student ensign from the first day of the academic year in the fourth year.

**(3)** The place of service for the law enforcement officer candidate is the Law Enforcement Branch of the Law Enforcement Faculty of Ludovika University of Public Service (hereinafter: Law Enforcement Branch). The duties of the law enforcement officer candidate are specified in the service regulations of the Law Enforcement Branch. Units established within the Law Enforcement Branch are formed based on the educational programs and specializations and also constitute the reserve of the

competent law enforcement agency. The rules for their use and deployment in formation and special legal order are specified in a cooperation agreement concluded by the national commander and the rector of Ludovika University of Public Service.

**(4)** In the case of the law enforcement officer candidate, during official interactions, the term "student" must be used orally, which must be supplemented in writing with the designation used by the future law enforcement agency corresponding to their profession.

**(5)** During the service of the law enforcement officer candidate, they are not authorized to take independent actions that exceed the level of qualifications defined in Paragraph (6) of Section 285. After successfully passing the "Officer Candidate" exam and taking the oath, they are allowed to carry and use service weapons and equipment according to the rules specified by the law enforcement agency.

**(6)** Contrary to the provisions in Paragraph (5), the police law enforcement officer candidate can perform their professional practice outside the law enforcement agency establishing the officer candidate service relationship, even in other police units. In this case, during professional practice, the law enforcement officer candidate can wear service weapons and equipment according to the rules specified by the law enforcement agency providing the professional practice and can use them in compliance with legal requirements.

**(7)** The service of the law enforcement officer candidate is considered training time, which must be determined in a way that does not jeopardize the fulfillment of their academic obligations.

**(8)** The law enforcement officer candidate can only be deployed for tasks related to the service specified in the law on Ludovika University of Public Service and on Administrative, Law Enforcement, and Military Higher Education, as well as for platoon leader or section leader training tasks within the Law Enforcement Branch, and can be appointed for these tasks.

**(9)** During the academic breaks, except for compulsory practice, the law enforcement officer candidate is exempt from service and availability obligations.

**(10)** Only during the suspension of student status, the law enforcement officer candidate performing service duties is entitled to leave. During this period, contrary to Sections 143-146, the law enforcement officer candidate is entitled to pro-rated basic leave equivalent to five weeks of service per year based on the weekly service time.

**NAV Szjtv. 3. § 33a. Officer Candidate:** A person admitted to the law enforcement basic training who, during the training period, is in student status and has a candidate officer service relationship as specified in Chapter XXVII.

#### **NAV Szjtv. 240. § [The Content of the Officer Candidate Service Relationship]**

**(1)** The officer candidate shall serve in the officer candidate rank within the officer candidate staff of the National Tax and Customs Administration (NAV), where they are subjected to obligations and entitlements defined by law. The officer candidate's primary service obligation is to prepare for performing duties in the financial guard position falling under the I. classification category at NAV.

#### **NAV Szjtv. 241. § [Establishment of the Officer Candidate Service Relationship]**

**(1)** Individuals admitted to the law enforcement basic training program on the daytime schedule shall be appointed to the officer candidate staff of NAV by the head of NAV. NAV is responsible for the

personal records and matters related to the officer candidate service relationship of the officer candidate. The authority exercising employer rights is the head of NAV.

**(2)** The establishment of the officer candidate service relationship is conditional upon the absence of circumstances excluding the officer candidate from student status. A person cannot be appointed to the officer candidate service relationship if their scholarship student status or officer candidate service relationship has terminated due to disciplinary punishment by final court decision, resignation, failure to meet study obligations due to one's own fault, or a finding of unworthiness by final court decision.

**(3)** The appointment to the officer candidate service relationship and any modifications thereof must be documented in writing. The officer candidate is obligated to pursue their law enforcement studies to the best of their abilities and, after being appointed to the tax and customs authority service relationship, serve at NAV for a minimum of 10 years. NAV is obligated to support the officer candidate's law enforcement studies, appoint them to the financial guard position falling under the I. classification category after completion of these studies, and employ them in a position corresponding to their qualifications.

**(4)** The officer candidate must fulfill the educational requirements during the training period specified in the relevant training and output requirements published in legislation. The duration of the interruption of student status does not count towards the training period.

**(5)** The appointment document must be handed over to the officer candidate at least 15 days before the commencement of the law enforcement basic training.

**(6)** The officer candidate shall participate in the law enforcement basic training for the first six months following enrollment. Upon completion of the law enforcement basic training, the officer candidate takes the "Officer Candidate" exam, and after this, they take the oath prescribed for financial guards.

**(7)** A probationary period must be stipulated for the officer candidate for the duration of the six-month law enforcement basic training period. Either party can terminate the officer candidate service relationship without cause and with immediate effect during the probationary period. The officer candidate service relationship must be terminated during the probationary period for anyone who fails to complete the law enforcement basic training due to their own fault or does not meet the requirements of impeccable conduct.

#### **NAV Szjtv. 243. § [Officer Candidate Service]**

**(1)** The officer candidate serves in the officer candidate staff of NAV with an officer candidate rank insignia corresponding to their academic advancement.

**(2)** The rank of the officer candidate is:

- a) Student sergeant from the day of enrollment,
- b) Student staff sergeant from the first day of the academic year in the second year,
- c) Student master sergeant from the first day of the academic year in the third year,
- d) Student ensign from the first day of the academic year in the fourth year.

**(3)** The place of service for the officer candidate is the Law Enforcement Branch of the Law Enforcement Faculty of Ludovika University of Public Service (hereinafter: Law Enforcement Branch).

The duties of the officer candidate are specified in the service regulations of the Law Enforcement Branch. Units established within the Law Enforcement Branch are formed based on the educational programs and specializations and also constitute the reserve of NAV. The rules for their use and deployment in formation and special legal order are specified in a cooperation agreement concluded by the head of NAV and the rector of Ludovika University of Public Service.

**(4)** In the case of the officer candidate, during official interactions, the term "student" must be used orally, which must be supplemented in writing with the "financial guard" designation.

**(5)** During the service of the officer candidate, they are not authorized to take independent actions that exceed the level of qualifications defined in Paragraph (6) of Section 241. After successfully passing the "Officer Candidate" exam and taking the oath, they are allowed to carry and use service weapons and equipment according to the rules specified by NAV.

**(6)** The service of the officer candidate is considered training time, which must be determined in a way that does not jeopardize the fulfillment of their academic obligations.

**(7)** The officer candidate can only be deployed for tasks related to the service specified in the law on Ludovika University of Public Service and on Administrative, Law Enforcement, and Military Higher Education, as well as for platoon leader or section leader training tasks within the Law Enforcement Branch, and can be appointed for these tasks.

**(8)** During the academic breaks, except for compulsory practice, the officer candidate is exempt from service and availability obligations.

#### **NAV Szjtv. 9. § [Leave Entitlement for Officer Candidates Serving During the Suspension of Student Status]**

**(9)** Officer candidates performing service duties are entitled to leave only during the period when their student status is suspended. During this period, instead of the provisions in Sections 110-112, the officer candidate is entitled to annual basic leave in proportion to the five weeks of service corresponding to the weekly service time.

### **3. §**

**(1)** The rights and obligations of students related to their student status, as well as the obligations imposed on them, are determined by the relevant legislation, the University's regulations, including the Study and Examination Regulations, the Doctoral Regulations, the Student Tuition and Benefits Regulations, the Student Disciplinary and Compensation Regulations, the University's Code of Ethics, and the Equal Opportunity Regulations, as well as scholarship and training contracts concluded with students.

**(2)** Students can establish student and doctoral student self-governments, as well as dormitory/residential hall student committees, to represent their interests and can participate in the activities of the University and other advocacy and interest representation organizations. Student and doctoral student self-governments and dormitory/residential hall student committees exercise their rights and obligations based on separate regulations. Students have the right - as stipulated in the relevant laws and university regulations - to elect and be elected to the Senate, the student or doctoral student self-government, the dormitory/residential hall student committee, and other bodies, advocacy, and interest representation organizations.

**(3)** The student's obligations include:

- a) Complying with the laws and regulations of the University;
- b) Using the university facilities, equipment, and supplies entrusted to them or used by them appropriately and protecting them;
- c) Demonstrating disciplined and cultured behavior that aligns with the educational needs and requirements of the University;
- d) Preserving, protecting, and respecting the reputation, authority, traditions, and spirit of the University;
- e) Respecting the dignity of the University's employees and fellow students and, if necessary, providing assistance to them;
- f) Respecting the religion, philosophical beliefs, and ethnic affiliation of fellow students;
- g) Exercising their rights as defined in laws, regulations, and contracts appropriately;
- h) Familiarizing themselves with and mastering the University's emergency evacuation plan, work, fire, disaster, and object protection regulations, as well as its alert system, and applying them to a degree that allows them to fulfill their obligations therein;
- i) Reporting accidents or imminent danger of accidents;
- j) Attending classes, examinations, professional internships, and all other activities organized by the University in a rested, unimpaired state, without the influence of alcoholic beverages or narcotic substances, appearing in a well-groomed manner, behaving respectfully, and participating with discipline; a student who fails to meet these requirements may be denied the opportunity to participate in the class or event.

**(4)** The student is obliged to familiarize themselves with and adhere to the rules concerning the protection of personal data and the publicity of public data, as well as the rules of secrecy. Classified documents and other data carriers can only be processed or studied in the designated location and at the designated time. The obligation of confidentiality applies to the student even during the suspension of their student status or after its termination. The student can initiate the patenting of their invention that constitutes classified information or contains it or the publication of their scientific research only with the permission of the minister competent for their legal status.

#### **NAV Szjtv. 5. § [Student Affairs]**

**(5)** Students have the opportunity to engage in sports activities during physical education classes, in sports clubs and sections operated at the University, as well as within the framework of university sports associations, and in their free time – subject to prior agreement and with the necessary supervision – in the University's sports facilities.

**(6)** Students can be organized into dance groups, sections, and classes based on the faculty, program, and specialization, and according to the schedule. Student officers, including class representatives, group leaders, section leaders, academic representatives, and other administrative assistants, can be appointed according to specific regulations. Students are obliged to obey the instructions of the university and faculty leaders, instructors, and – if appointed – student class representatives, group leaders, and section leaders exercising their supervisory or superior authority.

#### **Chapter III**

**§4**

**(1)** This chapter contains the general rules for handling requests related to student status and the management of student affairs, excluding the procedures for handling student appeals.

**(2)** The specific rules for handling requests related to student status are contained in the regulations belonging to the Student Requirement System (Annex II, point 3 of Act No. 2 of the Nftv.) (hereinafter collectively referred to as the Student Requirement System), with the provisions regarding the handling of requests related to student status as stated in this Regulation. In case of a conflict between the specific rules for handling requests related to student status and the provisions of this Regulation, the specific rules shall prevail.

**(3)** The authority handling student affairs (paragraph 5, subsection 2) and the organizational unit performing its official duties act in good faith, and while respecting the rights and legitimate interests of both the student and the University, within the framework of the relevant legal regulations and university rules.

**(4)** The student is obligated to act in good faith; their behavior must not aim to deceive the authority handling student affairs or cause unjustifiable delays in decision-making or execution. The student's good faith is presumed in the proceedings; the burden of proof lies with the authority handling student affairs in proving bad faith.

**Student Affairs**

**§5**

**(1)** Student affairs include all matters in which a person or body defined in university regulations acts (takes measures, decides) concerning questions related to student status, the rights, and duties of students.

**(2)** At the University, in student affairs, the persons, bodies (committees), and organizational units defined in the Student Requirement System and other university regulations governing student affairs act in the first instance.

**(3)** The establishment, organization, and general rules of operation of bodies handling student affairs are specified in the Organizational and Operational Regulations (hereinafter: Organizational and Operational Regulations) of the Organizational and Operational Rules of the University, as well as in the Student Requirement System and other university regulations governing student affairs.

**Jurisdiction and Authority**

**§6**

**(1)** The jurisdiction of the bodies handling student affairs is determined by the relevant legal regulations, the Organizational and Operational Regulations, the Student Requirement System, and other university regulations governing student affairs.

**(2)** If the law or university regulations do not specify otherwise, the body handling student affairs that belongs to the faculty where the student is enrolled is competent to handle the case.

**(3)** If a student is enrolled in multiple faculties simultaneously, the body handling student affairs that belongs to the faculty related to the specific student matter is competent to handle the case.

**(3a)** If a student's request for changing their major pertains to a program not administered by the faculty in which the student is currently enrolled, the body handling student affairs related to the faculty to which the request for changing the major is directed is competent to handle the case.

**(4)** The body handling student affairs is obliged to examine its jurisdiction and competence at every stage of the procedure. If it determines a lack of jurisdiction or competence, it must immediately transfer the case to the competent body handling student affairs and inform the student in writing or electronically. The provisions of Section 20 of this Regulation regarding notifications must be applied analogously.

### **Initiation of the Procedure**

#### **§7**

**(1)** The procedure in student affairs can be initiated ex officio or upon the student's request.

**(2)** The procedure is initiated ex officio if the University is obligated or authorized by law or university regulations to do so, and also if, based on a call communicated by the University to all students or a specific group of students according to the law or university regulations, a student responds.

**(3)** The procedure is initiated upon the student's request if the student is entitled to initiate the procedure according to legal regulations or university regulations.

**(4)** If the applicable legal regulations or university regulations require the student to pay a fee in the procedure, the initiation of the procedure is conditional upon paying the fee and providing proof of payment.

### **The Application**

#### **§8**

**(1)** Any request related to student affairs must be submitted with the minimum content specified in paragraph (2) and in Annex 1 of this Regulation.

**(2)** The application must include:

- a) the student's name, student identification number (NEPTUN code),
- b) the contact address provided in the electronic student record system (hereinafter: Neptun system) or, if not available, the student's residential address,
- c) the program or programs, specialization or specializations, year, and the indication of the schedule and cost coverage of the education,
- d) the designation of the body handling student affairs to which the request is addressed,
- e) the specific request addressed to the body handling student affairs,
- f) the facts underlying the request and any possible evidence for these facts (including documents appropriately supporting the reasons underlying the request),
- g) preferably, a statement indicating the legal or regulatory provision on which the request is based,
- h) the date of the application, the student's signature,
- i) in case of authorized representation, a power of attorney in private or public document with full probative force,



j) a document proving the payment of the fee specified in §7(4).

**(3)** When using an electronic form in the Neptun system, the submission of the electronic form (its dispatch) shall be considered the signature.

**(4)** The standardized forms for student affairs, except those printable from the Neptun system, must be specified in the university regulations, organizational rules of the Study Department, or in documents governing the operational procedures. The content of the request, the applicable standardized form, and legal regulations or calls for applications can also specify the content of the application. Except for forms printable from the Neptun system, the standardized forms for student affairs must be made available on the faculty's website and in paper form at the body handling student affairs. Students must be informed upon request about the electronic availability of these forms.

### **Submission of Applications**

#### **§9**

**(1)** The student can submit their request or petition, unless otherwise specified by law, university regulations, or a call for applications:

a) in person, or

b) by mail, preferably as a registered letter, or c) using the electronic form in the Neptun system.

The student can also submit the application through their authorized representative.

**(2)** Paper-based applications, if not specified otherwise by the Student Requirement System and other university regulations governing student affairs, must be submitted at the Study Department.

**(3)** Regarding the deadline for submitting applications, the deadline specified in the Student Requirement System and other university regulations governing student affairs must be considered.

### **Supplementary Requirements**

#### **§10**

**(1)** If the application does not meet the requirements specified in §8, the body handling student affairs may request supplementary information from the student within eight days from the receipt of the application, indicating an appropriate but at least four-day deadline, and warning about the legal consequences of failure to comply. A request for supplementary information cannot be issued for the verification of data or attachment of documents that are known to the body handling student affairs or that the body handling student affairs is obligated to obtain.

**(2)** A request for supplementary information can be issued during the procedure if new information arises that needs clarification, even if the application met the requirements specified in §8.

**(3)** If the student does not fulfill the requirements stated in the request for supplementary information within the deadline specified, the body handling student affairs will assess the application based on the available information or terminate the procedure.

**(4)** The request for supplementary information must be issued in writing or electronically, and the provisions of §20 of this Regulation regarding communication must be applied accordingly.

### **Deadlines**

## **§11**

- (1)** Deadlines can be set by law, university regulations, calls for applications, or, in their absence, by the body handling student affairs.
- (2)** Deadlines are calculated in calendar days, months, or years.
- (3)** The day of the event or circumstance triggering the deadline, as well as the day of communication, delivery, posting of notices, or their removal, are not counted within the specified deadline.
- (4)** If a deadline is specified in months or years, it expires on the same day of the month as the day when it started. If this day is missing in the month of expiration, the deadline ends on the last day of that month.
- (5)** The submission date for items sent by mail is the day they are posted. The submission date for electronic documents is the day they are sent. However, the processing period starts on the next business day.
- (6)** Downtime caused by technical issues is not considered when calculating deadlines.
- (7)** Deadline extension is possible only based on the provisions of the law or university regulations.
- (8)** In case of doubt, the deadline is considered met.

### **Request for Justification**

## **§12**

- (1)** If a student fails to meet a deadline or a specific date due to reasons beyond their control, they may submit a request for justification, unless the law states otherwise.
- (2)** The body handling student affairs, where the omission occurred, decides on the request for justification.
- (3)** If the body handling student affairs has adhered to the rules regarding informing and notifying students, and if the deadline is specified in the law, university regulations, or calls for applications, the student cannot request justification based on the argument that they were not notified by postal delivery or that they were unaware of the deadline.
- (4)** The request for justification must be submitted after becoming aware of the omission or after the obstacle ceases to exist but no later than within a period corresponding to the prescribed deadline for the procedural action to be justified, or at most within forty-five days.
- (5)** In case of missing a deadline, the student must rectify the omitted action simultaneously with submitting the request for justification, provided that the conditions for rectification exist.
- (6)** If the body handling student affairs approves the request for justification, the missed deadline or specific date is considered met. To achieve this, the body handling student affairs modifies or withdraws its decision, resumes the procedure in case of withdrawing a decision terminating the procedure, or repeats certain procedural actions. The limitations specified in §23 are not applicable to modifying or withdrawing a decision based on the request for justification.
- (7)** It is not considered missing a deadline if it is caused by common knowledge or other extraordinary circumstances.

**(8)** There is no place for justification due to the submission of the request for justification and the missing of the deadline for procedural actions repeated based on the request.

## **Processing Time**

### **§13**

**(1)** Unless otherwise stipulated by law or university regulations, the first-instance decision must be made within twenty-one days from the date specified in paragraph (3) and the decision must be communicated.

**(2)** If the decision-making body, in matters falling under its jurisdiction, cannot make a decision within the deadline specified in paragraph (1), or if this is not possible, at the first council meeting after the deadline, but no later than within two months.

**(3)** The processing time starts on the day following the arrival of the request to the body dealing with student affairs with jurisdiction over the procedure, or in the case of ex officio proceedings, on the day of the first procedural action.

**(4)** The following periods are not counted towards the processing time:

a) The time required to settle jurisdictional and competence issues.

b) The time from issuing a request for supplementary information or clarification of facts until the provision of the necessary data.

c) The time required to prepare an expert opinion.

d) The duration of proceedings at the professional authority.

e) The duration of the suspension of proceedings.

f) The time period during which a malfunction or other unavoidable event renders the operation of the body dealing with student affairs impossible for at least a whole day.

g) The time needed for the translation of the request, decision, and other documents.

h) The period of delay or negligence by the client.

**(5)** The body dealing with student affairs may extend the processing time once if justified, but not beyond the duration of the original processing time. The student must be informed about the extension simultaneously, and the reasons for the extension must be clearly stated.

## **Minutes, Summary List**

### **§14**

**(1)** Minutes must be taken of the meetings of the body dealing with student affairs and in other cases if prescribed by law or university regulations.

**(2)** The minutes must be recorded in writing or by audio recording. In the latter case, it must be transcribed in writing based on the audio recording within five days.

**(3)** Unless otherwise stipulated by law or university regulations, the minutes must include:

a) The designation of the body (person) involved, the subject of the case, and the file number.

- b) The place and time of the minutes, page numbering.
- c) The names and positions of the committee members present and other persons attending with deliberative rights. In other cases (not related to committee meetings), the names and positions of the persons present.
- d) In case of personal hearings, the name of the person heard - in the case of students, their student identification number (NEPTUN code) - and, in the case of other individuals, their position and the nature of their participation in the case (applicant, person under procedure, representative, witness, expert, etc.).
- e) If necessary, confirmation of informing the persons present about their rights and obligations, and
- f) Essential statements, findings related to the case or meeting, and finally
- g) Signatures of the persons involved and the minute-keeper. In the case of committee meetings, the signature of the committee chairman and the person designated to authenticate the minutes must also be included.

**(4)** The content of the minutes must be presented to the individuals heard - upon their request - and after their awareness of this, the relevant part of the minutes must be signed by them. Refusal to sign and its reason must be recorded in the minutes. Until the decision is made in the case concerned, the person heard can request the supplementation or correction of the minutes of the hearing.

#### **Consideration of Requests and Clarification of Facts**

##### **§15**

- (1)** The request must always be considered based on its content.
- (2)** The body dealing with student affairs is obligated to clarify the facts necessary for the decision. If the available data is not sufficient, an evidentiary procedure must be conducted.
- (3)** Any evidence that is suitable for clarifying the facts can be used in the proceedings. Evidence includes, in particular: the statement of the applicant (student), documents, witness testimonies, minutes of inspections, expert opinions, reports of inspections, and physical evidence.
- (4)** Facts officially known to the body dealing with student affairs and common knowledge do not need to be proven.
- (5)** The body dealing with student affairs evaluates the evidence individually and collectively, establishing the facts and making decisions based on its convincing conviction.
- (6)** In student affairs committee (board) proceedings due to the deadlines specified in these regulations, the chairman of the committee (board) can decide on procedural matters between sessions. This includes issuing requests for supplementary information, as well as summonses, notifications, and communications, as well as the rejection without substantive consideration or termination of the procedure due to the tardiness of the request. The chairman of the committee (board) informs the committee (board) about the decisions made in these cases at the next committee (board) meeting.

#### **Summons, Notifications, Communications**

##### **§16**

**(1)** If the body dealing with student affairs intends to personally hear the student in the proceedings or if another person, especially witnesses or experts, is to be heard in person in the proceedings, a summons is issued.

**(2)** The summons, notification, or communication must indicate the designation of the body dealing with student affairs, the case number, the subject of the case, the date, and location of the hearing, and specify the matters and capacities in which the person summoned, notified, or communicated with is to be heard. The person summoned, notified, or communicated with must be reminded to bring identification documents suitable for verifying their identity.

**(3)** The provisions of Section 20 of these regulations regarding the delivery of the summons, notification, or communication shall be applied with the following deviations:

a) The summons must be communicated so that the recipient receives it at least eight days earlier.

b) The notification must be communicated so that the recipient receives it at least five days earlier.

c) The person can also be summoned, notified, or communicated with verbally.

**(4)** A document confirming the communication of the summons, notification, or communication delivered by mail, in person, or electronically, as well as proof of receipt or viewing, must be placed in the case records. Verbal summons, notifications, or communications must be recorded in the case records, and the person concerned must sign. In case of verbal communication, the body dealing with student affairs must ensure that the record is accurate and must provide a summary of the verbal communication to the person concerned in writing for confirmation.

**(5)** To clarify the facts, the body dealing with student affairs may contact another organizational unit, committee, director, or other university staff member for an opinion. The contacted individual is obliged to respond to the inquiry within the deadline specified by the body dealing with student affairs.

## **Rejection of Requests without Substantive Examination, Termination of Proceedings**

### **§17**

**(1)** The body dealing with student affairs rejects the request without substantive examination within eight days if:

a) it lacks jurisdiction, and there is no place for the transfer of the request, b) the request is manifestly directed towards an impossible goal, c) the request is premature or belated, d) the body dealing with student affairs has already substantively reviewed the request, and a new request seeking to assert the same right under unchanged circumstances and legal regulations has been submitted, or e) the request manifestly does not originate from the entitled presenter.

**(2)** The body dealing with student affairs terminates the proceedings if:

a) there would have been grounds for rejecting the request without substantive examination, but the reason for rejection became known to them after the initiation of the proceedings,

b) the applicant (student) has withdrawn the request, except if multiple applicants (students) are involved in the proceedings and not all of them have withdrawn their requests,

c) the death of the applicant (student) has rendered the proceedings irrelevant,

- d) the circumstances justifying the continuation of the proceedings no longer exist,
- e) the applicant (student) has failed to arrange for the authorization of a person suitable for representation despite the representative's rejection, or has not acted personally despite the body dealing with student affairs' call for representation, except if multiple applicants (students) are involved in the proceedings and they act personally or their representative has not been rejected by the body dealing with student affairs,
- f) due to changes in legislation or modifications to university regulations, the jurisdiction of the body dealing with student affairs no longer includes the resolution of the case, and there is no place for the transfer of the request.
- (3)** The body dealing with student affairs can terminate the proceedings if the applicant (student) has not complied with the call for supplementary information, or the failure to provide a statement has prevented the clarification of the facts.
- (4)** If the applicant (student) withdraws the request before the decision becomes final, the body dealing with student affairs revokes the decision.

### **Suspension and Interruption of Proceedings**

#### **§18**

- (1)** If the substantive resolution of the case depends on a preliminary decision in a matter falling within the jurisdiction of another body, or if the case cannot be substantively decided without another closely related decision by the same body dealing with student affairs, the body dealing with student affairs suspends the proceedings. If the student is entitled to initiate proceedings before the other body, they must be called upon to do so within an appropriate deadline. If the student does not comply with this call, the body dealing with student affairs either terminates the proceedings or decides based on the available data.
- (2)** If an administrative court dealing with public affairs obliges the body dealing with student affairs to start a new procedure and a petition for retrial or review has been submitted against this court decision, the body dealing with student affairs suspends the proceedings.
- (3)** When the proceedings are suspended, all deadlines are interrupted, and upon the termination of the suspension, all procedural actions, except those aimed at ending the suspension, start anew, except for the processing deadline.
- (4)** Even in case of suspension of proceedings, the body dealing with student affairs can make a decision that the ongoing procedural actions and the deadlines set for their completion are not affected by the suspension.
- (5)** The proceedings are interrupted if requested by the applicant (student), unless expressly prohibited by law, or if requested jointly by multiple applicants (students). The proceedings must be resumed upon the request of any of the applicants (students). If the proceedings remain interrupted for six months, the procedure, which can only continue upon request, ceases. The body dealing with student affairs informs those concerned of the cessation of the procedure in case a decision would have been communicated to them.

### **Decision**

#### **§19**

According to Article 57(2) of Act No. Nftv., higher education institutions communicate their decisions related to students in writing to the students in cases determined by this law, government regulations, and the organizational and operational regulations, and when the student requests it. The decision of the higher education institution regarding the student becomes final if the student does not file a legal remedy petition within the deadline specified in paragraph (3) or has waived the submission of the petition.

The student can appeal against the decision or lack of action (hereinafter together: decision) of the higher education institution within fifteen days from the date of communication or, in its absence, from the date of becoming aware of it, except for decisions related to the evaluation of studies. Proceedings can also be initiated against decisions related to the evaluation of studies if the decision was not based on the requirements accepted by the higher education institution, or if the decision contradicts the provisions of the organizational and operational regulations of the higher education institution, or if the provisions related to the organization of the exam were violated.

#### 1. Decision-Making Process

(1) The body handling student affairs makes decisions in the form specified by the legislation, the Student Requirements System, other university regulations related to student affairs, or the application announcement. The body handling student affairs issues resolutions in cases where:

- a) The establishment or termination of the student's student status is the subject of the student affair,
- b) The body handling student affairs is a committee or board,
- c) Otherwise, legislation, the Student Requirements System, other university regulations related to student affairs, or the application announcement dictates so.

In these cases, the body handling student affairs issues its decisions in the form of a resolution.

(2) The resolution (decision) – if no further requirements are set by the legislation or university regulations – must include:

- a) The designation of the decision-maker, the case number, and the name of the case handler,
- b) The student's name, student identification number (NEPTUN code), residential address, major, specialization, year, and the indication of the study schedule,
- c) The designation of the subject matter of the case,
- d) In the operative part:
  - da) The decision of the decision-maker, as well as information about the possibility of legal remedy, where and within what deadline it can be submitted, and the procedure for legal remedy,
  - db) The designation of the consulted body and their opinion for the sake of a professional opinion or expertise,
  - dc) The deadline or due date for fulfilling the obligation and information about the consequences of non-voluntary fulfillment, including information in the decision establishing the payment obligation

about other consequences specified in other regulations or legislation due to the failure to fulfill the obligation,

dd) Information about the established payment obligation and any other fees, methods of payment, and deduction stated in the decision,

e) In the reasoning part:

ea) The established facts and the evidence accepted as the basis for them,

eb) The evidence offered by the student but excluded and the reasons for exclusion, including the circumstances of unsuccessful requests for additional documents and the consequences of missing the deadline,

ec) The factors and facts considered in the discretionary authority's decision-making in the case of a decision made in the exercise of discretionary powers,

ed) The reasoning behind the professional opinion or expertise obtained from the consulted body,

ef) The legal provisions and internal regulations based on which the decision-maker made the decision,

eg) Reference to the legislation or university regulation determining the decision-maker's authority and jurisdiction,

f) The place and time of decision-making, the name of the issuer of the decision, their official position,

g) The signature of the issuer of the decision and the official stamp of the decision-maker.

(3) A simplified decision that omits information about legal remedies but only includes references to the legal provisions that justify it can be made if:

a) The decision-maker fully grants the request and there is no conflicting party in the case, or the decision does not affect the rights or legitimate interests of the conflicting party, or

b) Approval of an agreement.

(4) If the decision includes an obligation, a deadline or due date for the fulfillment must be specified.

## 20. § Notification of Decision, Informing the Student

(1) The body handling student affairs puts its decision in writing.

(2) The written decision must be communicated to the affected student either by postal delivery or through the Neptun system.



(3) If communicated by mail, the decision must be sent as a registered item with acknowledgment of receipt. In case of postal delivery, the date of communication is the day of postal delivery.

(4) If postal delivery fails because the recipient or their authorized representative declares that they will not accept the shipment, the document is considered delivered on the day of the attempted delivery.

(5) If the document delivered by mail:

a) Comes back with a notation "not found," the document is considered delivered on the second attempt of postal delivery,

b) Comes back with a notation "unknown" or "moved," the document is considered delivered on the fifth working day following the attempt of delivery.

(6) If the recipient becomes aware that the document sent to them is considered delivered by the body handling student affairs, they can raise objections within fifteen days from the date of awareness but no later than forty-five days from the date of communication. The objection is upheld by the body handling student affairs if the recipient could not receive the document because the delivery violated official regulations regarding the delivery of documents, or for other reasons not due to their own fault. The objection must present the facts or circumstances that prove the irregularity of the delivery or indicate the absence of fault. If the objection is upheld, the rules regarding certification requests must be applied. The objection is decided by the body handling student affairs that issued the document subject to delivery.

(7) If decisions related to the student or their request/petition are sent in the form of messages (including notifications, information, or requests) or resolutions through the Neptun system, these electronically transmitted messages or resolutions are considered written communication and are considered delivered on the day following the date of transmission. Electronic delivery is not applicable if the specific student affair case excludes it according to the law, or if the legislation regulating electronic communication with the student explicitly prohibits it. It is also not applicable if the decision concerns the existence of the student's student status – except for notifications regarding the obligations in the case of open, non-suspended (active) student status – or in disciplinary and compensation matters. Electronic resolutions sent through the Neptun system are valid without a signature and stamp, with one of the original copies bearing the signature and stamp of the issuer of the decision placed in the student's personal file in the organizational unit responsible for academic administration.

(8) The decision can also be communicated to the present student verbally in person, but in this case, the written decision must be delivered within ten days. The fact of verbal communication must be recorded on the document and signed by the student.

(9) The decision can also be communicated in person. In this case, the body handling student affairs informs the student about the personal delivery via a short text message, phone call, or electronic mail sent through the Neptun system, setting a deadline for receipt. In the case of personal delivery, the fact and date of communication must be recorded on the document and signed by the recipient. If the student does not receive the decision within the deadline, it must be promptly sent to them by mail. If the student acts through an authorized legal representative, the decision must be sent to the legal representative by mail.

## 21. § Correction and Supplement of the Decision

(1) If there is a name, number, or other typographical error or computational mistake in the decision and it does not affect the substance of the case, the body handling student affairs corrects the error.

(2) The correction can be made by the body handling student affairs:

- a) By noting the correction on the original copy of the decision and, if available, on the issued copies,
- b) By replacing the erroneous decision with a new decision, or
- c) By making a correcting decision.

(3) The correction must be communicated to the person to whom the original decision was communicated.

(4) The part of the decision affected by the correction is subject to the same legal remedies as the original decision.

## 22. § Modification, Withdrawal, and Annulment of the Decision

(1) If, based on an appeal, the body handling student affairs determines that its decision violates a law or a university regulation, it modifies or withdraws the decision.

(2) The decision cannot be modified if one year has passed since it became final.

(3) The modification is communicated by the body handling student affairs in a unified decision, preferably by replacing the original decision.

(4) The modified decision is subject to the same legal remedies as the original decision.

(5) The modification must be communicated to the person to whom the modified decision was communicated, as well as to those to whom the contested decision was communicated.

### 23. § Modification, Withdrawal, and Annulment of the Decision

(1) If, based on an appeal, the body handling student affairs determines that its decision violates a law or a university regulation, it modifies or withdraws the decision. The modified or withdrawn decision must be communicated to the person to whom the original decision was communicated.

(2) In the case of an appeal, the body handling student affairs can withdraw a decision that does not violate the law or university regulations or modify it in line with the content of the appeal, provided there are no conflicting interests in the case. This is contingent on the content of the appeal aligning with the modifications made. The decision is subject to the same legal remedies as the original decision.

### 24. §

(1) If the body handling student affairs determines that the party entitled to appeal or a decision not reviewed by the court violates a law or university regulation, it modifies or withdraws the decision. The modified or withdrawn decision must be communicated to the person to whom the modified or withdrawn decision was communicated.

(2) The body handling student affairs is entitled to conduct the procedure described in paragraph (1) only once within one year from the communication of the decision.

(3) In the absence of different regulations in the law or government decree, a decision cannot be modified or withdrawn, except for erroneous entries made in good faith and exercised rights, if it would violate rights acquired and exercised in good faith.

(4) The decision must be annulled or withdrawn, and if necessary, a new procedure must be initiated if:

a) The content of the decision was influenced by a criminal offense, provided that the commission of the crime has been established by a legally binding decision, or such decision is not precluded by the lack of evidence.

- b) The case is not within the jurisdiction of the body handling student affairs.
- c) Its content contradicts a decision of the administrative court in the specific case.

(5) In the case of grounds for nullity, the decision cannot be annulled if it would violate the good faith acquisition and exercise of the party's rights, and three years have passed since the decision became final. However, in the case specified in paragraph (4)(a), the decision can be annulled without a time limit if it does not affect rights acquired and exercised in good faith.

#### IV. CHAPTER

#### PROCEDURE OF STUDENT LEGAL REMEDIES

Section 57 of Act Nftv. (1) In case of violation of their rights, the student can:

- a) Seek legal assistance from the student self-government,
- b) File a legal remedy request, which the higher education institution is obliged to process as specified in this law,
- c) Initiate proceedings with the Commissioner for Educational Rights, provided that they have exhausted their legal remedies as specified in this law, excluding court proceedings.

(2) The higher education institution communicates its decisions regarding the student in writing, as specified in this law, government decree, organizational and operational regulations, or if requested by the student. The decisions of the higher education institution regarding the student are final if the student does not submit a legal remedy request within the deadline specified in paragraph (3) or has waived the submission of the request.

(3) The student can exercise legal remedies against a decision or lack of action (hereinafter together: decision) of the higher education institution within fifteen days of the communication or, in the absence of communication, becoming aware of it, except for decisions related to the evaluation of studies. Proceedings can also be initiated against decisions related to the evaluation of studies if the decision was not based on the requirements accepted by the higher education institution, or the decision contradicted the organizational and operational regulations of the higher education institution, or violated the regulations on organizing exams.

(4) The adjudicator of the legal remedy request cannot be:

- a) The person who made the challenged decision or omitted to make the decision,
- b) A close relative of the person specified in point a),
- c) A person from whom impartial adjudication of the case cannot be expected.

(5) Regarding the subject matter of the legal remedy request, the higher education institution can make the following decisions:

- a) Reject the request,
- b) Instruct the decision-maker of the omission to make the decision,
- c) Modify the decision,
- d) Annul the decision and instruct the decision-maker to conduct a new procedure.

(6) During the adjudication of the legal remedy request, the provisions of the General Administrative Procedure Act must be appropriately applied concerning evidence, the form and content of the decision, the correction, supplementation, modification, or withdrawal of the decision at the request or ex officio. The decision of the second instance becomes final with the communication.

Section 58 of Act Nftv.

(1) The student can challenge the decision concluding the proceedings related to the legal remedy request in administrative litigation. The submission of the lawsuit has a suspensive effect.

(2) The lawsuit can also be submitted invoking the violation of provisions related to the student status. In the application of these provisions, provisions related to the student status refer to regulations found in the legislation and institutional documents that establish rights and obligations for the student.

(3) The provisions of Section 57 and paragraphs (1)-(2) must be applied accordingly to decisions or omissions affecting:

- a) Applicants to higher education institutions,
- b)
- c) Students who previously had a terminated student status.

(4) The procedure of legal remedy, especially the communication of decisions and the deadline for processing the legal remedy request, shall be regulated by the higher education institution in its organizational and operational regulations, within the framework defined by this law. The deadline cannot exceed thirty days.

Validity

## Section 25

(1) The provisions of this chapter apply to legal remedies that can be submitted against decisions, measures, or lack of measures of the University related to the violation of rights concerning the student status.

(2) In the context of this chapter, a student refers to a person entitled to submit a legal remedy request according to the Act Nftv. or a client as defined in Act Ákr.

## Section 26 of Act Nftv.

(1) The legal remedy request is adjudicated by the Student Appeals Committee defined in the Organizational and Operational Regulations. However, in cases related to the university admission process, legal remedy requests concerning admission decisions or decisions made by the University during the admission process are adjudicated by the Admission Appeals Committee as defined in the Organizational and Operational Regulations. Hereinafter, when jointly mentioned, the Student Appeals Committee and the Admission Appeals Committee are referred to as "Committee." If, according to a university regulation, another person or body is authorized to conduct legal remedy proceedings in student matters, the provisions of this chapter must also be applied accordingly in these procedures for matters not regulated by specific university regulations.

(2) A member of the Committee must immediately report in writing any conflict of interest to the President of the Committee as defined in the Act Nftv. In the case of a conflict of interest involving the President, it must be announced at the meeting and recorded in the minutes. If the conflict of interest involves the President, the announcement must be addressed to the Rector, and the Committee can deliberate on the matter only after a decision regarding the conflict of interest has been made. The student who submitted the legal remedy request or their representative can also raise objections about a conflict of interest within eight days of becoming aware of the grounds for the objection. Verbal objections must be recorded in the minutes. The President of the Committee decides on the existence of the conflict of interest, and in the case of a conflict involving the President, the Rector makes the decision. If a member of the Committee has a conflict of interest, that member cannot participate in the adjudication of the request. If the President of the Committee has a conflict of interest, the duties of the President are carried out by a member of the Committee designated by the Rector.

(3) The Committee adjudicates the legal remedy request during its meeting.

(4) The Committee is quorate if a majority of its members are present. The decisions of the Committee are made by a unanimous vote of the present members; in case of a tie, the President's vote is decisive.

(5) The representative of the faculty or institute affected by the legal remedy request and individuals appointed by the President of the Committee must be invited to the Committee's meeting with the right to participate in discussions.

## Jurisdiction and Competence

### Section 27

The Committee is obligated to examine its jurisdiction and competence at every stage of the proceedings. If the Committee establishes a lack of jurisdiction or competence, it must immediately, but no later than eight days after receiving the request, transfer the case to the competent student affairs body and inform the student. The notification procedure is governed by the provisions of Section 36 of this regulation.

## Legal Remedy Request

### Section 28

(1) The legal remedy request must be submitted using the form provided in Annex 2 of this Regulation. The form must be made available on the University's website, and the relevant university organizational units must provide it in print form upon the student's request.

(2) The legal remedy request must contain:

The student's name, student identification number (NEPTUN code), or, if the student does not have a NEPTUN code, their mother's name, place and date of birth, address, and other contact information (phone and email).

The name of the program to which the legal remedy request pertains, as well as the schedule of the program.

A specific request.

Justification, including the facts on which the request is based and the evidence supporting these facts.

The registration number of the decision or measure being challenged in the request.

If possible, reference to the law or university regulation on which the student bases their legal remedy request.

In the case of legal remedy requests related to the evaluation of studies, if possible, the specification of the requirement accepted by the University or the provision in the Organizational and Operational Regulations or the provision related to the organization of the exam that the decision, measure, or omission contradicts.

The date of the request and the student's signature.

In the case of representation, the full power of attorney in a private document or an official document.

(3) In the legal remedy request, only new facts can be referred to, of which the student had no knowledge during the first-instance proceedings, or to which the student did not refer due to reasons beyond their control.

### Submission of Legal Remedy Request and Rectification of Deficiencies

#### Section 29

(1) The legal remedy request must be addressed to the Committee and submitted to the Student Affairs Office. The student can submit the request in person or by mail, as a registered letter.

(2) The Student Affairs Office stamps the legal remedy request with the date of receipt and immediately forwards it to the organizational unit, committee, or person (hereinafter together: first-instance body) that made the decision, implemented the measure, or committed the omission contested by the legal remedy request. The first-instance body takes the necessary measures based on the legal remedy request and, together with its opinion and all documents related to the case, forwards them to the President of the Committee within six days at the latest from the receipt of the legal remedy request.

(3) If the legal remedy request is submitted to the Committee, at the request of the President of the Committee, the first-instance body must immediately, but no later than five days after receiving the request, forward the documents related to the case, any actions taken regarding the request, and its opinion to the President of the Committee. The President of the Committee also forwards the request to the Student Affairs Office.

(4) If the legal remedy request does not meet the requirements set out in Section 28, the President of the Committee, within eight days from the receipt of the request, issues a rectification call, specifying a reasonable deadline and warning of the consequences of non-compliance. A rectification call cannot be issued for proving data or attaching a supplement about which the Committee has knowledge ex officio or that the Committee must obtain. If the student does not comply with the requirements specified in the rectification call by the deadline, the Committee will adjudicate the request based on the available data or terminate the proceedings.



(5) The provisions regarding the notification of rectification call are applied analogously to those regarding notifications in this Chapter.

#### Deadline Calculation

#### Section 30

In the legal remedy procedure, the provisions of Section 11 shall apply to the calculation of deadlines.

#### Clarification of Facts, Notification, and Summons, Contacting

#### Section 31

(1) During the evidence procedure, the Committee shall apply the rules specified in Section 15 of this Regulation regarding the clarification of facts.

(2) According to the provisions of this Regulation, the student has the right to make written or oral statements during the legal remedy procedure or to refuse to make a statement.

(3) If the Committee wishes to hear the student in person during the procedure or wishes to hear another person, especially as a witness or expert, the Committee shall issue a summons.

(4) The summons or notification must include the identification of the Committee, the case number, the subject of the case, the date, and place of the hearing, as well as specify the questions and the capacity in which the Committee intends to hear the person summoned or notified. The summoned or notified person must be reminded to bring identification documents suitable for verifying their identity. The student must be informed in the notification that they can submit their observations in writing, request the waiver of a personal hearing, and be informed about the provisions of paragraph (5).

(5) The Committee is obliged to hear the student in person at least once. If the student does not appear at the Committee's session despite proper notification, the personal hearing can be waived. If the student does not respond to the Committee's call or does not provide the requested information, the Committee will decide based on the available data. The student must be warned about this.

(6) If, in order to clarify the facts, the Committee contacts any organizational unit of the University, committee, leader, or other University employee for an opinion, the contacted party must respond to the request within the deadline specified by the Committee.

(7) The student who submitted the legal remedy request must be notified in writing, by mail – as a registered letter with acknowledgment of receipt – and, if the student has an electronic mail address, electronically, about the session and the personal hearing. The notification must be sent in a way that the recipient receives it at least five days before the date. Other individuals must be summoned in writing, by mail, or electronically, or the request must be forwarded to them. The summons must be sent in a way that the recipient receives it at least eight days before the date. Present persons can also be summoned, notified, or contacted verbally. Documentation regarding the notification, summons, or contact sent by mail or electronically, as well as proof of receipt, viewing, or hearing, must be placed in the case records. The fact that verbal notification, summons, or contact occurred must be recorded in the case records and signed by the concerned party. The refusal of a signature and its cause must also be recorded in the case records.

(8) A rectification call can be issued during the procedure – specifying a reasonable deadline and warning of the consequences of non-compliance – if new data arises during the clarification of facts, which makes it necessary. A rectification call cannot be issued for proving data or attaching a supplement about which the Committee has knowledge ex officio or that the Committee must obtain. If the student does not comply with the requirements specified in the rectification call by the deadline, the Committee will adjudicate the request based on the available data or terminate the proceedings.

#### Certificate Request

#### Section 32

#### Ákr. 53. § [Submission of the Certificate Request]

(1) Anyone who, due to reasons beyond their control, misses a deadline or a specific day during the procedure can submit a certificate request.

(2) The authority that was conducting the procedure during which the omission occurred decides on the certificate request. The certificate request related to missing the deadline established for legal remedies is decided by the authority handling the legal remedy request.

(3) The certificate request must be submitted after becoming aware of the omission or after the obstacle has been removed, but no later than within a period equal to the deadline prescribed for the procedural action to be certified, but not exceeding forty-five days from the missed deadline or the last day of the deadline to be certified.

(4) In case of missing a deadline, the procedural action that was omitted must also be completed simultaneously with the certificate request if the conditions for this are met.

(5) There is no place for certification for the submission of the certificate request and for the procedural action repeated based on the request due to missing the deadline.

#### Ákr. 54. § [Legal Effect of Accepting the Certificate Request]

If the authority approves the certificate request, it considers the missed specific day or deadline as met. Therefore, if necessary, it modifies or revokes its decision, or repeats certain procedural actions.

The Committee decides on the certificate request related to missing the deadline set for submitting the legal remedy request.

#### Processing Deadline

#### Section 33

(1) The Committee shall decide on the legal remedy request within 21 days from the day following the arrival of all documents related to the case, or if this is not possible, at the first board meeting after the expiration of the deadline, but no later than 30 days after the expiration.

(2) The provisions of Section 13 shall be applied to the processing deadline in other respects.

#### Minutes, Summary List

#### Section 34

(1) Minutes must be taken of the Committee's meeting.

(2) The minutes must be recorded in writing or by audio recording, and in the latter case, it must also be prepared in writing based on the audio recording within 5 days.

(3) The minutes must include:

a) The Committee's name, the subject of the case, and the case number,

b) The place and time of the minute's preparation, page numbering,

c) The names of the present committee members, as well as the names of other individuals present,

(4) The minutes must be accompanied by an attendance sheet signed by those present at the committee meeting.

(5) The minutes must be presented to the persons heard in the procedure – upon the concerned party's request – and after this has occurred, the appropriate section of the minutes must be signed by them. The possible refusal of a signature and its reason must be recorded in the minutes. The individuals heard in the case can request the supplement or correction of the minutes of the hearing until the decision is made in the case.

(6) The Committee's decisions are summarized annually by the Educational and Study Office. The summary must include the serial number, the applicant's name, NEPTUN code, and if the individual does not have a NEPTUN code, their mother's name, place, and date of birth, the name of the relevant educational unit, the registration number of the decision, and whether the Committee made the decision within its discretionary authority.

#### Section 35: Decision

Nftv. 57. § (5) Regarding the subject matter of the appeal, the higher education institution can make the following decisions:

a) reject the appeal,

b) instruct the decision-maker on the decision,

c) modify the decision,

d) annul the decision and instruct a new procedure.

(6) During the review of the appeal, the provisions of the law on general administrative procedures must be appropriately applied concerning verification, form, content of the decision, correction, supplementation, modification, or withdrawal of the decision, whether on request or ex officio. The decision made in the second instance is final upon notification.

#### Ákr. 80. § [Forms of Decision]

(1) The decision can be either a resolution or an order. The authority makes resolutions on the merits of the case, and other decisions taken during the procedure are orders, except as defined in paragraph (4).

(2) The client is entitled to the exercised right if the authority omits making a resolution within the deadline for case handling (lawful silence). Lawful silence is applicable if:

- a) it is not excluded by law or government decree in cases handled by an automatic decision-making procedure,
- b) it is so regulated by law or government decree in cases handled by a summary procedure,
- c) it is so regulated by law or government decree in full procedures, and there is no opposing client.

(3) In case of lawful silence, the authority informs the client of the acquired right based on the appeal, and provides a copy of it to the client or issues a copy from the copy held by the authority.

(4) If the procedure aims at increasing financial benefits of the entitled parties defined by law, without weighing, the authority omits making a resolution.

#### Ákr. 81. § [Content and Form of the Decision]

(1) The decision includes all necessary data for the identification of the involved authority, clients, and the case, except for confidential and protected data. It encompasses the operative part of the decision, information related to the authority's decision, the expert authority's opinion, information about the right to appeal, information on the procedural costs incurred, as well as, in case of transitioning to a full procedure, the reason for the transition, the established facts with confidential data included, evidence, reasoning for the expert authority's opinion, considerations, reasons for the decision, and references to the legal provisions justifying it.

(2) A simplified decision can be made, omitting information about the right to appeal, and containing only references to the legal provisions justifying it, in the following cases:

- a) if the authority fully grants the appeal and there is no opposing client in the case, or the decision does not affect the right or legitimate interest of the opposing client,
- b) approval of an agreement.

(3) A non-appealable order can be made, containing only references to the legal provisions justifying it.

(4) The authority formalizes the decision in a separate document, includes it in the minutes, or records it in the case file.

(5) In cases requiring immediate procedural action, the formalization of the decision can be omitted and it can be orally communicated to the client. In this case, the authority formalizes and communicates the decision in writing afterward.

Note: In the context of this Chapter, the terms resolution and order, when mentioned together, refer to a decision. The Committee's decision must be formalized in a separate document.

(2) If after the issuance of the first-instance decision, a fact influencing the first-instance decision, essential for the case, and already existing at the time of the decision, arises, or further clarification of the facts is necessary, the Committee, in addition to annulling the decision, can instruct the first-instance body in an order to conduct a new procedure in the case.

(3) The decision must include the student's NEPTUN code, and if the student does not have a NEPTUN code, the mother's name, place, and date of birth, the field of study, specialization, year, and the schedule of the education, as well as any other identification data provided by the student in the appeal for legal remedy.

(4) In Section 81 of the Higher Education Act, the term "legal provisions" also includes university regulatory provisions and regulations. Additionally, the term "authority" as defined in Sections 80-81 refers to the Committee. These regulations must be appropriately applied to the content of the order.

(1) The Committee communicates its decision to the student via postal mail, sent as a registered letter with return receipt requested. The decision can also be communicated in person or electronically to the present student; however, in these cases, the written decision must be sent by mail within 10 days. The fact of oral or electronic communication must be noted on the document, and in the case of oral communication, it must be signed by the student. If the student refuses to sign, this fact and the reason must be recorded on the document. Personal delivery should adhere to the provisions outlined in Section 20(9).

(2) Notice by announcement is not applicable in the procedure described in this regulation.

(3) The Committee must also communicate the decision to the relevant Academic Department.

(4) To promote uniform application of the law, the Committee may inform the Dean of the Faculty about the content of certain decisions, excluding personal data.

#### Correction and Completion of the Decision

(1) If there is a typographical error or computational mistake in the decision, which does not affect the substance of the case, the authority corrects the decision.

(2) The correction is communicated by the authority to the person with whom the original decision was shared.

(3) The part of the decision affected by the correction is subject to the same legal remedy as the original decision.

(1) If a mandatory content element prescribed by law is missing from the decision, or if no decision has been made on a question related to the substance of the case, the authority completes the decision.

(2) There is no place for completing the decision if one year has passed since the decision became final.

(3) The completion is communicated by the authority in a unified decision, preferably by replacing the original decision.

(4) The completion is subject to the same legal remedy as the original decision.

(5) The completion must be communicated to the person to whom the completed decision was originally communicated.

The term "authority" as defined in Sections 90-91 refers to the Committee.

#### Modification or Withdrawal of the Decision, Official Review of Decisions

#### Section 38: Modification or Withdrawal of the Decision Based on the Appeal

(1) If, based on the appeal, the authority determines that its decision violates the law, it modifies or withdraws the decision.

(2) If the authority agrees with the content of the appeal letter and there is no opposing party in the case, the authority can also withdraw a decision that is not in violation of the law or modify it in accordance with the content of the appeal letter.

(3) If the expert authority modifies its opinion based on the appeal letter, the authority modifies or withdraws its decision accordingly.

(4) The decision can be withdrawn or modified only once.

#### Section 39: Modification or Withdrawal of the Decision

(1) If the authority determines that a decision not adjudicated by the second-instance authority, supervisory body, or administrative court violates the law, it can modify or withdraw the decision within one year from its communication – or from the communication of the decision made in a criminal case that clashes with Section 5/A of Act CXXV of 2017 on sanctions for administrative rule infringements – at most once.

(2) In the absence of different regulations in the law or a government decree, the decision cannot be modified or withdrawn except for the incorrect entry in the authority's certificate and diploma if it would violate rights acquired and exercised in good faith.

#### Section 40: General Rules for Nullity

(1) In procedures regulated in this chapter, the decision must be annulled, withdrawn, and if necessary, a new procedure must be conducted if:

- a) – excluding provisional measures – the case is not within the authority's jurisdiction,
- b) it was made without the mandatory referral to the expert authority or by disregarding the expert authority's opinion,
- c) the decision-making body was not legally formed, not quorate, or lacked the necessary voting ratio for the decision,
- d) its content was influenced by a criminal offense, provided that the commission of the offense was established by a final, case-deciding resolution, or its issuance was not precluded by lack of evidence,



- e) the prosecutor applied conditional suspension of prosecution, and the duration has successfully elapsed,
- f) its content contradicts the decision of the administrative court in the given case,
- g) further involvement of another party should have occurred in the procedure, or
- h) it constitutes a serious procedural violation defined as a nullity reason by law.

(2) The decision – with the exceptions stated in paragraph (3) – cannot be annulled based on nullity reasons if:

- a) it would violate a party's acquired and exercised rights in good faith, and three years have passed since the decision became final,
- b) five years have passed from the finality of the decision establishing the obligation or, if longer, from the last day of the performance period for continuous obligations,
- c) a neglected or omitted expert authority as per Section 56(2) has consented to it.

(3) In the cases of nullity reasons stated in paragraphs (1)(d) and (e), the decision can be annulled without a time limit if it does not affect rights exercised in good faith.

In the provisions of the Act related to the modification and withdrawal of the decision, the term "authority" refers to the Committee.

#### Section 39: Rejection of the Remedial Petition, Termination of Proceedings

(1) The first-instance authority rejects the remedial petition within eight days if the petition is premature, belated, or if it is evidently not submitted by the authorized person.

(2) The Committee rejects the remedial petition within eight days if:

- a) The Committee does not have the competence to adjudicate the petition, and there is no basis for transferring the petition.
- b) The Committee has already substantially adjudicated a petition seeking the enforcement of the same right, and the content of the petition as well as the applicable legal regulations have not changed.
- c) From the content of the petition, it can be determined that the matter is not subject to remedial proceedings.

(3) The Committee terminates the proceedings if:

- a) The rejection of the remedial petition would have been justified, but the cause for rejection became known after initiating the proceedings.
- b) The petitioner withdraws the remedial petition, except if there are multiple petitioners in the proceedings, and not all of them have withdrawn their petitions.
- c) The proceedings become obsolete due to the death of the petitioner.
- d) The circumstances justifying the continuation of the proceedings no longer exist; the proceedings have become obsolete.
- e) Due to a change in legislation, the adjudication of the case no longer falls within the competence of the Committee, and there is no basis for transferring the petition.

(4) If the petitioner withdraws the remedial petition as per paragraph (3)(b) before the finality of the decision, the Committee withdraws the decision.

#### Section 40: Suspension, Adjournment, and Termination of Proceedings

(1) If the substantive decision in the case depends on a preliminary decision by another authority or if the case cannot be substantively decided without another decision closely related to the case by the Committee, the Committee suspends the proceedings. If the student who submitted the remedial petition is entitled to initiate the proceedings before the other authority, they must be notified within an appropriate deadline. If the petitioner does not comply with the notification, the Committee terminates the proceedings or makes a decision based on the available data.

(2) If the court handling administrative matters obliges the Committee to conduct a new proceeding and appeals or requests for review have been filed against this court decision, the Committee suspends the proceedings.

(3) During the suspension, all deadlines are paused, and upon the termination of the suspension, all proceedings start anew, except for the processing deadline. All procedural actions taken during the suspension are null and void, except for those aimed at ending the cause of suspension.

(4) Even during the suspension, the Committee may decide that the ongoing procedural actions and the deadlines set for their completion will not be affected by the suspension.

(5) The proceedings are adjourned if, in the absence of a statutory exclusion, the petitioner (student) requests it, or jointly, if there are multiple petitioners (students) requesting it. The proceedings must

be resumed upon the request of any petitioner (student). The proceedings that can only be continued upon request cease to exist after six months of adjournment. The Committee informs those with whom the decision would have been communicated about the termination.

#### Section 41: Exercise of Discretion

(1) The Committee may exercise discretion in justified cases. Within the framework of discretion, and within the limits of discretion exercised by the first-instance authority, the Committee can modify the decision made by the first-instance authority if the following conditions are met:

- a) The petitioner is in an extraordinary situation not attributable to their own behavior.
- b) The petitioner submitted a request for the exercise of discretion in the first-instance proceedings.
- c) The first-instance authority did not exercise the discretionary powers in a manner contrary to the law or university regulations.
- d) The annulment of the decision made in the exercise of discretion by the first-instance authority and the referral of the case back to the first-instance authority would result in seriously detrimental consequences for the petitioner due to the delay.

(2) Discretion can be exercised concerning the order of fulfilling academic obligations without affecting the content of the academic requirement. The decision based on discretion must specify the conditions of the approval and indicate that no further benefits can be granted on a discretionary basis in the future.

#### Court Review

#### Section 42: Judicial Review

(1) The student can challenge the decision concluding the remedial petition process in an administrative court. The filing of the lawsuit has a suspensive effect.

(2) The lawsuit can also be filed by referring to the violation of provisions related to the student status. In the application of these provisions, provisions related to the student status refer to provisions in the legislation and institutional documents that establish rights and obligations for the student.

#### Section 43: Filing the Lawsuit

(1) The lawsuit must be filed within thirty days from the notification of the disputed administrative action to the administrative authority that carried out the disputed action, unless otherwise provided by law. If the administrative action does not need to be notified, the lawsuit must be filed within thirty days from becoming aware of the action, but no later than within one year from the realization of the action. In the case of actions taken in multi-level administrative proceedings, the lawsuit must be filed with the administrative authority that acted in the first instance.

The student submits the lawsuit against the decision of the Committee to the first-instance authority.

## Chapter V: Final Provisions

### Section 43: Final Provisions

(1) This Regulation was adopted by the Senate with Decision No. 62/2019 (May 29).

(2) This Regulation enters into force on July 1, 2019.

(3) With the entry into force of this Regulation, Decision No. 95/2014 (July 16) adopted by the Senate becomes invalid.

(1) This Regulation must be applied in cases initiated and repeated procedures started after its entry into force. However, at the request of the student, if it is more advantageous for the student, it must also be applied in ongoing cases.

(2) The Vice Rector responsible for educational affairs is authorized to revise and ensure the publication of modifications not affecting the provisions of this Regulation in case of modifications in the legal provisions mentioned in this Regulation, with the assistance of the Legal Directorate.