

BUDAPEST UNIVERSITY OF TECHNOLOGY AND ECONOMICS



Senate Decision № X./1./2022-2023.(26.VI.2023.)

ON THE CODE OF ETHICS OF THE BUDAPEST UNIVERSITY OF TECHNOLOGY AND ECONOMICS

OFFICIAL TRANSLATION

In case of divergence of interpretation, the Hungarian version shall prevail.

In force at 25 August 2023.

Rector's Cabinet
Department of Academic Affairs

Table of Contents

I. CHAPTER I GENERAL PROVISIONS	3
1. Purpose and scope of the Code	3
2. Principles	4
II. CHAPTER II ETHICAL STANDARDS	5
3. General ethical standards applicable to all university citizens	5
4. Ethical standards for university citizens in management and decision-making positions	7
5. Ethical standards for academic staff members and teaching activities.....	9
6. Ethical standards for researchers and research activities	10
7. Ethical standards for publishing	12
8. Ethical standards for students	13
III. CHAPTER III BODIES AND PERSONS ACTING IN MATTERS OF ETHICAL CONDUCT.....	14
9. Ethics Committee.....	14
10. Conflict of interest and exclusion.....	15
11. The Ad Hoc Council acting in ethics cases	17
IV. CHAPTER IV ETHICS CASES AND ETHICS PROCEDURES	18
12. General rules of procedure.....	18
13. Ethics case	20
14. The procedure of the Ad Hoc Council.....	24
V. CHAPTER V CLOSING PROVISIONS	28
15. Short reference to the Code	28
16. The organisational unit in charge of editing the Code.....	28
17. Enforcing provisions	28
18. Modifying provisions.....	28

In accordance with the provisions of Act XXV of 2023 on Complaints, Public Interest Disclosures and Rules Related to Whistleblowing, and in order to ensure uniform regulation of moral and ethical standards of conduct for the citizens of the University, to ensure respect for fundamental human values and human dignity, and to maintain the reputation and social prestige of the University, the Senate of Budapest University of Technology and Economics hereby adopts the following regulations as part of its organisational and operational rules and as an annex to the Rules of Organisation and Operation:

I. CHAPTER I GENERAL PROVISIONS

1. Purpose and scope of the Code

1. § *[Purpose of the Code]*

(1) The purpose of this Code is to ensure the following in relation to Budapest University of Technology and Economics (hereinafter: University)

- a) to define the higher social expectations, moral standards and ethical requirements to be expected of university citizens in addition to the legal requirements,;
- b) to contribute to strengthening and improving the quality of relations between university citizens, to create a good atmosphere for harmonious human coexistence and a sense of well-being which aids professional work; and
- c) to help create an inclusive and safe higher education setting, which also supports integration.

(2) A further aim of this Code is:

- a) to contribute to the enhancement of the University's reputation and the preservation of its organisational and personal integrity;
- b) to define common ethical standards for teaching, research, innovation and artistic creative activities at the University;
- c) to ensure fair and ethical standards of publication; and
- d) to enforce the requirements of fairness and equal treatment.

2. § *[The personal scope of the Code]*

The scope of this Code covers

- a) natural persons who have an employment relationship with the University, regardless of the type of relationship;
- b) persons who have student status at the University;
- c) students with a terminated student status or employees with a terminated employment relationship in connection with proceedings related to ethical conduct under this Code; and

- d) persons admitted to the University, in connection with participation in a University event subject to registration and future student status.

3. § [*The material scope of the Code*]

- (1) The material scope of this Code shall, with the exceptions set out in (2), cover all activities of the persons defined in 2. § in connection with the University.
- (2) The material scope of this Code shall not cover
 - a) criminal offences and misdemeanors defined by law;
 - b) disciplinary and compensation cases;
 - c) any activity specified in other internal codes which is subject to detrimental legal consequences.

4. § [*The term of the Code*]

- (1) Ethical misconduct shall be judged in accordance with the ethical standards of the Code of Ethics in force at the time of committing such misconduct.
- (2) The provision of 34. § (4) shall also apply even if the ethical misconduct ended before the entry into force of this Code.
- (3) If, under the ethical standards of the new Code of Ethics in force at the time of the assessment of the act, the act is no longer an ethical misconduct, the ethical standards of the new Code of Ethics apply.
- (4) Ethics proceedings shall be conducted in accordance with the rules of procedure in force at the time the proceedings are initiated.

2. Principles

5. § [*Principles of interpretation*]

The provisions of this Code shall be interpreted and implemented in accordance with the provisions of

- a) the Rules of Organisation and Operation;
- b) the Rules of Procedure of the Senate;
- c) the Human Resources Policy;
- d) the Intellectual Property Policy;
- e) the Code of Studies and Examinations;
- f) the Student Disciplinary and Compensation Policy;
- g) the Civil Servant Compensation Policy;
- h) the policy on procedures for handling incidents that compromise organisational integrity;
- i) Equal Opportunities Plan; and
- j) the Records Management Policy.

6. § [*Principles of implementation*]

- (1) During its procedure the Ethics Committee takes into account the facts regarding the case concerned, evaluates all evidence in accordance with its due weight, and establishes its decision on true facts.
- (2) During the Ethics Committee proceedings, it is the responsibility of the parties to formulate allegations and provide evidence in support of them.
- (3) To improve efficiency, the decision-maker is required to organise its activities to ensure that the procedure is closed in the shortest possible time, without compromising the requirements to reveal the facts and using advanced technologies.
- (4) Parties involved in matters of ethical conduct are allowed to make a statement, remark any time in the course of the procedure.
- (5) In exercising rights and fulfilling obligations, as laid down by the present Code, the parties involved in the proceeding and otherwise concerned shall carry out their actions in accordance with the principles of good faith, fair dealing and obligation of cooperation.
- (6) The requirements of good faith and fair dealing shall be considered breached where a party's exercise of rights is contradictory to his previous actions which the other party had reason to rely on.
- (7) The parties concerned may not conduct themselves in such a manner as to mislead the Ethics Committee or cause an unjustifiable delay in decision-making or enforcement. The parties concerned shall be presumed to act in good faith, the burden of proof for bad faith lies with the acting body or person.
- (8) Unless otherwise provided for by this Code, the exercise of rights and fulfilment of obligations in relation to matters of ethical conduct shall be carried out in the manner normally expected in the circumstances.
- (9) A person may not rely, in support of his claim, on an unlawful act he has committed.
- (10) A person who himself engaged in an unlawful act may also rely on the wrongful act committed by others.
- (11) During ethics procedures human dignity of all shall be respected.

**II. CHAPTER II
ETHICAL STANDARDS**

3. General ethical standards applicable to all university citizens

7. § [*General ethical standards*]

- (1) Society expects a high level of moral responsibility, values and standards from the citizens of the University. To meet these expectations, all citizens of the University are required to

- a) accept, respect and follow the individual and collective values, traditions, achievements, human rights and fundamental freedoms of Hungarian and universal human culture;
 - b) respect above all else the dignity of others and to refrain from violating it;
 - c) acknowledge and accept human differences and cultural specificities;
 - d) show tolerance on religious and ideological issues;
 - e) show respect and tolerance towards minorities and persons belonging to minorities;
 - f) show loyalty to the University and solidarity, tolerance and respect for its citizens;
 - g) carry out their duties to the best of their ability, conscientiously, accurately, in cooperation with other citizens of the University, in a collegial manner, in the interests of the University, and to expect others to do the same;
 - h) strive to preserve and strengthen the reputation of the University and its citizens, and the dignity and honour of University citizens, and to respect their personal rights;
 - i) act at all times on the assumption that the behaviour of others is also guided by moral and ethical responsibility;
 - j) be responsible for the proper use and protection of the University's property entrusted to them;
 - k) refrain from direct political activity in the exercise of their academic duties;
 - l) refrain from offensive ways and forms of expression of opinion;
 - m) in their statements to the general public (in particular: press, social media), pay particular attention to their obligations under h);
 - n) refrain from giving anyone an undue advantage;
 - o) adopt an energy and environmentally conscious attitude towards the workplace environment and require their colleagues to do so;
 - p) take action against breaches of the standards of conduct set out in this Code;
 - q) seek to settle ethics-related conflicts amicably and, if this is not possible, refer them to the Ethics Committee; and
 - r) refrain from abusing the options and means of enforcement of claims provided by this Code, in particular by lodging an ethics complaint that is clearly unfounded or in bad faith.
- (2) Foreign citizens studying at the University or participating in the programmes of the University are expected to adapt to the standards of behaviour generally accepted in Hungary and at the University, while preserving their own culture, and to seek to learn and accept our customs and traditions to the extent necessary for integration into the University community.
- (3) All citizens of the University shall
- a) refrain from direct or indirect discrimination;
 - b) enforce the requirement of equal treatment;
 - c) refrain from forcing others to adopt their own worldview or values.

8. § [*Ethical standards in human relations*]

Citizens of the University shall

- a) take action against behaviour and phenomena that disrupt the academic, research and working environment;
- b) refrain from favourable or unfavourable treatment based on previous acquaintance and from discrimination on grounds of sex, ethnic origin, religion or politics;
- c) combat all forms of violence and offences against human dignity;
- d) refrain from offering or accepting any financial, sexual or other advantage or service for the purpose of professional or academic advancement (in particular: good grades, obtaining a favourable position);
- e) exercise their rights without violating the inherent rights of others;
- f) refrain from forcing undue advantage, financial or other consideration; and
- g) create an inclusive, tolerant working environment.

4. Ethical standards for university citizens in management and decision-making positions

9. § [*Specific ethical standards for managers*]

(1) University citizens holding a senior management position at the university shall

- a) act in an exemplary manner with outstanding professional and managerial skills in their management work;
- b) enforce among their subordinates the values laid down and expected by the law and other regulations, in particular this Code;
- c) create a supportive, inclusive and constructive working environment in the organisational unit under their leadership;
- d) encourage and help their subordinates in their career development as much as possible;
- e) seek to settle arising professional, personal and other problems amicably through dialogue and by conflict resolution;
- f) provide the opportunity for their subordinates to express their opinions and suggestions on the given task during the preparation and implementation of tasks;
- g) manage the financial assets entrusted to them responsibly;
- h) evaluate the work of their subordinates objectively;
- i) make well-prepared, objective, responsible decisions; and
- j) not abuse their position as leaders and decision-makers.

(2) University citizens holding a senior post at the University, by virtue of their senior post, shall

- a) lead the organisation or institution they manage with legal, economic and moral responsibility, professionalism and commitment to their subordinates;

- b) prepare and consider their decisions carefully and professionally, as appropriate to the circumstances;
 - c) assign subordinates only to tasks which they can be expected to perform on the basis of their qualifications, skills, experience and training;
 - d) provide their subordinates with all the information and conditions necessary for the performance of their duties;
 - e) set a reasonable deadline for the performance of the tasks within which they can be completed.
- (3) When acting in a managerial position, it is an ethical misconduct if the manager
- a) fails to ensure equal treatment and publicity for their staff, especially in situations of application, publication and scientific qualification;
 - b) uses or abuses the hierarchical relationship in situations not directly related to the employment;
 - c) uses the hierarchical relationship in the workplace to exert political, ideological or religious influence;
 - d) uses the hierarchical relationship in the workplace to obtain sexual favours, undue advantage or undue benefit; or
 - e) turns a blind eye to the unethical behaviour of their subordinates.

10. § [*Ethical standards for members of decision-making bodies*]

- (1) Members of the decision-making body shall
- a) be prepared to participate in the work of the body;
 - b) take into account the interests of the University in their decision-making;
 - c) resign from membership or office in the body if they are unable or unwilling to participate in its work;
 - d) gather extensive information before making a decision and consider the facts on which the decision is based objectively and impartially;
- (2) Members of the decision-making body shall commit an ethical misconduct if they
- a) make or initiate a decision not based on the facts and their consideration, but as a result of other circumstances;
 - b) in the case of secret ballots, violate or compromise the secrecy of the ballot in any way;
 - c) violate or initiate violations of democratic principles.

11. § [*Ethical standards for persons representing the University*]

Members of the University entitled to represent the University in accordance with Section 51 of the University's Rules of Organisation and Operation shall

- a) in making a statement in their representative capacity, consider the University's core activities and interests and base their statement on the facts;
- b) maintain the reputation of the University; and
- c) in making a statement in their representative capacity, refrain from expressing political opinions.

5. Ethical standards for academic staff members and teaching activities

12. § *[Ethical standards for academic staff members]*

- (1) For the purposes of this Code, an academic staff member is a person who performs teaching duties within the framework of any employment relationship or voluntary activity in the public interest pursuant to Act LXXXVIII of 2005 on Voluntary Activities in the Public Interest.
- (2) The main aim of the academic staff member's teaching activity is to promote the professional, human and moral development of students and doctoral students, and to develop their potential.
- (3) In order to achieve the objectives set out in Paragraph (2), academic staff members shall
 - a) respect the human dignity and inherent rights of students and doctoral students;
 - b) carry out the teaching tasks entrusted to them to the best of their knowledge and ability, in a responsible manner, and do their utmost to ensure that students acquire the competences of the subject or course taught;
 - c) continuously educate themselves, to follow the scientific development of the field or discipline they are working in, and to incorporate its new results into their teaching activities;
 - d) use the tools of personal example, serve as a role model for students through their professional activities and behaviour;
 - e) take action against behaviour and phenomena that disturb the educational environment;
 - f) hold the lessons they have announced in person, at the time and place indicated, and to inform their supervisor and the students in good time if they are unable to attend;
 - g) provide clear information for students on the requirements, professional, teaching and performance expectations;
 - h) avoid direct or indirect discrimination against students;
 - i) seek to assess the students' performance objectively and communicate clearly to students the reasons for their assessment;
 - j) keep students' data and academic results confidential;
 - k) respect and not abuse the cooperation and professional relationship between the academic staff member and the student;
 - l) avoid or eliminate situations of conflict of interest (in particular, a conflict of interest is deemed to exist if the academic staff member assesses the academic performance of a student who is their relative or a student who has a private relationship outside the teaching activity or dispute with the academic staff member);
 - m) clearly separate their social, economic or political role, unrelated to their teaching activities;

- n) support the work and professional development of their teaching colleagues as much as possible.

13. § [*Ethical misconduct in connection with teaching*]

Academic staff members commit an ethical misconduct if they

- a) conduct the oral assessment of academic performance without the presence of a third person other than the student and themselves;
- b) fail to assess the academic performance of students in non-biased way, using uniform criteria and methods, with the exception of ensuring equal opportunities for students with disabilities;
- c) determine the timing, the scheduling or content of academic assessments in such a way as to make it disproportionately difficult or impossible for all or part of the students to complete them; or
- d) make a statement to another higher education institution without prior notification to the employer, as a result of which they can no longer be taken into account at the University, pursuant to Section 26 (3) of the Higher Education Act.

6. Ethical standards for researchers and research activities

14. § [*Ethical standards for research activities*]

(1) In order to ensure the utmost professional integrity and preserve the independence, autonomy, impartiality, integrity and moral credibility of scientific research, university citizens engaged in scientific activity shall

- a) respect ethical and professional quality requirements when setting research objectives, and refrain from setting ethically questionable research objectives that raise unrealistic or unfounded expectations;
- b) in order to ensure the verifiability of the research, ensure that the research process, the methods used, the data generated and the research materials and results are properly and fully documented, and preserve the documentation;
- c) strive to publish the scientific results of research in their entirety and in an unbiased manner;
- d) cite the research history, ideas, methods, data and texts of others in an appropriate way, respecting the legal and ethical rules of citation;
- e) refrain from adopting ideas, data, scientific results and texts from others and using them as their own without acknowledging the source (plagiarism);
- f) initiate a correction if it becomes certain that a conclusion, data or result they have previously communicated is incorrect, incomplete or erroneous;
- g) refrain from research that could harm or endanger the individual, society or the environment; and
- h) provide truthful information about their scientific activities.

(2) An ethical misconduct is committed by anyone who

- a) arbitrarily modifies, manipulates or falsifies research data or activities;
- b) publishes unsubstantiated, false or falsified scientific results;
- c) personally influence scientific research unethically and in bad faith;
- d) violates the dignity or personal freedom of individuals involved as subjects in a scientific study, fails to provide or provides incomplete information about the risks associated with the investigation, or breaches confidentiality;
- e) fails to disclose the source of material data or facts obtained through confidential manuscripts, access to applications, collegial exchanges of information or improper use of archive material;
- f) in a publication relating to a research activity funded or supported by an undertaking, deliberately omits to make reference to that fact; or
- g) misuses the grant received in respect of the research activity, uses it in a way that is not in accordance with the terms of the grant agreement.

15. § [*Specific ethical standards for scientific research*]

- (1) The responsibility of a member of the academic community (supervisor, thesis advisor) involved in guiding the student's academic work, including doctoral work, may also be raised for the ethical aspects of the work of the student under their supervision.
- (2) The supervisor or thesis advisor referred to in Paragraph (1) shall clearly state their expectations of the student or doctoral student involved in the research, and shall inform them in detail about the purpose of the research activity, the work expected of them and their responsibilities.
- (3) The supervisor or thesis advisor referred to in Paragraph (1) must be available for consultation on a regular basis, in the context of which they are responsible for providing professional advice, assisting the research process and providing an evaluation of the student's or doctoral student's work, supported by arguments.

16. § [*Ethical standards for contracted research, development and entrepreneurship*]

In the course of their contracted research, development or entrepreneurial activity, which is supplementary to the University's core activities, university' citizens shall

- a) carry out high-quality work in line with the professional prestige of the University;
- b) provide their client with fair, professional information covering all foreseeable circumstances;
- c) set fees that are in line with the rates accepted by the profession and must not seek to penalise the University; and
- d) inform their immediate superior of any activity on University premises or using University property.

7. Ethical standards for publishing

17. § [*The scientific publication*]

- (1) A scientific publication (hereafter: publication) is only a publication that appears in a recognised scientific journal, conference material or book, in print or electronically, which has an independent editorial board.
- (2) It is an ethical misconduct to list as a publication of new scientific results any work that does not qualify as such (popular science article, a teaching aid or similar work published in a non-professional publication).

18. § [*General ethical standards for publishing*]

- (1) All authors listed in the publication must have contributed substantially and decisively to the publication (its preparation) and must assume responsibility for its content, taking into account the specificities of the discipline. Checking, reviewing and advising on a publication does not in itself constitute authorship.
- (2) With regard to authorship, general publication patterns in different disciplines can be taken into account, which measure the level of contribution depending on the field, but this should not lead to misuse of authorship. Authorship is decided by the co-authors.
- (3) The corresponding author is the author whose contribution is decisive for the publication, and the corresponding author has the primary responsibility for ensuring that the other authors make a substantive contribution to the publication.
- (4) The corresponding author shall archive accurately the data used for publication, the data, measurements and observations used for reproduction, and make them available on request after publication.
- (5) All co-authors are responsible for their contribution to the publication. Co-authors are also responsible for revising the content of the publication before it is published.
- (6) The role of persons who do not fulfil the conditions of authorship, but who have made valuable contributions to the publication, should only be mentioned in the acknowledgements.

19. § [*Ethical misconduct related to publishing*]

- (1) A corresponding author commits an ethical misconduct if they list among the authors a person whose contribution does not reach the level of authorship, taking into account the specificities of the discipline.
- (2) It is an ethical misconduct when a person, for financial or other gain
 - a) secures;
 - b) forces by abusing their position as a manager, including as a supervisor; or
 - c) acknowledges
being listed as an author in a publication in which they have not been involved to the extent of authorship, taking into account the specificities of the discipline.

- (3) A person commits an ethical misconduct if they list among the authors another person, without the knowledge of the latter, whose contribution does not reach the level of authorship, taking into account the specificities of the discipline.

20. § [*Specific ethical standards in publishing*]

- (1) It is an ethical misconduct when a person, for financial or other gain, lists in the publication an organisation, institution (affiliation¹) that did not provide a substantial and decisive background or support for the publication. The financial support of the author alone does not constitute a substantial and decisive contribution by the organisation.
- (2) It is an ethical misconduct when a person, fails to indicate in the publication
- a) the source of funding facilitating the research or development;
 - b) that type of their financial interest in the publication of the results reported in it.
- (3) It is an ethical misconduct for a person to publish an article or communication in a predatory journal or a publication by a predatory publisher for financial or other gain.
- (4) For the purposes of this section, a predatory journal is a journal published by an economic organisation (predatory publisher) that puts its own organisational and business interests at the expense of science, publishes false and misleading information about its editorial and publication quality assurance activities, and pursues a non-transparent and aggressive editorial policy.
- (5) It is an ethical misconduct for a person to act as an author of a scientific publication in the context of a business service for which they have contributed less than the authorship (co-authorship purchase).

8. Ethical standards for students

21. § [*Ethical standards for students*]

- (1) Student shall
- a) cooperate with all citizens of the University, in particular with its academic staff members and fellow students;
 - b) show loyalty to the University and solidarity, tolerance and respect for its citizens;
 - c) produce the results they achieve through genuine, personal work;
 - d) identify data, results, sources, passages, quotations taken from other sources in accordance with the provisions of scientific ethics and the relevant regulations;
 - e) support the work and professional development of their fellow students as much as possible.

¹ Affiliation means an organisation or institution (usually a university, research institute or company) with which the author has a legal relationship (e.g. employment, student status, contract) and where the main part of the research, study or analysis presented and discussed in the publication was carried out.

- f) refrain from disrupting the teaching process and the work of fellow students;
 - g) express objective, considered and fact-based opinions on issues affecting teaching, in particular when giving student feedback on the work of the academic staff.
- (2) Students shall use only permitted means in the performance of their tasks to guarantee honest and professional conduct. Student shall refrain from using any aids that are not permitted.
 - (3) When preparing their work (in particular a bachelor thesis, master thesis, project assignment), students shall clearly indicate the parts taken from other sources according to the rules of citation and use.
 - (4) For students involved in research, development, innovation and entrepreneurship activities the provisions of 6 shall apply as appropriate.
 - (5) For students acting in a teaching capacity (in particular doctoral students, demonstrators), the provisions of 5 shall apply as appropriate.
 - (6) For students holding a leading position in a student or doctoral student union, the provisions of 4 shall apply as appropriate.

III. CHAPTER III

BODIES AND PERSONS ACTING IN MATTERS OF ETHICAL CONDUCT

9. Ethics Committee

22. § *[Composition of the Ethics Committee]*

- (1) The Ethics Committee shall have the following members
 - a) chairperson;
 - b) one academic staff member, researcher or teacher per faculty (faculty delegate)
 - c) three persons delegated by the Rector and employed by the University as civil servants (Rector's delegate);
 - d) three members delegated by the Chancellor and employed by the University as civil servants, at least one of whom shall have a university degree in law (Chancellor's delegate); and
 - e) six students.
- (2) The Chairperson of the committee is elected by the Senate on the proposal of the Rector for a five-year term, which may be renewed several times.
- (3) The faculty delegates of the Ethics Committee are elected by the Faculty Council, on the proposal of the Dean, for a five-year term, which may be renewed several times.
- (4) The Rector's and Chancellor's delegates are appointed by the Rector and Chancellor respectively for a five-year term, which may be renewed several times.

- (5) Student members of the committee are delegated by the University Students' Union for a one-year term, which can be renewed several times.
- (6) Mandates or delegations may be withdrawn by the appointing or delegating party at any time, without explanation, except for members acting in a proceeding during such proceeding.
- (7) Members of the Ethics Committee shall declare in writing their acceptance of membership.
- (8) The member's mandate shall be terminated
 - a) upon expiry of the mandate;
 - b) upon the termination of the public servant or student status;
 - c) upon recalling the member;
 - d) upon resignation; or
 - e) a member dies.
- (9) Members of the Ethics Committee may not be instructed in this capacity.
- (10) The Ethics Committee shall elect a Deputy Chairperson and a Deputy Secretary from among its members by a majority vote of all its members.

23. § [Tasks of the Ethics Committee]

- (1) The Ethics Committee meets at least once a year.
- (2) The Ethics Committee acts on matters of ethical conduct on the basis of a complaint or ex officio.
- (3) Meetings of the Ethics Committee shall be convened and chaired by the Chairperson or, if they are prevented from doing so, by the Deputy Chairperson.
- (4) The Ethics Committee evaluates the work of the ad hoc councils annually.
- (5) The Ethics Committee reports annually to the Senate on its activities. The report is presented by the Chairperson or Deputy Chairperson at a meeting of the Senate.
- (6) The Ethics Committee may propose amendments to the Code of Ethics.
- (7) In all other respects, the provisions of Title 19 of the Senate's Rules of Procedure shall apply to the operation of the Ethics Committee, with the following exceptions
 - a) members of the Ethics Committee shall serve in a personal capacity and representation by proxy is not permitted;
 - b) meetings of the Ethics Committee are not open to the public and are attended only by members of the Committee and those invited by the Chairperson.
- (8) The secretarial and document management functions of the Ethics Committee are carried out by the Rector's Cabinet.

10. Conflict of interest and exclusion

24. § [Exclusion]

Exclusion from settling cases of ethical conduct and from participation, including the whole procedure, shall apply to the following

- a) the person(s) concerned in the procedure;
- b) the person(s) who participated in the execution of the act decided upon in the procedure;
- c) a witness in an ethics case or a person who has given an expert opinion in relation to the case;
- d) a person who is or was a representative of a person falling under Clauses a), b) or c);
- e) a person who is a relative of the person subject to Clauses a), b) or c) pursuant to the Civil Code;
- f) a person who is or was in a controlling or dependent relationship with the person subject to Clauses a), b) or c) at the time the act in question was committed; or
- g) a person who, for other reasons, cannot be expected to give an objective assessment of the case.

25. § *[Exclusion request notification]*

- (1) A member of the Ethics Committee shall notify the Chairperson of the Ethics Committee without delay of any grounds for exclusion, stating such grounds. If a member wishes to declare a reason under 24. § g), they shall give reasons for their declaration in writing.
- (2) The complainant (the initiator of the ethics case) or the person against whom the complaint was lodged (the person suspected to have committed an ethical misconduct) (hereinafter collectively referred to as the person(s) involved) may also report the grounds for exclusion. Such a notification may be made at any stage of the procedure until the decision terminating the procedure has been taken, but the person(s) concerned may use such ground under 24. § g) only after the hearing has begun if they are likely to have become aware of the fact on which the notification is based only after the procedure has begun and they report the ground immediately after becoming aware of it.

26. § *[Evaluation of the exclusion request]*

- (1) The Ethics Committee shall take the necessary steps ex officio to ensure that a member who has been excluded does not take part in the procedure.
- (2) In the event of an ex officio exclusion, the member concerned shall be excluded by the Chairperson of the Ethics Committee.
- (3) If a member declares the grounds for exclusion to which they are subject or acknowledges the existence of grounds for exclusion which they have declared, the Chairperson of the Ethics Committee shall exclude the member.
- (4) If the Chairperson of the Ethics Committee has declared a reason for exclusion concerning themselves, they may not act on the matter until their declaration has been dealt with. In this case, the Deputy Chairperson shall act.
- (5) A simple majority of the members of the Ethics Committee not concerned by an exclusion initiative shall decide on a request for exclusion reported by the member

concerned. The Committee's decision shall be recorded in a decision and communicated without delay to the initiator of the exclusion.

11. The Ad Hoc Council acting in ethics cases

27. § [The Ad Hoc Council]

- (1) The Ethics Committee's Ad Hoc Council shall act on ethics cases falling within the scope of this Code.
- (2) The chairperson and members of the Ad Hoc Council shall be appointed by the Chairperson of the Ethics Committee from among members of the Ethics Committee who are not subject to exclusion. If the Chairperson of the Ethics Committee is subject to exclusion, the chairperson and members of the Ad Hoc Council shall be appointed by the Deputy Chairperson of the Ethics Committee.
- (3) The Ad Hoc Council shall comprise the following members
 - a) a chairperson who is a faculty or Rector's delegate of the Ethics Committee, preferably the Chairperson or Deputy Chairperson of the Ethics Committee if they are not subject to exclusion;
 - b) a secretary or the deputy secretary who is the secretary or the deputy secretary of the Ethics Committee, if they are not subject to exclusion;
 - c) one member who is a Rector's delegate of the Ethics Committee;
 - d) one member who is a Chancellor's delegate of the Ethics Committee;
 - e) two students who are members of the Ethics Committee
 - f) one member who is a faculty delegate of the Ethics Committee;
- (4) The chairperson, secretary and members of the Ad Hoc Council shall act in a personal capacity and representation by proxy is not permitted.
- (5) Meetings of the Ad Hoc Council shall be convened and chaired by its Chairperson.
- (6) Minutes shall be taken of the Ad Hoc Council's meetings.
- (7) The Ad Hoc Council shall take substantive decisions by a majority of more than half of its members voting in favour. Ad Hoc Council members may not abstain from voting during the vote.

IV. CHAPTER IV
ETHICS CASES AND ETHICS PROCEDURES

12. General rules of procedure

28. § [*Call for personal interview, provision of information and data*]

- (1) Any person whose personal interview is necessary during the procedure shall be invited by the body acting in the matter to appear at the place and time indicated or to be available or to provide further information by electronic means.
- (2) Unless indicated otherwise by the circumstances of the case, the invitation for the interview shall be sent by allowing a reasonable time for the notification of the summoned party.
- (3) The invitation for an interview or for the provision of information must state the case and capacity in which the body intends to interview the person concerned or to obtain further information from them.

29. § [*Calculating deadlines*]

- (1) Unless stipulated otherwise by law or by this Code, the deadlines shall be calculated in calendar days and months (one month as thirty days).
- (2) The starting day of the time limit shall be the day when the event, necessitating the calculation of a deadline, occurred. The starting day shall not be included in the time limits counted in days.
- (3) Where a time limit falls to expire on a Sunday or a public holiday, it shall be extended up to the following working day.
- (4) Deadlines may be set by this Code or, in the absence thereof, by the body acting in the matter.
- (5) Deadlines may be extended by the specific and relevant provisions of the law or this Code.
- (6) During the calculation of deadlines set by this Code, the period between 24 December of the year and 1 January of the next year shall be disregarded.
- (7) If this Code fails to prescribe the deadline for concluding any procedural act, the participant of the procedure shall make sure that it concludes the procedural act or makes its decision immediately, but no later than eight days from receiving the relevant notice.

30. § [*Default*]

- (1) The party in default (missing the deadline) may not fulfil the deadline with effect any more, unless it is stipulated by this Code.
- (2) Missing the deadline because of a well-known natural event or other exceptional circumstances shall not be deemed as default.
- (3) Applications submitted by post in accordance with this Code shall be deemed as submitted on time if they are posted on the last day of the time limit at the latest.

- (4) The party in default shall bear the legal consequences of the default. A request to justify delay may be lodged against a finding of failure to act.

31. § [*Request to justify default*]

- (1) A request to justify default may be submitted by a party which missed a time limit or deadline through no fault of their own.
- (2) The request to justify default shall contain the reason for default and the lack of intent to default, and the missed act shall be completed.
- (3) Decisions on a request to justify default shall be made by the body, during whose procedure the default occurred.
- (4) The request to justify default shall be submitted after learning about the default or successfully removing the obstacle thereof, but no later than the period calculated from the missed deadline or the last day of the time limit, identical in length to the time limit set for the procedural act, which may not exceed 15 days.
- (5) In case of a missed deadline, the missed procedural act must be completed simultaneously with submitting the request to justify default, if the circumstances allow.
- (6) Request to justify default is not allowed if a new deadline, set after a prior request, has been missed.
- (7) If the acting body grants the request to justify default, the missed deadline or time limit shall be deemed as met, therefore if necessary, it shall amend or revoke its decision, or repeat certain procedural acts.

32. § [*Principles of the ethics procedure*]

- (1) The body acting in the ethics case must decide on the merits of the ethics complaint and may not exceed the scope of the complaint.
- (2) The body acting in the ethics case may only decide on the ethical responsibility (misconduct) of the person against whom the complaint was lodged and may only judge the act that is the subject of the complaint.
- (3) The body acting in an ethics case shall take evidence itself, in the course of which it may contact the University's organisational units and request data and information from them to the extent appropriate to the circumstances of the case.
- (4) The person against whom the complaint was lodged cannot be required to prove their innocence.
- (5) In ethics procedures, no one is under any obligation to make a self-incriminating statement or provide evidence against themselves.
- (6) A fact not proven beyond reasonable doubt cannot be considered against the person against whom the complaint was lodged.
- (7) Those involved shall help with the focused conduct and completion of the procedure. Any person who unduly delays or obstructs the proceedings commits an ethical misconduct.

33. § [*The language of the ethics procedure*]

- (1) The language of the ethics procedure is Hungarian.

- (2) No one should be disadvantaged because they do not know the Hungarian language. In ethics procedures, persons whose native language is not Hungarian may use English.
- (3) The written decision shall be issued in English as well as in Hungarian at the request of persons whose native language is not Hungarian.

13. Ethics case

34. § *[Ethical misconduct]*

- (1) An ethical misconduct is committed by anyone who intentionally violates one of the standards of conduct set out in Chapter II of this Code, provided that their act is not subject to criminal or misdemeanor proceedings, other acts subject to detrimental legal effect pursuant to internal organisational regulations.
- (2) A serious breach of ethics shall be considered to have been committed where the standards of conduct set out in this Code have been breached intentionally, repeatedly or continuously. The Ad Hoc Council may also consider a single ethical misconduct to be serious, taking into account the circumstances and the impact of the case.
- (3) In the case of an ethical misconduct or a well-founded suspicion thereof, the victim or any university citizen who has credible knowledge of this fact (the complainant) may submit a written ethics complaint to the Ethics Committee within thirty days of becoming aware of the act.
- (4) The investigation of the complaint may be waived if the complainant has submitted the complaint after six months from the date on which they became aware of the breach or the negligence. The Ethics Committee will not investigate complaints lodged more than one year after the occurrence of the breach or negligence (limitation period).
- (5) The person against whom the complaint was lodged (suspected of committing an ethical misconduct) can only be a natural person.
- (6) The Ethics Committee may also act ex officio if it becomes aware of an ethical misconduct or a well-founded suspicion thereof.

35. § *[Submitting an ethics complaint]*

- (1) The complaint shall be addressed to the Chairperson of the Committee, submitted in writing on paper or electronically in Hungarian, at the following address etika@bme.hu or in English at ethics@bme.hu by electronic signature or authenticated by a document authentication service pursuant to the relevant Government Decree².
- (2) The complaint shall include the following:
 - a) the conduct in relation to the complaint is lodged, the subject of the complaint;

²Government Decree 451/2016 (XII.19.) on the detailed rules of electronic administration.

- b) the name and title of the complainant and the person against whom the complaint was lodged, their department, if known; and
 - c) evidence in support of the complaint.
- (3) The complaint must be submitted on the notification form as set out in the *Annex 1*, but may also be submitted in free text form, at the complainant's discretion.
 - (4) The data of the complainant shall be treated confidentially and may not be disclosed to anyone other than the authorised persons. Complainants shall be informed in writing of the procedural and data management rules and the consequences of acting in bad faith at the outset of the procedure.
 - (5) The Ethics Committee shall register the complaint in accordance with the provisions of the Records Management Policy. The complaint shall be given a designated case number.
 - (6) The request for exclusion shall be submitted by the complainant together with the complaint.

36. § [Protection of the complainant]

- (1) In ethics procedures, the complainant shall be entitled to the special protection provided for in this Section. The Committee shall act in accordance with the rules on the protection of personal and other data, in particular classified data and legally protected secrets, when examining a complaint.
- (2) Any measure³ which is unfavourable to the complainant and which is taken as a result of lodging an ethics complaint, with the exception of the measures provided for in Section 38. § (8), shall be unlawful, even if it would otherwise be lawful.
- (3) Only the members of the Ethics Committee acting on the case and the staff members who carry out secretarial and document management tasks for the Committee may have access to the complainant's personal data, which they may not disclose to the person against whom the complaint was lodged.
- (4) If it is established that the University is not competent to investigate the complaint or notification, the data may, 38. § (8) only be transferred to the body competent to conduct the procedure initiated on the basis of the complaint or notification, if such body is entitled to do so by law or if the complainant has consented to the transfer of the data. The data of the complainant may not be disclosed without their consent.
- (5) The ethics complaint reporting system must be designed in such a way that the personal data of the complainant who discloses their identity and of the person against whom the complaint was lodged are not accessible to anyone at the University other than those authorised. Persons investigating a complaint may, until the conclusion of the procedure, share information about the content of the complaint and the person against whom the complaint was lodged, in addition to in-

³ Unfavourable measure shall be interpreted, in particular, but not exclusively, according to the provisions of Section 41 (2) of Act XXV of 2023 on Complaints, Public Interest Disclosures and Rules Related to Whistleblowing.

forming said person of the admission of the complaint, with other University departments or staff to the extent strictly necessary for the conduct of the investigation.

- (6) In exercising their right to information and access to personal data, provided for the person against whom the complaint was lodged in accordance with the provisions on the protection of personal data, the complainant's personal data shall not be disclosed to the person requesting the information.
- (7) The complainant shall not be held liable for obtaining or accessing the information contained in a lawfully lodged complaint, unless the complainant has committed a criminal offence by obtaining or accessing the information.
- (8) A complainant cannot be held liable for lawfully making an ethics complaint if they had reasonable grounds to believe that lodging the complaint was necessary to disclose the circumstances thereof.

37. § [*Preliminary procedure*]

- (1) The Ethics Committee shall set up a four-member Complaints Registration Panel consisting of the Chairperson, the Secretary and two other members. The Complaints Registration Panel shall examine a complaint within eight days of its lodging or, in the case of suspected ethical misconduct brought to its attention ex officio, within eight days of its receipt.
- (2) If, in the course of a preliminary investigation pursuant to Paragraph (1), the Complaints Registration Panel finds that a complaint does not contain the elements prescribed by Section 34. § (2) or the complaint needs to be supplemented or corrected for other reasons, the chairperson or deputy chairperson of the Ethics Committee acting in the registration of the complaint shall set an eight-day deadline to the complainant, indicating the deficiencies and requesting the rectification thereof, and shall warn the complainant that if the complaint is resubmitted in an incomplete format, it will be rejected definitively.
- (3) The decision of the Complaints Registration Panel is taken by a unanimous vote of its members. In the absence of a unanimous decision, the complaint cannot be rejected.
- (4) If the complainant rectifies the deficiencies within the time limit, the complaint shall be deemed to have been correctly submitted in the first place.
- (5) The date of initiation of the ethics procedure is the day following the date of lodging the complaint.

38. § [*Accepting or rejecting an ethics complaint*]

- (1) No ethics procedure shall be initiated and the Chairperson or Deputy Chairperson of the Ethics Committee acting in the registration of the complaint shall reject the complaint received, based on the decision of the Complaints Registration Panel, if
 - a) the complaint was not lodged by a university citizen;
 - b) the person against whom the complaint was lodged is not a natural person;
 - c) the person against whom the complaint was lodged is not covered by this Code;

- d) the complaint falls within the jurisdiction of a court or other authority or organisation (not an ethics matter);
 - e) the deadline for lodging the complaint has been missed [34. § (3)];
 - f) the act is subject to time limitation [34. § (4)];
 - g) the complaint is clearly unfounded or contains false data or information;
 - h) the act on which the complaint is based has already been the subject of an ethics procedure and a final decision on the matter has been taken which cannot be appealed; or
 - i) if there is another ongoing ethics procedure with the same factual and legal basis.
- (2) Notwithstanding the provisions of (1)a), an ethics complaint may also be lodged by other than a university citizen if the subject of the complaint is an act related to
- a) a final examination taken after the termination of the student status;
 - b) the institutional stage of the admission procedure; or
 - c) an event defined in 2. § d).
- (3) By way of derogation from (1)i), an ethics complaint may not be rejected if the complainant wishes to join the ongoing procedure as a party to the proceedings alongside the complainant who initiated them. The complainant shall be informed of the possibility to join such a procedure. A complainant who joins the procedure later is subject to the same rules as the complainant who initiated the procedure.
- (4) The Ethics Committee accepts the complaint and initiates the ethics procedure if the conditions for rejecting the complaint are not met.
- (5) The Chairperson or Deputy Chairperson of the Ethics Committee acting in the registration of a complaint shall record in writing the decision of the Ethics Committee to admit or reject the complaint or to initiate ex officio proceedings and shall promptly send it to the parties.
- (6) The Chairperson or Deputy Chairperson of the Ethics Committee acting in the registration of a complaint shall send to the person against whom the complaint was lodged the complaint received, together with the decision on its admissibility and the names of the Chairperson and Secretary of the Ad Hoc Council.
- (7) There is no right of appeal against a decision to accept or reject an ethics complaint.
- (8) If it has become evident that the complainant has provided false data or information in bad faith and
- a) where there are indications that a criminal offence or misdemeanor has been committed, the complainant's personal data shall be disclosed to the authority or person responsible for the proceedings; or
 - b) there are reasonable grounds for believing that they have caused unlawful damages or other grievances to another person, their personal data shall be disclosed at the request of the authority or person entitled to initiate or conduct the procedure.

14. The procedure of the Ad Hoc Council

39. § *[Common rules on ethics procedures]*

- (1) The persons concerned may appear in person before the Council acting in the matter.
- (2) Several acts can be judged in one procedure. Proceedings may be brought against more than one person against whom the complaint was lodged in the same procedure if the acts are connected (in particular: if the same complainant is involved or if the acts have the same factual and legal basis).
- (3) The ethics case shall be closed with a decision within thirty days of the complaint being lodged.
- (4) The time limit for proceedings under Paragraph (3) may be extended once by the Council acting in the matter, in writing, for a period of not more than thirty days in particularly justified cases. The parties concerned shall be notified in writing without delay of any change in the procedural time-limit by the Secretary of the Council acting in the matter.
- (5) The procedure is terminated if the complainant withdraws the complaint. The complaint can be withdrawn at any time during the procedure until a final decision is taken.
- (6) The Ad Hoc Council suspends the procedure if a preliminary question affecting the merits of the case is to be decided (judicial proceedings, misdemeanor proceedings, disciplinary proceedings or institutional appeal proceedings are pending in connection with the case). The Council acting in the matter shall take a written decision to suspend the proceedings, which shall be sent to the parties concerned.
- (7) The period of suspension shall not be included in the time limits under Paragraph (3).

40. § *[Specific rules of the procedure]*

- (1) In ethics cases, the procedure is conducted by the Ad Hoc Council. The quorum of the ad hoc Council is reached when all members are present.
- (2) The person against whom the complaint was lodged may disclose their position in writing to the Ad Hoc Council acting in the matter or, at their discretion, make an oral statement, which shall be recorded in the minutes.
- (3) The Ad Hoc Council shall interview the parties concerned after reading their submissions, if necessary for the purpose of deciding the case. The persons concerned shall be invited to the hearing by the Secretary of the Ad Hoc Council. The hearing does not have to be repeated if the person concerned has waived the opportunity to be heard or has failed to appear despite being invited to do so.
- (4) During the interview, the person concerned may
 - a) make a statement (in particular: speak at a meeting of the Ad Hoc Council, present arguments, submit written submissions to the Ad Hoc Council);
 - b) ask questions to the participants of the meeting;

- c) present evidence (in particular: witnesses, experts, documents, records and other material evidence);
 - d) have access to the case files, with full protection of the complainant's data.
- (5) The hearing is chaired by the Chairperson of the Ad Hoc Council.
- (6) The Chairperson, Secretary and members of the Ad Hoc Council may put questions to the participants.

41. § [*Decision of the Ad Hoc Council*]

- (1) The Ad Hoc Council shall take its decision after clarifying the facts and considering all the circumstances of the case and the evidence in a closed meeting, in which only members of the Ad Hoc Council may participate.
- (2) The Ad Hoc Council shall record its decision in writing and state the reasons for its decision. A member who disagrees with the majority opinion may submit a dissenting opinion on the decision.
- (3) The decision shall include
- a) the names of the chairperson, members and secretary of the Council acting in the matter and the case number;
 - b) the complainant's name, title and organisational unit, or, if not available, address and e-mail address;
 - c) the name, title and organisational unit, or, if not available, address and e-mail address of the person against whom the complaint was lodged;
 - d) the subject of the case;
 - e) the ruling shall include
 - ea) decision under 43. § ;
 - eb) information on the legal remedy;
 - ec) the deadline or deadlines for compliance with the conduct referred to in 43. § (1)c-d) and the legal consequences of non-compliance;
 - f) the explanation shall include
 - fa) the established facts;
 - fb) reference to the laws and regulations on which the decision was based and explanation as to what degree and why the decision in the ruling is based on these;
 - fc) a reference to the evidence submitted by the complainant and the reasons for taking or not taking it into account;
 - fd) any dissenting opinions;
 - g) the location, date and time of the decision-making, the name and position of the person issuing the decision (chairperson of the Ad Hoc Council or the secretary acting on their behalf);
 - h) in case of paper-based documents, the signature of the issuer; and
 - i) in case of electronic documents, the electronic signature of the issuer.
- (4) The written decision shall be sent to the parties concerned, as well as to the Rector, the Chancellor and the competent Dean, within eight days of its adoption, in accordance with the provisions of 42. § .

42. § *[Communication of the decision of the Ad Hoc Council]*

- (1) The Ad Hoc Council shall record its a Decision in writing.
- (2) The Ad Hoc Council shall send the decision to the complainant in full and to the person against whom the complaint was lodged, as well as any other person, subject to the rules on the protection of the complainant [36. §] .
- (3) The Ad Hoc Council shall send the decision to the complainant and the person against whom the complaint was lodged at the address and by the means indicated by them, as specified in Paragraph (2).

43. § *[Decision of the Ad Hoc Council]*

- (1) The Ad Hoc Council may take the following decisions in the ethics procedure:
 - a) find that no ethical misconduct has occurred and close the proceedings;
 - b) conclude that the ethical misconduct cannot be established on the basis of the statements and evidence obtained and terminate the proceedings;
 - c) establish that an ethical misconduct has been committed and call on the offender to refrain from future breaches of the provisions of the Code of Ethics;
 - d) in addition to establishing that an ethical misconduct has been committed, order the offender to provide non-material compensation (apology, correction) adequate to the seriousness of the offence, with a maximum time limit of thirty days;
 - e) in the case of a serious breach of the ethical norms, propose to the person exercising the employer's rights (Rector, Chancellor or Dean) to take the necessary employer action, and if the person against whom the complaint was lodged holds a management position, propose to the person exercising employer's rights (Rector or Chancellor) to revoke the management position, or in the case of an elected member of a body, to recall the elected member or revoke their mandate;
 - f) in addition to establishing that a serious breach of the ethical norms has been committed, propose to the Senate or the Faculty Council the revocation of the title and the related allowance conferred on the basis of the provisions of Section 32 (1)-(3) of Act CCIV of 2011 on National Higher Education (hereinafter: Higher Education Act); or
 - g) if, on the basis of legislation or other internal regulations, the complaint is subject to further proceedings within the University, in particular a proceeding prescribed by Section 52/A (1) of the Higher Education Act, or to an integrity procedure, or equal opportunities procedure - or employer action, it shall, in addition to taking the decision specified in Clauses b)-d), call upon the person entitled to conduct the procedure or take action to do so.
- (2) The decision in an ethics case shall be communicated in writing to the manager exercising the authority of the employer or the superior overseeing the work of the person against whom the complaint was lodged,, in accordance with the provisions of 42. § .

- (3) The decision declaring a violation in an ethics case shall be recorded as an official entry in the Study Administration System if the person against whom the complaint was lodged is a student with a valid student status.
- (4) If several acts are investigated against the same person in an ethics procedure, the Council shall combine its decisions in a single decision, but shall take a separate decision on each act.
- (5) If the same ethics procedure investigated several persons against whom the complaint was lodged at the same time, the decisions shall be set out in a separate decision for each person, containing the part relating to the relevant person.

44. § [*Right of redress*]

- (1) The person concerned may appeal against the employer's decision in an appeal procedure.
- (2) In the context of data processing, if the rights of the data subject are violated, the data subject shall have the right to judicial remedy against an action of the data controller. The lawsuit falls under the competency of the court of law. The data subject may file suit in the competent court of either the place of residence or the place of abode.

45. § [*Minutes*]

- (1) Minutes shall be taken of the Council's meetings.
- (2) The following shall be recorded in the minutes:
 - a) the case number;
 - b) the names and positions of the persons concerned and the subject of the proceedings;
 - c) the place of the hearing, the scheduled and actual start and end times of the hearing, and the fact that the hearing has been postponed;
 - d) the names of the members of the Council, the name of the person taking the minutes and the interpreter (if any);
 - e) the names of other persons present at the hearing or meeting.
- (3) The minutes shall include
 - a) the course of the proceedings and the events which took place during them, so that the minutes also show whether the proceedings complied with the procedural requirements of this Code; if the exact wording of a phrase or statement is significant, it shall be recorded verbatim in the minutes,
 - b) the essential requests and statements made by the parties to the proceedings, including their allegations, references to the legal ground, motions for evidence, as well as any deviations from previous motions and statements, or failure or refusal to make a statement despite having been invited to do so;
 - c) the decision to withdraw from the procedure;
 - d) the presentation of evidence and its content relevant to the proceedings, the witness statements and the verbally communicated opinions of experts;
 - e) the measures taken during the hearing;

- f) the result of the vote; and
- g) the decisions taken by the Council acting in the matter.

V. CHAPTER V CLOSING PROVISIONS

15. Short reference to the Code

46. § *[Short reference to the Code]*

The short form of this Code applicable in other internal organisational rules: CE or Code of Ethics.

16. The organisational unit in charge of editing the Code

47. § *[The organisational unit in charge of editing the Code]*

This Code are edited by the Rector's Cabinet.

17. Enforcing provisions

48. § *[Enforcing provision]*

This Code shall enter into force on 25 August 2023.

18. Modifying provisions

49. § *[Repeal provisions]*

Senate Decision № II./5./2009-2010 on the Code of Ethics is hereby null and void.

Dated in Budapest, see the timestamp.

Dr. Tibor Czigány
Rector

Reporting an ethics complaint

The undersigned

.....(full name)

..... (address)

..... (email address)

If employed by the University

.....(position)

.....(department)

Student of the University (former or future student, applicant for admission)

.....(faculty)

.....(academic programme)

I hereby declare that I make this ethics disclosure in good faith, about circumstance(s) of which I have knowledge or reasonable grounds to believe that they are true.

I acknowledge that if it becomes apparent that I, as a complainant, have communicated false information of vital importance, acting in bad faith, and that this gives rise to circumstances indicating that a criminal offence or misdemeanor has been committed, my personal data will be handed over to the body, authority or person entitled to conduct the relevant proceedings.

If there is a reasonable ground to believe that the report made in bad faith or the untrue information provided has caused unlawful damages or other grievances to another person, my personal data must be disclosed to the body, authority or person entitled to initiate or conduct the proceedings, upon request.

I further declare that I have read and understood the Privacy Policy of Budapest University of Technology and Economics (BME) on data management in connection with ethical matters and that I acknowledge the contents thereof.

Content of the ethics complaint

Person or persons suspected of having committed an ethical misconduct (respondent)

BME employed

name:.....

position:.....

department:.....

BME student

name:.....

.....(faculty)

.....(academic programme)

(reproducible as required)

A description of the ethical misconduct (what the complainant considers to be the act or omission that constitutes ethical misconduct, it is not necessary to refer to the norms of the Code of Ethics in detail, but it will facilitate the substantive assessment of the complaint if the norms referred to are identified):

.....
.....
.....
.....
.....
.....

Evidence supporting the allegation of ethics misconduct, statement of grounds for the complaint (if the evidence is submitted separately, it is sufficient to list it in an identifiable manner):

.....
.....
.....
.....
.....

Dated:, (day) (month) (year)

.....

signature of the complainant (notifier)

PRIVACY POLICY ON DATA PROCESSING IN CONNECTION WITH ETHIC CASES LAUNCHED AT BUDAPEST UNIVERSITY OF TECHNOLOGY AND ECONOMICS

In accordance with the [General Data Protection Regulation](#) 2016/679 of the European Parliament and of the Council ("[GDPR](#)") and [Act CXII of 2011 on the Right to Information Self-Determination and Freedom of Information \("Act on Information"\)](#), Budapest University of Technology and Economics informs the natural persons concerned ("Data Subject") about the processing of personal data:

1. DATA CONTROLLER

Name: Budapest University of Technology and Economics
("University", "BME", or "Data Controller")
registered seat: 1111 Budapest, Műgyetem rkp.3.
email: etika@bme.hu; ethics@bme.hu
phone: +36 1 463 2221
website: www.bme.hu; www.bme.hu/adatvedelem
BME Data Protection Officer:
email: dpo@bme.hu
Tel.: +36 1 463 3320;
postal address: H-1111 Budapest, Műgyetem rkp. 3.

2. THE PURPOSES AND LEGAL BASIS OF DATA PROCESSING

The **purpose of data processing** is: to receive and process notifications made in accordance with the University's Code of Ethics, to investigate cases of violations of the Code of Ethics on the basis of a notification or ex officio, to conduct proceedings in accordance with the Code of Ethics, to contact the notifier or the persons concerned by the notification, to take decisions and communicate the decision, and to take the necessary measures.

Once the ethics cases have been concluded, the data will be processed for archiving in the public interest, scientific and historical research and statistical purposes, subject to Article 89 of the GDPR.

Legal basis for processing: the processing of the data of the notifier, the natural persons concerned by the notification and the natural persons involved in the investigation is necessary for the performance of the public tasks of the University as a budgetary unit [Article 6 (1) e) GDPR] and, with regard to the special categories of personal data that may be processed, in accordance with [Article 9 (2) b), f) and g) GDPR].

With particular attention to

- Section 2 (1) of [Act CCIV of 2011 on National Higher Education](#) and the Deed of Foundation of the University, and

- the provisions of [Act XXV of 2023 on Complaints, Public Interest Disclosures and Rules Related to Whistleblowing](#),
- and for archiving [Act LXVI of 1995 on Public Records, Public Archives, and the Protection of Private Archives](#)(hereinafter referred to as Ltv.), in particular Sections 4 and 9 thereof.

3. CATEGORIES OF THE PROCESSED DATA

3.1. Details of the reporting person, if the report is not anonymous:

- name,
- address,
- email address,
- student/employee/non-university citizen,
- in the case of an employee, job title, organisational unit; in the case of a student, faculty, academic programme,
- other information provided in the notification.

If the data necessary to identify the complainant are not available, the University will, as a general rule, not investigate the complaint.

3.2. Data of the person concerned by the notification (person against whom the complaint is lodged, person with substantive information on the subject matter of the notification):

- name
- email address,
- address, if necessary,
- student/employee/non-university citizen,
- in the case of an employee, job title, organisational unit; in the case of a student, faculty, academic programme,
- other information provided in the notification and other information gathered in the course of the investigation of the notification.

3.3. Data of the persons involved in the receipt and investigation of the notification and the procedure:

- name
- job title
- workplace contact details
- any data that may have been generated during the procedure (e.g. conflict of interest).

4. THE SOURCE OF THE DATA

The University may collect the personal data of Data Subjects processed in connection with ethics cases - if not provided directly by the Data Subject - from the whistleblower's report, from the statements of the persons involved in the procedure and contacted by the Committee, and from the registration systems at the University's disposal containing the data necessary for the investigation of the report or case.

5. METHOD OF PROCESSING

The documents containing personal data listed in Clause 3 will be processed electronically and on paper by recording and storage in the University's document management system. In addition, it may be the recipient of electronic or postal mail for communication purposes.

6. TERM OF PROCESSING

From the personal data processed and communicated to the Ethics Committee, personal data that are not necessary for the purposes of the processing as set out in Clause 2 of this Privacy Policy will be deleted without delay.

Please be informed that Budapest University of Technology and Economics, as the Data Controller, shall keep the documents generated in ethics cases for the period specified in its Records Management Policy and Archiving Plan, in accordance with the general requirements of records management of public bodies pursuant to Section 64 (1) of Government Decree No. 335/2005 (XII. 29.).

7. SECURITY OF PERSONAL DATA

The University keeps personal data confidential and shall take the necessary administrative, technical and organisational measures to ensure the security of personal data supplied throughout the entire data lifecycle.

The registration and storage of ethics case files is carried out in the University's electronic records and document management system, and paper documents are stored in the University's locked and secured office(s) and archives. Access to documents is regulated.

8. DATA TRANSFER, DATA PROCESSOR, THOSE ENTITLED TO ACCESS THE DATA

8.1. No personal data of Data Subjects as natural persons shall be transferred by the University to third countries or international organisations.

8.2. Access to the personal data of the whistleblower shall be granted to the members of the Ethics Committee receiving the complaint (Complaints Registration Panel), to the members of the Ethics Committee acting on the case and to the staff members performing secretarial and document management tasks of the Committee.

8.3. Until the procedure is closed, information concerning the content of the complaint and the persons concerned by the complaint, in addition to informing the person against whom the complaint was lodged about the receipt of the complaint, may be disclosed to members and the secretariat of the Ethics Committee, as well as University staff members, included in the investigation of the complaint, to the extent strictly necessary for the conduct of the investigation.

The decision of the Ethics Committee shall be communicated to the Rector, the Chancellor and the relevant Dean, by enforcing the rules on whistleblower protection.

The decision in an ethics case shall be communicated to the manager exercising the employer's right or the superior overseeing the work of the person against whom the complaint was lodged, by enforcing the rules on whistleblower protection.

The decision declaring a violation in an ethics case shall be recorded as an official entry in the Study Administration System if the person against whom the complaint was lodged is a student with a valid student status, by enforcing the rules on whistleblower protection.

- 8.4. If it has become evident that the complainant has provided false data or information in bad faith and
- a) where there are indications that a criminal offence misdemeanor has been committed, the complainant's personal data shall be disclosed to the authority or person responsible for the proceedings;
 - b) there are reasonable grounds for believing that they have caused unlawful damages or other grievances to another person, their personal data shall be disclosed at the request of the authority or person entitled to initiate or conduct the procedure.
- 8.5. If it is established that the University is not competent to investigate the complaint or notification, the data may, except as provided for in Clause 8.3, only be transferred to the body competent to conduct the procedure initiated on the basis of the complaint or notification, if such body is entitled to do so by law or if the complainant has consented to the transfer of the data.
- 8.6. The University uses a data processor for such data processing as follows:
- Microsoft Ireland Operations Limited (One Microsoft Place, South County Business Park, Leopardstown, Dublin, <https://www.microsoft.com/en-ie/contact.aspx>) in relation to data transmitted via the email system and in relation to the provision of the Microsoft 365 service;
 - Magyar Posta Zrt. (registered office: 1138 Budapest, Dunavirág utca 2-6.) in the context of outgoing mail.

9. THE RIGHTS OF DATA SUBJECTS

During the processing of your personal data, you are entitled to the rights laid down in the GDPR and the Privacy Act, which you can exercise through the contact details provided by the University in Clause 1.

The Data Controller does not provide information about the Data Subject's personal data or receive instructions concerning personal data by telephone. Only general information is provided by telephone.

In order to meet data security requirements and to protect the rights of the Data Subject, the University is obliged to verify the identity of the Data Subject and the person seeking to exercise the data subject rights, and to this end the exercise of the data subject rights is subject to identification.

The University shall notify you within 30 days of receipt on the measures, the reasons for the non-action, the rejection of the request or the legal remedies with an additional extension of two months, considering the complexity of the request and the number of requests. The University shall provide information on the possible extension of the deadline and its causes within 30 days of receipt.

As a rule, actions taken in connection with the exercise of the rights of Data Subjects shall be provided free of charge by the University. Where requests from a Data Subject are manifestly unfounded or excessive, in particular because of their repetitive character, taking into account the administrative costs of providing the information or communication or taking the action requested, the University may either:

- a) charge a reasonable fee, or

b) refuse to act on the request.

1. *Transparent information*

The University provides the Data Subjects with information on the identity and contact details of the Data Controller, the contact details of the data protection officer, the purpose, legal basis and the period of processing as well as the rights of and legal remedies available to Data Subjects in this document.

2. *Access to personal data*

At any time, you have the right to request information from the University at the contact details provided in Clause 1 as to whether your personal data are being processed and, if such processing is ongoing, to have access to information in accordance with Article 15 in particular, you have the right to be informed of which of your personal data the University processes, for what purposes and on what legal grounds, of the source of such data, the envisaged data storage period (if applicable), the recipient(s) to whom the University has transferred your personal data, whether the University uses automated decision-making, profiling and the of the rights of data subjects.

In the exercise of the right to information and access to personal data, provided to the person concerned by the complaint, the personal data of the complainant may not be disclosed to the person requesting the information.

3. *Rectification, completion*

At any time, you have the right to request the modification, correction or completion of your personal data at the University's contact details provided in Clause 1.

If you can credibly verify the accuracy of the corrected data, the University shall immediately carry out the rectification and completion in the registers and shall notify you on completion, in case of personal errands orally, in other cases in writing (by e-mail or post).

4. *Erasure of data*

You may exercise your right to erasure (Article 17 GDPR) in relation to the processing described in this Policy only if the data is no longer necessary for the performance of the University's public interest task, for the purposes of achieving the processing purposes set out in Section 2 of this Privacy Policy.

The deletion of the records to be added to the archives cannot be carried out without compromising the integrity of the records, and therefore the request for deletion cannot be granted in this respect.

5. *Restricting data processing*

At any time, you have the right to request the restriction of your personal data at the University's contact details provided in Clause 1, if the conditions set out in Article 18 of the GDPR are met. For example, if

- the University no longer needs the data or the processing is potentially unlawful but You oppose the erasure and request the restriction of their use instead;
- You objected to the data processing,
- contest the accuracy of your personal data (for the duration of the University's verification).

Restricted personal data shall only be processed with the data subject's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another

natural or legal person or for reasons of important public interest of the Union or of a Member State.

6. *Objection*

The University may object to the processing of your personal data on the contact details provided in Clause 1, on grounds relating to your particular situation, on the basis of Article 21 of the GDPR, if you consider that the University is processing your personal data inappropriately in relation to the purposes stated in this privacy policy.

In this case, the University may only continue to process the personal data despite the objection if it can demonstrate compelling legitimate grounds for the data processing which override your interests, rights and freedoms as a data subject or for the establishment, exercise or defence of legal claims.

7. *Right regarding automated decision-making and profiling*

Please note that no automated decision-making or profiling shall take place during the data processing related to ethics cases.

10. LEGAL REMEDIES

If you believe that your rights have been infringed in relation to the University's processing of your personal data as set out in this privacy policy, please contact us via the Data Protection Officer so that we can remedy the breach as soon as possible:

Budapesti Műszaki és Gazdaságtudományi Egyetem (Budapest University of Technology and Economics)

Ágnes Frank dr.

data protection officer

Postal address: H-1111 Budapest, Műegyetem rakpart 3.

Phone number: +36 1 463 3320

email: dpo@bme.hu

Please be informed that if you have suffered a grievance in connection to the processing of your personal data by the Data Controller as set out herein, you may directly contact

- the Hungarian National Authority for Data Protection and Freedom of Information (postal address: 1363 Budapest, Pf.9.; registered office: H-1055 Budapest, Falk Miksa u 9-11.; telephone:+36-1394-1400; website: www.naih.hu; email: ugyfelszolgalat@naih.hu) and
- the Court of Justice. The lawsuit falls under the competency of the General Court. The data subject may file suit in the competent court of either the place of residence or the place of abode (the list of tribunals and their contacts can be found here: <http://birosag.hu/torvenyszekek>.)

The Controller reserves the right to change the Privacy Policy. This may happen where new legal provisions render such modification mandatory. Changes in data management shall not be employed as a basis for processing personal data deviating from the stated purpose of such processing. Information pertaining to changes shall be published by the data controller prior to the changes taking effect.

Budapesti Műszaki és Gazdaságtudományi Egyetem
(Budapest University of Technology and Economics)