

## INTERNAL PROCEDURAL BY-LAWS OF THE ETHICS COMMITTEE OF Ualg

### Article 1.

#### Object

The present by-laws hereinafter referred to as RICE, regulate the organization and functioning of the Ethics Committee of the University of Algarve (CEUAlg).

### Article 2.

#### Nature and mission

1. CEUAlg is a body endowed with technical and scientific independence, collective, multidisciplinary and of a consultative nature.
2. The Ethics Committee's (EC) mission is to contribute to ensuring that the University of Algarve (UAlg) observes all ethical, bioethical and deontological principles in its operations, in light of the principle of human dignity, safeguarding the exercise of all fundamental rights, as well as the integrity, trustworthiness and safety of all procedures in force at the respective institution.

### Article 3.

#### Specific powers

1. The EC shall have the following specific powers:
  - a. To ensure, within the scope of the functioning of UAlg, the observance of ethical standards, safeguarding the principle of human dignity and integrity;
  - b. Issue opinions, reports, recommendations and other documents, on its own initiative or upon request, regarding ethical issues related to UAlg activities, and disclose those it deems particularly relevant in the EC area on the UAlg website;
  - c. Draft discussion documents regarding general ethical issues, namely with direct interest within the scope of UAlg activity, and disseminate them in the EC area on the institution's website, promoting a culture of training and pedagogy within the sphere of its action, including disclosure of the general principles of ethics in the respective institution;
  - d. Collaborate, at regional, national and international levels, with other relevant entities in the field of ethics, bioethics and deontology, with a view to sharing best practices;

- e. Promote training actions on issues related to ethics, bioethics and deontology, at UAlg;
  - f. Pronouncing on the drafting of institutional documents and behaviours that have implications in the field of ethics;
  - g. Advise, from an ethical perspective, managerial, organizational and institutional decision-making;
  - h. Develop guidelines and recommendations in cases and situations that generate or may generate ethical conflicts arising from teaching, management and research practices at UAlg;
  - i. Verify compliance with legally established ethical requirements.
2. The specific powers are exercised and applied in compliance with the general powers provided for in Article 5. of the Procedural By-laws of the Ethics Committee of the University of Algarve (RCEUAlg) approved by RT order no. 010/2019 and published in the Official Portuguese Gazette, 2nd series, no. 26 of 02.06.2019.

#### Article 4.

##### Request for opinions, information and statements

1. They may request that the EC issue opinions, reports, recommendations or other documents:
  - a) The institution's highest body or middle management bodies;
  - b) Any member of the academic community of UAlg, who has an objective interest in exercising his/her rights vis-à-vis the institution.
2. Interested parties must submit their request using the form available on the EC website, claiming an objective and legitimate interest in the request made to the EC, with an impact on the exercise of their rights, duties, powers or responsibilities vis-à-vis the UAlg, attaching the necessary instructional documents.
3. The EC informs the institution's highest body of the requests addressed to it, as well as its resolutions.
4. The EC may issue opinions, at its own initiative, regarding the proposal of the President, within the general and specific powers of the EC.
5. The questions to be considered by the EC, after their formal reception, must be delivered to at least two rapporteurs, chosen from among its members, with whom

such questions have greater affinity, in order to prepare the proposal for an opinion or recommendation.

6. Without prejudice to the provisions of the preceding paragraph, the EC may reasonably excuse itself from giving an opinion when it understands that the issue to be considered does not fall within its powers or that such powers have been legally or regularly assigned to another body of UAlg.

7. All applications submitted up to fifteen working days before each meeting shall be taken to the ordinary meeting of the EC.

8. Opinions, which are non-binding, shall be issued in writing within a period of thirty working days after first analysis at the ordinary meeting and shall always be signed by the EC President.

9. Opinions can be "positive without recommendations", "positive with recommendations", compliance with which is left to the Proposer's discretion, or "negative/unfavourable" or "conditional" and, in these cases, they must be justified and include the suggestions that would lead to their approval.

10. The opinions issued within the deadlines provided for in Article 7. of the RCEUAlg and considered particularly relevant, are published on the website of the EC of UAlg, in accordance with the strict terms referred to in paragraph 4 of Article 10. of these by-laws.

## Article 5.

### Composition and functional powers

1. The composition of the EC and the term of office of its members respects the rules set out in Articles 3. and 4. of the RCEUAlg.

2. The president, vice-president and secretary ensure the day-to-day functioning of the EC and are elected from among its members.

3. The President exercises the powers provided for in Article 6. of the RICE.

4. The Vice-President supports and assists the President in the exercise of his/her powers, replacing him/her during his/her absences or impediments, and specific powers may be delegated to the Vice-President on behalf of the President.

5. The secretary draws up the minutes of the meeting, taking care of clerical work, archiving documents and assisting with EC meetings, facilitating interaction with the

administrative and logistical services of UAlg, provided for in Article 10., no. 1 of these by-laws.

## Article 6.

### Operation

1. The EC functions in plenary meetings by convening and under the direction of its president or, in his/her impediment, its vice-president, meeting at least once every quarter.
2. The notice shall be sent electronically indicating the date, place, time of the meeting and the agenda, containing supporting documentation on each subject included therein.
3. The agenda of the meetings must include:
  - a) Reading and approval of the minutes of the previous meeting;
  - b) Appointment of rapporteurs for assessing the submitted projects, upon indication of the President;
  - c) Assessment and voting on the drafted opinions;
  - d) Other matters falling within the powers of the EC, whose
  - e) discussion by this body is deemed pertinent.
4. The notice of each ordinary meeting must be sent at least seven days in advance, and each member must confirm his/her presence, in order to guarantee a minimum number of quorum.
5. Extraordinary meetings take place upon convocation by the President of the EC or at the request of at least one-third of its members.
6. The EC can only meet when the majority of its members are present, physically or via teleconference, including the mandatory presence of the president or vice-president.
7. Upon the president's initiative, when the nature of the matter so warrants, and taking into account the composition of the EC and the specificity of the matter in question, specialized committees may be set up, responsible for preparing the opinion or report on matters expressly submitted to them, or the support of experts may be requested.

8. The specialized committee created under the terms of the previous number shall be extinguished with the issuing of the opinion or report whose preparation justified its creation.
9. Any person or expert, whose presence is deemed necessary to clarify the matters under consideration, may participate in the meetings, without the right to vote, when summoned by its president.
10. The EC deliberates by simple majority of the members present, with its president, or in his/her absence, the vice-president, having the casting vote.
11. Minutes are drawn up of EC meetings, which include a summary of everything that took place, indicating, specifically, the date and place of the meeting, the members present, the justifications for absence received, the matters discussed, the opinions, reports, or other documents subject to resolution, the resolutions taken and the form and result of the respective votes.
12. In the exercise of its powers, the EC acts with complete independence from UAlg governing or management bodies.

## Article 7.

### Membership and rights of members

1. The rights of EC members:
  - a) Participate in meetings and voting;
  - b) Attend training courses in relevant matters within the powers of the EC, in accordance with the schedule approved by the respective EC, with the support of UAlg as authorized by the highest body of the institution;
  - c) The waiver of their professional activities carried out within the respective institution, when they are effectively exercising functions related to the activities of the EC, without loss of any rights or benefits.
2. The exercise of functions in the EC is not remunerated, without prejudice to its members being able to receive an allowance to pay expenses resulting from travel, which they have actually incurred exclusively while exercising their functions and because of these, duly proven, whose procedure follows the one in force at UAlg.
3. For the purposes of sub-paragraph c) of no. 1, the members of the EC shall be granted exemption from the exercise of functions, by the respective directors, for the

time considered, by the EC, as necessary to ensure the work leading to the pursuit of the EC mission.

#### Article 8.

##### Duties of members

The duties of EC members are:

- a) Carry out their mandate with zeal and diligence;
- b) Participate in regularly convened meetings and deliberate on matters on the agenda;
- c) Maintain secrecy on matters dealt with within the EC;
- d) Comply with the deadlines set for the completion of the work;
- e) Collaborate with other members in accordance with EC powers.

#### Article 9.

##### Termination of functions

1. The functions of EC members shall cease in the following situations:
  - a) At the end of the term of office;
  - b) On the date of taking office in another position or function incompatible with the exercise of the functions of member of the EC;
  - c) By resignation, via letter addressed to the highest body of UAlg;
  - d) By resolution of the institution's highest body, as proposed by the EC, due to a member's failure to comply with his/her duties as a member of the EC.
2. For the purposes of the provisions of paragraph d) of the previous number, a breach of the duties of the member of the ethics committee shall include, namely, unjustified absence, three consecutive times, from the regularly convened committee meetings.
3. The members of the EC remain in office until replaced, with the exception of the cause of termination provided for in sub-paragraph b) of no. 1.

#### Article 10.

##### Logistical, administrative and financial support

1. The logistical, administrative and financial support essential for the functioning of the EC is provided by UAlg, which must provide secretarial services, IT support and a space for holding meetings and for archiving documentation.
2. The EC has an area on the UAlg website and the latter ensures its maintenance and dissemination.
3. The area referred to in the previous number includes, namely, the composition of the EC, the calendar of its meetings, its activity, the opinions produced, its internal by-laws, identification of projects or studies in execution and its annual reports.
4. The information contained in the EC area is subject to the conditions of confidentiality and data protection provided for in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons, with regard to the processing of personal data and the free movement of such data.
5. The EC maintains an updated file containing all documentation, which offers security guarantees that safeguard the confidentiality and privacy of data and documents.
6. All documents relating to each submission, including its opinions, will be kept by the EC for at least ten years after they have been registered or issued, as the case may be.

#### Article 11.

##### Impediments

1. No member of the EC may intervene in the preparation of opinions, reports, recommendations or other documents, as well as in the respective decisions, when he/she is in one of the situations of impediment provided for in the relevant legal provisions of the Code of Administrative Procedure.
2. EC members who find themselves in a situation of conflict of interest, in relation to a certain issue brought to the EC, shall communicate this situation before the case is analyzed, and cannot be present in the discussion and vote on it, and such a fact shall be recorded in the minutes.

#### Article 12.

##### Confidentiality

The members of the EC, as well as the technicians and experts who collaborate with it, and its supporting secretarial services, are subject to compliance with the duties of confidentiality and protection of the personal data to which they have access during the exercise of their activity, even after said activity has ended.

#### Article 13.

##### Annual report

At the end of each calendar year, the EC shall prepare a report on its activity, which is sent to the institution's highest body by 15 February of the year subsequent to the report year, and must be uploaded to the EC area of the UAlg website.

#### Article 14.

##### Interpretation and application

1. The by-laws must be interpreted and applied in accordance with the RCEUAlg and their revision shall be subject to the rules contained in their Article 13.
2. For omitted cases and in the formulation of their resolutions, the members of the EC shall consider what is established in the law, in the codes
3. of ethics, as well as in existing international conventions, declarations and guidelines on the matters to be considered.

#### Article 15.

##### Coming into force

These internal by-laws shall come into force on the day following their approval by the Rector of the University of Algarve and publication on the UAlg website.