



# **Regulations of Semmelweis University on ethics rules and procedure**

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## Preamble

The Semmelweis University hereinafter: University) has a special responsibility to uphold and enforce standards of ethical behaviour and institutional practice with its citizens. These rules are stricter and more demanding than the standards set out in legislation and university regulations as a minimum level of compliance.

The management of Semmelweis University considers it important that the ethical principles expressed in the Code of Ethics are reflected in all its decisions and permeate the operation and practice of the institution as a whole.

### 1. General Provisions

#### 1.1 The purpose of the Code of Ethics

##### 1. §

- (1) The Semmelweis University Code of Ethics and Procedure (hereinafter: EK) The purpose of the Code of Ethics (EK) is to define and describe the ethical standards considered important in University life that are not specifically included in University regulations, and thereby to promote compliance with behavioral norms among University citizens, the recognition and resolution of ethical problems that arise, and the sanctioning of non-compliant behavior or, in more serious cases, the referral of the matter to the appropriate labour law, disciplinary, or other proceedings.

#### 1.2 Scope of the Code of Ethics

##### 2. §

- (1) The personal scope of the Code covers
- a) persons who have a health service or employment relationship with the University (hereinafter collectively referred to as "Employee(s)"),
  - b) students, irrespective of their nationality, the type of training or the language of instruction in which they study or work, and to all students in all courses at the University,
  - c) former students of the University in the cases provided for in the Rules of Organisation and Operation (SZMSZ),
  - d) persons or bodies involved in the implementation of the Code (e.g. committee member, witness, legal representative, expert),  
hereinafter collectively referred to as "University citizens" in litt. a) to c).
- (2) The material scope of the Code, with the exception of paragraph (3), shall extend to all activities and conduct of a University citizen (regardless of the place of performance), which they undertake during or in connection with their employment at the University and which affect the social image and reputation of the University, as well as to all acts and conduct for which adverse legal consequences are attached by law or the internal regulations of the University.
- (3) The Code does not apply to professional and ethical procedures before the regionally competent County Ethics Council in cases of doctors, dentists, or healthcare workers who

have obtained a basic qualification in a field other than medicine or health sciences but have obtained a healthcare qualification in higher education vocational training in a healthcare specialization, in accordance with the provisions of Government Decree 318/2023 (17 July 2023) on the professional ethics of healthcare professionals.

### 1.3 The Principles of the Code

#### 3. §

- (1) The University considers it important to
  - a) all the institution's activities should help to build and maintain the trust necessary for effective, high-quality and appreciative operation;
  - b) uses the available financial resources in the performance of its tasks in an efficient, economical and effective manner;
  - c) the ethical principles and rules set out in the Code are known and respected by all citizens.
- (2) Subjects to the Code are expected to comply with the ethical standards declared in the Code of Conduct outside study and working hours.
- (3) The University expresses, also in the context of the creation of the Code, its commitment to the moral values and educational principles that motivate the citizens of the University to perform their duties to the best of their ability and to serve the wider community in a selfless manner.

### 1.4 Ethical misconduct

#### 4. §

- (1) It is an ethical misconduct to intentionally or negligently fail to comply with or disregard the standards, expectations and requirements set out in the Code, or to intentionally or negligently engage in acts or conduct prohibited by the Code.
- (2) Violations by students of the ethical standards listed in the Code of Ethics may lead to disciplinary proceedings, depending on the seriousness of the ethical offence, in which case disciplinary proceedings will be taken. The decision to impose such a disciplinary measure shall be taken jointly by the person responsible for the ethics procedure and the person responsible for disciplinary proceedings, on the basis of a prior written opinion from the Directorate-General for Legal Affairs and Administration, at the time of the notification or at any stage of the ethics procedure.

## 2. Detailed provisions

### 2.1 General rules of conduct

#### 2.1.1 University identity

#### **5. §**

- (1) All University citizens are required to observe ethical standards in order to promote the authority and reputation of the University.
- (2) University citizens shall show loyalty to the University, its organisations and all its citizens. In this context, they must seek to protect and enhance the public image of the institution and refrain from any manifestation or behaviour that could undermine the reputation of the University.
- (3) Citizens of the University, both on and off University premises, should conduct themselves in a manner worthy of this quality and of the University's social prestige.

#### 2.1.2 General ethical expectations in the workplace

#### **6. §**

- (1) University citizens who have been appointed to perform any community function or hold any university office are obliged to perform the public duty to the best of their ability.
- (2) University citizens may only use the services and facilities provided by the University in a regulated form and for the intended purpose. In addition to breaching the relevant labour law and professional rules, it is also an ethical offence to disclose them to unauthorised persons or to use them for profit.
- (3) It is not ethically unacceptable for university clinics to provide out-of-hours care to university citizens, and waiting times should be avoided wherever possible.

#### 2.1.3 Duty to cooperate

#### **7. §**

- (1) University citizens shall act in mutual cooperation in the performance of their duties, in accordance with the requirements of good faith and fairness, and shall conduct themselves in a manner appropriate to their duties and the organisational order.

#### 2.1.4 Eligibility to judge

#### **8. §**

- (1) It is the right and moral duty of university citizens to offer constructive criticism and to take action against errors and misconduct in the life of the University. In the performance of their duties, in the promotion of their interests and in the submission of proposals and complaints, citizens of the University shall follow the channels of service of the University in accordance with the University's organisational and disciplinary rules.

#### 2.1.5 Expectations regarding the provision of information

#### **9. §**

- (1) No communication or advertisement may be published on behalf of the University to the media except in the manner and by the authorized person specified in the Rules of Communication, which must contain authentic, accurate and clear information. In matters concerning the University, any University citizen may make statements to the public (including social media) only in accordance with the provisions of the relevant internal regulations and shall act in a moderate and responsible manner only within the scope of their competence. It is ethically unacceptable to publish or make statements that are misleading, false, or that portray potential competitors (e.g., partner institutions, affiliates) in a negative light. If a University citizen becomes aware that someone is spreading false or misleading information of this nature against the University or on behalf of the University, they shall report it in writing to his or her supervisor.
- (2) The University shall ensure that citizens of the University have the opportunity to be informed to the extent necessary about the daily life and decisions of the institution and shall make available to them all data generated in connection with the essential functioning of the University, except for personal data protected by law.

#### 2.1.6 Confidentiality

##### **10. §**

- (1) Citizens of the University are obliged to keep confidential any information and data that they acquire in the course of their university activities and that are of a personal, commercial or organisational nature, or that are necessary for the efficient functioning of the University. They must bear in mind the requirements of discretion in both their internal and external communications. University employees are also required to keep personal information about students (e.g. academic record, personal life, political or religious beliefs, etc.) confidential.
- (2) Lecturers and students may not speak publicly, except in public educational lectures, press conferences, and press releases - not even anonymising subjects - about issues that arise during teaching (e.g., diseases, autopsies, clinical trials) that may be alarming, offensive, or disgusting to a non-expert audience.

#### 2.1.7 General duty to protect

##### 2.1.7.1 Protection of life, health and physical integrity

##### **11. §**

- (1) Both the University and its citizens have an ethical obligation to protect and safeguard the life, health and physical integrity of University citizens.

#### 2.1.7.2 The prohibition of endangering

##### **12. §**

- (1) Neither the University nor its citizens shall endanger the life, health or physical integrity of themselves or their staff, students or patients.
- (2) In addition to fully complying with the legislation on the protection of non-smokers, smokers and non-smokers should avoid situations that are embarrassing for each other in relation to smoking, with mutual sensitivity.

#### 2.1.7.3 The duty to protect property

##### **13. §**

- (1) All University citizens are responsible for the proper and prudent use and safe custody of University property. Improperly or unsafely functioning tools and equipment should be brought to the attention of the relevant department.

#### 2.1.8 Obligation to tolerate

##### 2.1.8.1 Tolerance of control

##### **14. §**

- (1) The citizens and departments of the University are obliged to submit to checks legitimised and certified by the Rector/Chancellor/President/Dean's credentials.
- (2) University citizens must not obstruct the exercise of the powers and obligations provided for in the university/faculty regulations.

##### 2.1.8.2 Tolerance of being subject to proceedings

##### **15. §**

- (1) University citizens are obliged to submit to the ethics procedure if the conditions laid down by law or university/faculty regulations are fully met.

#### 2.1.9 The duty of fair conduct

##### **16. §**

- (1) University citizens are expected to lead a modest and exemplary life. Accordingly, they should avoid any situation in their lives in which their esteem and personal dignity or the reputation of the University may be compromised through no fault of their own.
- (2) Citizens of the University must not forget that they are citizens of the University, whether in their studies or in other situations, as this is a social status and an obligation.
- (3) The dress and appearance of university citizens should reflect the cleanliness, grooming and tidiness befitting their quality.
- (4) Students of foreign nationality must adapt to the norms of behaviour generally accepted in Hungary and at Hungarian universities, and they must make reasonable efforts to familiarise themselves with the customs of our country and to learn Hungarian as well as possible, at least to the extent necessary for the smooth continuation of their studies (e.g. communication with patients).

## 2.2 Respect for personal rights and right of privacy

### 17. §

- (1) All university citizens are generally expected to show mutual respect for each other and to respect each other's rights and legitimate interests.
- (2) University citizens must show collegiality and solidarity towards each other, in accordance with ethical standards.

## 2.3 Typical cases of breaches of ethical rules in official dealings

### 2.3.1 Disrespectful conduct

#### 18. §

- (1) All university citizens must conduct themselves in a good faith, courteous, objective and collegial manner at all times. Any person who seriously breaches the norms of respect for other persons who come into contact with him or her at the University commits an ethical offence.

### 2.3.2 Discrimination:

#### 19. §

- (1) University citizens may not engage in direct or indirect discrimination, either among themselves or in relation to third parties, in violation of the requirement of equal treatment as defined in Act CXXV of 2003 on equal treatment and the promotion of equal opportunities.

### 2.3.3 Abusive (insulting) contact

#### 20. §

- (1) University citizens should strive to address each other in a collegial and equal manner. As a general rule, it is only appropriate to use the first name on the basis of reciprocity. In other cases, polite formal address is appropriate. In all cases, condescending, superior, insulting or disrespectful language is an ethical violation.

### 2.3.4 Sexual harassment

#### 21. §

- (1) All forms of sexual harassment are prohibited. Sexual harassment is any act (physical touching, provocation, intimidation), verbal comment or written communication related to sex or gender that the person who suffers feels, and has a legitimate reason to feel, that his or her gender integrity or intimate sphere is being violated.

### 2.3.5 Anti-social behaviour

#### 22. §

- (1) In both official and non-official relationships, in educational and extracurricular life situations (dormitory living, entertainment, sports, etc.), you must refrain from harassing,

intimidating, disturbing the peace, disorderly conduct, and damaging the property of others.

#### 2.3.6 Deliberate rumours

##### **23. §**

- (1) Any public statement or rumor that suspects the University or any of its organizational units, as well as university citizens, of ethically objectionable conduct or of committing such acts shall be considered an ethical violation, especially since such rumors can hurt the reputation of the University and its people and damage their interests.

#### 2.3.7 Deception

##### **24. §**

- (1) A university citizen who, by virtue of their official status or student status, misleads others or keeps them in error in order to cause unlawful disadvantage or gain unlawful advantage commits an ethical offense.

#### 2.3.8 Corruption in office, bribery

##### **25. §**

- (1) Corrupt behaviour and administration and all forms of bribery are prohibited. Offering, accepting, or requesting any unauthorized benefit, directly or indirectly, is unworthy of university citizens and constitutes a serious ethical violation. Consequently, university citizens must refuse any gifts or other benefits offered to them with the intention of influencing their decisions in their capacity as university citizens, or if the circumstances of the case make such a gesture suspicious.

#### 2.4 Ethical rules on education

##### **26. §**

- (1) In their academic work, lecturers and students are obliged to carry out their duties conscientiously to the best of their ability in their academic work, and lecturers are required to hold classes punctually within the announced time frame.
- (2) Instructors are required to prepare conscientiously for scheduled classes and consultations, to begin them punctually, and to conduct them in their entirety.
- (3) In order to ensure order, calm, and effectiveness in education, students must arrive at classes and practical sessions punctually and prepared, in accordance with the regulations of the department/institute, wearing the equipment and protective clothing prescribed by the department/institute, and must participate with appropriate attention. During scheduled classes, students must refrain from making noise, eating, using mobile phones without good reason, leaving early, and other forms of disruption, as well as activities unrelated to the class that jeopardize its seriousness.
- (4) The instructor may only give instructions to students regarding scheduled classes and studies, including TDK work. The instruction should be objective, civilised and polite. In other situations, the teacher must not give instructions to the student.
- (5) The instructor must hold the examinations punctually, at the time and place announced. Students should be informed of any changes in an appropriate and timely manner.

- (6) Students are required to attend examinations in correct and appropriate (neat, not provocative) attire, with the equipment prescribed by the department or the examiner.
- (7) No unauthorised devices or assistance may be used during the examination or mid-term reports, either inside or outside the examination room. Violation of this rule – in accordance with the provisions of the Student Disciplinary and Compensation Regulations – constitutes a disciplinary offense, which will result in the suspension of the exam and a fail grade.
- (8) Providing unauthorised assistance during an exam or other assessment – subject to the restrictions set out in the Student Disciplinary and Compensation Regulations – is also a disciplinary offense, which will result in the suspension of the exam and a fail grade.
- (9) In the case of written examinations and academic competitions, the unauthorised acquisition of examination questions or topics in advance, disclosure to unauthorised persons, dissemination, or falsification of documents constitutes a disciplinary offense.
- (10) It is prohibited to mislead the examiner regarding the identity of the examinee (taking an exam on behalf of another person, submitting another person's work or thesis as one's own). The examiner or invigilator is required to verify the identity of the examinee on the basis of their student record book or other suitable identification document.
- (11) It is prohibited – and constitutes an offense under Section 25 – to offer or accept financial or other benefits to fellow students, teachers, or other university staff in order to obtain real or perceived (non-performance-related) exam advantages.
- (12) The examinee/candidate must not be put in an undignified, degrading or humiliating situation. Public humiliation, unrelated personal remarks, mockery, threats and intimidation of any kind are unacceptable.
- (13) It is grossly irregular and ethically unacceptable to change an established and recorded grade/grading, except for an obvious administrative error which has been legitimately corrected.
- (14) It is not desirable for the examiner to remain alone with the examinee during the exam, therefore requiring the previous examinee to remain in the room until the exam is completed is acceptable and does not constitute a violation of the law.
- (15) Smooth communication must be ensured during exams conducted in foreign languages. During an exam, instructors and examinees are not allowed to speak to each other in a language that any of the participants do not understand. If the instructors wish to discuss a question that is not relevant to the student taking the examination, they may do so after the student has left the examination room.
- (16) No breach of ethical standards shall be committed by a person who, through no fault of their own, is unable to comply with the obligations set out in this point due to an unforeseeable impediment or force majeure.
- (17)<sup>1</sup> During their university studies, students—including those enrolled in doctoral programs—are required to respect the copyrights of others and comply with the provisions set forth in legislation and university regulations regarding the use of artificial

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<sup>1</sup> Modified by: Senate decision 54/2025 (26 June) Annex No.: 4 Effective from: 2 August 2025

intelligence systems. Violation of these provisions constitutes unlawful conduct and shall be investigated in student disciplinary proceedings during the student's enrollment.

- (18)<sup>2</sup>If circumstances indicating plagiarism as defined in paragraph (17) come to the attention of the University after the degree has been awarded, then – with regard to the application of the provisions of Article 52/A of the Nftv., the University may initiate the investigation necessary to establish responsibility for plagiarism within one month of becoming aware of the circumstances indicating plagiarism, but not later than five years after the date of issue of the diploma; provided that the rector is authorized to order the plagiarism investigation, otherwise, the rules of disciplinary proceedings shall apply to the investigation with regard to the body authorized to proceed in the matter and the rules guaranteeing the procedure.

## 2.5 Rules on conflicts of interest and conflict management

### 27. §

- (1) The University pays particular attention to the management of conflicts of interest that arise in the course of its operations and to their resolution in a civilised manner.
- (2) A conflict of interest arises when a University citizen or a group of University citizens may, directly or indirectly, by virtue of their authority or insider knowledge, give themselves or their environment an undue advantage or create a disadvantage for the University.
- (3) Any university citizen elected or appointed to an office or decision-making position must disclose to the fora that elected them if, in the course of their duties, a conflict of interest may arise in connection with their decisions due to their financial or other interests. A conflict of interest that has already arisen may be eliminated by the person concerned by resigning or, in individual cases, by abstaining from participating in the decision.
- (4) The lecturer must not abuse their position when dealing with students.
- (5) Any unlawful granting of study or examination advantages (benefits) - not linked to performance -, the prospect of such advantages, positive or negative discrimination, or pressure, whether in return for financial or other benefits (advantages) or without any consideration, is prohibited.
- (6) There is a conflict of interest if the instructor is examining a student who is related to them by family or friendship, or for some reason is in conflict with them. It is also incompatible if the instructor has established a close, non-work-related and non-educational private relationship with the student they are instructing or examining.
- (7) Lecturers should refrain from involving students in the resolution of professional or workplace disputes or other conflicts between themselves, especially for the purpose of exerting pressure. It is not desirable that persons outside the University should be involved in these discussions, except for the activities of representative bodies.
- (8) It is desirable for students to settle their conflicts and conflicts of interest between themselves in a civilised and peaceful way, without any unilateral involvement of lecturers on either side. It is not objectionable if the parties to the dispute agree to seek

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<sup>2</sup> Modified by: Senate decision 54/2025 (26 June) Annex No.: 4 Effective from: 2 August 2025

the assistance or advice of a tutor whose opinion they both accept in order to resolve their dispute.

### 3. Procedural rules

#### 3.1 Forum system for dealing with ethics complaints

#### **28. §**

- (1) The committees established by the Senate to investigate and adjudicate ethical complaints are: the Faculty Ethics and Disciplinary Committee (hereinafter: KEFB), the University Ethics Committee; as well as the Ethics and Disciplinary Committee established by the University Doctoral Council (hereinafter: DEFB) and the University Appeals Committee.
- (2) The KEFB is a committee (with its own rules of procedure) of each faculty exercising the powers defined by law and university regulations in relation to student affairs, whose composition, tasks, activities and powers are determined by the Senate.
- (3) The DEFB is a committee exercising the competences defined by law and university regulations in relation to the affairs of doctoral students and doctoral candidates participating in doctoral studies, whose composition, tasks, activities and competences are determined by the University Doctoral Council.
- (4) The University Appeals Committee is a three-member body, composed of members delegated by the Rector, the Chancellor and the President of the Clinical Centre, which acts as a second instance in cases where the decision was taken by the University Ethics Committee in the first instance. The University Appeals Committee is chaired by a member delegated by the Rector.
- (5) The University Ethics Committee is a standing committee established by the Senate with University-wide powers, consisting of a chairperson, permanent members and ad hoc members.
- (6) The President of the University Ethics Committee is proposed by the Rector and elected by the Senate.
- (7) The University Ethics Committee has fourteen permanent members. One member of the permanent members shall be elected from among the faculty members of the Faculty of General Medicine, the Faculty of Health Sciences, the Faculty of Dentistry, the Faculty of Pharmacy, the Faculty of Healthcare Public Service and the András Pető Faculty, one member from among the members of the University Doctoral Council, the Chancellor, the President of the Clinical Centre, the Staff Council, the candidates of the Semmelweis University Doctoral Students' Council, and three members from among the candidates of the Student Council.
- (8) Ad hoc members are invited to participate in the work of the University Ethics Committee by the chairperson of the Committee for the specific case. The ad hoc members of the committee may be persons with appropriate professional expertise (e.g. doctor, lawyer, psychologist, etc.), taking into account the nature of the ethical misconduct which is the subject of the proceedings. The participation of a representative of the Directorate General for Legal and Administrative Affairs as an ad hoc member, a representative of the Directorate General for Human Resources Management in the case of ethics proceedings against an employee, and the University's Data Protection Officer in any event, if justified, shall be ensured.

- (9) The composition of the University Ethics Committee should ensure that both the group (category) of the person complained of ethical misconduct and the group (category) of the complainant are represented.
- (10) In the event of a tie in the voting of the University Ethics Committee, the chairperson of the Committee shall have the casting vote.
- (11) In the case of ethical complaints against students, the KEFB is the first instance authority, and in the case of ethical complaints against doctoral students and doctoral candidates, the DEFB is the first instance authority. The University Ethics Committee, as the committee of second instance, is authorised to decide on appeals against the decisions of the KEFB and the DEFB.
- (12) In the case of an ethics violation where it is not possible to determine which KEFB department is entitled to act in the first instance, the University Ethics Committee is entitled to appoint the committee competent to hear the case, taking into account all the circumstances of the case.
- (13) The University Ethics Committee shall act in the first instance in all matters not concerning students, doctoral candidates and doctoral candidates that fall within the scope of these regulations. Appeals against the decision of the University Ethics Committee, as the committee of first instance, are heard by the University Appeals Committee.
- (14) The following persons may not participate in the adjudication of ethical complaints:
  - a) who is involved in the case,
  - b) who has been prosecuted (complained about),
  - c) the victim of the offence under investigation,
  - d) a close relative of the persons referred to in lit. a) to c),
  - e) who cannot be expected to give an objective ruling on the case.
- (15) In cases where the University Ethics Committee acts as a second-instance committee, and where the University Appeals Committee acts, it is excluded from adjudicating the case:
  - a) who made the contested decision or failed to make the decision,
  - b) who is a close relative of the persons referred to in lit. a),
  - c) who cannot be expected to give an objective ruling on the case.

### 3.2 Reporting breaches of ethical standards

#### **29. §**

- (1) A breach of ethical standards may be reported by the victim or by any person who has credible knowledge of this fact (hereinafter referred to as the "reporter") and who is prepared to participate in proving the credibility of their report by disclosing their name to the committee dealing with the case.
- (2) The report may be submitted orally or in writing to the heads of the University and the faculties, the heads of the departments, the student representative bodies and the employee representative bodies of the University, who shall forward it to the chairperson of the ethics committee competent in the case pursuant to Article 28 within 5 working days of receipt of the report.
- (3) The recipient of the verbal notification shall record the notification in a report in

accordance with the template published in the [form repository on the website of the Directorate-General for Legal and Administrative Affairs](#), which shall be signed by the person who received the notification. Legal and Administrative Directorate General, which must be signed by the notifier, the recipient of the notification, and the person recording the minutes.

- (4) In the interests of fairness, a report may not be made anonymously, but a reporting party may request that his or her name not be disclosed or that his or her data be kept confidential if he or she has reasonable grounds to fear that he or she may suffer prejudice as a result of making the report.
- (5) In the case of ethical misconduct, a complaint may be lodged within 30 days of becoming aware of the act in the manner provided for in paragraph (6).
- (6) There is no need for ethics proceedings if more than 1 year has passed since the date of the act complained of. In the case of a continuing ethical violation, the date of the most recent act is decisive for the application of the time limit, but when assessing the violation, related acts that occurred earlier must also be taken into account and evaluated at the same time.
- (7) The report should be as specific as possible: it should include the name(s) of the person(s) who violated the ethical standard, the place and time of the incident, and any available evidence of the incident (e.g., witnesses, physical evidence, etc.).
- (8) The recipient must forward the notification and the evidence submitted to the Directorate General for Legal Affairs and Administration within 3 working days at the latest, who will send it within 5 working days to the chairperson of the ethics committee responsible for the case, after prior consultation with the chairperson of the committee responsible or, if the chairperson so designates, with the chairperson of the EEB, with a legal opinion.
- (9) If the report does not fall within the scope of the ethical standards, or does not fall clearly within the scope of the ethical standards, it shall be sent by the Directorate-General for Legal Affairs and Administration to the chairperson of the Committee referred to in paragraph (8) with a legal opinion to that effect, with a view to the conclusion of the ethics procedure, with the proviso that, if appropriate, the necessary measures to initiate the appropriate procedure (e.g. disciplinary proceedings, complaint, public interest report, criminal proceedings, employer action) shall be taken in addition to the conclusion of the ethics procedure.
- (10) Where the notification requires the initiation of other proceedings as provided for in paragraph (9),
  - a) the chairperson of the committee closes the ethics procedure and takes action to initiate the relevant procedure: a criminal complaint, action under the Code of Conduct for the Handling of Incidents involving Breaches of Organisational Integrity, disciplinary proceedings, or proceedings by the student government's supervisory board or other body,
  - b) inform the employer of the circumstances requiring action by the employer,
  - c) initiate, where justified, an examination of the notification as a public interest report or complaint by the Directorate-General for Legal Affairs and Administration.
- (11) If the rejection of the application is not justified, and there is no need to initiate other proceedings, the President or the member designated by him shall examine the

application to determine whether the facts set out therein (the infringement and the reasons for it) are such as to justify the initiation of proceedings before the Committee.

### 3.3 The procedure for ethics review and adjudication bodies

#### **30. §**

- (1) The competent ethics committee must investigate all ethics complaints and take a decision on the complaint no later than 60 days after the date on which the complaint is received by the chairperson of the committee.
- (2) Notifications that do not indicate a specific breach of ethical standards or do not provide evidence thereof, and where the identity of the offender cannot be established, shall be rejected in writing by the chairperson of the Committee, who shall be invited to resubmit the notification once, within 15 days of receipt of the rejection, with the deficiencies indicated in the rejection being remedied.
- (3) If there are no grounds for rejecting the notification, the chair of the committee shall, within eight working days of receipt of the notification, inform the members of the committee by sending them a copy of the submission, the ad hoc expert members participating in the proceedings pursuant to Article 28 paragraph (8), as well as the complainant and the respondent, of the initiation of the proceedings, specifying the exact date and place of the committee meeting, and shall invite the respondent, the complainant and, if the contact details of the witnesses victims, to appear at the committee meeting. A meeting of the Committee shall be scheduled within 30 days of receipt of the notification.
- (4) The notification must draw the complainant's attention to the following:
  - a) the possibility of using representation,
  - b) the right to submit written observations or a defence or to ask not to be heard in person,
  - c) that their absence does not prevent the hearing and the decision from being taken, in which case the committee will decide on the basis of the available evidence and data,
  - d) that their written/oral confession covering all relevant circumstances of the case may be used as a mitigating circumstance for the imposition of the sentence.
- (5) If necessary, the acting committee may call upon the assistance of an independent and impartial expert if a technical issue needs to be clarified in order to decide on the matter and the permanent or ad hoc members of the committee do not have the necessary expertise. In such a case, the chairperson of the committee shall order an expert to be heard and an expert opinion to be drawn up. An expert may be primarily a person with an employment relationship with Semmelweis University. In ethics proceedings, the expert is not remunerated.
- (6) The applicant may, until the 5th working day preceding the day of the scheduled meeting, submit additional witnesses or additional victims to supplement their submission, whose hearing shall be ordered by the chairperson of the Committee in the manner provided for in paragraph (4) lit. a) to c). It is the duty of the complainant to ensure the attendance of witnesses and other injured parties at the committee meeting.
- (7) The person complained against shall also have the right to present witnesses or other evidence in writing to the chairperson of the committee by the 5th working day preceding the day of the scheduled meeting, and the chairperson of the committee shall order the hearing of such witnesses or other evidence in the manner provided for in paragraph (4)

- lit. a) to c). The complainant must ensure that the witness attends the committee meeting.
- (8) At its meeting, the Committee shall, on a proposal from the chairperson or from a member of the Committee invited by the chairperson to present the case, assess the content of the complaint and the statement of the complainant, the available evidence: in this context, it shall compare it with the testimony of witnesses, the statements of other victims and the other available evidence.
- (9) The committee will hear the victims and then the witnesses one by one, in the absence of each other. In case of disagreement, the chairperson of the committee may order the confrontation of witnesses and other victims and other evidence with the complainant or the reporting party.
- (10) In the interests of the integrity of university public life, all university citizens are obliged to cooperate with the committees investigating and judging ethics cases, to appear before the relevant committee when requested to do so and to provide any information or evidence, other than information incriminating themselves or their close relatives, which they have knowledge of or evidence in their possession relating to the matter under investigation.
- (11) After examining the complaint and conducting the hearings, the Committee shall initiate conciliation if it is deemed sufficient in the light of the relationship between the victim and the complainant, in particular taking into account the complainant's statement in this regard.
- (12) If conciliation is not successful, the committee will take a decision, indicating and evaluating the evidence taken into account in establishing the facts:
- a) whether an ethical breach has occurred, and if so, whether it was committed by the complainant, and
  - b) what action or sanctions it considers appropriate.
- (13) The notification of the complainant in the procedure may be done by means of a specific document (e.g. notice of initiation, summons, decision):
- a) by handing it over in person;
  - b) uploaded to the student's NEPTUN storage space under "Official entries";
  - c) to the official university e-mail address;
  - d) by postal service;
  - e) electronically to its official contact details under the e-Administration Act, - if available;
- which of lit. a) to e) constitutes the first notification by means of one of these methods, qualifying as proper delivery capable of producing legal effects.
- (14) The person complained against or their representative authorised to act in the proceedings is entitled to:
- a) have access to the procedural file;
  - b) to make motions and comments;
  - c) put forward a related defence.

### 3.4 Sanctions for breaching ethical standards:

## 31. §

- (1) In the absence of the necessary evidence to support the suspicion, no action or legal consequence may be taken which may cause prejudice to the complainant.
- (2) The committee dealing with the case may decide to apply the following legal consequences to the ethical breach indicated in the complaint:
  - a) terminate the proceedings if the breach of ethical standards has occurred or the identity of the perpetrator cannot be established;
  - b) establishes that an ethical breach has occurred and warns the offender to refrain from future breaches of the provisions of the Code, or
  - c) establishes that an ethical breach has occurred and orders the disclosure of the breach (without reference to personal data) on the University's central website, or
  - d) in addition to a finding of ethical misconduct, order the offender to provide non-material compensation commensurate with the seriousness of the misconduct (e.g. an apology, publication of a correction with the removal of the published statement of misconduct), or
  - e) initiate disciplinary proceedings in a case involving a member of the academic staff who is not employed by the University, where disciplinary offences are suspected, or
  - f) if the notification contains a notification of public interest or if the data of the procedure indicate that a procedure(s) pursuant to paragraph (2) of Article 30 may be applicable, shall, in addition to taking a decision, call upon the person entitled to conduct the procedure to take the necessary measures.
- (3) The substance of the decision must be communicated verbally to the complainant, their legal representative (if present), and the reporting party (if present) at the meeting, and then within eight working days, using the template available in the Form Library on the website of the Directorate-General for Legal and Administrative Affairs and the written decision must be communicated to the complainant and the reporting person by the means specified by them (by e-mail, by registered mail with return receipt, or in a sealed envelope marked s.k. ("to be opened by the addressee") sent to their university workplace address).
- (4) The decision shall include the data identifying the parties, the name of the acting committee, the case number, the operative part of the decision as provided for in paragraph (12) of Article 31, the call for appeal with the deadline and the manner of submission, the reasons for the decision, indicating the facts established and the evidence on which they are based, the assessment of the evidence available in the case and the conclusions drawn on the basis thereof, as well as the legal or university regulations on which the committee based its decision.
- (5) The complainant and the party against whom the complaint is lodged may appeal against the committee's decision. If no appeal is lodged against the decision of the Committee, the decision becomes enforceable on the day following the expiry of the time limit for appeal.
- (6) If any of the parties entitled to appeal lodges an appeal within the time limit against the decision of the committee of first instance, the appeal shall have suspensory effect for the implementation of the decision of first instance.

### 3.5 Remedies

### **32. §**

- (1) Appeals against the decisions, actions or failure to act of the KEFB and the DEFB may be lodged with the University Ethics Committee as a second instance committee. In cases where the University Ethics Committee acts in the first instance, the University Appeals Committee may be called upon to hear appeals.
- (2) Following persons can apply for redress:
  - a) the person complained against or their authorised representative, and
  - b) the applicant or their representative, duly authorised to represent them.
- (3) The appeal must be submitted in writing within 15 days of the written decision being notified. The application must state the grounds on which the applicant seeks review of the first instance decision.
- (4) The committee may use an independent legal expert who is not interested in the application.
- (5) The University Ethics Committee and the University Appeals Committee may take the following decisions in the second instance:
  - a) reject the appeal if it is late or incomplete (no reasons given),
  - b) order the person who fails to take a decision to take a decision,
  - c) declares that the decision at first instance is well founded and upholds it,
  - d) if it finds that the decision at first instance is unfounded,
    - da) annul it and terminate the proceedings,
    - db) annuls the decision and asks the committee of first instance to start a new procedure,
    - dc) changes the first instance decision.
- (6) There is no further appeal against the decision of the second instance, in particular no judicial review.

## 4. Final provisions

### **33. §**

- (1) The Senate of Semmelweis University, based on the authorisation received in Article 19 paragraph (10) lit. (d) of Part I.1. of Book I of the Organisational and Operational Rules (SZMSZ), has adopted the Code of Ethics - due to the formal compliance required for publication in the database providing legal depository services, without affecting the content and scope of the Code - by the Senate decision No.: 121/2024 (18 December).
- (2) The Code of Ethics will enter into force on 20 December 2024.
- (3) Simultaneously with the effectivity of the present Code of Ethics, the provisions of the modified (18) will be repealed.

## 5. Annexes

1. annex No: Audit trail

	process steps	preparation steps	responsibility levels					document resulting from the process
			task host	verification	mode of verification	approval	mode of approval	
1	Submitting a complaint/report of an ethics violation	Examination of written/verbal complaint/report, recording of oral complaint	University/faculty heads/department heads/student representative bodies/employee representative bodies		checking a notification/complaint	n.a.	n.a.	forward a document resulting from a notification/complaint to JIF
2	Consultation with the Directorate-General for Legal Affairs and Administration (JIF)	The recipient must forward the notification and the evidence submitted to the Directorate General for Legal Affairs and Administration within 3 working days at the latest, which will send a legal opinion within 5 working days, after prior consultation with the chairperson of the competent committee or, for the purposes of that appointment, the chairperson of the EEB - send its legal opinion to the chair of the ethics committee responsible for the case	host, JIF			n.a.	n.a.	Forward the legal opinion and the notification to the chair of the ethics committee responsible for the case.

	process steps	preparation steps	responsibility levels					document resulting from the process
			task host	verification	mode of verification	approval	mode of approval	
3	Examination of a notification	<p>a substantive examination of the reported case to determine whether the notification/complaint</p> <p>- a declaration of public interest, or 3.3 (2), in which case it shall transmit it to the JIF</p> <p>- take action to initiate other proceedings: to file a criminal complaint, to take action to initiate proceedings under the Code of Conduct for the Handling of Incidents involving Breaches of Organisational Integrity, to initiate disciplinary proceedings, or to initiate proceedings before the student government's supervisory board or other body,</p>	<p>the recipient of the notification: University/faculty heads/department heads/student representative bodies/employee representative bodies</p>	n.a.	n.a.	<p>University/faculty heads/department heads/student representative bodies/employee representative bodies</p>	<p>Referral of the notified case to the appropriate procedure</p>	<p>forwarding the notification and the available documents and evidence to the JIF or the employer in order to initiate any other necessary proceedings</p>

	process steps	preparation steps	responsibility levels					document resulting from the process
			task host	verification	mode of verification	approval	mode of approval	
		- inform the employer of the circumstances requiring action by the employer,						
4	Ethics Committee action	Review of complaint/notification: whether there is scope for opening another procedure (3.3 paragraph (2)), whether the complaint contains a genuine breach of the law, whether there is evidence	The chairperson of the ethics committee responsible for the procedure, or a member of the committee designated by them	n.a.	n.a.	Chairperson of the committee responsible for the procedure	making a decision	Document concerning the convening of a committee meeting/request for additional information/rejection of a notification without examination
5	convening a committee meeting	Review of evidence and available documents: hearing of the complainant, the person against whom the complaint is made, and witnesses; Initiating conciliation if the breach of ethics does not constitute an offense defined by law and if this proves sufficient in the relationship between the victim and the complainant	committee responsible for the procedure	n.a.	n.a.	Committee responsible for the procedure	decision	decision on ethics violations

	process steps	preparation steps	responsibility levels					document resulting from the process
			task host	verification	mode of verification	approval	mode of approval	
6	In cases concerning the assessment of appeals, against the decision/omission of the body acting at first instance	examination of the written submission and other documents in the first instance proceedings	University Ethics Committee as a second instance body, University Appeals Committee	n.a.	examination of the appeal, the decision at first instance and the proceedings at first instance	n.a.	decision	Commission decision at second instance on an appeal