

# **Deed of Foundation of the Hungarian Accreditation Committee (amended and consolidated text)**

## **I. INTRODUCTION**

As the quality assurance agency of a member state of the European Higher Education Area, the Hungarian Accreditation Committee (HAC) is dedicated to the implementation of the European quality assurance standards supporting the Bologna Process and to promoting the international mobility of students and teaching staff. The HAC is established to perform external evaluation of the quality of education, scientific research and artistic activities in higher education, as well as of the internal quality assurance systems of higher education institutions, and to enhance the international recognition of Hungarian higher education. In the spirit of Article 10 of the Fundamental Law of Hungary, the Hungarian Accreditation Committee upholds the freedom of scientific research, artistic creation, learning and teaching, the scientific and artistic freedom of the Hungarian Academy of Sciences and the Hungarian Academy of Arts. It is also dedicated to promoting the scientific concept of lifelong learning. In line with these obligations and principles, the Minister for Human Capacities has decreed the following concerning the Deed of Foundation of the Hungarian Accreditation Committee:

## **II. BASIC DETAILS**

Official name:	Magyar Felsőoktatási Akkreditációs Bizottság
Abbreviated name:	MAB
Name in English:	Hungarian Accreditation Committee
Abbrev. name in English:	HAC
Registered office:	H-1013 Budapest, Krisztina krt. 39/B
Legal basis of establishment:	Section 80(1) of Act LXXX of 1993 on higher education
Represented by:	President of the HAC (on their own)
Bank account:	12011409-00137705-00100004
Tax number:	18190247-2-42

## **III. LEGAL STATUS AND RESPONSIBILITIES OF THE HAC**

- 3.1. The HAC is a national independent expert Board established to perform external evaluation of the quality of education, scientific research and artistic activities in higher education, as well as of the internal quality assurance systems of higher education institutions.
- 3.2. Pursuant to Act CCIV of 2011 on national higher education (the HE Act), the HAC is a public benefit organisation, a legal entity, without court registration of its public benefit status. Its operations are governed by Act CLXXV of 2011 on the right of association, on public benefit status and on the operation and support of non-governmental organisations (NGO Act), as well as by other relevant Hungarian legislation.
- 3.3. The HAC is registered by the Educational Authority pursuant to Section 67(1)(c) of the HE Act.
- 3.4. The HAC performs its evaluation and accreditation (quality attestation) activities as a quality assurance agency for higher education operating in a member state of the European Higher Education Area, in line with the relevant European standards and guidelines (*Standards and Guidelines for Quality Assurance in the European Higher Education Area - ESG*).
- 3.5. The operations of the HAC are based on the laws of Hungary and the European Union, other European standards and regulations, the Rules of Organisation and Operation (ROO) adopted by the HAC Board, approved by the Minister and not in conflict with those laws and standards, the internal policies provided for in the ROO, and are in accordance with the principles stated in this Deed of Foundation.

- 3.6. Additionally, the HAC acts as an expert in procedures concerning higher education institutions in cases specified by law.
- 3.7. Procedures of the HAC carry a fee. Revenue from such fees is the HAC's own revenue.
- 3.8. The HAC
  - a. may not pursue political activities,
  - b. may not engage in any public activities on behalf of or in the interest of any party,
  - c. is an organisation independent from all parties and is barred from providing them or receiving from them any financial support.

#### **IV. ORGANISATIONAL STRUCTURE OF THE HAC**

- 4.1. The HAC consists of the a HAC Board, a separate Board of Appeals the Secretariat working alongside the HAC Board and the Board of Appeals, and a separate Financial Supervisory Board.
- 4.2. The nomination, appointment and termination of members of the HAC Board, the Financial Supervisory Board and the Board of Appeals are governed by the HE Act.
- 4.3. The HAC Board and the Board of Appeals are the decision-making bodies of the HAC and their decision-making powers are not transferable.
- 4.4. The chairperson of the HAC Board is the President of the HAC, who is authorised to represent the HAC on his/her own. The President of the HAC has the right to make decisions concerning the use of the HAC budget.
- 4.5. The HAC may establish committees in addition to the bodies specified in Section 4.1 and may use the services of external experts to perform its tasks. Such committees are decision preparation bodies.
- 4.6. The Secretariat working alongside the HAC Board and the Board of Appeals performs operative, administrative, financial and professional preparatory tasks.

#### **V. OPERATION OF THE HAC**

- 5.1. Meetings of the HAC Board are convened by the President of the HAC, or, if the President is incapacitated, by the Vice President designated by the President. The letter of invitation, which must include the intended agenda of the meeting, must be sent to the members no later than on the eighth day preceding the meeting. The intended agenda of the meeting is also published by the HAC on its website. Meetings of the HAC Board are held as necessary, usually on a monthly basis, at least nine times a year.
- 5.2. The HAC Board has quorum if more than half of the voting members are present. At the meetings of the HAC Board, each member has a vote and each vote has equal weight. Neither votes nor any other rights associated with membership are transferable. All meetings of the HAC Board have a part that is public. Government Decree 19/2012 of 22 February 2012 on certain aspects of quality assessment and enhancement in higher education (the Government Decree), as well as this ROO permit the HAC to designate part of the meeting to be closed to the public.
- 5.3. The HAC Board adopts its decisions by open voting by a simple majority of the members present. To adopt the ROO, two thirds of the members must vote in favour. Decisions of the HAC Board on matters of personnel or when requested by at least one third of the members are adopted by secret ballot. If the number of opposing votes is equal, the outcome is decided by the President's vote if voting is open; if votes are secret, voting must be repeated. If, on repeating voting, the number of votes in favour is still less than the required majority, the HAC Board did not support the relevant proposal.
- 5.4. The HAC keeps records - in line with the relevant data protection regulations - from which the content, date and expiry of the decisions of the HAC Board, as well as the number of votes in

favour/against is apparent. The HAC has a Financial Supervisory Board (FSB) in accordance with Sections 40 and 41 of the NGO Act and with Section 29 of the Government Decree. The FSB supervises the operations and financial management of the HAC. For this purpose the FSB may request reports from the President of the HAC and information from the HAC Secretariat, and may access and examine the books and records of the HAC. The FSB adopts its own procedural rules and elects its own chairperson. Members of the FSB are appointed by the Minister for six years; their mandate may be renewed.

- 5.5. The annual report and the annexed public benefit report are approved by the HAC Board.
- 5.6. Detailed rules on the operation and structure of the HAC are specified in the ROO.

## **VI. FINANCIAL MANAGEMENT OF THE HAC**

- 6.1. Decree 21/2012 of 16 April 2012 of the Minister for Public Administration and Justice on components and nomenclature of the statistical code specifies that in terms of financial management, the HAC is classified under category GFO.2012 as a “549 miscellaneous public body”.
- 6.2. Funding of the HAC is based on the state subsidy the amount of which is determined by the Minister, which must provide funding for all tasks of the HAC. The HAC is permitted to have additional sources of revenue. The HAC must provide a report on the use of the state subsidy in the manner and by the deadline specified in the state subsidy contract for the relevant year.
- 6.3. Financial management of the HAC must be in line with the applicable accounting and tax regulations in effect. Any profit from its operations must be spent on its activities specified in the HE Act, the Government Decree and this Deed of Foundation, and may not be distributed. The HAC may not be given instructions regarding its financial management.
- 6.4. The HAC may engage in business activities as long as it does not jeopardise its fundamental operations. Business activities of the HAC by the TEÁOR nomenclature:
  - 4761 Book retail and wholesale
  - 5811 Book publishing
  - 5814 Publishing of journals and periodicals
  - 5819 Miscellaneous publishing
  - 7220 Research and development in social studies and humanities
  - 7320 Market research and polling
  - 7430 Translation and interpreting
  - 7490 Professional, scientific and technical activities not otherwise classified
  - 8230 Organisation of conferences and commercial presentations
  - 8560 Activities to support teaching
  - 8559 Teaching activities not otherwise classified

## **VII. CLOSING PROVISIONS**

This Deed of Foundation with amended and consolidated text becomes effective on the day following its publication. At the same time the Deed of Foundation dated 12 June 2013 (ref. no.: 11453-5/2013/FOFEJL) is rendered ineffective.

**Done in Budapest on 5 July 2019**

**Prof Dr Miklós Kásler**  
**Minister for Human Resources**

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