

STATUTE OF THE LISBON CENTRE FOR RESEARCH IN PUBLIC LAW

*Approved on the 8th of March of 2012 by the General Assembly
of the Instituto de Ciências Jurídico-Políticas*

Article 1.º **Nature**

1. The CICJP - Lisbon Centre for Research in Public Law, hereinafter named Centre, is a research and development unit created within the Instituto de Ciências Jurídico-Políticas, hereinafter named Institute, that works at the University of Lisbon School of Law, hereinafter named Faculty, as its host public unit.
2. The Centre has scientific and administrative autonomy although it is not legally independent from the Institute.
3. The Centre is constituted indefinitely.
4. The outline of the relations established between the Centre, the Institute and the Faculty is remitted to a separate protocol.

Article 2.º **Members**

1. The professors of the Institute, active or retired with teaching duties in post-graduation courses, who hold a Doctorate in Public Law (Juridical-Political Sciences) from the University of Lisbon can be Senior Research Fellows of the Centre.
2. The emeritus or retired Professors of the Institute can be distinguished with the title of Emeritus Research Fellows by the Scientific Council of the Centre due to their exceptional scientific merits for services paid to Law and to the Faculty.
3. Master and PhD students of Public Law studying in the Faculty can be invited as Associate Research Fellows of the Centre.
4. Graduation and Master students studying in the Faculty can be invited as Research Assistants of the Centre if they demonstrate exceptional scholar performance.
5. National and foreign academics of renamed merit can be invited as Visiting Research Fellows to develop research activity or to teach exclusively for the Centre for a period equal or superior to three months.
6. National and foreign academic researchers of renamed merit that integrate research work or research project teams of the Centre can be invited as Guest Research Fellows.
7. Titular Professors entitled to advise and counsel the activity developed by the research groups and by the research project teams can qualify to be appointed as Senior Research Advisers by the Steering Scientific Commission under proposal of any of this organ's members or the President of the Scientific Council.

Article 3.º **Subject matter and activities**

1. The subject matter of the Centre is to undertake research and development activities in the field of Public Law and related sciences under an interdisciplinary perspective.

2. Whilst outlining its programs, the Centre will pay close attention to those research activities focused on the Law of the Portuguese-speaking States and peoples.
3. The research and development activities are articulately organised in research groups, programs and projects.
4. The organisation and operation of the Centre obey the scientific research principles listed in the Decree-Law number 125/99, of 2nd of April, as well as the general principles established by the Institute and by the competent bodies of the Faculty.

Article 4.º **Scope**

The core scope of the Centre is:

- a) To organise, promote and coordinate the scientific research in the field of Public Law and related sciences;
- b) To spread knowledge in its field, namely through data banking and networking, publishing and hosting scientific meetings;
- c) To promote scientific exchange with other institutions and researchers in Portugal and abroad;
- d) To network with a scientific and cultural reach and to provision public services to the community.

Article 5.º **Governing Bodies**

1. The governing bodies of the Centre are the Monitoring Committee, the Scientific Council and the Steering Scientific Commission.
2. The mandate of the holder of each governing body lasts for three years.
3. The President of the Direction of the Institute is inherently the Chairman of the Centre.

Article 6.º **The Monitoring Committee**

1. The Monitoring Committee is composed by:
 - a) The President of the Committee, appointed by the Scientific Council of the Centre;
 - b) Two members chosen by the Scientific Council;
 - c) Up to four public figures, either national or foreign professors or experts in the specific areas of the Centre, coming from outside the Faculty body and invited by the Direction of the Institute after a preliminary hearing of the Scientific Council of the Centre.
2. The Monitoring Committee follows up regularly with the operation of the Centre, issuing opinions and recommendations understood as proper.
3. The Committee meets in plenary at least once a year.
4. The Chairman of the Centre participates in the sessions of the Committee without the right to vote.

Article 7.º
The Scientific Council

1. The Scientific Council is composed by the Senior Research Fellows and the Emeritus Research Fellows. The Associate Research Fellows and the Senior Research Advisers are allowed to participate without the right to vote.
2. The President of the Scientific Council can invite any other member of the Centre to participate in its sessions without the right to vote.
3. It is the responsibility of the Scientific Council:
 - a) To admit or exclude members along the terms of this Statute;
 - b) To approve the general guidelines and to structure the research and development activities according to the core scope of the Centre;
 - c) To rule on the creation, modification and suppression of research groups and investigation programs, while carrying out their assessment;
 - d) To approve the annual and multi-annual activity planning;
 - e) To issue recommendations concerning the adherence of the Centre to research and development networks;
 - f) To approve the Research Statute of the Centre proposed by the Direction of the Institute.
 - g) To appoint the members of the Monitoring Committee mentioned in subheading b) of article 6(1) and to state an opinion on the invitations mentioned in subheading c).
 - h) To appoint the Scientific Coordinator from among the Senior Research Fellows and the Researchers of the Centre by absolute majority and the remaining members of the Steering Scientific Commission upon his suggestion;
 - i) To dismiss the Steering Scientific Commission by absolute majority;
 - j) To issue recommendations on the Statute of the Centre to the Direction of the Institute;
 - k) To issue recommendations on the budget, the planning and the annual or multi-annual activity reports;
 - l) To judge the appeals of the Steering Scientific Commission decisions which have rejected research projects as formally inadmissible;
 - m) To decide other matters put forward by the Direction of the Institute, by the Monitoring Committee or by any of its members;
 - n) To approve its statute and to elect its President.
4. The Scientific Council meets at the request of its President, of one-fifth of its members or of the Steering Scientific Commission.
5. The Scientific Council meets regularly at least twice a year.

Article 8.º
The Steering Scientific Commission

1. The Steering Scientific Commission is composed by the Scientific Coordinator, who presides over it, and up to four members of the Scientific Council elected by him as coordinators of the research groups.
2. The Scientific Coordinator can request the groups deputy coordinators, the secretary-general, the executive consultant of the Centre and the advisors of the Steering Scientific Commission to participate in its meetings without the right to vote.
3. It is the responsibility of the Steering Scientific Commission:
 - a) To promote the integration of the activity of the Centre within the Institute;
 - b) To execute the decisions of the Scientific Council;

- c) To present the creation, modification, or suppression of the research groups, and their investigation programs, as well as of the work and research projects, before the Scientific Council;
 - d) To prompt the coordination of the drafting of the budget proposals, the planning and the annual and multi-annual reports;
 - e) To establish a permanent representation of the Centre before other institutions;
 - f) To decide about the adherence of the Centre to research and development networks;
 - g) To ensure the key scientific management of the Centre.
4. Further responsibilities can be assigned to the Steering Scientific Commission by the Direction of the Institute and by the Scientific Council.
 5. The Steering Scientific Commission conducts the installation and scientific accreditation of the Centre.
 6. The Scientific Coordinator ensures the scientific and administrative management of the Centre is in line with the decisions of the Direction of the Institute, the Scientific Council of the Centre and the Steering Scientific Commission.
 7. The Steering Scientific Commission can delegate in the Scientific Coordinator the competences established in subheadings b), d) and e) of the number 3.
 8. After consulting the Steering Scientific Commission, the Scientific Coordinator can propose the appointment of a Secretary-General, an Executive Consultant and Researchers or Associate Research Fellows to the Direction of the Institute in order to advise the Commission.

Article 9.º

Responsibilities of the governing bodies of the Institute toward the Centre

1. It is the responsibility of the Direction of the Institute:
 - a) To generally oversee the activity of the Centre;
 - b) To process the opinions and recommendations of the Monitoring Committee;
 - c) To present the Research Statute of the Centre before the Scientific Council;
 - d) To approve the budget, define the revenues of the Centre and secure the retention of revenues mentioned in article 10(2);
 - e) To decide on proposals put forward by the Scientific Coordinator;
 - f) To decide other matters regarding the management of the Centre presented by any of its members;
 - g) To put forward amendment proposals to this Statute before the Assembly of the Institute;
2. It is the responsibility of the General Assembly of the Institute, following a proposal of the Direction:
 - a) To approve the Statute of the Centre and its amendments;
 - b) To extinguish the Centre.
3. The financial supervision and accountability of the Centre is the responsibility of the Fiscal Supervisor of the Institute.

Article 10.º

Revenues of the Centre

1. The revenues assigned to the Centre consist of:
 - a) The budget endowments of the Fundação para a Ciência e Tecnologia;
 - b) The allowances and subsidies allocated by funding agencies;

- c) The income from other sources of funding and subsidising, either public or private, obtained for the completion of ongoing research programs and projects;
 - d) Those arising from the provision of services and the sale of published items;
 - e) The donations of which the Centre is direct beneficiary;
 - f) Any other revenues the Centre might access legally and statutorily.
2. A percentage of the revenues assigned to the Centre is to be retained by the Institute as compensation. It is set by the Direction of the Institute after consulting the Steering Scientific Commission.

Article 11.º

Management and Accountability

1. While managing the resources of the Centre, the Institute follows the principles of economy, rigour, transparency, flexibility and efficiency, as they appear in article 16 and following of the Decree-Law number 125/99, of 20th of April.
2. The revenue and expense processing of the Centre is carried out by the Accounting services of the Institute.

Article 12.º

Temporary Provisions

1. The PhD members of the Institute who expressly declare their wish to become part of the Research Centre until the 23rd of March of 2012 are considered inasmuch, for all legal purposes, in the first Scientific Council of the Centre.
2. It is the responsibility of the President of the Direction of the Institute to convene the first meeting of the Scientific Council and to determine the corresponding agenda.