

REPUBLIC OF LITHUANIA

LAW

ON SCIENCE AND STUDIES

This Law:

shall be based on the principle that the State supports and promotes science and studies, and considers them to be of particular importance in the culture and economy of the Republic of Lithuania;

shall legitimize the indivisibility of science and studies;

shall make, taking the need to humanize science and studies into consideration, the scientific activities which meet the needs of Lithuania more progressive, and shall become more widely involved in universal science;

shall recognize scientific research as a form of creative work; and shall consolidate the academic freedom, responsibility, and professional and social guarantees of a scientist's activities.

## I. GENERAL PROVISIONS

### Article 1. The System of Science and Studies

The system of science and studies of the Republic of

Lithuania shall consist of the following institutions:

schools of higher education;

scientific institutes;

the Lithuanian Academy of Sciences;

other scientific institutions; and scientists or groups of scientists.

### Article 2. The Scientist

A scientist shall be a person who carries out scientific work, and who has a scientific degree or academic (scientific)

title.

### Article 3. The Scientific Institution

A scientific institution shall be an institution in which the main activity is scientific research.

### Article 4. Schools of Higher Education

A school of higher education shall be an institution of science and studies in which a person may earn the degree of specialist or scientist, and in which scientific research and other types of creative work are carried out.

Studies shall include higher education, scientific training, and the improvement and retraining of specialists holding diplomas. The admissions process (for students, postgraduates, probationers, residents, etc.) and the form and content of studies, upon approval of the Government of the Republic of

Lithuania and taking into account the needs of the State, shall be established by the institutions of science and studies. The requirements for persons beginning their first year of studies at a school of higher education shall correspond to the programmes of secondary education.

### Article 5. The Scientific Institute

A scientific institute shall be an institution of science which carries out scientific research and, together with a school of higher education, prepares scientists and assists schools of higher education in the training of specialists.

### Article 6. The Lithuanian Academy of Sciences

The Lithuanian Academy of Sciences shall be an institution, supported by the State, in which the most prominent Lithuanian and foreign scientists who, because of their activities, are connected with Lithuania, are joined together. The Lithuanian

Academy of Sciences shall function in accordance with its

Statute, which shall be adopted and amended in a general meeting of the Academy of Sciences, and shall be approved by the Supreme

Council of the Republic of Lithuania.

### Article 7. Public Organizations of Scientists and Students

Social organizations of scientists and students (ie. unions, academies of

sciences, conferences of rectors, societies) shall be established at the initiative of the members in order to meet professional, creative, and social needs. These organizations shall function pursuant to their statutes (charters) which shall be adopted during congresses (conferences) and shall be registered according to the procedures established by law.

## II. THE LITHUANIAN COUNCIL OF SCIENCE

### Article 8. The Self-Government of Science and Studies

The Lithuanian Council of Science shall be an independent institution of science and studies. It shall be considered as a scientific expert by the Supreme Council and Government of the

Republic of Lithuania on issues of organization and finance of science and studies.

### Article 9. The Formation and Activities of the Lithuanian Council of Science

The Lithuanian Council of Science shall be formed and shall function according to the regulations approved by the Supreme

Council of the Republic of Lithuania.

### Article 10. The Province of the Lithuanian Council of Science

The Lithuanian Council of Science:

shall present trends of development in the spheres of science and shall assess scientific programmes of the State;

shall present proposals to the Government of the Republic of

Lithuania concerning the formation of the State draft budget;

shall assess the distribution of finances for science and studies, as well as for the maintenance, development, and establishment of facilities of science and studies;

shall organize scientific examinations for development programmes in the spheres of Lithuanian economy, culture, and society;

shall present proposals concerning the establishment, reorganization, and liquidation of institutions of science and studies; and shall present, to the Government of the Republic of

Lithuania, its conclusions concerning the right of institutions of science and studies to grant scientific degrees or academic

(scientific) titles.

#### Article 11. The Rights of the Lithuanian Council of Science

The Lithuanian Council of Science shall have the right:

to obtain information and statistical data on issues of their own competence from State governing institutions and institutions of science and studies; and to settle disputes arising from the implementation of statutes (charters) of institutions of science and studies.

### III. INSTITUTIONS OF SCIENCE AND STUDIES

#### Article 12. The State Institution of Science and Studies

State institutions of science and studies shall be established (acquired) with state funds. Upon establishment

(reregistration) of an institution, the State shall transfer state property to the said institution for possession and utilization.

#### Article 13. Non-governmental Institutions of Science and Studies

The nature of activities, the province, and the rights of public organizations, as well as private, joint, and international institutions of science and studies, shall be established by their founders and by the laws of the Republic of

Lithuania.

International or joint (international-domestic) institutions of science and studies must receive permission from the

Government of the Republic of Lithuania for their activities on the territory of the Republic of Lithuania.

#### Article 14. The Right of Scientists to Engage in Private Practice

A scientist (or group of scientists) may take part in the activities of private institutions of science and studies, in accordance with the procedures established by law.

#### Article 15. The Procedure for the Establishment of an Institution

State schools of higher education shall be established, reorganized, and liquidated, upon the proposal of the Government of Lithuania, by the Supreme Council of the Republic of

Lithuania. Other State institutions of science and studies shall be established, reorganized, and liquidated by the Government of the Republic of Lithuania.

Non-governmental schools of higher education may be established after being granted a permit by the Supreme Council of the Republic of Lithuania.

Non-governmental scientific institutions shall be formed upon the decision of the founders and shall be based on the laws of the Republic of Lithuania.

Qualification requirements for schools of higher education and scientific institutes shall be established by the Government of the Republic of Lithuania upon the proposal of the Lithuanian

Council of Science.

#### Article 16. The Independence of Institutions

State schools of higher education and State scientific institutes shall have autonomy, as established by the laws of the

Republic of Lithuania, and as approved in the statute of the respective institution. The State may regulate an institution's activities by way of subsidies, orders (agreements) financed by the State, and other means provided for in laws of the Republic of Lithuania.

The highest decision making body of schools of higher education and scientific institutes shall be the Council



(Senate), which shall be elected by the employees of the respective institution who have scientific degrees or academic

(scientific) titles. The Council (Senate) of an institution shall elect and appoint institutional heads (ie. rector, director) and shall approve deputies by means of a simple majority vote. A

person may not be both the head of the Council (Senate) and the head of the institution.

The limits of independence of other institutions, the structure of their management, and the procedure for their formation shall be established by their statutes and by the laws of the Republic of Lithuania.

#### Article 17. The Statutes and Charters of Institutions

The statute of an institution of science and studies shall be the legal act which regulates the activities of schools of higher education and scientific institutes. The charter shall regulate the activities of other scientific establishments.

The statute (charter) of an institution which is in the process of being established shall be drafted by the provisional

(constituent) council appointed by the founder, and shall be approved by the founder.

The statute of a functioning institution may be passed or amended either by a simple majority vote of a meeting

(conference) of the institution's employees who hold scientific degrees or academic (scientific) titles, or, on instruction of the meeting (conference), by a two-thirds majority vote of the

Council (senate).

The statute of an institution of science and studies must include:

- 1) the name of the institution;
- 2) the address;
- 3) the main goals of its activities, as well as the type of scientific and educational activities;

4) the institution's property, including plots of land transferred for its use, and the terms for the use of that property;

5) the province of the Council (Senate) and governing bodies, their composition, and their structural order.

Charters of other institutions shall be formed in accordance with the model charter approved by the Government of the Republic of Lithuania.

Other rules may be set forth in statutes and charters if they do not contradict the laws of the Republic of Lithuania or any international agreements.

The Supreme Council of the Republic of Lithuania shall approve statutes of State schools of higher education, and the

Government of the Republic of Lithuania shall approve statutes of

State scientific institutes. Charters and amendments to charters shall be registered according to the procedure established by the

Government of the Republic of Lithuania. Institution of science and studies, with the exception of private institutions, shall have the rights of a legal person beginning the day that its statute is approved or the day that its charter is registered.

#### Article 18. The Forms of the Activities of Institutions of Science and Studies

An institution of science and studies shall independently establish its structure and relations with other partners

(including foreign partners). It may establish and hold scientific and educational centres, institutes, clinics, experimental stations, faculties, departments, laboratories, observatories, museums, botanical gardens, libraries, information centres, enterprises, experimental and instructional farms, and other subdivisions necessary for science and studies.

#### Article 19. The Property of Institutions of Science and Studies

The property of institutions of science and studies shall consist of products of creative work (as long as they do not violate copyright regulations), land,

buildings, movable property, financial resources, securities, and other valuables if they are not prohibited by laws. Institutions shall use this property in the procedure established by the laws of the Republic of Lithuania.

State institutions of science and studies shall, without compensation, use State property, and shall preserve and augment this property.

#### Article 20. Associations of Institutions of Science and Studies

Institutions of science and studies or their subdivisions, may join together or with other institutions or organizations, by various types of permanent or temporary relations, in order to resolve general scientific, studies, social, and economic issues.

In such an event, an agreement shall be made and approved by the

Councils (Senates) of the participating institutions. The objectives of the affiliation, the structure of management, the province, and the activities and conditions of liquidation shall be established in the said agreement.

Agreements concerning affiliations of institutions of science and studies shall be registered according to the procedure established by the Government of the Republic of

Lithuania. Associations of science and studies shall have the same rights as a legal person from the day of registration in cases provided for in the agreement.

The State shall support associations which are established with the intent to integrate science and studies.

#### IV. THE FINANCING OF SCIENCE AND STUDIES

##### Article 21. Sources of Financing Institutions of Science and Studies

Institutions of science and studies may receive State subsidies, resources from science and studies funds, and other resources and means of support (grants) for science and studies.

Institutions of science and studies may carry out State programmes of science



and other developmental trends, may execute orders according to agreements (including agreements with foreign organizations), and may participate in international scientific programmes.

Applied scientific research necessary for developmental programmes of Lithuanian culture, economy, society, well-being, environmental protection, and other fields shall be financed by allocations appropriated for the implementation of such programmes and for the regulation of economical development.

#### Article 22. Budgetary Allocations

Budgetary allocations shall be appropriated for the financing of studies, fundamental research, and applied research necessary for the Republic of Lithuania.

The State shall always recognize the priority of fundamental research of the Lithuanian language and Lithuanian culture.

The Supreme Council of the Republic of Lithuania shall approve the sum total of allocations for science and studies.

The Government of the Republic of Lithuania, taking into consideration the Lithuanian Council of Science's examination on project financing, shall distribute budgetary subsidies to institutions of science and studies, as well as allocations for

State scientific programmes, science and studies funds, infrastructures of science and studies, and for other scientific and educational purposes.

#### Article 23. State Subsidies for Institutions of Science and Studies

Subsidies shall be appropriated to State schools of higher education and to scientific institutes, upon the recommendation of the Government of the Republic of Lithuania and the approval of the Supreme Council of the Republic of Lithuania. The minimum amount of subsidization shall be determined during the establishment (re-registration) of the institution.

#### Article 24. State Scientific Programmes

The Government of the Republic of Lithuania shall organize the formation and implementation of State scientific programmes.

Contracts for carrying out State scientific programmes shall be made on a competitive basis.

#### Article 25. Funds for Science and Studies

Funds for science and studies shall be appropriated for the additional financing of fundamental researches, for the exploration of new scientific trends, and for the training of scientists.

The Government of the Republic of Lithuania, upon the recommendation of the Lithuanian Council of Science, shall approve boards and regulations for the activities of State science and studies funds.

Companies, enterprises, organizations, and private persons may support State funds for science and studies, and may establish their own funds for carrying out purposive programmes.

The State shall grant tax deductions to legal and natural persons who support the activities of science and studies funds.

#### Article 26. Financial Activities of Institutions of Science and Studies

Institutions of science and studies shall have available resources at their disposal in keeping with the procedures established by statutes (charters). They shall have the right to establish salaries and norms for employees of various categories in accordance with the approved wage fund (except for in cases when the Government of the Republic of Lithuania passes special regulating directives), and shall also have the right to sell scientific production and goods.

The portion of economic and commercial profit of State institutions of science and studies which is allotted for the financing of scientific research and studies shall not be taxed.

### V. THE SYSTEM OF EDUCATIONAL QUALIFICATION AND

#### SCIENTIFIC DEGREES AND TITLES

#### Article 27. College and University Degrees

Studies of one or more levels shall be recognized in

Lithuania. Upon the completion of such studies, a college or university may

confer a Bachelor's degree, a Master's degree, or another degree of qualification. Qualification requirements for these degrees shall be approved by the Government of the Republic of Lithuania on the recommendation of the Lithuanian Council of

Science.

#### Article 28. Scientific Degrees

Scientific degrees of Doctor and Doctor Habilius??? shall be conferred in the Republic of Lithuania.

#### Article 29. The Training of Scientists

Doctors of Science shall be trained in post-graduate studies for a doctorate degree. The Government of the Republic of

Lithuania shall approve the post-graduate doctorate studies and habilitation regulations prepared by institutions of science and studies on the recommendation of the Lithuanian Council of

Science.

#### Article 30. The Procedure of Conferment and Nostrification of Scientific Degrees

Scientific degrees shall be conferred by institutions of science and studies to which this right has been granted by the

Government of the Republic of Lithuania. The Government of the

Republic of Lithuania shall regulate the procedure of conferment and nostrification of scientific degrees on the recommendation of the Lithuanian Council of Science.

#### Article 31. Academic (Scientific) Titles

Academic (scientific) titles of Associate Professor and

Professor shall be conferred in the Republic of Lithuania. The

Government of the Republic of Lithuania shall establish qualification requirements of academic (scientific) titles as well as the procedure for their conferment and nostrification on the recommendation of the Lithuanian Council

of Science.

## Article 32. State Registration of Scientific Degrees and Academic (Scientific) Titles

Diplomas (certificates) of scientific degrees and academic

(scientific) titles conferred and nostrificated in the Republic of Lithuania shall be registered in accordance with the procedure established by the Government of the Republic of Lithuania.

Diplomas (certificates) of scientific degrees and academic

(scientific) titles acquired in other states and which have been registered according to the procedure established by the

Government of the Republic of Lithuania shall be recognized in the Republic of Lithuania.

## VI. PROFESSIONAL AND SOCIAL GUARANTEES OF

### STUDENTS AND SCIENTISTS

## Article 33. The Duties and Rights of Students

Every member of society, according to their competence and knowledge, shall have the right to become a student.

Statutes (charters) of institutions shall regulate the duties and rights of students of institutions of science and studies.

## Article 34. Student Scholarships

Students may receive scholarships from enterprises, schools of higher education, scientific institutes, the State, and other institutions.

State scholarships shall be granted to students and post-

graduates studying for a doctorate degree who do not have other scholarships.

State scholarships shall be financed by the State subsidies and allocations appropriated to institutions of science and studies in the procedure established by the Government of the

Republic of Lithuania. The amounts of other scholarships, as well as the

procedure of granting them, shall be established by the founders of the scholarships.

#### Article 35. The Rights of Scientists

In State institutions of science and studies, scientists shall have equal employment opportunity on a competitive basis, regardless of their sex, race, political views, religious convictions, nationality, and citizenship. A scientist shall have the right:

to work either independently or in a group;

to participate, on a competitive basis, in the execution of scientific programmes;

to be granted support from science and studies funds, to utilize the appropriated resources;

to apply, on a competitive basis, for study (in service training) both in Lithuania and abroad;

to issue scientific works;

to obtain information which is necessary for a scientific work from State institutions. If this information is a State secret, or a secret otherwise established by the Government of the Republic of Lithuania, it shall be provided and used in the procedure established by the Government of the Republic of

Lithuania;

to participate in adopting decisions regarding the content of the statute (charter) and plan of activities of their respective institution; and to participate in the activities of various professional and public associations and organizations, including those abroad. A

scientist shall be guaranteed:

norms and authorship of creative works and products of inventive labour as established in laws and international agreements;

independence from ideological and political institutions;

protection against restrictions and sanctions for making public the results of his or her research, and for the manifestation of his or her beliefs, with the



exception of cases when the declared information is a State secret or a secret otherwise established by the Government of the Republic of

Lithuania.

#### Article 36. The Responsibility of a Scientist

A scientist must fulfill obligations and functions which he or she has assumed voluntarily, or which are established by statutes (charters) of institutions of science and studies. If a scientist fails to fulfill these obligations and functions, he or she shall be punished according to the procedure established by the laws of the Republic of Lithuania.

A scientist must adhere to the norms of scientific and professional ethics.

#### Article 37. Social Guarantees

Employment in the sphere of science and studies and other labour relations shall be regulated by the laws of the Republic of Lithuania. In addition, if a scientist has fulfilled the conditions provided for in the statutes (charters) of the institution of science and studies, he or she may not be removed from a non-administrative post on the initiative of the institution. The statutes may provide for other social guarantees as well.

Disputes concerning the dismissal of a scientist from office shall be settled in court.

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President

Supreme Council

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Vilnius 12 February 1991

No. I-1052