



**Internal Regulation No. 2023_002 ÚTIA AV ČR, v. v. i.,
effective as of December 1, 2023
Whistleblower Protection**

Ústav teorie informace a automatizace, v. v. i. (hereinafter "ÚTIA" or "Institute")
with its registered address at Pod Vodárenskou věží 4, 182 00 Praha 8
hereby issues the Whistleblower Protection Regulation as further specified below.

**Article 1
Introductory Provisions**

- 1.1 The present Regulation is aimed at introducing an internal whistleblowing system providing for the protection of persons who report violations of EU and/or Czech legal regulations or public interests or instances of unethical or unlawful conduct, including acts of sexual coercion and violence.
- 1.2 At the same time, this Regulation adopts measures to protect whistleblowers and sets out the procedures for putting forth whistleblowing reports and properly responding to them.
- 1.3 This Regulation, including the protective measures specified herein, shall be applicable not only to reports made by the Institute employees but also those made by former employees or other stakeholders, such as the Institute' contractual partners or self-employed persons or other parties cooperating with the Institute.

**Article 2
Definitions of Basic Notions**

2.1 Violation

"Violation" means an act of commission or omission that is illegal or interferes with the rights of the afflicted persons and/or institutions.

2.2 Report

"Report" refers to information provided orally, in writing or in an electronic format from the Whistleblower to an Authorized Person (referred to as "AP" below) that an occurrence of a Violation is suspected. The preferred format of a Report is electronic, but on agreement with the respective AP the Report may be provided orally or in writing.

2.3 Publication

"Publication" refers to the Whistleblower's making the information public, if the Whistleblower has made such a step.

2.4 Whistleblowing System

A Whistleblower may directly insert his/her Report into the "Whistleblowing System" (referred to as "WS" below); if the Report's presentation differs from a direct insertion into the WS, the respective AP shall ensure its insertion into the WS. The WS technically ensures that the Whistleblower's identity, as well as identities of the third parties mentioned in the Report, shall be kept secret, and that no unauthorized persons shall have access to the WS.

2.5 Authorized Person

An AP accepts Reports within the WS framework; the APs are responsible for resolving each Report and are the only parties who are entitled to know the Whistleblower's identity, provided that the Whistleblower has given it in his/her Report. The AP is responsible for protecting the Whistleblower, maintaining communications with him/her; reviews whether the Report is justified; and suggests to the Institute management measures aimed at remedy and/or preventing subsequent or future Violations. . As a rule, the Institute Director appoints two Authorized Persons, who are entitled to substitute for each other and to obtain any and all information related to their AP capacity execution.

2.6 **Whistleblower**

"Whistleblower" is a natural person providing a Report of a Violation, based on his/her experience with activities carried out for the Institute or on the Institute's premises. Unless the Whistleblower has explicitly published his/her identity, only the respective AP is entitled to know his/her identity and must take care of keeping this identity secret.

2.7 **Relevant Party**

"Relevant Party" is a natural person or legal entity referred to in the Report to whom/which the Violation is ascribed or who/which is related to that Violation.

2.8 **Retaliatory Measures**

"Retaliatory Measures" include all acts of commission or omission are causing or are capable of causing wrongful detriment to the Whistleblower, occur in the employment environment, and are based on or subsequent to the Whistleblower's internal or external reports or published announcements.

2.9 **Subsequent Measures**

"Subsequent Measures" include any and all measures and steps taken by a party accepting the Report, or any relevant authority, aimed at evaluating truthfulness of the assertions presented in the Report and at resolving the Violation or its consequences, making use of – among others – investigation, prosecution, steps to recover financial losses, and termination of the proceedings.

Article 3 AP obligations

The AP activities are governed by the following provisions:

- 3.1 AP is the only party who is entitled to know the Whistleblower's identity, provided that the Whistleblower has given it in his/her Report, and must take care of keeping this identity secret.
- 3.2 Each AP is liable for protecting the Whistleblower.
- 3.3 In their mutual cooperation, APs accept Reports and evaluate whether they are justified, and maintain the communications with the Whistleblower,
- 3.4 APs must provide for proper verification of each Report. If they establish that the Report is justified, they must suggest measures aimed at remedies for or prevention of future Violations.
- 3.5 Each AP keeps secret all facts about which he/she has learned within his/her AP activities; this obligation shall survive the AP's termination of his/her AP activities.
- 3.6 Each AP must carry out his/her obligation in an impartial manner.
- 3.7 The APs must keep the Whistleblower informed about the course and results of their evaluation concerning the Whistleblower's Report.
- 3.8 The APs ensure that correct and complete records are kept of all Reports in the WS; they are liable for keeping this information secret and must ensure that all data is properly backed up. The Institute's Computer Center shall provide the APs with all necessary cooperation concerning the WS data.
- 3.9 Each AP must, in cooperation with the Institute management (with a possible exception according to Article 3.10), put forth maximum effort to protect the Whistleblower from any and all Retaliatory Measures.
- 3.10 The APs always follow the instructions obtained from the Institute management, to which they are exclusively responsible. In exceptional instances when the Relevant Party is a member of the Institute management, the APs resolve the situation with the Czech Academy of Sciences via the Institute's Supervisory Board.
- 3.11 The Institute management shall provide the APs with full moral and material support.
- 3.12 The APs shall, within the scope stipulated by law, keep informed the relevant authorities and inspections arranged by such authorities about the adherence to the present Regulation.
- 3.13 When processing information, each AP shall consistently adhere to the rules for personal data protection.

Article 4 Report Resolving Procedure

4.1 Anonymous Reporting

Even within the WS framework, a Report may be given anonymously. An AP shall evaluate relevance of such Reports and may (but is not obliged to) process them in a procedure similar to that specified in Article 4.2; however, even if they decide that an anonymous Report is to be processed in a procedure similar to that specified in Article 4.2, the time limits given in Article 4.3 shall not be applicable to it.

4.2 Non-Anonymous Reporting

If the Whistleblower has revealed his/her identity to an AP, the latter shall verify this identity in a suitable manner. After such verification, the AP shall decide whether the Report is justified. If the Report is found relevant, the AP shall resolve the Report (following the rules stipulated in Article 3) in cooperation with the Institute management, which may decide about inviting additional parties to participate in this procedure. In the exceptional instances described in article 3.10, when the Relevant Party is a member of the Institute management, the APs resolve the situation with the Czech Academy of Sciences via the Institute's Supervisory Board. The time limits specified in Article 4:3 shall be applicable to the APs' communications with the Whistleblower. The APs' findings established within their resolving the Reports may lead the APs to suggesting to the Institute management (or possibly the CAS) adoption of suitable Subsequent Measures as described in Article 2.9.

4.3 Time Limits for Processing

The APs shall, within seven days from the date on which the Report was received, confirm to the respective Whistleblower the receipt of the Report. Subsequently the APs shall, within an appropriate time limit, but no later than within 30 days from the date on which the Report was received, inform the Whistleblower whether they do or do not consider the Report justified and about the steps aimed at its resolution.

4.4 Instruction on Deliberately Untrue Reports

A natural person who has given a deliberately untrue Report shall not be protected from the Retaliatory Measures. Moreover, by giving a deliberately untrue Report, the "false" whistleblower may have committed an offense or a crime. This infringement implies a risk of adequate reprisal in compliance with the valid legal regulations. Persons who have given, or attempted to give, a Report under a feigned identity, shall be under a risk of similar reprisals.

Article 5 Final Provisions

- 5.1 At the publicly accessible website of the Institute, information is given about the Authorized Persons according to Article 2.5 and their contact data, as well as a link to the Whistleblowing System according to Article 2.4 hereof.
- 5.2 The present Regulation was approved by ÚTIA Council on October 23, 2023, and becomes effective on December 1, 2023.

In Prague, dated October 25, 2023

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Chairman of the Council
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