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Palacký University  
Olomouc

**UP POLICY**

**R-B-24/20**

**Editorial activity  
of Palacký University Press**

Guarantor: Director of Palacký University Press

Valid from: December 10, 2024

Effective from: December 17, 2024

# **Editorial activity of Palacký University Press**

## **Preamble**

1. The present internal policy defines the editorial activity at Palacký University Olomouc (hereinafter referred to as “UP”) as a publishing activity coordinated between the Palacký University Press (hereinafter referred to as “VUP”), UP faculties, higher education institutes and other constituent parts of UP, which is aimed at fulfilling the objectives in the field of education, publishing the results of science and research and promoting UP, as well as a mutual relationship between UP and authors.
2. The editorial activity of the UP is focused on publishing three basic areas of publications:
  - a) scientific publications as the results of creative activity of members of the academic community,
  - b) publications that support educational activities, and
  - c) publications promoting UP and the Olomouc region, the purpose of which is to spread education and culture.
3. The editorial activities of the UP are carried out by the VUP on the basis of the trade license for the free trade “Publishing activities, printing production, bookbinding and copying work”, preferably for all constituent parts of the UP.
4. The aim of UP’s editorial activities is to spread the published content to the maximum extent possible, with an emphasis on digital publishing and Open Access publishing.
5. In order to preserve clarity, the text of this standard uses a generic masculine to refer to the entities concerned. All generic masculinities throughout this standard should be understood to include their feminine forms.

## **Article 1**

### **Principles of UP editorial activity**

1. The basic principle of the UP editorial activity is the continuous care for the quality of published outcomes.
2. The quality of published outcomes of UP editorial activities is based on an impartial review process, the nature of which is always appropriately chosen for a particular publication. The person of the reviewer is always decided by the VUP, taking into account the proposal of the faculty editorial committee and the UP Editorial Committee (hereinafter referred to as “EdK UP”).
3. The VUP together with the authors strives to the maximum extent possible to publish the content digitally online and prefers publishing in Open Access mode, if possible.
4. Publications as works of authorship published within the framework of the VUP in Open Access mode are always provided with free Creative Commons license clauses CC BY “attribution”, CC BY-SA “attribution – ShareAlike”, CC BY-NC “attribution – NonCommercially” and their combinations. Creative Commons license clauses containing the ND “NoDerivs” condition are not considered to be Open Access for the purposes of the present policy.
5. VUP maintains persistent identifiers for non-periodical and periodical publications for which UP is the publisher, such as ISBN (International Standard Book Number), ISSN (International Standard Serial Number), DOI (Digital Object Identifier), etc.
6. Publications published by VUP are published in the editorial plan (see Article 4 below) approved by the EdK UP.

## **Article 2**

### **Editorial activities of VUP, faculties and other constituent parts of UP**

1. The VUP draws up its own editorial plan, the draft of which is approved by the Director of the VUP, and the editorial plan of the UP Rector's Office, the draft of which is approved by the UP Rector. The compilation of the editorial plans of the faculties and UP higher education institutes and their administration are the responsibility of these UP constituent parts.
2. The editorial activities of the faculties and UP higher education institutes are managed by the editorial committees of these UP constituent parts, which are appointed by the dean of the faculty and the director of the higher education institute. If no editorial committee is established, the management of the faculty (consisting of the dean, vice-deans, the chairperson of the editorial committee and the secretary) or the director of the higher education institute is considered to be the substitute editorial committee.
3. The dean appoints the chairperson of the faculty editorial committee, who is usually the vice-dean for science and research. The dean or the chairperson of the editorial committee shall appoint an editorial officer who is responsible for communication between the faculty and the VUP. The editorial officer shall submit to the VUP Director's department drafts of publications included in the faculty's editorial plan, including its updates within the meaning of Article 4.
4. The VUP shall advise authors on the planning of new publications, including the preparation of preliminary production cost calculations.
5. A publication is accepted for the publishing process within the UP publishing activities on the basis of an order in the form of a Proposal Sheet, which is submitted by the editorial officer of the relevant UP constituent part to the VUP Director's department. A binding model of the Proposal Sheet is published on the VUP website.
6. Each publication is approved for publication by the UP editorial activity before it is submitted to the VUP Director's department for the publishing process:
  - a) the person responsible for financing the publication; and
  - b) the person responsible for the editorial plan of the relevant constituent part (most often the chairperson of the editorial committee of the relevant constituent part),  
by signing the Proposal Sheet.
7. After submitting the Proposal Sheet to the department of the VUP Director, the EdK UP chairperson or the UP Rector approves the publication for publication.
8. Periodicals published within UP have their own editorial boards.

## **Article 3**

### **UP Editorial Committee**

1. EdK UP is an advisory body of the UP Rector in matters of editorial activities of UP implemented through VUP.
2. EdK UP:
  - a) approves the UP Editorial Plan, which consists of the editorial plans of the UP faculties, UP higher education institutes, the UP Rector's Office and the VUP,
  - b) issues opinions on matters related to the editorial activities of UP, which are submitted to it for consideration by the UP Rector or the VUP Director.
3. The number of members of the EdK UP is determined by the decision of the UP Rector and, with the exception of the cases referred to in Article 3, clauses 4 and 5, its members are appointed by the UP Rector, taking into account the equal representation of the faculties and UP higher education institutes and taking into account the proposals of the deans of UP faculties and directors of UP higher education institutes.
4. The vice-rector for science and research is the chairperson of the EdK UP and its permanent member.

5. The VUP Director is also a permanent member of the EdK UP.
6. Except in the cases referred to in Article 3, clauses 4 and 5, the members of the EdK UP are dismissed by the UP Rector.
7. The EdK UP is convened by its chairperson as needed, but at least once a year.
8. A majority of votes of all its members is required to approve a resolution of the EdK UP.
9. The EdK UP may also decide on matters falling within its competence pursuant to Article 3, clause 2, letter b, including procedural issues, by voting of its members per rollam, i.e. on the basis of a meeting without the personal presence of the members via electronic mail. In such a case, the chairperson of the EdK UP shall send an invitation to vote by e-mail to its members with a draft resolution, if appropriate with a reasoned explanatory memorandum, and a deadline for the irrevocable vote. The voting shall be carried out in such a way that the identity of the members of the EdK UP who have sent in their votes can be verified.
10. A member of the EdK UP may be represented at the meeting by a representative authorised in writing by them.

#### **Article 4**

##### **Planning of editorial activities**

1. The UP faculties and higher education institutes submit proposals of publications to be included in the UP Editorial Plan in the prescribed form for the following calendar year to the department of the VUP Director by November 30 of the current calendar year through their editorial officers.
2. The draft of the UP Editorial Plan may be subsequently supplemented and refined through cooperation between the VUP Director's Department and the editorial officers of the UP faculties and university institutes until December 15 of the calendar year preceding the year in which the publications are to be published. The VUP Director's department will conclude the draft of the UP Editorial Plan by that date and prepare it for approval by the EdK UP.
3. By December 31 of the calendar year preceding the year in which the publications are to be published, the VUP Director shall submit a draft of the UP Editorial Plan for the following year to the EdK UP through its chairperson. The EdK UP shall decide on the approval of the UP Editorial Plan by a per rollam vote.
4. The UP Editorial Plan is continuously updated after its approval by the EdK UP by the department of the VUP Director in cooperation with the editorial officers of the UP constituent parts, but at least once every quarter of the calendar year. The updated form of the editorial plan is sent to the EdK UP for information, always on May 31 and October 31.
5. The UP Editorial Plan is published on the VUP website in the form of a list of publications actually published in the previous calendar year, always by January 31 of the following calendar year.

#### **Article 5**

##### **VUP subject panels**

1. VUP may establish subject panels that serve as advisory bodies to the VUP Director for specific subject areas of the fields to which the publications published within the framework of UP editorial activities fall.
2. The subject panel assesses the concept of VUP and the relevant parts of the UP Editorial Plan and issues recommendations concerning the UP editorial activities.
3. For subjects for which no subject panel is established, the EdK UP performs the function of the subject panel.

## Article 6

### Regime for the exercise of proprietary rights in author's works

1. Before starting any use of author's works, VUP shall examine whether and on what legal grounds, regulated by the Copyright Act or the Civil Code, UP owns the copyright to the works to be published or otherwise used through VUP. If no such legal basis exists in favor of UP, the VUP shall ensure that a license agreement is concluded with the author by which the author, as licensor, grants UP the right to use the work for the purpose of its publication (e.g. a publishing license agreement or a license agreement authorizing UP to communicate the work to the public as an electronic publication, etc.), inclusion in a collective work published by UP, etc.
2. UP as a licensee does not conclude a license agreement in cases when:
  - a) the work published by VUP is an employee work of UP (Article 6 clauses 4 and 5),
  - b) the work published by VUP is a collective work created at the initiative and under the direction of UP and is made public under its name (Article 6, clause 6),
  - c) the work published by UP was created by a person other than a UP employee on commission (Article 6. clause 7).
3. The UP as the licensee concludes a license agreement with the author (all co-authors) in cases where:
  - a) works published by UP not listed in Article 6, clause 2, including independent works included in a collective work (Article 6, clause 8) and school works (Article 6, clause 10),
  - b) works co-authored under Article 6, clause 9 where the contribution of at least one co-author is not based on one of the legal grounds listed in Article 6, clause 2.
4. Within the meaning of Section 58, subsection 1 of Act No.121/2000 Coll., on Copyright, on Rights Related to Copyright and on Amendments to Certain Acts (Copyright Act), as amended, a UP employee as author has created a work to fulfil their obligations arising from their employment relationship with UP, unless otherwise demonstrably agreed. The fulfilment of obligations arising from the employment relationship to create an author's work is primarily the case when such obligations can be inferred from the type of work agreed in the legal act establishing the employment relationship, from the description of the work activity or the work order of the employee's superior, which may be expressed in any form, including an e-mail, minutes of a meeting, etc. If an author's work as an outcome of a project, according to its documentation, falls within the duties/role of an employee whose participation in the implementation of a given project is based on an employment relationship with UP, it is also always an UP employee work. According to the Labour Code, an employment relationship is a legal relationship in the performance of dependent work between an employer and an employee, based on the following legal arrangements: employment contract, agreement on the performance of work or agreement on work activity. An author's work is an employee work under the conditions set out in the present clause, irrespective of whether it was created with the use of UP's means of work as an employer and irrespective of whether it was created during working hours.
5. In relation to an employee work, UP as an employer automatically exercises on its own behalf and on its own account by law (pursuant to Section 58, subsection 1 of the Copyright Act) the employee's property rights to the work, i.e. the rights to use it in the copyright sense (Section 12 et seq. of the Copyright Act).
6. In the case of a collective work, UP also exercises author's property rights to all contributions made by authors as members of the authors' collective by operation of law, since collective works are considered employee works under Section 59 subsection 2 of the Copyright Act, regardless of whether the author has an employment relationship with UP, even if they were created on commission. Within the meaning of the Copyright Act (Section 59, subsection 1), a collective work of UP is a work in the creation of which several authors participate, which is created at the initiative and under the direction of UP and made public under its name, whereby the contributions included in such a work are not capable of independent use. The authors may be given the initiative to create a collective work by UP either by a work order, if they are in an employment relationship with UP, or by a commission, if they are external natural persons.
7. If an author's work has been created for UP by the author on commission (i.e. for a fee, on the basis of a work contract, a commission-type contract or an unnamed contract), according to Section 61

of the Copyright Act, the author has granted UP as the commissioner of the work a license for the purpose resulting from the contract, unless it is demonstrably agreed otherwise. The same applies if the work has been created for UP by a legal entity, but only if the work is created on the basis of a contract with the essential elements of a contract for work concluded between UP as the client and a legal entity as the contractor (Section 2634 of Act No. 89/2012 Coll., Civil Code, as amended).

8. A collected work is, according to Section 2, subsection 5 of the Copyright Act, for example, a magazine, encyclopedia, anthology, program, exhibition, or other collection of independent works or other elements which, unlike contributions to a collective work and to a co-authored work, are capable of independent use, whereby this collection of works fulfils the characteristics of a work of authorship as set out in Section 2, subsection 1 of the Copyright Act (in particular the characteristic of copyright originality and the condition that it is expressed in any objectively perceptible form).
9. Neither a collective work nor a collected work is a co-authored work in the copyright sense. According to Section 8, subsection 1 of the Copyright Act, this means a work which has been created jointly by two or more authors until completion as a single work, whereby the co-authorship belongs to all the co-authors jointly and severally and is not detrimental to the work if the results of the creative activity of the individual co-authors can be distinguished, unless they are capable of separate use. Furthermore, a co-author is not a person who has contributed to the creation of the work merely by providing assistance, advice of a technical, administrative or professional nature or documentary or technical material, or who has merely given the impetus for the creation of the work. UP must have a license agreement with each co-author for the purpose of publishing the co-authored work, unless UP is entitled to exercise the copyright in the co-author's creative contribution to the co-authored work on the basis of another legal ground within the meaning of the provisions of the present Article.
10. A school work is a work created by a UP student to fulfil their study obligations arising from their legal relationship to UP (Section 35, subsection 3 of the Copyright Act). UP has the right to enter into a license agreement for the use of a school work, including a publishing license agreement or a license agreement authorizing UP to communicate the work to the public as an electronic publication, etc., under the usual conditions. If a UP student, as the author of a school work, refuses to grant permission to UP to use the work without a compelling reason, UP may seek to replace the missing expression of its will in court (Section 60, subsection 1 of the Copyright Act).
11. Cartographic works, computer programs and databases which are not collective works are considered as employee works according to Section 58, subsection 7 of the Copyright Act with all the above mentioned consequences resulting therefrom, even if they were created by the author on commission, whereas Section 61 of the Copyright Act does not apply to these works.

## **Article 7**

### **Remuneration and additional remuneration for employee work**

1. Unless otherwise demonstrably agreed, the author of an employee work shall be entitled to reasonable additional remuneration from UP as an employer if the wage or other remuneration paid to the author by UP becomes manifestly disproportionate to UP's profit from the exploitation of the rights to the employee work and the importance of the work in achieving such profit. However, according to Section 58, subsection 6 of the Copyright Act, the author does not have this right against UP if they has created a cartographic work (or a database or computer program) as an employee work, whether or not it is an employee work or is deemed to be such a work, unless it is demonstrably agreed otherwise.
2. The provisions of Article 7, clause 1 are without prejudice to the possibility for a senior employee, in connection with the creation of an employee's work, to propose to a subordinate employee also the award of a reward for the successful completion of an extraordinary or particularly significant work task (Section 134 of the Labour Code), which consisted in procuring funds for UP to finance the expenses of the publication of the work in question within the framework of UP's editorial activities, in particular by securing the conclusion of an appropriate advertising contract with a sponsor, a donation contract, a grant contract, etc.

**Article 8**  
**Final and repeal provisions**

1. The Director of the VUP is authorized to issue a methodology regulating the detailed rules of the process of publishing publications within the framework of the UP's editorial activity, guidelines for the preparation of publication manuscripts and their submission to the VUP, and the basic criteria for the evaluation of these manuscripts through the review procedure.
2. The present policy shall become valid on the date of its publication and shall become effective on the seventh day after the date on which it becomes valid.
3. The UP internal policies No. B3-14/7-SR, Editorial Activities of Palacký University Olomouc and No. B3-14/8-SR, Subject of Editorial Activities of the Palacký University Press Olomouc are hereby repealed.

In Olomouc on December 9, 2024

prof. MUDr. Martin Procházka, Ph.D., m. p.  
UP Rector