



Univerza v Mariboru

Pravna fakulteta

The Senate of the Faculty of Law, University of Maribor, at its 19th regular session on 31 August 2022, adopted Decision No. 1 confirming the Open Access Policy for the Research Infrastructure at the Faculty of Law, University of Maribor (PF UM).

Open Access Policy for Research Infrastructure at the Faculty of Law of the University of Maribor

1. Definition

The Open Access Policy to the Research Infrastructure at the Faculty of Law of the University of Maribor is implemented in accordance with the Open Access Policy for Research Infrastructure at the University of Maribor (RI UM) of 24. 11. 2020.

The Research Infrastructure of the Faculty of Law of the University of Maribor (hereinafter referred to as RI PF UM) denotes the whole of multi-purpose and multi-dimensional facilities, research equipment, complex digital research systems and databases used for research purposes as well as dedicated research groups. RI PF UM is a prerequisite for research work and, at the same time, essential for achieving both excellence in research as well as wider social development.

The RI PF UM comprises core RI (buildings, equipment, etc.) and knowledge transfer RI (researchers, databases, etc.).

2. Users

RI PF UM is publicly accessible to researchers, research groups, or research organizations within the framework of UM research activities (employees, including researchers of different stages, postdoctoral researchers, technicians and Doctors of Philosophy) and research activities outside PF UM (external users, such as researchers of various research organizations, commercial or other). Within the framework of research, users are involved in designing or creating new knowledge, products, processes, methods and systems.

The PF UM may require from external users that they demonstrate they have the knowledge and skills required to use the RI. Where an external user does not have the required knowledge and skills for the professional operation of the equipment, the entity can provide complete service by employing its internal staff. The entity may also offer and provide training for new external users.

The cost of such training is borne by the external user. Users need to abide by relevant principles, strategies, directives and other regulatory UM PF documents in their collaboration or when using RI PF UM.

3. Access

Access means a legitimate and authorized admission to interactions and use of RI PF UM and the services provided to users. Access may be physical, remote or virtual (allowing access to RI through communication channels or web-based network resources) and depends on the type of research infrastructure for which the potential user expresses a need.

RI PF UM access modes comprise the excellence-driven access mode and market-driven access mode. The excellence-driven access mode is dependent on the scientific excellence, originality, quality, technical and ethical feasibility of the work. The market-driven access mode is possible in case of an agreement between the user and the RI which will lead to a fee for access. This mode is also possible when there is a market need demanding technical or scientific solutions that can be achieved through access to RI. Both modes are granted based on application, evaluated internally or through peer review.

The PF UM is responsible for determining the amount of its own RI that is made available to external users, under clear, transparent and fair conditions.

The PF UM shall determine the amount of access to users, which shall be measured in units of access (such as hours of use of RI).

Procedures and collaborations related to access to RI PF UM may vary according to different types of RI (e.g. application, negotiation, evaluation, etc.), but decisions on access requests to users have to be clear and justified.

4. Costs and fees

Access to RI may be provided free of charge or may require payment. All terms and conditions associated with the use of RI have to be transparent and publicly available. In the case of paid access, the user is charged a fee that has to be clearly linked to the actual use of RI itself. Access fees may vary for different types of RI, but all have to abide by the following principles:

- Auditability;
- Traceability of the work done on the RI item, including the maintenance of adequate records of access requests (successful and unsuccessful), reasons for denial of access (where relevant), usage data, etc.;
- Prohibition of double funding;
- Compliance with all relevant national, EU and competition law funding conditions.

Market-driven access costs should be recovered at full commercial rates.

Cost unit depends on the amount of use of a particular access unit.

5. Education and training

The RI PF UM open access policy encourages collaboration with other institutions and organizations that benefit from RI PF UM for their research, education and training.

6. Restrictions

Access to UM PF RI may be restricted by national security and defence, privacy and confidentiality, commercial sensitivity, intellectual property rights, and ethical considerations in accordance with relevant laws and regulations.

7. Ethical conduct, research integrity, and non-discrimination

RI PF UM open access policy follows the Code of Ethical Conduct of the University of Maribor as well as the eight principles laid down in The European Code of Conduct for Research Integrity drafted by the European Science Foundation (ESF) and the European Federation of National Academies of Sciences and Humanities (ALLEA). The eight principles that researchers need to abide by are honesty in communication, reliability in performing research, objectivity, impartiality and independence, openness and accessibility, duty of care, fairness in providing references and giving credit, and responsibility towards the scientists and researchers of the future.

When considering granting RI UM access to a user, the user should not be discriminated on any personal grounds.

8. Quality assurance

Quality of the RI UM open access will be ensured by establishing quality assessing mechanisms for RI access within individual entities. The mechanisms will follow the general principles defined by the European Commission. These principles are denoted in English by the acronym "RACER" (Relevant, Accepted, Credible, Easy, Robust):

- Relevant and closely linked to the objectives to be reached. They should not be overambitious and should measure the right thing.
- Accepted by the RI and the stakeholders. The role and responsibilities of an indicator need to be well-defined.
- Credible for non-experts, unambiguous, and easy to interpret. Indicators should be as simple and robust as possible.
- Easy to monitor at low cost and effort.
- Robust against manipulation.

The mechanisms put in place shall include the following metrics:

- User metrics (e.g. user access, user base and relevance to users),
- RI operational metrics (e.g. provision of access, services, central management, reliability, visibility, size and development of the user community),
- strategic indicators (e.g. publications and other products, cross-disciplinarity, economic impact); and
- financial metrics (e.g. service, resources, costs, return).

9. Research data management

The data management policy provides clear guidance on how and where to store the generated data for a reasonable period of time, and how the user should make the data available for re-use. The data shall follow the FAIR principles (findability, accessibility, interoperability, and reusability). The management of research data generated by the use of the RI PF UM shall be defined at the time of the conclusion of the agreement on the use of the RI PF UM.

10. Transparency

Information on the Open Access Policy of the RI PF UM and general information on the RI PF UM is provided by the Vice-Dean for Research and International Cooperation of the PF UM.