

Reference documents:

Education Act no. 1/2011, as subsequently amended and supplemented

Law no. 206/2004 on good conduct in scientific research, technological development and innovation, as subsequently amended and supplemented

The Charter of the University of Medicine, Pharmacy, Sciences and Technology of Târgu Mureș

**THE CODE OF ETHICS AND PROFESSIONAL
CONDUCT
OF THE UNIVERSITY OF MEDICINE,
PHARMACY, SCIENCES AND TECHNOLOGY OF
TÂRGU MUREȘ**

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This Code of ethics and professional conduct is an excerpt from the Charter of the University of Medicine, Pharmacy, Sciences and Technology of Târgu Mureș, representing the contents of Chapter XV. The Code of ethics and professional conduct of the Charter, art. 175-233.

The Charter of the University of Medicine, Pharmacy, Science and Technology of Târgu Mureș was approved by the University Senate on 23 October 2018 and was endorsed by the Ministry of National Education on 01 November 2018, the date of its entry into force.

Article 1.

(1) The University of Medicine, Pharmacy, Sciences and Technology of Târgu Mureș (UMPhST) is a complex university community with a great diversity of members such as gender, race, ethnic group, religion, and political convictions. Members of the community enjoy recognition, and respect in a environment of trust, tolerance, and dignity, which contributes to the cohesion of departments, to cooperation and to the increase of the reputation of the University. The University respects the dignity of each of its members and promotes academic integrity. Its members are committed to contributing to the democratic development and prosperity of society.

(2) Nothing in this Code shall be construed so as to restrict certain rights conferred by law or by collective labour contract.

Article 2. The main principle of all activity and university life is the criterion of value and merit.

Article 3. The Code of ethics of the UMPhST is a moral contract between the academic community and students, faculty, administrative staff, and non-teaching staff. The Code regulates the rules of professional and social conduct and includes moral standards, responsibilities, and rules of academic practice.

Article 4. The provisions of the UMPhST Code of ethics are mandatory for all members of the academic community and promote the moral responsibility of faculty, students, and administrative staff for the achievement of the major objectives of the University.

Article 5. The Code of ethics of the UMPhST cultivates the norms of democratic, social, and economic development, observance of the rule of law and human rights, observance of the Labor Code, deontological regulation of professional activity, educational, research, and all other laws of the country. The Code of ethics does not exclude or substitute the rights and obligations of the university members.

Article 6. The UMPhST provides conditions for development, professional assertion, and equal opportunities for all the members of the academic community, as well as equitable access to university resources.

Fundamental principles

Article 7. This Code is based on the following fundamental principles: academic freedom, merit, professional competence, integrity, collegiality, honesty, and responsibility.

Academic freedom

Article 8. Academic freedom means the right of any member of the academic community to openly express his/ her scientific and professional opinions in lectures, seminars, conferences, debates, but also in the written, presented or published papers and works. Critical approach, intellectual partnership and cooperation are encouraged regardless of political opinions or religious beliefs.

Article 9. Academic freedom allows any member of the academic community to freely express, inside or outside the University, their opinions based on their professional competence without being censored.

Article 10. The following do not belong to academic freedom and do not find their place in the academic environment:

- (1) political propaganda carried out within the University or in connection with actions of the University;
- (2) religious proselytism;
- (3) promoting doctrines or ideas of racist, xenophobic, chauvinist, fascist, iredentist character;
- (4) defamation of the University, libel of the academic community by its members, in any form, verbal or written;
- (5) personal attacks or defamatory assertions against other members of the academic community.

Competence

Article 11.

(1) The University cultivates an environment conducive to competence and competitiveness. The University supports the development of high standard academic programs, capable of leading to the increase in knowledge, the training of top specialists and the increase in research prestige.

(2) The University supports and rewards scientific, professional, pedagogical, managerial, and administrative efficiency, quality, and excellence.

Article 12.

(1) Each member of the academic community takes responsibility for the quality of the educational process.

(2) Any member of the faculty should master in detail the subject he/ she teaches, ensuring that the entire content of the course is up-to-date, representative and appropriate to the level to which the subject belongs in the curriculum. In this respect, each member of the faculty should also be informed of the content of the courses included in the curriculum that precedes or follow their course, making interconnections with them. Disagreements of a scientific nature between members of the faculty should not affect student preparation and results.

Article 13.

- (1) Each member of the faculty should pay particular attention to the preparation and delivery of the lectures, to the preparation or provision of the teaching materials necessary for the students for the courses, seminars or laboratories, to the delivery of the classes, the follow up and the guidance of the writing activity (projects, graduation theses, dissertation papers, doctoral theses) of the students, to the marking of the papers and communicating the results.
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- (2) The graduation thesis/ dissertation/ doctoral thesis is an original work, it is mandatory to include the reference source for any material used. The scientific supervisor, together with the author of the work, is responsible for meeting the quality standards or professional ethics, including ensuring the originality of the content.
- (3) If at the time of public reading a member of the faculty identifies serious deviations from good conduct in scientific research and academic activity, including plagiarizing the results or publications of other authors, fabricating results or replacing the results with fictitious data, the member of the faculty is obliged to notify the ethics committee of the University and to propose to all members of the board the mark "Not satisfactory".
- (4) The graduation thesis/ dissertation/ doctoral thesis is a public document and is also written in digital format, which is stored in the University archive and its electronic databases which are checked randomly. Upon completion of the supervised work, the scientific supervisor and the author make a statement on their own responsibility that their data have not, in part or in full, been the subject of another similar work.
- (5) The sanctions for violation of university ethics and good conduct in research that can be applied to the teaching and research staff, respectively to students and doctoral students, are those stipulated in the Education Act no. 1/2011.

Article 14. From a pedagogical point of view, competence involves choosing the most appropriate ways to approach each topic within the curriculum, communicating the course objectives, choosing ways of assessment in accordance with the objectives. It is desirable to adapt the teaching style to the needs and level of the course.

Article 15. Infringements of the principle of competence:

- (1) the delivery of lectures, seminars or laboratory practices by people who do not have the appropriate level of knowledge;
 - (2) using a significant part of the time allotted to the course or seminar to discussions unrelated to its topic;
 - (3) intentionally misinterpreting the results of a research to substantiate a theory that the person supports;
 - (4) requiring students to adopt the exclusive viewpoint of the teaching staff or to refuse to discuss, on the basis of arguments, other points of view expressed on the same topic;
 - (5) the partial coverage of a fundamental course by a member of the faculty, i.e. only the aspects of personal interest;
 - (6) choosing ways of assessment which are inconsistent with course objectives and methodology;
 - (7) not giving the student the opportunity to train for the skills required by the course objective and assessed during the final examination.
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Integrity

Article 16. The integrity of the members of the academic community is essential for the optimal development of teaching and research activity. Each member of the academic community is under an obligation to avoid any situation likely to give rise to doubts as to their integrity, primarily conflict of interest.

Article 17. There is a conflict of interest when the personal interests of a member of the academic community (faculty member, student, member of the administrative staff) conflict with the obligations deriving from their statute or are likely to affect the independence and impartiality necessary for the fulfillment of these obligations.

Article 18. In the faculty member-student relations the following are violations of the integrity obligation:

- (1) the claim or acceptance of favours of any kind, including sexual favours;
- (2) claiming or accepting gifts or other material benefits;
- (3) borrowing money between the faculty member and the students;
- (4) provision by the faculty member of remunerated activities for the benefit of the student, his or her spouse or a relative up to the second degree;
- (5) generosities from the student or his/ her relatives up to the second degree.

Article 19. The examination by a member of the faculty of a person who is his/ her spouse, a relative up to the third degree, or another person with whom the decision-maker has a similar relationship of affection, is likely to yield the impression of favouritism among other students. To avoid this situation, the following are necessary:

- (1) when there are other faculty members of the same specialty, the teaching staff concerned shall make a statement of abstention, and the student's examination shall be made by another member appointed by the Director of the Department or Dean, as the case may be;
- (2) if replacement is not possible, another faculty member, having the closest specialty, will be appointed to assist the specialist of the subject during the examination of the student concerned;
- (3) it is forbidden to include in any competition board of the University a person in the relationship referred to in paragraph (1) with one of the candidates. To the extent that the incompatibility was not known at the time of the appointment of the board, the faculty member has the obligation to abstain and request their replacement from the board. It is forbidden to accept by a doctoral supervisor the supervision of a doctoral student in the relationship provided for in paragraph (1) with him/ her.

Article 20. In scientific research activities, integrity implies:

- (1) the acceptance and mention as authors of a work only of the persons who have actually participated in its production;
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- (2) mention of the bibliographic reference from which an idea, expression, result of previous research, whether published or not, was taken. This rule also applies to elements taken from works of any kind by students or doctoral students and subsequently used by a member of faculty in their own research;
- (3) the explicit recognition of the contribution of any person who has actually participated in a research activity. If the contribution consisted only of supervision or counseling, no formal recognition of the contribution is required. In these cases, however, it is recommended to include acknowledgements;
- (4) rigorous compliance with the intended use of funds allocated to a research project. The sources of funding underlying research will be mentioned in the publications in which the results of the research have materialized;
- (5) adherence to special ethical rules relating to research on human subjects or animal experiments and any other research ethics.

Article 21. The following are research ethics violations:

- (1) fraud in science defined as deliberate action to fabricate, falsify, plagiarise or estrange the results of scientific research;
 - (2) plagiarizing the publications or the results of another author;
 - (3) fabricating results or replacing results with fictitious data;
 - (4) falsifying consisting in the alteration of research materials, equipment, processes or results, the omission of data or results likely to distort the results of the research;
 - (5) concealing or removing unwanted results;
 - (6) deliberately misinterpreting the results of other researchers;
 - (7) non-disclosure of conflicts of interest in making or participating in assessments;
 - (8) the use of false data into grant or grant applications;
 - (9) misappropriation of research funds;
 - (10) lack of information from the research team prior to the start of the project regarding salary rights, responsibilities, co-authorship, rights to research results and sources of funding and association;
 - (11) the repeated publication or financing of the same results as scientific novelty elements;
 - (12) the omission of recognition, either by mentioning the contribution of third parties to the making of a work as an author of a work or by indicating the source;
 - (13) obliging the authors of a work to mention authors and persons who have not participated in its production;
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- (14) orientation of the research activity of students, master students, doctoral students in order to obtain a personal advantage by the supervisor. This is the case when a faculty member requires one or more research topics to serve a personal research project, to prepare a conference or an article, or to be used for the benefit of a private enterprise.

Article 22. In administrative activities, integrity implies:

- (1) the proper conduct of all the procedures for the selection or appointment of the administrative staff. It is forbidden to receive, accept, demand, give or offer money, goods or any other benefits or favours in return for occupying an administrative position;
- (2) the fulfillment in good faith and for the benefit of the University of any administrative responsibility. Using an administrative position to obtain personal benefits of any kind constitutes a violation of the integrity obligation;
- (3) upon the transfer of an administrative responsibility, the person formerly responsible shall make available to the new person responsible all the instruments, information and elements, all of them updated, necessary to take over this responsibility immediately;
- (4) when, for any reason, a person is unable to properly perform the administrative tasks entrusted to them, they shall be obliged to inform the superiors thereof.

Article 23.

- (1) Incompatibility is the prohibition to have direct hierarchical relations between teaching, research or non-teaching staff who occupy a leading position and spouses or relatives up to and including third degree. According to the law, incompatibility also implies prohibitions on the simultaneous exercise of certain functions and positions.
- (2) The conflict of interests is a situation, concrete or possible, in which a teaching, research or non-teaching member or a society with which he/ she is associated or of which is a shareholder has personal or patrimonial interests contrary or unfair to the University, exercised in such a way that to negatively influence the objective achievement of the functions of the occupied position or to affect the vote within the collegiate governing bodies.
- (3) Positions in a higher education institution, of direct leadership, control, authority or institutional evaluation, are incompatible and cannot be simultaneously held by spouses and relatives to the third degree, as follows:
 - a. The President of the Senate of the University with the Rector, the Vice-Rectors, the Director of the Council for Doctoral Studies, Deans, Vice-Deans, the General Administrative Director, the members of the Board of Directors, the Directors of Departments, the Leaders of the Doctoral

Schools, the heads of the units of the higher education institution, temporarily under the direct subordination of the President of the Senate of the University and, if applicable, the leaders of the study lines/ sections in the languages of the national minorities;

- b. The Rector with the Vice-Rectors, the Director of the Council for Doctoral Studies, Deans, Vice-Deans, the General Administrative Director, the members of the Board of Directors, the Directors of Departments, the Leaders of the Doctoral Schools, the heads of the units of the higher education institution and, if applicable, the study sections in the languages of national minorities;
 - c. The Vice-Rector and the Director of the Council for Doctoral Studies with Deans, Vice-Deans, the General Administrative Director, the members of the Board of Directors, the Directors of Departments, the leaders of the Doctoral Schools, the heads of the units under the Vice-Rector or the respective Director and, if applicable, the heads of lines/ study sections in national minority languages, subordinated to the respective Vice-Rector or Director;
 - d. the members of the Administrative Board with the Deans, Vice-Deans, the General Administrative Director, the Directors of Departments, the Leaders of the Doctoral Schools, the heads of the units of the higher education institution and, if applicable, the leaders of the study lines/ sections in the languages of the national minorities;
 - e. The General Administrative Director with the Deans, the Vice-Deans, the persons with leading positions in the technical-administrative department/ staff and the subordinated staff;
 - f. The Dean with the Vice-Deans of the respective faculty, the Directors of Departments within the respective faculty, the heads of the subordinated Doctoral Schools, the heads of the units subordinated to the respective faculty and, if applicable, the heads of the study lines/ sections in the languages of the national minorities within the respective faculty;
 - g. The Vice-Dean with the Directors of Departments within the respective faculty, the heads of the subordinated Doctoral Schools, the heads of the units subordinated to the respective faculty and, if applicable, the heads of the study lines/ sections in the languages of the national minorities within the respective faculty;
 - h. the Director of the Department within the heads of the subordinated units of the Department, and, if applicable, the heads of the study lines/ sections in the languages of the national minorities within the respective faculty;
 - i. the Head of the Doctoral School with the heads of units subordinated to the respective Doctoral School;
 - j. The doctoral supervisor with the doctoral students supervised.
- (4) Incompatibilities at the level of the University imply, from the point of view of management, control, authority and evaluation, according to the law, the following:
- a. prohibition of the Rector's spouse or relatives up to the third degree to occupy any of the following positions: Vice-Rector, General Administrative Director, Dean, Vice-Dean, Department Director, and Chief Accountant;
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- b. prohibition of the Vice-Rector's spouse or relatives up to the third degree to occupy any of the following positions: General Administrative Director, Dean, Vice-Dean, Department Director, and Chief Accountant;
 - c. prohibition of the General Administrative Director's spouse or relatives up to the third degree to occupy any of the following positions: Director, Chief Accountant, head of unit, head of office;
 - d. prohibition of the Dean's spouse or relatives up to the third degree to occupy any of the following positions: Vice-Dean, Department Director, an execution position of teaching or research;
 - e. prohibition of the Vice-Dean's spouse or relatives up to the third degree to occupy any of the following positions: Department Director, an execution position of teaching or research;
 - f. prohibition of the Department Director's spouse or relatives up to the third degree to occupy an execution position within the same department;
 - g. prohibition of direct assessment of the spouse or relatives up to the third degree;
- (5) Employees with leading positions cannot participate in the assessment of spouses or relatives up to the third degree.
- (6) Tenured teaching and/ or research staff who hold any of the following positions: Rector, Vice-Rector, General Administrative Director, Dean, Vice-Dean, and Director of the Department, and have their spouse, relatives or relatives up to the third degree in a subordinate position and the direct coordination of these position have 30 calendar days to solve the case of incompatibility.
- (7) A member of the teaching, research, and non-teaching staff who holds a management position within a collegiate governing body and is elected for a mandate on another management position which cannot be cumulated with the initial position, according to the law, has the obligation to opt for one of the two positions within 30 calendar days of incompatibility.
- (8) The presence as a member in the following collective management structures does not generate incompatibilities:
- a. The Senate of the University;
 - b. Faculty Council;
 - c. Department Council;
 - d. The Council for Doctoral Studies;
 - e. The Council of the Doctoral School.
- (9) Employees cannot be part of the academic community if: they have, by any means, affected the reputation and good operation of the University, as well as former tenured employees excluded from this community. Exclusion from the academic community is ordered by decision of the Senate.

Article 24.

- (1) Full time employed teaching, research, and non-teaching staff are in conflict of interest in any of the following situations:
- a. the employee is called upon to resolve requests, make decisions or participate in decision-making regarding individuals and legal entities with which he/ she has patrimonial relations;
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- b. the employee is called upon to resolve requests, make decisions or participate in decision-making on individuals who are spouse or relatives up to the third degree;
 - c. the employee participates in the same board or same governing body, established by law, with other teaching, research or non-teaching staff who have the status of spouse, or relatives up to the third degree;
 - d. the patrimonial interests of the employee, spouse, or relatives up to the third degree may influence the decisions he/ she must make in his/ her duties;
 - e. the employee occupies positions or conducts teaching or research activities at other public or private higher education institutions in the country or within companies, companies in the country that have a competitive educational or research activity without the approval of the management of the University;
 - f. the employee performs activities that involve inconsistent conduct with ethics and professional deontology, or brings prejudice to the image of the University, misinformation campaigns in the media, or other activities that may affect the mission of the institution.
- (2) The position of Rector is incompatible with any leadership position within a political party during the term of office.

Article 25.

- (1) In the event of a conflict of interest, teaching, research, or non-teaching staff shall be obliged to refrain from resolving the request, making a decision or taking part in decision making, and shall immediately inform the hierarchical manager or the Head of the collegiate governing body about his/ her abstaining.
 - (2) The management of the University and the management of the other structures are obliged to take the necessary measures for the impartial exercise of the teaching, research and non-teaching positions and for solving the situations provided by art. 198 of the University Charter (Article 24 of this Code);
 - (3) For these situations the University Senate has, upon the Rector's proposal, the solution to the state of conflict of interests by dismissal from the position of management or, as the case may be, the dissolution of the individual labor contract.
 - (4) In the conditions in which the Senate is informed about a situation of conflict of interest of the Rector, the Senate cannot order the dismissal or the termination of the employment contract, without the prior referendum procedure, if the rector's designation is the one stipulated in art. 209 paragraph 1, letter b of the Education Act no.1 / 2011.
 - (5) Any person may notify, in a written and signed document, instances of incompatibility and conflicts of interest. Anonymous notifications are not taken into account.
 - (6) Individuals who are in one of the situations of incompatibility or conflict of interest have 30 calendar days to solve this legal situation under the sanction of dissolution of the individual labor contract.
 - (7) Public liability for resolving incompatibilities and conflicts of interest is incumbent upon the University Senate, the Rector, and all persons in senior management positions, under whose subordination situations of incompatibility and conflicts of interest arise.
 - (8) Breaches of the provisions on incompatibility and conflicts of interest entail, as appropriate, disciplinary, administrative, civil or criminal liability, according to the law.
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- (9) Teaching, research, and non-teaching staff members who hold a management, control or evaluation position or are candidates for such a position will make an affidavit regarding incompatibilities and conflicts of interest.

Collegiality

Article 26. Activity in the academic community involves the collaboration of its members in a spirit of collegiality and mutual respect. Collegiality implies:

- (1) courtesy and respect for each member of the academic community. Breach of this obligation by a person does not in any way give the injured party the right to take similar behavior;
- (2) the obligation of assistance between the members of the academic community, such as substitutions, providing support in teaching activities and administrative work, cooperation in good faith in the projects involving the participation of more people;
- (3) the mutual respect of linguistic, religious, social differences between the members of the academic community;
- (4) understanding, respect and support for people with special needs;
- (5) the obligation of confidentiality regarding data and information submitted by a member of the academic community to another member on a private basis. Regarding the academic results of a student, the obligation of confidentiality operates within the limits established by Senate decision, under the terms of the law on the protection of personal data.

Article 27. Breaches of the principle of collegiality:

- (1) discrimination, gender, ethnic or other forms of harassment, use of physical or mental violence, offensive language or abuse of authority towards a member of the academic community, regardless of the position he or she occupies within the University (student, teacher, member of university management, member of the administrative staff);
- (2) promotion or tolerance of behaviors as described in the preceding paragraph by the heads of faculties, departments, or administrative units;
- (3) unfair discredit of the ideas, assumptions, or research results of a colleague;
- (4) formulating, in the presence of students, of comments on professional training, moral care, or some aspects of a colleague's private life;
- (5) advising students not to attend a colleague's course, for reasons of disliking that particular colleague;
- (6) the repeated filing of complaints, notifications, or slander, clearly unfounded, about a colleague;
- (7) the use and disclosure in the teaching or research activity of information transmitted in confidence by another colleague (personal data, experience, etc.);
- (8) discussion with students about the academic results, social, medical situation of a particular student.

Article 28. In the special subject of student examination, collegiality requires prior and detailed information to students about the course objectives and requirements, the modes and assessment periods. In this regard:

- (1) at the beginning of each semester the course lecturer shall share or distribute to the students a course syllabus covering the subject of each lecture, the mandatory and optional bibliography, details of the form of the examination and the basis of the assessment;
- (2) courses and seminars will address the entire syllabus required for the exam;
- (3) students' knowledge is continuously assessed through tests during the semester and final examinations during the examination period. Schedule regarding tests during the semester are communicated at the beginning of the semester.
- (4) following the examination, the scoring scale shall be displayed at the latest with the results. At the request of the student, the examining teacher presents the paper and explains the mark, by reference to the displayed scoring scale.

Justice and equity

Article 29. All members of the academic community shall be treated fairly and equitably. Discrimination or exploitation is not allowed, justice is based on fair and equitable sharing of power and prevention of abuse of power. The University will adopt firm measures for non-discrimination, equal opportunities, access to education, employment and educational and research programs, to eliminate conflicts of interest, to prevent and combat all forms of corruption, favoritism and nepotism.

Loyalty

Article 30. Loyalty to the University implies the obligation of each member of the academic community to act in the interest of the University, to support its objectives, strategies and policies in order to achieve the mission and increase its competitiveness.

Article 31. The following are violations of the loyalty obligation:

- (1) conducting actions meant to lead to the loss of patrimonial or non-patrimonial rights legally acquired by the University;
- (2) conducting, in other universities or institutions or companies in the country, teaching or research activities that compete with those organized by the University without the prior approval of the University management;
- (3) advising students to abandon the courses of the University in favour of another educational institution;
- (4) engaging in activities outside the university that significantly affect the time devoted to the teaching and research obligations of the person;
- (5) conducting actions of any kind (verbal or written) meant to discredit the University (the management or any member of the academic community) or seriously affect its image and prestige.

Responsibility

Article 32. The responsibility for complying with the provisions of this Code rests first with each member of the academic community. Being part of the academic community requires each member to assume responsibility for their actions or omissions. The violation of the provisions of this Code entails disciplinary liability under the terms of the Education Act no.1 / 2011, the Labor Code and the internal regulations of the University.

Merit

Article 33. The University ensures the recognition, cultivation and reward of the personal and collective merits that lead to the fulfillment of its institutional purpose.

Transparency

Article 34. The University shall respect the principle of transparency of all categories of information that interest the members of the academic community, potential candidates, graduates, institutions with which they collaborate and the general public, ensuring consistent and correct information.

Ethical principles in scientific research

Article 35. Research on human subjects shall be conducted in compliance with the provisions of the International Conventions and Declarations to which Romania is a signatory. In biomedical research there is a duty to promote and protect the lives, health, privacy, and dignity of human subjects participating in research.

Article 36. In conducting medical research on human subjects additional protection must be given to vulnerable populations:

- (1) economically and physically disabled individuals;
- (2) individuals who cannot give consent to participate in medical research (minors, incapacitated individuals, individuals who due to their condition cannot express their will);
- (3) individuals who are likely to give their consent under pressure (e.g. detained individuals, soldiers);
- (4) individuals who do not personally benefit from research;
- (5) individuals for whom medical research is combined with medical care.

Article 37. In research on human subjects, the wellness of the individual prevails over that of society in general and of science.

Article 38. Medical research for the purpose of medical advancement must be conducted on human subjects only as a last resort. This should be done in accordance with existing scientific data, other relevant sources of information, and animal experimentation data where this is possible.

Article 39. The main purpose of medical research on human subjects is to improve prophylactic, diagnostic, and treatment methods, understanding the etiology and pathogenesis of a disorder.

Article 40. No research may be undertaken on a person unless the following conditions are cumulatively met:

- (1) there is no alternative method to human research of comparable efficacy;
 - (2) the risks to which the individual may be exposed are not disproportionate to the potential benefits of research;
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- (3) the research project has been approved by the competent court after having been independently examined on its scientific relevance, including an assessment of the importance of the research objective and a multidisciplinary examination of its ethical acceptability;
- (4) the individual being investigated is informed of his/ her rights and the safeguards for their protection;
- (5) the consent of the participants.

Article 41. The research protocol must be assessed by an ethics committee made up of independent persons from researchers or sponsors. The ethics committee conducting the project assessment must be informed of the conduct of the research and has the right to monitor the on-going research.

Article 42. Medical research on human subjects should only be performed by qualified persons. This person has responsibility for the subjects involved in the research, even if they have expressed informed consent for participation.

Article 43. Clinical experimentation (non-therapeutic research) is ethically acceptable if it does not involve a seriously foreseeable risk to the participating subjects. Researchers conducting the clinical experiment are required to interrupt it if there is a risk of harming the subject's health or when the subject requires that the experiment cease. Medical research on human subjects can only be performed if the potential benefits outweigh the risks.

Article 44. The forceful or misleading of an individual for the purpose of experiment is a serious violation of the principles of medical ethics. The participation of human subjects in research can only be done voluntarily and only after they have been adequately informed about: the goals, the methods of research, the risks, and the expected benefits. Subjects should also be informed that they may withdraw from the research at any time without prejudice to them in any way. The informed consent of the participants must be taken in compliance with the legal provisions.

Article 45. In the case of minors, the consent shall be obtained from the legal guardians or legal representative, and the minor's consent to participate in the research shall be necessary. A maximum of caution is needed to use minors in medical experiments and only if the risks are minimal.

Article 46. In the case of incompetent or incapable persons to express their will, the consent shall be obtained from their legal guardians or representatives.

Article 47. Researchers should take all necessary measures to protect the privacy of subjects involved in research, to preserve the confidentiality of information about subjects, and should minimize, as far as possible, the impact of the research on their physical, mental, and personality integrity.

Article 48. Research for therapeutic purposes constitutes the first application of medical or surgical procedures to humans, and will be exclusively for curative purposes. In such research there must be a fair proportionality in favour of the patient, between the risks of the new procedure and the gravity of the case; the

possible dangers of the new procedure do not outweigh the likely evolution of the underlying disease or the treatments known and applied so far.

Article 49. The use of a placebo in medical research combined with patient care is only permitted when there are no prophylactic, diagnostic, or therapeutic methods demonstrated for participating subjects, or when patients receiving placebo are not at additional risk.

Article 50. The publication of results of medical research on human subjects shall be done with respect to the accuracy of the data and only in the conditions in which the national and international ethical rules governing medical research on human subjects are observed.

Article 51. The abovementioned ethical rules also apply to epidemiological studies or screening activities.

Article 52. Experiments on the cloning of human beings are forbidden.

Deviations from standards of good conduct in scientific research

Article 53.

- (1) The body responsible for overseeing the application of the provisions of this Code is the Ethics Committee of the University.
- (2) The structure and composition of the Ethics Committee is proposed by the Board of Directors, endorsed by the University Senate and approved by the Rector. Members of the Committee are individuals with professional prestige and moral authority.
- (3) The Ethics Committee operates after its own Regulation, adopted by the Senate of the University.
- (4) The members of the Ethics Committee shall not be persons who hold any of the following positions: Rector, Vice-Rector, Dean, Vice-Dean, General Administrative Director, Department Director, or director of unit for research, development, microproduction.

Article 54.

- (1) The Ethics Committee is comprised of 11 members, as follows:
 - a. seven representatives of teaching staff, ensuring the inclusion of all study lines;
 - b. two representatives of the non-teaching staff;
 - c. two student representatives.
 - (2) The Committee shall, by a majority of votes, elect a chairman during the term of office.
 - (3) The President of the Committee conducts the meetings of the Committee, coordinates the activity of the Committee, represents the Committee in relations with the University management, the Senate management, and with other institutions.
 - (4) For serious violations of university ethics and the rules of operation of the Ethics Committee, members may be proposed for replacement by a vote of 2/3 of the members of the Committee. The replacement recommendation is addressed to the Administrative Board.
 - (5) The supplementation with new members is made on the proposal of the Administrative Board with the approval of the Senate and that of the Rector.
 - (6) The term of office of the members of the Committee shall be four years.
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(7) Secretarial duties of the Committee shall be provided by the General Secretariat of the University.

Article 55. The Ethics Committee has the following attributions, according to the Education Act no.1/2011:

- a. analyzes and solves deviations from university ethics, based on complaints or own initiative, according to the current Code of Ethics;
- b. draws up an annual report on the situation of respecting university ethics and ethics of research activities, which is presented to the Rector, the University Senate, and which is a public document;
- c. contributes to the production of the Code of Ethics, which is proposed to the University Senate for adoption and inclusion in the University Charter;
- d. other duties provided by the legislation in force or established according to the University Charter.

Article 56.

- (1) The Committee may be notified in writing by any natural or body that has found a violation of ethics by a member of the academic community.
- (2) The Committee may also make a statement ex officio.
- (3) The reports shall be registered with the University Registry or submitted to the mailboxes for proposals and notifications/ complaints.
- (4) The Committee may decide not to take account of anonymous notifications.
- (5) The complaint shall explicitly indicate the name of the person who is guilty of the offense, the name of the person making the complaint, and the facts attributed to them accompanied by supporting evidence.
- (6) The Ethics Committee shall meet at the convocation of the President of the Committee.
- (7) The Committee keeps confidentiality of the identity of the perpetrator according to the Education Act no.1/2011.
- (8) The decisions of the Ethics Committee are endorsed by the University Legal Advisor. The legal responsibility for the decisions and the activity of the Committee is the responsibility of the University, according to the Education Act no. 1/ 2011.
- (9) The Committee shall respond to the complainant within 30 days from the date of its submission and shall communicate the results of the procedures after their completion.

Article 57. Any person in a senior management position at the University who receives a complaint about breaches of ethical rules shall submit it to the Ethics Committee for analysis.

Article 58. Serious deviations from good conduct in scientific research and academic activity are:

- a. plagiarizing the results or publications of other authors;
- b. fabricating results or replacing results with fictitious data;
- c. providing false information in grant applications.

Article 59. The functioning of the Ethics Committee is regulated by the Regulation of the Ethics Committee adopted by the University Senate.

This Code of Ethics and Professional Conduct is an integral part of the Charter of the University of Medicine, Pharmacy, Sciences and Technology of Târgu Mureș.
