

Max-Planck-Gesellschaft
zur Förderung der Wissenschaften e.V.



Max Planck Institute
for Gravitational Physics
ALBERT EINSTEIN INSTITUTE

Institute By-Laws

dated 19 November 2021

*This English translation is intended for information purposes. Only the
German version of this document is authoritative.*

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Annexes

- (1) Statutes of the Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V.
- (2) Rules for Max Planck Research Groups
Rules for Max Planck Research Group Leaders with Tenure Track at W2 level
Guidelines for the Appointment of Scientists to W2 Positions
- (3) Appointment Procedure Regulations
- (4) Election Procedure for the Election of Scientific Staff Members to the Sections of the Scientific Council
- (5) Rules of Good Scientific Practice and Rules of Procedure in Cases of Suspected Scientific Misconduct
- (6) Guidelines and Rules of the Max Planck Society on a Responsible Approach to Freedom of Research and Research Risks
- (7) Guidelines of the Scientific Council for Electing Ombudspersons to Max Planck Institutes and the Sections of the Max Planck Society
- (8) Mediation Guidelines
- (9) Rules for Scientific Advisory Boards
- (10) Rules for Boards of Trustees in the Max Planck Society; Recommendations for the organization of Boards of Trustees in the Max-Planck-Gesellschaft

Preamble

The Statutes of the Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V. (Annex 1; MPG-Statutes), which include regulations directly applicable to the Institute, provide the governing framework for these Institute By-Laws.

According to Article 28, para. 2 of the Statutes of the Max-Planck-Gesellschaft, the Institute By-Laws govern the constitution of an Institute and regulate the central mechanisms for internal cooperation at an Institute.

The Standards of Operation Procedure of the Institute supplement and concretize the regulations stated in the Institute By-Laws.

Subject-specific Institute Rules contain further detailed regulations (e.g., signature regulations, Procurement Handbook).

Section 1 Purpose and Name

- (1) The Institute is dedicated to research in the field of Gravitational Physics.
- (2) The Institute was established in Potsdam by resolution of the Senate of the Max-Planck-Gesellschaft on June 9, 1994 and bears the name "Max-Planck-Institut für Gravitationsphysik (Albert-Einstein-Institut)". By resolution of the Senate of the Max-Planck-Gesellschaft on November 23, 2001, the Sub-Institute in Hannover was established.
- (3) The English translation of the Institute's name is "Max Planck Institute for Gravitational Physics (Albert Einstein Institute)".

Section 2 Seat, Legal Form and Financial Year

- (1) The Institute has two locations, one in Hannover and one in Potsdam.
- (2) It is not a legal entity in its own right, but an institution of the Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V.
- (3) The financial year is the calendar year.

Section 3 Structure of the Institute

The Institute with its two Sub-Institutes is divided into

- 1) Departments, to which Research Groups may belong (Research Groups bound to a Department), led by Scientific Members of the Institute with directorship (Directors at the Institute) or by Acting Directors appointed by one of the organs of the MPG,
 - 2) Shared facilities, i.e.,
 - a) Scientific and/or scientific-technical service facilities; and
 - b) the Administration under the leadership of a Head of Administration, which includes all other areas of administration;
- and

- 3) "Max Planck Research Groups". These are governed by the regulations passed by the Senate of the Max-Planck-Gesellschaft (Annex 2) as well as by the rights and obligations according to the Institute's Standards of Operation Procedure¹.

Section 4 Scientific and Administrative Management of the Institute

- (1) Board of Directors: The Institute is managed by a Board of Directors in accordance with Art. 29, para. 2 in conjunction with Art. 28, para. 3 of the MPG-Statutes. The Scientific Members of the Institute with directorship appointed by the Senate of the Max-Planck-Gesellschaft (the Directors at the Institute) or Acting Directors appointed by one of the organs of the MPG carry joint responsibility for the scientific and administrative management of the entire Institute in the Board of Directors. Pursuant to Art. 28, para. 4 of the Statutes of the MPG, directorship is generally conferred upon a Scientific Member for a limited period; renewal is decided upon by the Verwaltungsrat (Executive Committee).
- (2) Managing Director: The Members of the Board of Directors elect one of their group as their Chairperson and one as Vice Chairperson, for a period of two years in general. The Chairperson and the Vice Chairperson should not belong to the same Sub-Institute. The role of the Chairperson should alternate between the two Sub-Institutes, except in the case of re-election according to the following Sentence 4 of this Sub-Section 2. Re-election directly after previous appointment is permitted once as an exception.
The President of the Max-Planck-Gesellschaft appoints the Chairperson to the position of Managing Director of the Institute. The President may revoke the appointment for good cause. The Board member who is Vice Chairperson of the Board of Directors is known as the Deputy Managing Director.
Pursuant to Section 6, the Managing Director is responsible for the current affairs of the Institute. Thus, the Board of Directors is released from management duties in this regard.
- (3) The Directors: In terms of all affairs where decision-making powers rest neither with the Board of Directors nor with the Managing Director, the general rights and obligations of a director according to Article 28 of the MPG Statutes remain with the members of the Board of Directors; they are therefore responsible themselves for making decisions as special representatives according to Section 30 of the German Civil Code (Bürgerliches Gesetzbuch – BGB).

Section 5 Board of Directors

- (1) The Board of Directors discusses all matters concerning the Institute as a whole and ensures that the rules adopted by the organs of the Max-Planck-Gesellschaft are implemented. The Board of Directors submits suggestions to the

¹ The "Rules for Max Planck Research Groups" and/or the "Rules for Max Planck Research Group Leaders with Tenure Track at W 2 Level" as resolved by the Senate of the Max-Planck-Gesellschaft as well as the "Guidelines for the Appointment of Scientists to W2 Positions", which have been submitted to the Senate, must be taken into account for Max Planck Research Groups.

Senate of the Max-Planck-Gesellschaft for the appointment of a Scientific Member pursuant to the rules passed by the Senate (cf. Annex 3) and resolves permanent employment relationships of scientists by unanimous decision².

- (2) The Board of Directors is particularly concerned with the support of junior scientists and with ensuring that the Principles of Gender Equality are met at the Institute (e.g., by supporting the local Gender Equality Officer in carrying out her duties).
- (3) The Board of Directors resolves a set of Standards of Operation Procedure for the Institute, which supplements and concretizes the regulations stated in these Institute By-Laws and which must be submitted to the Verwaltungsrat (Executive Committee) of the Max-Planck-Gesellschaft for its approving acknowledgement.
- (4) For reasons of public funding law, each Sub-Institute has its own budget.

Section 6 Current Affairs, Administration

- (1) The Managing Director manages the current affairs of the entire Institute and therefore contributes to releasing the Board of Directors especially from the burden of administrative Institute management. The Managing Director ensures the election of a scientific staff member to the relevant Section of the Scientific Council (cf. Annex 4).
- (2) The Head of Administration supports the Managing Director in carrying out administrative tasks. It is the Head of Administration's duty to advise the Managing Director and the Board of Directors regarding the applicable laws and other regulations that are binding on the Institute and endeavor to ensure compliance therewith. To this end, the necessary rights to participation must be granted to the Head of Administration in the Standards of Operation Procedure of the Institute; the Head of Administration takes in particular part in the meetings of the Board of Directors in an advisory capacity pursuant to the Standards of Operation Procedure.

Section 7 Participation of Employees at the Institute

- (1) Scientific and scientific-technical employees are obliged to participate in an appropriate manner in the self-management of the Institute and the organs and bodies of the Max-Planck-Gesellschaft. In order to ensure their appropriate participation in decisions at the Institutes, to provide timely and sufficient information to all parties concerned and to provide regular opportunities for joint deliberation on general objectives, methods and execution of research projects, General Meetings (para. 2 – 6) and Departmental Meetings (para. 7 – 10) shall be held at appropriate intervals as required, pursuant to Article 28, para. 7 of the Statutes of the Max-Planck-Gesellschaft.

² Cf. Senate resolution dated 25 June 1998, among others

- (2) The General Meetings are convened by the Managing Director at appropriate intervals, at least once per year, whereby an agenda must be announced in good time. General Meetings must also be convened if so requested by at least one-third of those persons entitled to attend.
- (3) The General Meetings are chaired by the Managing Director and include the following participants:
- a) the Scientific Members of the Institute,
 - b) the Leaders of Max Planck Research Groups and, upon suggestion of the Managing Director or another Director, the Leaders of other Research Groups,
 - c) the academic staff member elected to the Section,
 - d) all scientific and scientific-technical staff,
 - e) the Head of Administration, and
 - f) the Gender Equality Officer at each location of the Institute.

In addition, the Board of Directors may also invite other persons as guests.

- (4) The scientific planning and the development of the Institute including its technical, financial and organizational requirements are to be deliberated in the General Meetings; however, the decision-making competence of the Board of Directors remains unaffected.
- (5) Efforts should be made at the General Meeting to achieve unanimous agreement on the subjects under discussion; the results must be recorded in minutes. In the case of subjects on which unanimity was not achieved, deviating opinions must be recorded in the minutes. In other respects, Article 28, para. 7, sentences 2 and 3 of the Statutes of the Max-Planck-Gesellschaft shall apply.
- (6) The General Meetings may be attended in person or electronically unless the Board of Directors decides that personal attendance is required at the respective meeting.
- (7) Departmental Meetings are convened by the Directors at appropriate intervals, as a general rule monthly, whereby an agenda must be announced in good time. Departmental Meetings must also be convened if so requested by at least one-third of those persons entitled to attend.
- (8) The Departmental Meetings are chaired by the respective Director and include the following participants:
- a) All staff members of the Department including doctoral students and
 - b) the Gender Equality Officer at each location of the Institute.

In addition, the respective Director may also invite other persons to attend the meetings.

- (9) Departmental Meetings are held to discuss the status and progress of research projects undertaken by the Department. The essential results of these meetings must be recorded in minutes.
- (10) Sub-Sections 7-9 apply accordingly for Max Planck Research Groups.

Section 8 Support of Staff

- (1) All employees of the Institute have the right to participate in staff development opportunities. The Institute is particularly concerned with the support of junior scientists.

Within the framework of the research goals of the Institute, the scientific and professional development of every employee must be supported through employment activities that include the acceptance of independent responsibility.

- (2) Disciplinary supervisors (or their supervisors, recursively) shall conduct annual dialogues with their scientific staff members employed on fixed-term contracts to discuss the opportunities for development at the Institute and their career prospects (status interviews)³. Employees may be accompanied at these interviews by a person belonging to the Institute who enjoys their trust. Minutes of these status interviews must be prepared and included in the employee's personnel file.

Irrespective of the above, in exercise of their duty of care, disciplinary supervisors conduct personal interviews with all of their employees at appropriate intervals or at the latter's request to discuss their professional situation.

Section 9 Safeguarding Good Scientific Practice

- (1) It is a matter of particular concern to the Max-Planck-Gesellschaft to safeguard good scientific practice. In particular, the Directors shall therefore ensure that the Rules of Good Scientific Practice and Rules of Procedure in Cases of Suspected Scientific Misconduct adopted by the MPG Senate (cf. Annex 5) are communicated and implemented at the Institute, as well as the Max-Planck-Gesellschaft's Notes and Rules on Dealing Responsibly with Freedom of Research and Research Risks (cf. Annex 6).
- (2) In cases of conflict, an ombudsperson will be selected at each Institute in accordance with the guidelines laid down by the Scientific Council for the appointment of ombudspersons at Max Planck Institutes and in Sections of the Max-Planck-Gesellschaft (cf. Annex 7).

Section 10 Fairness and integrity

For the scientific integrity and the reputation of the Institute, great value is placed on

³ Resolution of the Senate dated 24 March 2006; "Guidelines on the Employment of Academic Staff in the MPG"

- a) fair and unbiased treatment of everybody at the Institute (incl. gender equality);
- b) declaring, disclosing (for the sake of transparency) and mitigating potential conflicts and collisions of interest (objectionable decisions based on actions guided by personal interests);
- c) the avoidance of corruption risks and indications of corruption (in the case of reasonable suspicion, the MD and the Officer for Compliance and Risk Management of the MPG must be informed immediately);
- d) cost-efficient and thrifty handling of Institute funds (incl. in procurements), which largely stem from public sources.

Section 11 Mediation

The procedure for mediating in complaints and disputes at the Institute is governed by Article 30 of the Statutes of the Max-Planck-Gesellschaft and the Mediation Guidelines (Annex 8) adopted by the Senate. Before initiating mediation, efforts should be made to achieve an internal solution within the Institute to the problems in question.

Section 12 Scientific Advisory Board

- (1) The President of the Max-Planck-Gesellschaft will appoint a Scientific Advisory Board for the Institute, which is tasked with subjecting the scientific work of the Institute to regular evaluation and advising the Institute and the President on matters pertaining to the scientific development of the Institute and the effective use of resources. The Scientific Advisory Board is composed of recognized scientists who are generally not Scientific Members of the Max-Planck-Gesellschaft. The Scientific Advisory Board records the results of its evaluation in a written report, which is submitted to the President.
- (2) Further details are as defined in the Rules for Scientific Advisory Boards (cf. Annex 9) adopted by the Senate of the Max-Planck-Gesellschaft.

Section 13 Board of Trustees

- (1) The Institute has a Board of Trustees, a particular function of which is to promote links between the Institute and its social environment and the general public. The Board of Trustees is comprised of representatives of politics, business, science, the media and other groups who have a particular connection with the interests and concerns of the Institute or are in a position to make a significant contribution to its upkeep. Members are appointed by the President of the Max-Planck-Gesellschaft.
- (2) Further details are as defined in the Rules for Boards of Trustees (Annex 10) adopted by the Senate of the Max-Planck-Gesellschaft and Recommendations for the organization of Boards of Trustees in the Max-Planck-Gesellschaft.

Section 14 Entry into Effect, Miscellaneous

- (1) These Institute By-Laws enter into effect as of November 20, 2021, approved by resolution of the Senate of the Max-Planck-Gesellschaft on November 19, 2021.
- (2) All annexes shall apply in the respective current version.