

BY-LAW OF THE ELECTION COMMISSION OF THE CONSTITUTIONAL ASSEMBLY OF THE BIA

*Developed in accordance with Section 13
of the Law on Institutions of Higher Education,
Sections 13 and 20 of the Constitution of the BIA*

1. General provisions

- 1.1. The Constitutional Assembly of the Baltic International Academy (hereinafter BIA) is the academic, general, and student-representative institution of the BIA.
- 1.2. An Election Commission of the Constitutional Assembly (hereinafter - COMMISSION) shall be established for the organisation of elections of the Constitutional Assembly, which shall operate permanently.
- 1.3. The conditions and procedures for the establishment of the COMMISSION, numerical composition, duties, and rights, as well as the procedures for the conduct and supervision of the electoral process, shall be governed by this by-law drawn up by the BIA Senate and approved by the BIA Rector.
- 1.4. Matters not regulated by the by-law shall be decided at the Constitutional Assembly, taking into account the requirements of the Law on Institutions of Higher Education.

2. Structure of the Constitutional Assembly, conditions, and procedures for the establishment of the Election Commission thereof

- 2.1. The number of members of the Constitutional Assembly and the regulations regarding the representation of the personnel group in the Constitutional Assembly are laid down in the Law on Institutions of Higher Education and the Constitution of the BIA. The Constitutional Assembly of the BIA consists of 27 members, of which 17 are representatives of academic staff, 6 are representatives of students, and 4 are representatives of general staff.
- 2.2. Representation shall be maintained when the COMMISSION is formed: the COMMISSION's staff shall consist of seven persons, including five from the academic staff, and one representative from general staff and students.
- 2.3. The COMMISSION shall be established and its composition approved by an order of the Rector.
- 2.4. The COMMISSION shall elect the President, the secretary, and the voting Commission from among its members.
- 2.5. The term of office of the COMMISSION shall be three years and shall end with the establishment of a new Constitutional Assembly and Election Commission. Documents to be addressed to the Election Commission of the Constitutional Assembly shall be submitted to the Secretary of the COMMISSION.

3. Duties and Rights of the Election Commission of the Constitutional Assembly of the BIA

- 3.1. Organise elections for members of the Constitutional Assembly.
- 3.2. Record the meetings of the COMMISSION. The minutes shall be submitted to the archives after the termination of the activities of the COMMISSION.
- 3.3. The COMMISSION shall designate representative places from the academic staff group and the general staff group.
- 3.4. The places shall be approved by the BIA Rector on a proposal from the COMMISSION.
- 3.5. The number of elected members of the Constitutional Assembly during the term of office of the Constitutional Assembly shall not be reconsidered.
- 3.6. Elections of members of the Constitutional Assembly shall be announced and other organisational issues related thereto shall be determined by an order of the Rector upon a proposal of the COMMISSION.
- 3.7. The elections of members of the Constitutional Assembly shall be organised in a structural unit by its collegial decision-making body (direction or programme Council or director of a branch).
- 3.8. The human resources department of the BIA shall submit to the COMMISSION a list of academic staff and general staff for the organisation of general meetings of the staff. In general meetings, the nomination of candidates for the Constitutional Assembly shall take place in open voting:
 - 3.8.1. only an employee elected to an academic position may vote and stand as a candidate in the election of the academic staff group;
 - 3.8.2. only an employee of the general staff may vote and stand as a candidate in the election of the general staff group;
 - 3.8.3. if the same employee holds several positions in different structural units or different groups of personnel (academic staff group or general staff group), he or she has the right to vote and to stand as a candidate in elections to the Constitutional Assembly only from one group of personnel.

4. Procedures for the conduct and supervision of the election process of the Election Commission of the Constitutional Assembly

- 4.1. The COMMISSION shall draw up a list of nominees and organise a vote on them. On the ballot paper, the attitude “for” electing the candidate for the relevant position shall be marked with “+”. Candidates who have obtained the most votes shall be considered elected according to the number of members of the Constitutional Assembly to be brought in. All candidates for the relevant post shall be entered in alphabetical order on the ballot paper. Ballots are invalid if they are torn or do not allow the attitude of the voter to be established for each candidate on the ballot paper.
- 4.2. The vote counting Commission shall compile the election data, enter them in the minutes regarding each candidate, determine the election results, sign the minutes, and report on the election results to the Constitutional Assembly. Candidates who have obtained the most votes shall be considered elected according to the number of members of the Constitutional Assembly.

- 4.3. Elections can take place for one or more days.
- 4.4. Representatives of students shall be elected by the Student Parliament at the Constitutional Assembly. The Student Parliament shall inform the COMMISSION regarding changes in the personnel composition of the elected student members not later than five working days prior to each meeting of the Constitutional Assembly.
- 4.5. The results of the election after the counting of votes shall be announced to the heads of study directions and structural units, as well as to the persons elected in the composition of the Constitutional Assembly.
- 4.6. Persons who have the right to vote and stand as candidates in elections may contest the election results within three working days from the day of notification of the election results, submitting a substantiated application to the COMMISSION.
- 4.7. The COMMISSION is entitled to cancel the results of elections if significant violations have been detected therein. In such case, new elections shall be organised at the relevant places of the members of the Constitutional Assembly.
- 4.8. If the Constitutional Assembly is elected in part, the Assembly may operate if more than half of its members are elected and representation with not less than one representative from the academic staff, students, and general staff of the Academy is ensured. The task of the Constitutional Assembly is to organise additional elections to ensure work in full composition within one month.
- 4.9. Before the first meeting of the Constitutional Assembly, the COMMISSION shall examine the powers of the members and report to the Constitutional Assembly at the beginning of the meeting regarding the members registered for the meeting. After the report of the COMMISSION, the Constitutional Assembly shall decide on the approval of the authorisation of the members of the Constitutional Assembly.
- 4.10. The powers of the members of the Constitutional Assembly shall expire:
- 4.10.1. upon expiry of the term of office of the Constitutional Assembly;
 - 4.10.2. if the employment (study) relationship of a member of the Constitutional Assembly with the BIA expires;
 - 4.10.3. if he or she enters another group of personnel;
 - 4.10.4. the COMMISSION has received an application addressed to it by a member of the Constitutional Assembly regarding the resignation of a place in the Constitutional Assembly.
- 4.11. If the powers of a member of the Constitutional Assembly expires before the end of the term of office of the Constitutional Assembly, the COMMISSION shall approve in his or her place not later than five working days prior to the next meeting of the Constitutional Assembly as the member of the Constitutional Assembly the person who, in accordance with the election protocol, has obtained the most votes after the person who was elected as the last to the Constitutional Assembly. If there are no other candidates in the election protocol, new elections shall be organised for vacant places in the relevant group.

5. Final provisions

- 5.1. This Regulation shall enter into force on 3rd January 2022.