

APPROVED
by ENDC Governing Council Resolution of 10 October 2011
Amended
by ENDC Governing Council Resolution of 9 October 2012
Amended
by ENDC Governing Council Resolution of 11 June 2014
Amended
by ENDC Governing Council Resolution of 11 February 2016
Amended
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ESTONIAN MILITARY ACADEMY
GOVERNING COUNCIL
RULES OF PROCEDURE

1. GENERAL PROVISIONS

- 1.1. The Rules of Procedure of the Governing Council of the Estonian Military Academy's (hereinafter *the Academy / EMA*) shall stipulate the rules governing the work of the EMA Governing Council (hereinafter *the Council*). These Rules of Procedure are enacted on the basis of the Institutions of Professional Higher Education Act, and Regulation No 5 of 02 April 2019 "Statutes of the Estonian Military Academy" issued by the Minister of Defence.
- 1.2. The EMA Governing Council is the highest collegial decision-making body of the Estonian Military Academy.
- 1.3. The composition of the EMA Governing Council is stipulated in the Statutes of the EMA, the number of its members shall be determined, and its membership shall be approved by the Commandant of the EMA.
- 1.4. The EMA Governing Council is tasked with the duties prescribed by law and other regulations issued on the basis thereof. For the purposes of performing its duties, the Governing Council is entitled to establish sub-committees or submit proposals to the Commandant of the EMA for the establishment thereof.

2. PREPARING COUNCIL SITTINGS

- 2.1. The EMA Governing Council works in sittings. The Council sittings shall be either regular or extraordinary.
- 2.2. The Commandant of the EMA shall call the regular sitting of the EMA's Governing Council at least twice times per academic year.
- 2.3. The EMA Governing Council shall be called for an extraordinary sitting by the Commandant of the EMA as needed or at the request of at least 1/3 of the members of the Governing Council. In the latter case, the EMA's Governing Council shall be convened at the earliest opportunity, but no later than in two weeks after submission of the request.
- 2.4. The regular sittings of the EMA' Governing Council shall take place in accordance with the Council's work plan, and the agenda approved by the Council beforehand. The Council's work schedule shall be prepared in advance for one semester. The Council's work schedule for the fall semester shall be approved by the Council in September, and the schedule for the spring semester shall be approved in January at the latest. The Council's work schedule shall indicate the responsible persons and committees for each topic. The Council is entitled to modify its work plan, if necessary, during any of its sittings. The Council's draft work plan shall be prepared by the Deputy Commandant for the Council's first sitting of the academic year, incorporating the input submitted by heads/chiefs of the EMA's sub-divisions.

- 2.5. Each member of the EMA's Governing Council is entitled to submit proposals for amending the Council's work plan; those proposals shall be recorded in the minutes, and their incorporation into the Council's work plan shall be subject to a vote.
- 2.6. All supplementary materials related to the items on the Council's agenda, as well as draft resolutions, shall be prepared by the designated responsible persons for each topic who must ensure that the Deputy Commandant is furnished with the relevant materials that have undergone language editing and, in the case of draft resolutions, also preliminary legal editing, at least ten working days before the Council's sitting.
- 2.7. All proposals submitted to the EMA's Governing Council shall be reviewed by relevant sub-committees responsible for the topics in question.
- 2.8. The draft agendas of Council sittings shall be prepared by the Deputy Commandant who shall also be responsible submitting the agenda for approval to the Commandant of the EMA at least five working days before the sitting.
- 2.9. The Deputy Commandant shall be responsible for submitting, together with the Commandant's order to convene the session, all upcoming draft resolutions entered on the meeting agenda, prepared in accordance with EMA's records management procedure and approved by the EMA's Legal Counsel, to the members of the EMA's Governing Council at least five working days ahead of the upcoming sitting. If the supplementary materials should prove to be too voluminous, the members of the Governing Council shall be notified as to where and when those documents shall be made available to them for access.
- 2.10. The agenda of the EMA's Governing Council may also include the discussion of current matters. All Council members are entitled to submit proposals for including new agenda items under the current matters heading by submitting their request in writing before the approval of the meeting agenda.

3. THE COUNCIL SITTING PROCEDURE

- 3.1. The sittings of the EMA's Governing Council shall be chaired by the Commandant of the EMA or, in the Commandant's absence, by the most senior member of the Council present.
- 3.2. The members of the EMA's Governing Council must take part in the sittings in person. Those council members who are appointed by virtue of their position, may be substituted by duly designated persons. All persons present and absent shall be recorded in the meeting minutes.
- 3.3. The Council sitting shall have a quorum when at least half of its members are present.
- 3.4. If the Council fails to have a quorum after the official start time of the sitting, the chairman of the meeting shall cancel the sitting, and a new sitting shall be scheduled to take place within two weeks after the date of the cancelled sitting.
- 3.5. Authorised representatives of the EMA's Advisory Board, as well as other persons related to the sitting agenda, having been invited by the Commandant of the EMA, are entitled to take part in EMA Council sittings with the right to speak.
- 3.6. The sitting of the Governing Council shall commence after the approval of the agenda by simple majority of those present.
- 3.7. All issues shall be discussed pursuant to the order stipulated in the agenda. The chairman is entitled to alter the order of agenda items under discussion.
- 3.8. When specific agenda items are discussed, the opening statements shall be made by the person(s) designated responsible for the topic, followed by any invitees, and finally the floor is opened to questions from members of the Council. If the question has been under discussion in a standing committee of the Council, the head of that committee shall present their collective opinion on the matter.
- 3.9. All members of the EMA's Governing Council is entitled to comment on and submit proposals for each item on the agenda. The request for comment is indicated by raising one's hand. The chairman shall open the floor for comments in the order of requests. The chairman is entitled to set time limits for interventions and questions.

- 3.10. The chairman is entitled to admonish speakers or cut their interventions short if the speaker deviates from the topic, exceeds the time limit, or their speech is improper or offensive.
- 3.11. If there is an issue on the agenda, falling under the purview of a standing committee of the Council that has not been submitted to that committee for review, the head of the committee in question is entitled to request for the agenda item to be rescheduled for the next sitting of the Council.
- 3.12. Recess shall be called by the chairman of the meeting or requested by simple majority of members present.
- 3.13. Once the chairman deems that an agenda item has been sufficiently discussed, it is put to a vote. If any of the Council members wish to continue the discussion, the Council shall decide the matter by simple majority. The main rapporteur is entitled to present their closing remarks before the final vote.
- 3.14. The Governing Council may take decisions only on the issues that fall within the Council's purview as stipulated in the Statutes of the EMA. The Council is free to discuss other matters as well, however, in such cases, the Council does not take a decision, but formulates an opinion/statement instead.

4. VOTING

- 4.1. The EMA Governing Council shall take decisions by simple majority either in an open or electronic voting procedure, unless otherwise prescribed by law. In the event of a draw, the Chairman's vote shall determine the outcome. On issues that do not require an official decision, the Council shall formulate a consensus position.
- 4.2. All Council members that are present at a meeting are under obligation to cast their votes, either in favour or against.
- 4.3. The Chairman presides over the voting process, and is assisted in the counting of the votes by the Deputy Commandant.
- 4.4. If a question related to one of the members of the Council is put to the vote (e.g. regarding appointments, etc.), the Council member in question shall abstain from voting, and the requisite quorum is reduced by one person.

4.5. Open voting procedure:

- 4.5.1. all drafts and proposals put to vote must be submitted to the Governing Council in writing;
 - 4.5.2. all questions put to the vote must be formulated in a manner that allow for unambiguous answers, i.e. either "in favour" or "against";
 - 4.5.3. all submitted amendments or modifications must be put to the vote before the main proposal;
 - 4.5.4. all amendments and modifications shall be decided by a simple majority;
 - 4.5.5. in the event that two or more amendments are mutually exclusive, these amendment shall be put to a competitive vote, with each Council member having only one vote. In each stage of competitive voting, the amendment that has received the least votes shall be removed. The voting is suspended if less than a half of Council members present vote in favour of the amendments;
 - 4.5.6. all proposals related to the postponement of discussions or delegating the discussion of an issue to a standing committee, shall be voted on before substantive proposals.
- 4.6. Council members are entitled to request that voting on a decision should be broken up into smaller sections, and such questions shall be decided by simple majority. If a decision is voted in separate sections, the final decision must be put to a separate vote in its entirety after voting on the individual parts of the decision has been concluded.

4.7. Electronic voting procedure:

- 4.7.1. In the event that it is not possible to convene a sitting in person, the EMA Governing Council may take decisions on urgent matters falling under its purview by electronic vote at the proposal of the Chairman. Electronic vote refers to decision-making via e-mail. In such circumstances, the EMA Governing Council is deemed to have a quorum when at least half of Council members cast their vote electronically. In electronic voting, decisions are taken by simple majority.
- 4.7.2. The Chairman of the EMA Governing Council shall decide on the time the electronic voting shall take place and designates an e-mail address. The e-mail address must enable all Council members to observe the conduct of voting.
- 4.7.3. All materials related to the issue in question must be in compliance with the requirements laid down in clause 2.6. of this document. The Deputy Commandant shall send the draft resolution, and all other necessary materials, to all Council members via e-mail, setting the deadline for replies that cannot be less than five working days. Council members must submit their replies via e-mail to the designated e-mail address.
- 4.7.4. The question put to the vote should be formulated in a manner that allows for an unambiguous answer, i.e. either "in favour" or "against";
- 4.7.5. The Deputy Commandant shall tally the votes on the next working day following the vote, and prepares the official record of vote. The voting record shall be supplemented with the printouts of all electronic votes submitted by respondents. The official voting record shall bear the signatures of the Chairman of the EMA Governing Council and the EMA's Deputy Commandant shall sign the voting record. The results of electronic voting, and the record shall be sent to all Council members for review. The voting results and the record shall be presented to Council members also at the next sitting to be held in person following the electronic vote.
- 4.7.6. In the event that at least one Council member submits a reasonable objection with regard to the result of electronic voting, the voting is deemed null and void, and question decided via electronic voting shall be decided at the in-person sitting of the Council.

4.8. Secret ballot procedure:

- 4.8.1. All voting related to regular teaching staff or research fellows shall be done via secret ballot.
- 4.8.2. Before conducting a secret ballot, the Governing Council shall appoint, from among its members, a three-member ballot committee. This ballot committee shall, in turn, appoint a Chairman of the Committee who shall present the voting procedure.
- 4.8.3. The names of candidates put forward by the Academic and Research Staff Selection Committee shall be put on the ballot based on their prospective positions.
- 4.8.4. Häätelugemiskomisjon The Ballot Committee shall distribute ballots in exchange for signatures. After indicating their decisions on the ballot, each voter shall cast their ballot into the ballot box. If the ballot has been compromised before reaching the ballot box, the voter is entitled to receive a new ballot from the committee upon returning the compromised one, and the committee shall register the incident on the voter signatures sheet.
- 4.8.5. The voters are entitled to vote in favour of only one candidate per each position. If the competition is open for several positions under the same heading, the voters shall have the corresponding number of votes. If a position is to be filled with several candidates, the voters shall have the corresponding number of votes
- 4.8.6. The ballot paper shall be deemed invalid if:
 - 4.8.6.1. it is not readable or unambiguous;
 - 4.8.6.2. the voter has cast more votes than prescribed;
 - 4.8.6.3. it does not indicate a vote either in favour or against any of the candidates.

- 4.8.7. The Ballot Committee shall tally the votes immediately after the votes have been cast, and the Chairman of the Committee shall give to the Governing Council an oral presentation of the results.
- 4.8.8. Successful candidates must receive more than half of the votes of those present.
- 4.8.9. In the event that more than two candidates receive an equal number of votes, these candidates shall be put on a separate vote and the one that receives the most votes shall be deemed the winner. If two candidates receive an equal number of votes, the vote of the Chairman of the Governing Council shall determine the outcome.
- 4.8.10. In the event that none of the candidates receive the requisite amount of votes, a new round of voting shall be organised during the same sitting of the Council. If, during the additional round of voting, none of the candidates receive more than half of the votes of those present, the selection and appointment procedure shall be deemed unsuccessful, and the positions remains vacant.
- 4.8.11. The results of the secret ballot voting shall be formalised as a decision of the Governing Council.

5. SITTING MINUTES

- 5.1. The minutes of the Governing Council's sittings shall be taken and recorded by the secretary of the EMA Department of Support Services. All recordings of EMA Governing Council sittings shall be preserved for one year. The EMA's Deputy Commandant shall be responsible for overseeing the preservation of these recordings, as well as ensuring their availability to all members of the Governing Council.
- 5.2. Meeting minutes shall be prepared and preserved in accordance with the records management procedures of the Estonian Defence Forces.
- 5.3. Members of the EMA Governing Council are entitled to submit their comments to the minutes within five working days after the minutes have been registered in the EMA's document management system. All such comments are added to, and preserved with the minutes.

6. COUNCIL COMMITTEES

- 6.1. The EMA Governing Council may have standing committees and temporary committees.
- 6.2. The EMA Governing Council has the following standing committees: Academic Committee, Studies Committee, and Development Committee.
- 6.3. The EMA Governing Council may also establish temporary committees, as necessary, and those are set up for the purposes of addressing ad hoc issues that require the Governing Council's special attention, and that do not fall under the purview of any standing committee or fall under the purview of several standing committees a once.
- 6.4. The Academic Committee of the EMA Governing Council is tasked with overseeing the qualification requirements for the EMA's a teaching and research staff, the selection process of regular teaching staff, the awarding of honorary titles, issues concerning academic ethics and good practices, and the organisation of research activities.
- 6.5. The Studies Committee of the EMA Governing Council is tasked with overseeing the admission and exclusion of students, the organisation of studies, curricula, continuing education, and other issues concerning studying at the EMA.
- 6.6. The Development Committee of the EMA Governing Council is tasked with overseeing the Academy's development plan, work plans, amending the statutes, budget, fee-charging services, and general questions concerning the EMA's overall development.
- 6.7. The committees of the EMA Governing Council are entitled to initiate draft legislation on behalf of the EMA Governing Council.
- 6.8. Committee members serve for one year, and are elected to these positions during the first sitting of the EMA Governing Council at the start of the new academic year.

- 6.9. The composition of EMA Governing Council committees is subject to changes by the decision of the Governing Council.
- 6.10. The standing committees of the EMA Governing Council shall have seven members. Four of the committee members must be members of the EMA Governing Council, and three other members are appointed by the Commandant of the EMA.
- 6.11. The members of the EMA Governing Council, except EMA heads of department, are entitled to serve on only one standing committee.
- 6.12. The committee chairman must be member of the EMA Governing Council.
- 6.13. The EMA Governing Council committees conduct their work in meetings. Committee meetings are called/convened and chaired by the Chairman of the Committee.
- 6.14. The EMA Governing Council committees have a quorum when the chairman and at least half of the committee members are present. The EMA Governing Council committees take their decisions by simple majority.
- 6.15. The EMA Governing Council committees are entitled to reject submitted projects for amendments and improvements.
- 6.16. In the event of an urgent matter, the committee may make its decision via electronic voting on the initiative of the Chairman of the Committee.
- 6.17. The EMA Governing Council committees shall keep a record (minutes) of all their meetings. Meeting minutes shall be sent to the members of the EMA Governing Council together with the draft resolution on the agenda of the upcoming sitting of the EMA Governing Council.
- 6.18. If a question falling under the purview of a standing committee has not been submitted the relevant committee for review prior to the sitting of the EMA Governing Council, the Chairman of the committee in question is entitled to request the deferral of the agenda item in question until the next sitting of the EMA Governing Council.
- 6.19. Decisions of the committee are advisory for the Council.

7. IMPLEMENTING PROVISIONS

- 7.1. All decisions of the EMA Governing Council enter into force on the 4th working day after the sitting or electronic vote, unless the EMA Governing Council has decided otherwise.
- 7.2. The EMA Deputy Commandant shall be responsible for organising the work (incl. records management) of the EMA Governing Council.
- 7.3. The Commandant of the EMA retains the right to one-time appeal the decisions of the EMA Governing Council, and return them to the Governing Council for review.