

Pursuant to the first paragraph of Article 12 of the Statute of the Euro-Mediterranean University, the Senate of the Euro-Mediterranean University in its 4th regular session held on 27 February 2010 adopted the following

RULES OF PROCEDURE OF THE EURO-MEDITERRANEAN UNIVERSITY SENATE

I. GENERAL PROVISIONS

Article 1

These Rules of Procedure regulate the manner and organisation of the work, as well as other aspects relevant to the operations of the Senate of the Euro-Mediterranean University (hereinafter referred to as the Senate).

Any issues not regulated by means of these Rules of Procedure, the regulation of which, however, is indispensable for the normal operating of the Senate, shall be agreed upon by the members of the Senate on occasion of the Senate session.

Article 2

The Senate shall:

1. adopt study programmes,
2. decide which study programmes will be organised and/or implemented by the University,
3. adopt scientific research programmes,
4. adopt criteria and procedures for the appointing, i.e. awarding of academic titles, to higher education teachers, scientific experts and higher education associates,
5. adopt the Statute of the University and the amendments thereto jointly with the Management Board,
6. discuss the work programme and the University development programme and monitor their implementation,
7. propose the candidates for the President of the University to the Management Board,
8. perform other tasks in accordance with the regulations and other University Acts.

Article 3

All necessary technical and administrative tasks, by means of which the quality and the undisturbed performance of the Senate's work are ensured, shall be carried out by the Secretariat.

The Secretariat prepares all resolutions, reports or other papers which the Senate may direct, and all copies which may be required of any such document or papers, prepares and countersigns all official documents, and generally discharges such other duties as may be assigned to the Secretariat by the Senate or, when the Senate is not in session, by the President.

The materials for the session and the proposed decisions shall be prepared by the University Secretariat, who will be responsible for the adequacy of the submitted materials and for obtaining any necessary previous consent, i.e. permit.

Article 4

The Senate shall be constituted of twenty-five (25) members, including the President of the University, whereof five (5) shall be representatives of the students. Those members who are not representatives of the students shall be appointed by the Management Board, whereby every member of the General Assembly shall have the right to propose one candidate and the Management Board shall endorse sixteen (16) members from among the proposed candidates. The composition of the senate shall have to take into consideration the study areas and scientific disciplines, as well as guarantee the representation of all members of the Union for the Mediterranean, thus realizing the mission of the University. Three members of the Senate shall be appointed from among the members of the Management Board, i.e. the representatives of the founders.

The Senate shall be deemed as constituted, if more than half of its members have been appointed, i.e. elected.

The term of office of the Senate members shall be four years, whereas the term of office for the representatives of the students shall be two years.

The University Senate shall be chaired by the President of the University (hereinafter referred as: the President).

II. OPERATIONS OF THE SENATE

- **Constitution**

Article 5

Upon having received the list of the elected members and/or of more than a half of the appointed Senate members, the President of the University shall convene the first session of the newly elected Senate with the following agenda:

1. confirming the terms of office of the Senate members,
2. setting the date of the next regular session and its agenda,
3. A.O.B.

- **Rights and Obligations of the Senate members**

Article 6

The Senate members shall exercise their rights and obligations in accordance with the Statute and other general acts of the University.

All Senate members have the same rights and obligations.

Article 7

The Senate members shall be responsible for performing their functions with due diligence and professionalism. They shall have the right and duty to take note of the contents of the proposed materials, to attend sessions of the Senate, propose matters to be included into the agenda, discuss the proposed agenda, decide on matters which are listed on the agenda and perform other tasks. In so doing, the Senate members have an obligation to act with civility and decorum.

Article 8

Decorum is to be observed at all Senate sessions. If a Senate member or an observer does not respect the President's request to observe decorum, the President may require that the Senate member(s) or observer(s) leave the session.

Article 9

Any member of the Senate shall be bound to safeguard any data which are categorised as confidential in the regulations adopted by the President of the University.

Article 10

If owing to objective reasons a member of the Senate is no longer able to exercise his/her membership in the Senate, he/she shall apply to the Senate to be dismissed from office.

The Secretariat shall also inform the Management Board of the names of elected Senate members who miss three consecutive sessions. The President may declare the seats vacant.

The party entitled to nominate such member of the Senate shall be requested to appoint a new member in the shortest possible time.

- **The President**

Article 11

The President shall be responsible for the undisturbed work of the Senate and is responsible for giving leadership to the Senate in the pursuit of its mandate. Without limiting the generality of the foregoing, the President presides at all meetings and ensures that the Senate and its committees operate in conformity with the rules enacted by the Senate. Therefore, he/she shall:

1. pass motions/suggestions for discussion on certain issues and propose the agenda of the sessions,
2. provide for the preparation of the sessions jointly with the Secretariat,
3. declare the session open and closed, chair the discussion, ensure the compliance with the present Rules of Procedure, grant the floor to members and other participants in the discussions, move decisions to be voted on and announce the decisions of the Senate,
4. supervise the implementation of the Senate's decisions,
5. sign the minutes, internal acts and other decisions adopted by the Senate,

6. represent and act on behalf of the Senate,
7. perform other tasks set forth in the Statute, these Rules of Procedure and other general acts of the university.

Article 12

The President may appoint his/her deputy from among the Senate members for the period of his/her absence.

- **Sessions**

Article 13

The Senate shall perform its work in sessions. The sessions are convened according to the Senate's programme or in order to meet the requirements of the work process.

The sessions of the Senate are convened by the Secretariat on motion of the President or on motion of one third of the Senate members and as a rule take place three times a year, i.e. in February, June and November.

Article 14

The Senate sessions are held as regular, correspondence or extraordinary sessions.

Article 15

The Senate sessions are open to the University community unless the Senate members agree to move into closed session with respect to the proposed agenda and in accordance with the interest of the University.

The President may, in the notice for a session, declare part or all of a session to be closed or in camera. If notice has not been given by the President, a motion to conduct all or part of a session in camera requires a majority of the Senate members present and voting.

When Senate meets in camera, only the Senate members and staff of the University Secretariat nominated by the President may be present.

Article 16

The working languages of the Senate are English and French. Summons to sessions shall be sent to the members of the Senate in English and French, while the materials for the sessions and the minutes thereof shall be drawn up in English.

a) Regular sessions

Article 17

The proposal of the agenda shall be drafted by the President.

If the Senate session is held on motion of one third of the members of the Senate, the agenda is proposed by the parties requesting the session.

Article 18

As a rule the summons and the materials with the proposed decisions are sent by the Secretariat of the University per e-mail at least seven days prior to the date on which the session is to be held and are also published on the internal webpage of the Euro-Mediterranean University.

Exceptionally, upon consent of the President additional materials can be sent by e-mail and published on the internal webpage also later than stated above. The reason for such a procedure shall have to be well founded.

Article 19

The following parties shall always be invited to the Senate sessions: the Head of the Secretariat and the Director of the EMUNI Foundation. In the session, the Senate members may ask them questions, demand clarifications and additional materials, as well as present initiatives and motions regarding the work of the University.

The parties proposing materials, presenting positions and motions included into the agenda may also be invited to attend the session for individual items of the agenda. If necessary, other individuals who may contribute to the successful solving of an individual issue may also be invited.

The persons attending Senate sessions, who are not members thereof, are entitled to participate in the discussions, but do not hold voting rights.

b) Correspondence sessions

Article 20

A correspondence session of the Senate may be convened:

- if the personal attendance of the Senate members cannot be secured on time,
- if the President decides accordingly,
- if one third of the Senate members decides accordingly.

A correspondence session is convened per e-mail. For summoning a correspondence session the term set forth in Article 19 hereof does not apply. Prior to the convening of the correspondence session the members of the Senate shall as a rule be informed accordingly also by phone or with a SMS. A correspondence session shall last at least 48 hours.

The members of the Senate shall cast their votes in a correspondence session by sending their ballot papers by e-mail or fax in the time of duration of the correspondence session, whereby they shall also send the original ballot papers by regular mail or hand them in personally on occasion of the next Senate's regular session.

The minutes of the correspondence session shall be confirmed on occasion of the first next regular session.

c) Extraordinary sessions

Article 21

An extraordinary session of the Senate can be convened, if the circumstances demanding the summoning of the session do not allow for complying with the terms for convening a regular session (in order to eliminate a threatening damage, in case a decision urgently needs to be adopted in the shortest possible time, etc.). In the summons to the session, i.e. in the request for convening an extraordinary session, the reasons for summoning the session shall have to be stated.

The summoning of an extraordinary session may occur by phone or via video-conference.

The minutes of an extraordinary session shall be confirmed on occasion of the first next regular session

- The course of the session

Article 22

The Senate shall be deemed to have a quorum and be able to pass valid decisions provided that at least one half of its members are present in the session.

On opening the session the person chairing the session shall check the quorum.

If the session does not have a quorum, the person chairing the session shall adjourn the beginning of the session for 30 minutes. If even after the expiry of this adjournment the quorum is not ensured, the session is adjourned to a later date or a correspondence session is convened.

In the session the attendance of other persons invited and present shall be established.

Article 23

The Senate adopts the agenda of the session. On motion of the members of the Senate the agenda proposed in the summons may be modified and/or amended.

The Senate may extend the agenda only provided that dealing with the proposed additional items does not require prior preparation of materials. In case contrary such items are entered into the agenda of the following session.

At a correspondence and at an extraordinary session only items of business specifically identified in the notification of such session can be transacted (i.e., there is no "Any Other Business" on the agenda).

Article 24

On opening the session the members shall discuss and adopt the minutes of the previous session. Any comments adopted in relation thereto shall be entered into the minutes of the current session.

While the minutes of the previous session are adopted, the President of the University and the Head of the Secretariat report on the implementation of the decisions of the previous session.

Article 25

An individual item of the agenda may be explained in brief or additionally clarified by the party proposing it, whereafter the President shall invite the parties attending the session to discuss it.

If obtaining new data or amending the existing materials is necessary for passing a decision, the President may interrupt the discussion of an individual issue.

No item of business is on the floor of the Senate unless it has been recognized by the President.

Article 26

The President closes the discussion of an individual item of the agenda by proposing one or more decisions, in order for the Senate:

1. to adopt the proposed decision,
2. to adopt the proposed decision with amendments and modifications ensuing from the discussion,
3. not to adopt the proposed decision,
4. to resolve to adjourn the decision until the next session.

- **Motions and Rationales**

Article 27

Motions are categorized as follows:

1. *Substantive* motions propose that Senate exercise its authority to achieve a specified substantive objective;
2. *Statutory* motions: Senate determines what matters are statutory in nature. Without limiting the generality of the foregoing, these include:
 - the establishment of degrees;
 - the establishment or dissolution of a Committee of Senate.
 - changes in Senate and committee rules;
3. *Procedural* motions relate only to process and not to substance (e.g. adjournment, referral, point of order, point of privilege, etc.);
4. *Hortative* motions express Senate's opinion on matters lying outside its jurisdiction.

Article 28

Information published in the agenda for a session of Senate or any matter distributed at a session of Senate, or transmitted to Senators by other means, is deemed to have been received by Senate (items for information).

Article 29

Senate Policies are subject to the approval of Senate, and may not be enacted or amended without Senate's approval.

Associated Procedures for the implementation of policies do not normally require Senate approval, but shall be reported to Senate for information when they are adopted or amended.

Article 30

All decisions are to be framed in the form of a motion and must be accompanied by a rationale which explains the import of the motion, outlines its intended consequences, and reports on the consultations undertaken in its preparation.

Motions proposed by Senate members, which require prior preparation of materials, shall be sent to the President at least 30 days before the session. Otherwise the motions are entered into the agenda of the following session.

- **Decision making**

Article 31

The Senate shall pass decisions by a majority vote of the members present. Votes must be cast in person.

The President may only vote in order to break a tie.

Article 32

As a rule the decisions of the Senate are passed by public vote.

The public voting procedure is carried out in such a way that the President invites the members present to vote, whereby those in favour of the proposal are asked to vote first, followed by those contrary to the proposal and finally by those abstained.

The members shall vote by show of hands.

Article 33

Decisions shall be passed by secret ballot if in individual cases the majority of the members of the Senate decide accordingly.

When voting by secret ballot is decided, a number of ballot papers corresponding to the number of the members present are prepared. The ballot papers shall bear the wording of the motion and the marks "in favour", "contrary" and "abstained". The result of the ballot is established at the very session.

Having concluded the voting procedure the President shall establish the voting result and in accordance therewith declare the motion voted on by the Senate adopted or rejected.

III. MINUTES AND DECISIONS

- **Minutes**

Article 34

Minutes are taken of every Senate session. The minutes are taken by the person designated thereto by the Secretariat.

The minutes shall have to indicate:

- venue and date of the session,
- information regarding the quorum, i.e. the attendance of the members and other persons,
- the agenda of the session,
- the summarized contents of the discussions,
- the decisions and the voting results,
- the statements and objections of the individual members, requested by those members to be included into the minutes,
- other decisions or other significant facts,
- the indication and signature of the minute-taker, as well as of the person chairing the session.

The following shall have to be enclosed to the minutes:

- a list with signatures of the people attending the session,
- the documents on the basis whereof decisions in the session were adopted.

The Members of the Senate and other participants in the discussion shall be referred to in the minutes only by their names and surnames, without indicating their professional and/or academic titles and functions.

Article 35

The minutes shall bear the serial numbers of the sessions in a calendar year.

As a rule, the minutes shall be adopted in the first following regular session. Comments to the minutes can only be presented by the persons who have attended the session.

The minutes shall come in force after having been signed by the person chairing the session.

- **Decisions**

Article 36

The decisions shall come in force on the date of their adoption.

Only the decisions duly entered into the minutes shall be legally binding, i.e. shall have legal force.

It shall be deemed that all parties concerned have been informed of the decisions on the date of publishing the minutes containing such decisions on the webpage of the Euro-Mediterranean University. Extracts of the decisions shall be forwarded in writing only provided that the Senate decides on the right or duty of a natural or legal person and/or in case that a third natural or legal person shall have to be informed of a specific decision.

IV. COMMISSIONS AND OTHER WORKING BODIES OF THE SENATE

Article 37

For preparing positions, opinions, motions and/or for implementing individual demanding, comprehensive and/or periodical tasks or appointments from the working field of the Senate, the Senate may by means of a corresponding decision appoint permanent commissions, as well as commissions for dealing with separate questions (hereinafter referred to as the temporary commissions).

- **Permanent Commissions**

Article 38

The Senate has the following permanent commissions:

- Commission for study affairs,
- Commission for student affairs,
- Commission for research and development projects,
- Commission for inter-institutional and international cooperation,
- Commission for awarding academic titles,
- Commission for quality assessment and assurance,
- Commission for recognition of level of education for the purpose of enrolment, and
- Commission for recognition of knowledge and skills acquired prior to entry into a programme.

The composition and the number of members of the commission, duties and mandates are appointed by the Senate with the decision of establishment, if not defined differently in these Rules of procedures. Individuals from the institutions, who hold their seat in the General Assembly of the University, can be appointed members of the commissions.

The chair of the commission is a member of the Senate.

Students have their representatives in the commission for student matters and in the commission for quality assessment and assurance.

- **Temporary commissions**

Article 39

The composition and members of the commissions for dealing with periodic questions, and their duties, are appointed by the Senate with the decision of establishment. Individuals from the institutions, who hold their seat in the General Assembly of the University, can be appointed members of the commissions.

The chair of the commission is a member of the Senate.

The temporary commissions cease their work when they finish their duties, for which they were established, or by a decision of the Senate.

- **Commissions operation**

Article 40

The commissions discuss and decide about questions from their working field in sessions.

The commissions shall be deemed to have a quorum provided that at least one half of its members are present in the session. The Commission shall pass decisions by a majority vote of the members present.

For other questions regarding the work of commissions the provisions of these Rules of procedures are to be used.

Article 41

The commissions report to the Senate about their findings, decisions and positions, propositions and opinions, and about possible solutions.

V. INTERPRETING THE RULES OF PROCEDURE

Article 42

Should doubt regarding the contents of an individual provision of these Rules of Procedure arise, the Senate shall provide adopt the corresponding interpretation.

VI. FINAL PROVISION

Article 43

These Rules of Procedure shall enter in force upon their adoption in the Senate.

Number:
Date: 27. 2. 2010

President of the EMUNI University
Prof. Dr. Joseph Mifsud

