

Approved  
by the Decision N1/10 as of December 16, 2013  
(Protocol N16)  
of the Independent Council of the Legal Entity of Public Law  
High School of Justice

**STATUTE OF THE INDEPENDENT COUNCIL OF THE LEGAL ENTITY OF PUBLIC  
LAW- HIGH SCHOOL OF JUSTICE**

**Article 1. General Provisions**

1. This Statute shall define rules for the preparation, convocation and conduct of sessions of the Independent Council of the Legal Entity of Public Law – High School of Justice (hereinafter – High School of Justice), and for the record-keeping and systematization of the decisions taken.
2. Rules stipulated in this Statute shall apply unless otherwise provided by the Law of Georgia on the High School of Justice or the Statute of the High School of Justice.

**Article 2. Convocation of the Independent Council's Session**

1. Independent Council' sessions, when appropriate, but not less than twice a year, shall be convened and chaired by the Head of the Independent Council, or upon his/her instruction – by the Deputy Head of the Independent Council. In the absence of the Head of the Independent Council, if there is a need to convene an Independent Council's session, it shall be convened and chaired by the Deputy Head of the Independent Council.
2. Independent Council's session may also be convened at the request of no less than 1/3 of the members of the Independent Council. Within one week after the submission of the request for the convocation of the session of Independent Council, the session shall be convened and chaired by the Head of the Independent Council, or upon his/her instruction – by the Deputy Head of the Independent Council. In the event of failure to convene the session of Independent Council within the above period, the session shall be convened and chaired by the Deputy Head of the Independent Council, and in case of absence of or failure to convene the session by the Deputy Head of the Independent Council, the initiator of the convocation of the session shall be the oldest member of the Independent Council.

3. Members of the Independent Council shall be notified of the place, time and agenda of the future session of the Independent Council by telephone, fax, email and other technical means.
4. Generally, information on the place, time and agenda of the future session of the Independent Council shall be published no less than one week before the conduct of the session on the information board in the Administrative Building of the High School of Justice as well as on the official website of the High School of Justice.

### **Article 3. Rule on Solving an Issue by the Independent Council**

1. Independent Council is entitled to review an issue and take a decision if its session is attended by the majority of the members of the Independent Council.
2. Decisions are taken by a majority of votes of the members of the Independent Board attending the session. Where equal votes are cast, the Head of the session shall have the deciding vote.

### **Article 4. Rule on the Consideration of Issues and Voting at Independent Council's Session**

1. Independent Council's session may be attended by the Director of the High School of Justice with an advisory voting right. In connection with the issue on the agenda, a respective person may be invited to an Independent Council session by a Decision of the Independent Council or under the preliminary agreement by Council members.
2. At each session, Independent Council shall by voting elect a secretary of the session, who shall draw up the session protocol of Independent Council.
3. A member of the Independent Council is entitled to take part in discussions and express his/her opinion in regard with any issue on the agenda.
4. Independent Council's session shall be open except for the cases provided by the Legislation of Georgia. Decision on the closure of a session shall be taken by the Independent Council.
5. Independent Council takes decisions by ballot. Head of a session shall put a question to the vote. Each item on the agenda shall be voted on separately.
6. Voting shall be open except where the Independent Council takes decision to hold a secret ballot. Open voting shall be held by raising hands, and secret ballot shall be held by using special ballot cards.

## **Article 5. Rule of Holding a Secret Ballot at an Independent Council's Session**

1. In order to hold a secret ballot, Independent Council elects a Vote Counting Commission from among its members, which shall be composed of at least 2 members.
2. Vote Counting Commission shall ensure the preparation, printing and distribution of ballot cards required for a secret ballot with the technical assistance of the General Affairs Department of the High School of Justice. Special ballot card shall be signed by all members of a Vote Counting Commission. Member of the Independent Council shall confirm the receipt of a special ballot card by his/her signature.
3. Possible options for deciding the issue to be discussed or a list of candidate/candidates (name, surname) shall be set out in special ballot card. Member of the Independent Council shall mark a desirable option for deciding the issue to be discussed or mark the sequential number of desirable candidate/candidates from the number of candidates to be elected.
4. While filling out a special card, it is not allowed to mark more than one option for deciding the issue to be discussed or to mark sequential numbers of candidates exceeding the number of candidates for election.
5. Following a secret ballot, Vote Counting Commission shall count special ballot cards and draw up a Protocol on the results of the secret ballot. The Protocol shall be signed by all members of a Vote Counting Commission. One of the members of a Vote Counting Commission shall notify the Independent Council of the results of the voting.

## **Article 6. Decisions of the Independent Council**

1. Conclusion and Decision of the Independent Council shall be in the form of a Protocol as signed by the Head and Secretary of a session. Decisions of the Independent Council shall be signed by the Head of the Independent Council.
2. Secretary of a session shall be responsible for preparing the Protocol. Drawing up a Protocol shall technically be supported by the General Affairs Department of the High School of Justice.
3. Sheet of Attendance of the members of the Independent Council signed by all Council members attending the session shall be attached to the Session Protocol of the Independent Council.

## Article 7. Particulars of Independent Council's Decisions

1. The following shall be specified in the Protocol of an Independent Council's session:
  - a) Session Protocol Number;
  - b) Name of the person who had convened the session;
  - c) Date of the session, start time and end time, place of the session;
  - d) Identities of the Head of the session and attending members, identities of persons invited to the session;
  - e) Session agenda, content of the speech of a rapporteur and of persons involved in the discussion;
  - f) Ballot results;
  - g) Decision taken.
2. Independent Council's Decision shall include the following particulars:
  - a) Decision Heading;
  - b) Date and place of the Decision;
  - c) Registration number of the Decision;
  - d) Number and Date of the Protocol of the Independent Council's session;
  - e) Effective Date of the Decision;
  - f) Full name and signature of an authorized signatory.
3. The statutory or administrative legal act - on the basis whereof a Decision was issued, shall be specified in the Decision of the Independent Council. The Coat of Arms of the High School of Justice shall be depicted in the Decision of the Independent Council.
4. Independent Council's Session Protocol shall continuously be numbered in Arabic numerals. Numbering shall start from one and counting of numbering shall restart each year. For instance: Protocol N1, Protocol N2, Protocol N3, etc.
5. Independent Council's Decision shall have a registration number consisting of the following components: ***the first component*** –Index denoting the Council “01”, which is constant; ***the second component*** –serial number of a Decision in Arabic numerals, which shall go on according to the principle of continuity. Counting of numbering shall restart every year; ***the second component*** – a shortened number indicating the year. The first component shall be

followed by the symbol “/”, and the second component shall be followed by the symbol “-“. For example: N01/1-14; N01/2-14; N01/3-14, etc.

#### **Article 8. Record-Keeping and Systematization of Decisions of the Independent Council**

1. General Affairs Department of the High School of Justice shall keep the records of and systematize the Protocols and Decisions of the Independent Council.
2. The record-keeping and systematization of Independent Council’s Protocols shall include the following particulars:
  - a) Protocol No.;
  - b) Session Date;
  - c) Session Agenda;
  - d) Decision taken;
  - e) Decision taken to declare a session closed.
3. The record-keeping and systematization of Independent Council’s Decisions shall include the following particulars:
  - a) Decision Heading;
  - b) Date and place of the Decision; Protocol No. of the session whereat the Decision was taken;
  - c) Number assigned to the Decision;
  - d) Date of making amendments or additions to the Decision.

#### **Article 9. Organizational Support of the activities of the Independent council**

General Affairs Department of the High School of Justice shall organize and legally support the Independent Council’s sessions.