



COLLEGE OF ACCOUNTANCY AND FINANCE

APPROVED

*By the College of Accountancy and Finance Council meeting,
October 20, 2005, Minutes No.5*

REGULATIONS ON THE COLLEGE OF ACCOUNTING AND FINANCE

ACADEMIC ARBITRATION

1. Foundation, competence, and general rules of the Academic Arbitration Court Activity

- 1.1. The Academic Arbitration Court (hereinafter - the Arbitration Court) of the College of Accountancy and Finance (hereinafter - the College) is a collegial institution established for dispute resolution among officials and subordinate administrative institutions, for reviewing applications of students and academic staff regarding cases of restriction and infringements of academic freedom and rights.
- 1.2. The Arbitration court consists of three persons elected by secret ballot from the academic staff and students at the College meeting and for the term of three years. It may not include representatives of the administrative staff of the College. Students representatives in the Arbitration Court are elected by the students' self-government. The persons elected to the Arbitration Court are called the Arbitrators.
- 1.3. The first meeting of the Arbitration Court shall elect a chairperson, who shall be a representative of the Arbitration Court in all institutions without a special mandate.
- 1.4. The Arbitration Court shall become operational upon receipt of a written and motivated application signed by an interested person with a request to review the disputed issue.
- 1.5. Adjudicating cases on their merits, the Arbitration Court shall be guided by the regulatory enactments of the Republic of Latvia, observe the Law on Higher Education Institutions, the Education Law, the Labor Law, the College Regulations, decisions of the College Council, national and international agreements, and other legal acts.
- 1.6. Arbitrators shall be independent and impartial in the performance of their duties.
- 1.7. The Arbitrators may be relieved of their duties at the initiative of the employer only with the consent of the College Council.
- 1.8. The Regulations of Arbitration court and amendments thereto shall be approved by the College Council.

2. Procedure for reviewing cases in the Arbitration Court

- 2.1. The Arbitration Court shall hear cases upon the application of the persons mentioned in Article 1.1 of these Regulations. The application shall specify:
- Parties to the dispute.
 - The subject matter of the dispute and the circumstances justifying the claim.
 - The evidence to support the specified circumstances.
 - A desired term for dispute resolution.
 - A proposal concerning the Arbitrators.
 - The list of documents enclosed.
- 2.2. Persons participating in the case have the right to examine the case file, participate in court hearings, present evidence, give oral and written explanations, increase, or decrease the amount of the claim or waive the claim, recognize the claims of the opposing party in full or in part. The parties may settle the matter amicably. They may conduct their case through representatives if they are authorized by a power of attorney in accordance with the procedure and in form specified in the laws of the Republic of Latvia.
- 2.3. The Arbitration Court shall ascertain the facts of the case in a comprehensive, complete, and objective manner. To this end, the Arbitration Court may request or inspect on-the-spot the documents required from all departments and officials of the College, summon any member of the College staff to give explanations relating to the case.
- If special knowledge is required to ensure significant circumstances of the case, the Arbitration Court may invite experts from the College and from other institutions and organizations.
- 2.4. The persons participating in the case shall be notified in writing on the time and place of the Arbitration Court hearing not later than five days before the hearing. If the parties refuse to accept and sign such notification or do not reappear at the hearing without justifiable reasons, the Arbitration Court may consider the merits of the case without the participation of this party.
- 2.5. The procedure for hearing a case by the Arbitration Court shall be determined by the Arbitration Court itself. It must guarantee the rights conferred on the persons participating in the case according to these Regulations and present the case in such a way as to establish the truth, to the exclusion of everything that is not relevant to the case under consideration. Minutes shall be taken of each hearing of the Arbitration Court. If any of the parties to the case objects to the actions of the Arbitration Court, the objections shall be recorded in the minutes.
- 2.6. The hearings of the Arbitration Court may be closed if so requested by the parties to the conflict or at the suggestion of the members of the Arbitration Court.

3. Arbitration verdict and its enforcement

- 3.1. In deciding the merits of the case, the Arbitration Court shall reach its decision by the majority of votes. The decision shall be signed by all arbitrators. The arbitrator who

remains in the minority shall have the right to express his or her separate opinion in writing which is to be attached to the case.

The decision shall specify:

- Time and place when the decision was taken;
- Arbitration panel;
- All parties to the dispute;
- Subject matter and essence of the dispute;
- Evidence;
- Motives and conclusions of the arbitration award;
- Arbitration award and appeal procedure.

A copy of the arbitration award shall be issued to the parties to the case and to the Council of the College within three days.

3.2. The award of the Arbitration Court shall be approved by the Council of the College and shall enter into force on the date of the decision taken by the Council. If the Council finds that in reviewing the case the Arbitration Court, has violated the regulatory enactments of the Republic of Latvia, the Regulations of the College, or these Regulations, it shall refer the case thereto for reconsideration.

3.3. The award of the Arbitration Court, which shall come in force, shall be voluntarily executed by the parties and administration within the time limit set by the Arbitration Court. If no time limit for enforcement is specified, the judgment shall be enforced immediately. The judgments of the Arbitration Court not executed within the term may be put in force by the order of the College Director.

3.4. The decision of the Arbitration Court may be appealed to the College Council within ten working days.

3.5. The case shall be deposited in the archives of the College after the execution of the award.