

**I. General dispositions Regional Ministry of Culture, Education and****University Planning**

*DECREE 6/2018, of 11 January, approving the statutes of the Agency for Quality Assurance in the Galician University System consortium.*

The Agency for Quality Assurance in the Galician University System consortium was created through a collaboration agreement signed on January 30, 2001 between the Xunta de Galicia, through the Ministry of Education and University Planning, the General Secretariat for Research and Development and the Universities of Santiago de Compostela, A Coruña and Vigo. Before an express legislative framework existed to regulate the guarantee of university quality, the Agency for Quality Assurance in the Galician University System consortium began work based on the previous experiences in the field of evaluation resulting from the National plan for evaluating the quality of universities and the awareness of the need to achieve the highest quality of education, research, management and services in Galician universities.

The entry into force of Organic Law 6/2001 of 21 December 2001 on universities made it necessary to adapt the Galician university system to the European Higher Education Area. On the other hand, the entrance of the Agency for Quality Assurance in the Galician University System consortium, in November 2009, as a full member of the *European Association for Quality Assurance in Higher Education* established a new context of action and involved assuming new competencies, which made it essential to undertake various regulatory reforms. From among these reforms, it is worth pointing out the following: the attribution, through the twenty-seventh additional provision of Act 3/2002, of 29 April on fiscal and administrative system measures, of the evaluation, certification and accreditation functions provided for in Organic Law 6/2001, of 21 December, to the Agency for Quality Assurance in the Galician University System Consortium; the modification of the statutes of the consortium, by resolution of the Board of Directors of 14 July 2008, which involved the formalisation on 10 December of a new collaboration agreement modifying the one signed on 30 January 2001; and the modification of Decree 270/2003, of 22 May, regulating the Agency for the Quality of the Galician University System, by Decree 326/2009, of 11 June.

The publication of Act 16/2010, of 17 December, on the organisation and operations of the general administration and the autonomous public sector of Galicia, and more recently the approval of Act 6/2013, of 13 June, of the Galician university system, design a new action framework to which, once again, the Agency for Quality Assurance in the Galician University System consortium had to adapt, both from a structural point of view and at a



functional and competency level. This is expressly indicated in the aforementioned Act 6/2013, of 13 June, which, by means of the eighth transitory provision, establishes the mandate that within one year of the entry into force of this law, the Agency for Quality Assurance in the Galician University System would adapt its statutes to the provisions of the Act, as well as to the rest of the applicable legislation.

Regarding the above, the purpose of this decree is to approve the new statutes that will govern the operation of the Agency for Quality Assurance in the Galician University System, under Act 6/2013 of 13 June of the Galician University System, as well as its adaptation to the provisions of Act 16/2010 of 17 December on the organization and operation of the general administration and the autonomous public sector of Galicia.

In accordance with the foregoing, after a resolution adopted by the Board of Directors of the Agency for Quality Assurance in the Galician University System consortium at the meeting held on 20 December 2017, approving the adaptation of the statutes of the Agency for Quality Assurance in the Galician University System consortium under the eighth transitory provision of Act 6/2013, of 13 June, and in the third transitory provision of Act 16/2010, of 17 December, and Act 40/2015, of 1 October, at the proposal of the Minister of Culture, Education and University Planning of the Autonomous Community, in agreement with the Advisory Council and after deliberation by the Council of the Xunta de Galicia in its meeting of the eleventh day of January of two thousand eighteen,

I HEREBY DECREE:

Single article. *Approval of the statutes of the Agency for Quality Assurance in the Galician University System consortium*

Under the eighth transitory provision of Act 6/2013 of 13 June on the Galician University System, and the third transitory provision of Act 16/2010 of 17 December on the organisation and operation of the general administration and the autonomous public sector of Galicia, the statutes of the autonomous Agency for Quality Assurance in the Galician University System consortium are approved, with the wording contained in the annex to this decree.

Additional provision one. *Reports and evaluations of other external evaluation bodies*

The comparison of evaluations, reports, certifications, credentials and verifications regarding functions attributed to the consortium, issued by other external evaluation bodies, will require the prior signing of the corresponding agreement between them and the General Administration of the Autonomous Community of Galicia.

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Additional provision two. *Continuity of expenditure*

The actions of the bodies, committees and collegiate commissions of the consortium will not generate an increase in the budgetary allocations of the body with competencies regarding matters relating to universities.

Payment of attendees at the meetings of the consortium's consultative and evaluation bodies must comply with the terms established by Decree 144/2001, of 7 June, on compensation for service to personnel assigned to the Autonomous Administration of Galicia.

Sole repealing provision. *Legislative repeal*

1. The statutes of the Agency for Quality Assurance in the Galician University System consortium contained in the annex to the resolution of December 10, 2008, of the Directorate General of Planning and Quality of the University System of Galicia are repealed and the collaboration between the Ministry of Education and University Planning, the Regional Ministry of Innovation and Industry, the University of Santiago de Compostela, the University of A Coruña and the University of Vigo was published, and the agreement of January 30, 2001 was modified to create the Agency for Quality Assurance in the Galician University System consortium.

2. Decree 270/2003, of 22 May, regulating the Agency for Quality Assurance in the Galician University System, is hereby repealed.

3. Likewise, any provisions of equal or lower rank that oppose the provisions of this decree shall be repealed.

First final provision. *Powers of regulatory development*

The person responsible in the Regional Ministry with competences in matters of universities is authorized to dictate the necessary dispositions to develop this decree.

Second final provision. *Entry into effect*

This decree shall come into effect on the day after its publication in the Official State Gazette of Galicia (Diario Oficial de Galicia).



Santiago de Compostela, eleventh of January of two thousand eighteen

Alberto Núñez Feijóo  
President

Román Rodríguez González

Minister of Culture, Education and University Planning of the Autonomous Community of Galicia

#### ANNEX

### **Statutes of the Agency for Quality Assurance in the Galician University System consortium**

#### CHAPTER I

#### **General Provisions**

##### *Article 1. Legal nature and affiliation*

1. The Agency for Quality Assurance in the Galician University System consortium is an autonomous consortium, endowed with its own legal personality, and with full capacity and independence from its members for the purpose of fulfilling its objectives.

2. The consortium is organically attached to the Regional Ministry that has authority over universities.

##### *Article 2. Entities that make up the consortium*

1. The consortium is constituted with the participation of the General Administration of the Autonomous Community of Galicia, by means of the Ministry with authority over universities and the Ministry that has authority over research, development and innovation, the University of Santiago de Compostela, the University of A Coruña and the University of Vigo.

2. The number of members of the consortium may be increased by admitting public or private non-profit entities that wish to collaborate with the aims of the consortium. The agreement to admit new members will be adopted by the Governing Board with the majority provided for in article 30.4.



3. The funds allocated to the consortium are established in the Galician Plan of University Financing and are part of the annual budget of the Autonomous Community of Galicia.

*Article 3. Headquarters*

The consortium will be based in Santiago de Compostela.

*Article 4. Purpose*

The primary purpose of the consortium is to promote and ensure the quality of the Galician University System (hereinafter SUG), and to this end within the scope of the Autonomous Community of Galicia it assumes the objectives referred to in Article 31.1 of Organic Law 6/2001, of 21 December, on universities (hereinafter LOU) and Article 69 of Act 6/2013, of 13 June, on the Galician University System (hereinafter LSUG).

*Article 5. Scope of application*

The scope of action of the consortium includes all the universities integrated in the SUG, as well as the centres that provide university education in Galicia in accordance with foreign educational systems, in the terms established in article 86 of the LOU.

*Article 6. Cooperation*

1. The consortium may establish cooperation and mutual recognition mechanisms, in accordance with the criteria approved by its governing board, in accordance with international quality criteria and guidelines and within its budgetary resources, with the evaluation and quality actions and programmes of an autonomous, state and international nature that are conducted in this area.

Similarly, data and information may be coordinated and exchanged with other autonomous, state and international evaluation agencies or bodies with authority or functions in the same field. To this end, the consortium shall establish the appropriate collaboration agreements, respecting the limits laid down in Act 2/2014 of 25 March on the State's external action and service.

2. The consortium may propose actions and develop programmes aimed at fostering collaboration between universities, companies, research centres and other public or private institutions, provided that they are related to promoting and guaranteeing university quality.



*Article 7. Functions*

1. Within the scope of the autonomous community, the consortium shall carry out the functions attributed to it by the LSUG, as well as issue the reports, evaluations, certifications and accreditations provided for in the LOU.

2. Specifically, the consortium's functions are:

- a) Promote coordination of quality issues among Galician universities and between these and other institutions.
- b) Issue of a preliminary report before creating public universities and recognising the private universities, as referred to in article 12 of the LSUG.
- c) Evaluate the qualifications development plan for each branch of knowledge for creating or recognising a new university in the SUG, as referred to in article 13 h) of the LSUG.
- d) Evaluate before affiliating or disaffiliating public or private educational centres to a public university referred to in article 23.1 of the LSUG.
- e) Issue evaluations and reports relevant to implementing, monitoring, modifying and accrediting official university degrees.
- f) Evaluate centres that provide education leading to the attainment of foreign qualifications referred to in article 32 of the LSUG.
- g) Evaluate, monitor and certify the quality assurance systems of universities.
- h) Perform a five-yearly assessment of the activity carried out by SUG university research institutes referred to in article 19.6 of the LSUG.
- i) Study and analyse the labour market insertion of SUG university graduates.
- j) Evaluate, monitor and certify the evaluation procedure of the quality of teaching of university lecturers.



- k) Evaluate, report and accredit the individual activity of teaching staff, as well as the design of quality policies that would improve the teaching and research activity of the teaching staff.
- l) Positive appraisal before the individualised and singular allocation of complementary remuneration linked to the teaching, research, knowledge transfer or management activities referred to in article 94 of the LSUG.
- m) Analyse or assess the needs or demands of particular business or production sectors, at the expense of the public or private entity requesting its services, provided that the evaluations requested are of interest and fall within the objectives and scope of action of the consortium.
- n) Promote the evaluation and comparison of quality criteria in the European and international framework.
- ñ) Draft reports and proposals relating to Higher Education Systems from other countries.
- o) Establish cooperation and collaboration links with other state, autonomous and international agencies that have evaluation, accreditation and certification functions.
- p) Issue reports that are requested by the Galician Council of Universities and by the social councils of the SUG universities integrated into the consortium.
- q) Issue as many evaluations and reports as are provided for in the regulations in force on matters of universities, centres, qualifications and their staff, as well as many as may be required by the competent Regional Ministry in matters of universities.
- r) Advise the Regional Ministry with authority over universities, the universities themselves, social agents and society in general, within the scope of its functions.
- s) Perform the tasks which, within the scope of its competences, are entrusted to it by the competent authorities in the field of universities and in the field of research, development and innovation and by the universities.

3. Similarly, the consortium will perform any other function within the scope of university quality attributed to it by the applicable regulations.





**Article 8. Information and Confidentiality**

1. To carry out the functions entrusted to it, the consortium may ask the universities and the councils responsible for higher education and research, development and innovation to provide the necessary information and access to existing documentation, without prejudice to the system for the protection of personal data. Moreover, the database of the consortium may be consulted by the aforementioned institutions and by bodies external to the consortium, on the terms agreed by the Governing Board, in accordance with current legislation on the protection of personal data.

2. When exercising the functions attributed to them by these statutes, the organs of the consortium, the various commissions, committees, technicians and, in general, any person who takes part in the corresponding evaluations, must preserve the confidentiality of the data and of the information and documentation they use, as well as the result of the evaluations.

**Article 9. Code of Ethics**

At the proposal of the Advisory Council, the Governing Board will approve an ethical code of action, adapted to international quality criteria and guidelines.

**Article 10. Activities Schedule**

The consortium shall execute the activities programme approved by its governing board. Its principles of action must comply with the code of ethics.

**Article 11. Annual report**

The consortium will draw up an annual report of its activities which, once approved by the Governing Board, will be made public on its website.

**CHAPTER II – Organic system****Article 12. Organizational Structure**

1. The organizational structure of the consortium comprises governing and management bodies, an evaluation body and an advisory body.

2. The organs of government and management are the presidency, the Governing Board and the management.





3. The Galician Committee for Reports, Assessment, Certification and Accreditation (hereinafter CGIECA) as the highest evaluation body, and the Advisory Board as the consultative body are permanent member-bodies of the consortium.

*Section 1<sup>a</sup> Governing and management bodies*

*Article 13. The Presidency*

The person occupying the Presidency of the consortium will be appointed and dismissed by decree of the Council of the Xunta de Galicia, at the proposal of the person responsible in the Regional Ministry with authority over universities, after hearing the rectors and the presidents of the councils of the SUG universities that form part of the consortium, from among persons of recognized prestige in the university environment, for a period of four years extendible for equal periods of time.

*Article 14. Functions of the Presidency*

In addition to the functions described in Article 16 of Act 16/2010, of 17 December, on the organisation and functioning of the General Administration and the autonomous public sector of Galicia (hereinafter Lofagga), the president of the consortium has the following functions:

- a) Ensure the consortium achieves its objectives and complies with its statutes.
- b) Supervise the activities of the consortium and submit the documentation and such other reports as it deems appropriate to the Governing Board.
- c) Any other functions as may be entrusted or delegated to it by the Governing Board, when their nature permits.

*Article 15. Substitutes of the Presidency*

In the event of vacancy, absence, illness or any other legal cause, the president of the consortium shall be replaced by the most senior voting member of the Governing Board.

*Article 16. The Governing Board*



1. The Governing Board is the consortium's highest governing and management body. It shall function through the plenary session or in the commissions that it may set up.
2. The Governing Board has the following functions:
  - a) Monitor, supervise and control at the highest level the actions of the entity and the performance of the person in charge of management.
  - b) At the management's proposal, approve the annual programming of the consortium's activities.
  - c) At the management's proposal, approve the annual report of activities and of all reports deemed necessary on the management of the consortium, assessing the results obtained and recording any shortcomings observed.
  - d) Approve the preliminary annual budgets and the contracting of of multi-annual obligations within the limits set.
  - e) Approve the annual accounts and, where appropriate, distribute the result for the year, in accordance with the financial and budgetary legislation of the Autonomous Community of Galicia.
  - f) At the proposal of the Advisory Board, approve the code of ethics that will establish the consortium's principles of action.
  - g) At the proposal of the management, approve the catalogue of means and services that may become the object of cooperation, collaboration and assistance within the autonomous public sector, referred to in article 9 of Act 14/2013, of 26 December, on the rationalisation of the autonomous public sector.
  - h) Agree on the execution of agreements with public institutions and or private entities, as deemed necessary.
  - i) Approve and modify the staffing roster, subject to compliance with article 58 of the Lofagga.
  - j) Agree credit operations and treasury operations.



- k) Approve the admission of new members to the consortium and propose modifications to its statutes.
- l) Draw up and approve the organizational and internal functioning rules.
- m) Draw up an agreement to dissolve and liquidate the consortium.
- n) The functions attributed to the consortium referred to in articles 12, 13 & 23 of the LSUG.
- ñ) Exercise all types of judicial and administrative actions, appeals and claims in defence of the consortium's rights and interests.
- o) Any other function expressly assigned to it by the resulting regulations that may be applicable

In any case, the functions not expressly attributed to the other organs of the consortium shall be understood to be attributed to the full Governing Board.

#### *Article 17. Composition of the Governing Board*

1. The Governing Board shall consist of the following members:
- a) The president of the consortium, who will also be the president of the Governing Board.
- b) The person who is the head of the competent Regional Ministry appointed to the consortium.
- c) The titular person, within the Ministry appointed to the consortium, of the secretary or general Regional Ministry that has authority over universities.
- d) The person in charge of the Regional Ministry that is responsible for Research, Development and Innovation competences
- e) A representative of the competent Regional Ministry in matters of finance.



- f) The rectors of the SUG universities that are part of the consortium.
  - g) The presidents of the councils of the SUG universities that are part of the consortium.
  - h) Two persons proposed by the Regional Ministry appointed to the consortium from outstanding members of the academic and scientific community.
    - i) Two persons from among outstanding members of the scientific or business community proposed by the head of the Regional Ministry who is responsible for research, development and innovation.
    - j) The president of the CGIECA.
    - k) Two SUG students from one of the universities forming part of the consortium.
    - l) The director of the consortium.
  - m) The person who is responsible for quality in each of the universities that are part of the consortium, which will attend the meetings and may speak but not vote.
2. The provisions of Article 17 of the Lofagga shall apply to the members of the Governing Board.
3. The members of the Governing Board who are not members by reason of their position shall be appointed by the head of the competent Regional Ministry appointed to the consortium, for a period of four years extendible for equal periods of time.
4. Membership of this body shall not give rise to employment or economic rights.

*Article 18. Secretary of the Governing Board*

The Governing Board shall designate and appoint a secretary who shall perform the functions proper to the secretariat of the collegiate bodies, as well as any other functions as may be entrusted to him or her by the Governing Board. When appointed from among the members of this body, the Secretary shall attend meetings with the rights to which he or she



is entitled. He or she may also be appointed from among one of the public employees of the consortium and, in this case, will attend the meetings and may speak, but not vote.

*Article 19. Sessions of the Governing Board*

The Governing Board will meet:

- a) In ordinary session, at least once every semester.
- b) In extraordinary session, whenever called by its president on their own initiative or at the request of half of the members of the Governing Board.

*c) Article 20. Establishment of commissions by the Governing Board*

The Governing Board may resolve to set up such commissions as it deems appropriate to perform the tasks expressly assigned to it by the plenary session, when its nature so permits.

*Article 21. The Management*

The Manager of the consortium will be appointed and dismissed by decree of the Council of the Xunta de Galicia, at the proposal of the head of the competent Regional Ministry appointed to the consortium, after hearing the Governing Board, and according to criteria of competence, professionalism and experience, in the academic and scientific worlds, for a period of four years, extendible by equal periods of time.

*Article 22. Management functions*

The Manager will have the following functions:

- a) Execute and enforce the resolutions adopted by the Governing Board.
- b) Direct, organise, manage and inspect the ordinary activities of the consortium, in accordance with the guidelines of the Governing Board.



- c) Present to the Governing Council the proposals for organising and running the various activities and programmes promoted by the consortium.
- d) Inform the Governing Board of the progress of the consortium's activities and programmes and exercise the functions entrusted or delegated to him or her by the latter.
- e) Draw up and submit the proposal for the preliminary draft of the annual budget and its amendments and, if appropriate, for study and approval by the Governing Board.
- f) Manage the consortium's economics affairs, authorise expenditure within the limits set for the consortium by the Governing Board and order payments.
- g) Exercise the own powers as a contracting body, within the limits set by the Governing Board.
- h) Manage the consortium's assets under the direction of the Governing Board.
- i) Ensure the conservation and maintenance of the consortium's facilities and equipment.
- j) Draw up the staffing proposal and manage and direct consortium staff.
- k) Ensure the improvement and quality of working methods and introduce technological innovation.
- l) Inform the Presidency and the Governing Board of all that is necessary to exercise his or her functions and formulate such proposals as he or she considers appropriate for the proper functioning of the consortium.
- m) Assume, by delegation of the President, the representation of the Governing Board in relation to formalising and notifying agreements, conventions and contracts adopted or carried out by this body.
- n) Take decisions on the inadmissibility of applications submitted outside the Term: to the agreement of withdrawal by the applicant; to close the case for not providing the required documentation for the purpose of rectification, in accordance with article 68 of



Act 39/2015, of 1 October, on the common administrative procedure of public administrations and, in general, resolve cases that do not comply with formal requirements.

o) Any other function expressly entrusted or delegated to it by the Governing Board when its nature so permits.

*Section 2ª Advisory and evaluation bodies*

*Article 23. The Galician Commission for Reports, Evaluation, Certification and Accreditation*

1. The Galician Committee for Reports, Assessment, Certification and Accreditation (hereinafter CGIECA), is the highest evaluation body of the consortium and will exercise the functions of issuing reports, evaluation, certification and accreditation attributed to the consortium with complete independence, as well as other similar functions within the scope of university quality assurance procedures that may be entrusted to it by the Governing Council or by the applicable regulations.

The CGIECA shall draw up and approve the reports on the results of the evaluations carried out, which it shall report to the Governing Board for information.

2. The composition of the CGIECA shall be published in the *Official Gazette of Galicia* and shall consist of the following members:

a) The president, who will be appointed by the Minister of the Autonomous Community of Galicia appointed to the consortium from amongst people of recognised prestige in the Galician university environment, at the proposal of the Governing Board. The Presidency of the CGIECA shall be for a period of four years, renewable for equal periods of time.

b) Eight members elected by the Governing Board, appointed by its president. Six members will be named from among outstanding members of the national or international academic and scientific community, one will be named from among outstanding members of the Galician professional or business communities, with acknowledged experience and career in matters of university evaluation, and another will be named from among the students of the universities of the SUG that are members of the consortium.

c) The Manager of the consortium, who may speak, but not vote.





3. The members of CGIECA will be appointed for a period of four years. In any case, every two years half of the academic members will be replaced.

Within the four months before the appointments expire, the Governing Board must appoint the new members. The members shall continue in the exercise of their functions until those who succeed them take possession.

If one of the members of CGIECA is dismissed or a place falls vacant, a new member must be appointed to occupy the post for the remaining time until the end of the period.

No member may be proposed for another immediate term unless he or she has held office for a term not exceeding two years.

4. When exercising their functions, the members of the CGIECA shall act in their personal capacity and completely independently, guaranteeing at all times that there are no conflicts of interest and that they remain subject to the regulations in force regarding incompatibilities.

#### Article 24. *CGIECA Secretariat*

The CGIECA shall designate and appoint a secretary who shall perform the functions proper to the secretariat of the collegiate bodies, as well as any other functions that may be entrusted to him or her by the CGIECA. When appointed from among the members of this body, the Secretary shall attend meetings with the rights to which he or she is entitled. He or she may also be appointed from among one of the public employees of the consortium and, in this case, will attend the meetings and may speak, but not vote.

#### Article 25. *Functioning of the CGIECA*

1. The CGIECA will act independently and will take the final decisions regarding the functions assigned to it, for which it will be responsible.

2. Only members of the academic and scientific community will take part in adopting the agreements related to the evaluation, accreditation or individual report of university professors.



3. This commission will approve its own operating regulations, as well as the different procedures and protocols for evaluating, reporting, certifying and accrediting that correspond to its functions, in accordance with the provisions of these statutes and other applicable regulations.

4. In order to assist in the exercise of its functions, the CGIECA may decide to set up committees made up of expert advisers. The CGIECA shall determine the composition of these committees, their operating procedures and the conditions and procedure for appointing their members.

5. The CGIECA operating regulations, the various evaluation, reporting, certification and accreditation procedures and protocols, and the rules governing the composition, operating regime, requirements and appointment procedure of the committees, shall be published on the consortium's website.

#### Article 26. *The Advisory Board*

1. The Advisory Board is the consultative body of the consortium and has the following functions:

- a) Report, at the request of the director, on the consortium's procedures and actions.
- b) At the request of the director, issue reports on controversies that occur with respect to compliance with standards or codes of ethics and best practices in the procedures and actions performed by the consortium.
- c) Analyse the methodology and the evaluation strategies that might be applied and propose measures to improve the quality of working methods and the introduction of technological innovations.
- d) Analyse the consortium's operations and issue an annual report to the Governing Board.
- e) Maintain the proper collaboration and cooperation relations to favour the exchange of experiences and the flow of information with the committees that carry out similar functions within the external evaluation bodies that exist or are constituted at state and international level.
- f) Collect and analyse the suggestions, proposals and opinions that, with regard to the



consortium's functions and actions will be formulated by public administrations, external evaluation bodies that exist at national and international level, Spanish universities and any other public or private institution linked to the field of university quality assurance.

g) Submit proposals and suggestions to the consortium's Management for consideration to improve performance.

h) Any other function expressly commissioned by the director when its nature so permits.

2. The composition of the Advisory Board shall be as follows:

a) The president, who will be appointed by the Ministry of the Autonomous Community of Galicia appointed to the consortium, from among the members of the Advisory Board.

b) The Manager of the consortium, who will attend the meetings and may speak but not vote.

c) Between six and ten members, elected by the Governing Board and appointed by the President of the Consortium, from among personalities of recognized prestige in the scientific, academic and professional fields, both national and international, from among representatives of the Galician business sector and from among the students of the universities of the SUG that are members of the Consortium.

3. The members of the Advisory Board shall be appointed for a period of four years, renewable for periods of the same duration.

4. The Advisory Board shall adopt its own operating regulations.

#### *Article 27. Secretary of the Advisory Board*

The Advisory Board shall designate and appoint a secretary who shall perform the functions proper to the secretariat of the collegiate bodies, as well as any other functions as may be attributed. When appointed from among the members of this body, the Secretary shall attend meetings with the rights to which he or she is entitled. He or she may also be appointed from among one of the public employees of the consortium and, in this case, will attend the meetings and may speak, but not vote.

#### *Section 3ª Functioning of the collegiate bodies and commissions*

#### *Article 28. Constitution of the body for the purposes of holding meetings*



To validly constitute the body for the purpose of holding meetings, the presence of half of its members with full voting rights shall be required. In any event, the chairperson and the secretary, or the persons replacing them, must be present.

*Article 29. Substitution and temporary replacement*

1. The members of the collegiate bodies of the consortium who are members because of their position may be substituted, accrediting said substitution before the secretary of the corresponding body, in accordance with the provisions of article 17.4 of the Lofagga.

2. If a vacancy, absence, illness or any other legal cause occurs, the president of the CGIECA or the Governing Body shall be replaced by the most senior voting member of the Governing Board.

3. The collegiate bodies of the consortium shall appoint a secretary or acting secretary or, in the absence thereof, shall establish the regime for replacement in the event of vacancy, absence, illness or any other analogous legal cause of the incumbent. When appointed from among the members of the body, the acting secretary shall attend meetings with the rights to which the post is entitled. He or she may also be appointed from among one of the public employees of the consortium and, in this case, will attend the meetings and may speak, but not vote.

*Article 30. Adoption of resolutions*

1. The resolutions of the bodies and collegiate commissions of the consortium shall be adopted by the vote of the majority of the members present.

2. In the event of a tie, the President shall have a casting vote.

3. No valid agreement may be reached on matters not included on the agenda unless all the members of the body are present at the meeting and expressly consent to it, and the urgency of the matter is declared with the favourable vote of the majority.

4. To be valid, resolutions on the admission of new members to the consortium, the amendment of its statutes and the dissolution and liquidation of the consortium shall require the favourable vote of three-fifths of the members of the Governing Board with full voting rights.



**CHAPTER III.****Legal, economic and patrimonial regime***Article 31. Legal regime of the consortium*

1. The consortium shall be governed by the provisions of these statutes and the specific regulations of its bodies, by the provisions of the LSUG, in the Lofagga, in Act 40/2015, of 1 October, on the legal regime of the public sector (hereinafter LRJSP), and by other applicable regulations.

2. In its administrative contracting activities, the consortium shall be governed by public law.

*Article 32. Rules for contesting acts*

1. The administrative acts issued by the Governing Board and the administrative acts issued by the president or director shall exhaust all available administrative remedies and appeals for reinstatement may be lodged against them, or they may be directly challenged before the contentious-administrative jurisdictional order.

2. The administrative acts issued by the CGIECA in the exercise of the powers attributed to it shall exhaust the administrative remedies and may be appealed against or challenged directly before the contentious-administrative jurisdictional bodies.

*Article 33. Terms:*

The maximum term to dictate and notify the express resolution of the procedures submitted to the administrative law that are competencies of the consortium will be six months.

*Article 34. Human Resources*

1. In order to comply with the assigned functions, and by virtue of their singularity, the consortium has its own employees.

2. The consortium's employees will be subject to the regime provided for in article 58 of the Lofagga and the public service regulations regarding personnel management.



3. The consortium's employees shall be subject to the single Collective Agreement of employees of the Xunta de Galicia and other regulations that may be applicable to employees of the Administration of the Autonomous Community of Galicia.

4. The consortium may have research staff, advisory staff, external collaborators and interns, in accordance with the applicable regulations.

#### Article 35. *Assets*

The patrimonial regime of the consortium is determined by article 61 of the Lofagga.

#### Article 36. *Budgetary, economic-financial, accounting and control system*

The budgetary, economic-financial, accounting and control system of the consortium is that established by article 99 of the Lofagga and article 122 of the LRJSP.

#### Article 37. *Dissolution*

The consortium will be dissolved when it becomes legally or materially impossible to fulfil its objectives, by decree of the Council of the Xunta de Galicia, after the resolution of the consortium's Governing Board, with the quorum indicated in article 30.4 of these statutes.

#### Article 38. *Liquidation of assets*

1. The dissolution resolution shall determine the corresponding liquidation of the assets and the reintegration of the works and installations contributed by the consortium entities, in accordance with the guidelines established by article 127 of the LRJSP.

2. The constitution of the liquidation commission must not alter the functioning of the consortium's bodies.

#### Article 39. *Dismissal of consortium members*

1. The dismissal of any of the members of the consortium must be carried out in accordance with Articles 125 and 126 of the LRJSP.

2. Any member of the consortium must be given 6 months' notice of dismissal, provided that doing so does not damage the consortium's objectives.



3. Any entity that leaves the consortium must have honoured its previous commitments and guarantee to settle the obligations it has contracted up to the moment of separation.

Additional provision one. *Subsidiary regime*

The actions of the bodies, committees and collegiate commissions of the consortium will be subject to the provisions of these statutes and, where appropriate, their specific regulations, as well as to the provisions of the Lofagga. LRJSP shall apply to anything not provided for by these rules.

Additional provision two. *Equality between women and men*

1. The provisions of the specific legislation on equality and parity between women and men must be taken into account when developing and implementing the provisions of Chapter II of these statutes, relating to the organic system of the consortium.

2. In the exercise and development of the functions referred to in this decree, the gender perspective must be transversally integrated.

Additional provision three *Appointment of students*

1. Students will be appointed for two years, extendible for another period of equal length. In no case may they spend more than four years in the same body.

2. The universities that make up the consortium will designate two students for the Governing Board and two substitutes.

3. The universities that make up the consortium will each propose one student for the CGIECA and another for the Advisory Board.

