

Election Regulations of TU Dortmund University

from 13 July 2021

On the basis of Section 2 (4) and Section 13 (1) of the Act on the Universities of the State of North Rhine-Westphalia (Higher Education Act - HG) of 16 September 2014 (GV. NRW p. 547), last amended by Art. 1 of the Act of 20.12.2020 (GV. NRW p. 1110), in conjunction with Section 18 of the Basic Regulations of TU Dortmund University of 12.12.2019 (AM 27/2019), last amended by the 7th Amendment Regulations of 03.12.2020 (AM 6/2021), TU Dortmund University has adopted the following regulations:

Table of Contents:

Section	1	Scope
Section	2	Times of office
Section	3	Election principles
Section	4	Electoral Eligibility and Eligibility for Election
Section	5	Election districts
Section	6	Election system and substitution for the elections to the collegial bodies
Section	6a	Election system for the election of the central equal opportunity commissioners and their deputies
Section	6b	Election system and substitution for the elections of the representation of the interests of student assistants
Section	7	Determination of the election date
Section	8	Election Board, Faculty Representatives
Section	9	List of persons entitled to vote
Section	10	Election notice
Section	11	Election proposals
Section	12	Review of election proposals
Section	12a	Subsequent deadline for submitting election proposals
Section	13	Election documents
Section	14	Election procedure, advertising
Section	15	Voting
Section	16	Voting by mail
Section	16a	Voting in electronic elections
Section	16b	Start and end of electronic voting
Section	16c	Interference with electronic voting
Section	16d	Absentee ballot for electronic voting
Section	16e	Technical requirements
Section	17	Dial backup
Section	18	Counting of votes
Section	19	Election minutes
Section	20	Publication of the election results
Section	21	Elective examination
Section	22	Re-elections and repeat elections
Section	23	Meeting of the collegial bodies
Section	24	Transitional regulation
Section	25	Amendment of the election regulations
Section	26	Entry into force

Section 1

Scope

These election regulations apply to the elections

1. to the Senate and to the Faculty Councils (collegial bodies),
2. of the central equal opportunity officers and their deputies,
3. representing the interests of student assistants at the Technical University of Dortmund.

Section 2

Terms of office

¹ The duration of the respective terms of office shall be governed by the provisions of the Basic Regulations of the TU Dortmund University. ²Unless otherwise provided, the respective terms of office shall begin on 01.07. and end on 30.06..

Section 3

Election principles

- (1) The members of the collegial bodies and the representation of the interests of student assistants as well as the central equal opportunity representative and her deputies are elected by direct, free, equal and secret ballot.
- (2) The elections pursuant to Section 1 shall be prepared and conducted simultaneously by a joint election committee.

Section 4

Eligibility to vote and eligibility

- (1) Anyone who is a member of the TU Dortmund University entitled to vote on the 42nd day prior to the first day of voting and who has been included in the list of eligible voters pursuant to Section 10 is eligible to vote and to be elected.
- (2) Each member of the Technical University of Dortmund who is entitled to vote is only entitled to vote and be elected in one group at a time and in no more than one faculty.
- (3) Persons entitled to vote who belong to more than one group or faculty shall submit a written declaration to the election committee no later than the 31st day before the first day of voting stating in which group or faculty the right to vote is to be exercised. Otherwise, the election committee shall decide in which group or faculty the right to vote may be exercised.
- (4) Members of the groups of university professors, academic employees and employees in technology and administration are only entitled to vote and be elected if they work at the university with at least half of the regular working hours according to the service and collective bargaining regulations applicable to them or with half of the regular service duties (full-time employment).

- (5) The Acting Rector and the Chancellor shall not participate in elections or nominations for elections; they shall not be eligible for election.
- (6) Members and deputy members of the election committee are not eligible for election.
- (7) Trainees are not eligible to vote and are not eligible to be elected.

Section 5 Constituencies

For the elections to the Senate, the central Equal Opportunity Officer and her deputies, as well as for the representation of the interests of student assistants, the University forms an electoral district. For the elections to the faculty councils, each faculty forms an electoral district.

Section 6 Electoral system and substitution for the elections to the collegiate bodies

- (1) The members of the collegial bodies shall be elected in elections separated by groups according to the principles of personalized proportional representation.
- (2) ¹Each voter shall have half as many votes as there are seats to be filled in his/her group in the respective collegial body in accordance with the provisions of the Basic Regulations. ²If the number of seats is odd, the number of votes shall be rounded up.
- (3) ¹Voters may vote for individual candidates from one or more electoral lists (panache), whereby the vote is simultaneously valid for the electoral list on which the candidate is nominated. ²Accumulation of votes on one candidate is not permitted. ³The seats of a member group shall be allocated to the electoral lists in proportion to the total votes cast for the candidates on the electoral lists using the d'Hondt maximum number method; electoral lists that have not received any valid votes shall not be taken into account. ⁴The seats then allocated to the individual election lists shall be allocated to the candidates on the election lists in the order of the number of votes they obtained. ⁵In the event of equal maximum numbers of votes, the allocation of the last seat shall be decided by drawing lots to be drawn by the election officer or a person appointed by him/her. ⁶The candidates on the electoral list shall be ranked according to the number of votes they receive. ⁷In the event of a tie, the order of the candidates on the election proposal shall be decisive; this shall also apply if no vote is cast for a candidate. ⁸The candidates with the highest number of votes shall each receive one of the seats allocated to the election list. ⁹If more seats are allocated to an election list than this list contains candidates, the excess seats shall be allocated to the remaining election lists of the same group in the order determined by continued application of the d'Hondt maximum number method; sentence 5 shall apply accordingly. ¹⁰Any remaining seats shall remain vacant.

- (4) ¹The remaining candidates on an electoral list shall become substitute members of this electoral list in the order specified by subsection 3, sentences 6 and 7. ²Insofar as more than two electoral lists have received valid votes, the order in which the electoral lists to be taken into account in the allocation of seats send substitute members in the event of exhaustion of an electoral list shall be determined by continued application of the d'Hondt maximum number procedure; in the event of equal maximum numbers, the decision shall be made by drawing lots to be drawn by the election officer or a person authorized by him/her. ³The order of precedence shall be determined for as many positions as there are substitute members within the group.
- (5) ¹The deputy group representatives shall be the substitute member each election list who have not yet moved up as a member. ²The order of the deputies shall be based on the order of the substitute members determined in accordance with subsection 4 sentence 1. ³The substitutes shall attend the meetings in this order. ⁴If a deputy is unable to attend, the next-available deputy shall be taken into account. ⁵If there is no longer a deputy available on the list, the deputy shall be replaced in the order determined in accordance with Para. 4 Sentence 2 by substitute members from other election lists of the same group.
- (6) If a group representative is prevented from attending a meeting as a whole, all his/her rights and duties shall pass to the substitute; substitution for only one or more agenda items is not permitted.
- (7) ¹If an elected member of an electoral list withdraws, the next substitute member of the respective electoral list in the order determined in accordance with para. 4 sentence 1 shall move up. ²If an electoral list is exhausted, substitute members shall be appointed by other electoral lists of the same group in the order determined in accordance with para. 4 sentence 2.
- (8) ¹If there is only one electoral list for election in a group, a majority vote shall be held in derogation of paras. 1 and 3 if the electoral list contains more candidates than there are seats to be allocated; para. 2, para. 3 sentences 6 to 8, para. 4 sentence 1, para. 5 sentences 1 to 4, para. 6, para. 7 sentence 1 shall apply mutatis mutandis. ²If only one election list is available for election in a group and the election list does not contain more candidates than there are seats to be allocated, this election list shall be voted on by a yes or no vote. ³If the electoral list receives more yes votes than no votes, its candidates shall be elected; otherwise the election shall fail.
- (9) An elected member shall resign if his/her group affiliation changes; an elected member shall also resign from the Faculty Council if his/her affiliation with the faculty concerned ends.

Section 6a

Election system for the election of the central equal opportunity commissioners and their deputies

- (1) The elections for the Central Equal Opportunity Officer and her three deputies shall be held majority vote.

- (2) ¹All female members of the University who are entitled to vote are eligible to vote. ²The eligible voters have one vote each for the election of the central Equal Opportunities Officer and for each of her deputies.
- (3) ¹In principle, every female member of the university is eligible for the position of the central equal opportunity commissioner. ²The professional qualifications of the Equal Opportunity Officer should meet the comprehensive requirements of her duties; this requires either a university degree or another qualification proven in individual cases. ³The position shall be publicly advertised at the university as part of the election announcement; the required qualification shall be determined as part of the examination of the election proposals.
- (4) Eligible for election as deputy in the field of study are female members of the university eligible to vote from the group of students, as deputy in the field of science female members of the university eligible to vote from the group of university professors and from the group of academic employees and as deputy in the field of administration/technology female members of the university eligible to vote from the group of employees from technology and administration.
- (5) ¹The person who receives the most votes shall be ^{elect}ed; in the event of a tie, the election shall be decided by lots to be drawn by the election officer or a person appointed by him/her. ²If there is only one candidate for election in an election, this candidate shall be voted on by a yes or no vote. ³The candidate shall be elected if she receives more votes in favor than votes against; otherwise the election shall fail. ⁴If, after the votes have been counted, a candidate obtains a majority of votes for both the function of the central equal opportunity commissioner and the function of one of her deputies, she shall immediately choose between these functions.

Section 6b

Election system and substitution for the elections for the representation of the interests of student assistants.

- (1) The election to represent the interests of student assistants shall be a majority vote.
- (2) ¹All members of the student group are ^{eligible to} vote and to be elected.
²The persons entitled to vote shall each have one vote.
- (3) ¹The two candidates with the most votes are elected ^{as} representatives of the interests of student assistants. ²The four candidates with the next most votes are elected as deputies in the order of the number of votes they receive. ³In the event of a tie, the election shall be decided by a draw of lots to be made by the election officer or a person appointed by him/her. ⁴The remaining candidates shall be substitute members in the order of the number of votes they receive; sentence 4 shall apply accordingly.

- (4) If a representative of the interests of student assistants is prevented from attending, the function shall be performed by the next available deputy in the order of Paragraph 3, Sentences 3 and 4.
- (5) ¹If a representative of the interests of student assistants withdraws, the next substitute member shall move up in the order determined in accordance with para. 3 sentences 3 and 4. ²If a deputy resigns, the next substitute member shall move up in the order determined in accordance with para. 3 sentence 5.
- (6) ¹If there are fewer than three candidates for election in the election, this candidate or these candidates shall be voted on by yes or no votes. ²The candidate or candidates shall be elected if they receive more yes votes than no votes; otherwise the election shall fail.

Section 7

Setting the election date

- (1) The rectorate determines the election date, taking into account the deadlines specified in the election regulations, and announces it to the university public.
- (2) The date of the first day of elections may not be set earlier than the 40th day after its announcement and the 42nd day before the beginning of the term of office of the members of the collegial bodies to be newly elected and must be set not later than the 14th day before the beginning of the term of office of the members of the collegial bodies to be newly elected.
- (3) ¹The election date may not be set during the lecture-free period. ²The election date shall be four consecutive working days (Monday to Thursday).

Section 8

Election committee, faculty representatives

- (1) ¹Elections shall be conducted by a joint election committee responsible for the proper preparation, opening and conduct of the election. ²The joint election committee may be assisted in this by the central administration.
- (2) ¹No later than the 40th day before the first election day, the Senate shall elect the members of the election committee for a term of office of two years, unless the election falls within the term of office of an election committee still in office. ²The election committee shall consist of the chairperson and one representative from each status group and one deputy member from each group. ³The chairperson (election officer) must belong to the group of university teachers and shall be elected in an integrated election. ⁴The other members and deputy members shall be elected separately by group.

- (3) ¹The election committee then appoints a faculty representative for the election for each faculty, who is responsible for organizing and conducting the elections of the respective faculty council under the responsibility of the election committee. ²The faculty representative is also an election worker. ³Furthermore, the election committee shall appoint an election officer and a deputy from among its members for each election room.
- (4) ¹The meetings of the election committee shall be public. ²The election committee shall constitute a quorum regardless of the number of members present. ³The election committee shall pass its resolutions by a simple majority of the votes of the members present; in the event of a tie, the election officer shall have the casting vote. ⁴The Chancellor or the representative of the administration appointed by him/her shall participate in the meetings in an advisory capacity. ⁵The election committee shall prepare minutes of its meetings.
- (5) ¹The election committee shall appoint election assistants in good time before the first day of voting to assist with the casting and counting of votes. ²ⁱⁿ appointing the election assistants, appropriate consideration shall be given to the groups of members, if possible. ³The faculties, the central institutions and the central administration are obliged to ensure that the elections are carried out by a sufficient number of election assistants.
- (6) Candidates may not be members or deputy members of the election committee or election assistants.
- (7) ¹The election officer shall execute the resolutions of the election board. ²The election officer may authorize the faculty representatives to receive election proposals for the elections to the faculty councils from members of the faculty and to examine them in accordance with the resolutions of the election committee and to forward them to the election officer. ³The election officer shall inform the Rectorate about the course of the election procedure and about the election results.
- (8) The election committee shall decide on disputes concerning the interpretation of the election regulations.

Section 9 **List of eligible voters**

- (1) ¹By the 39th day before the first day of voting, the election committee shall draw up a joint list of those entitled to vote, in which they are listed separately by institution (faculties, central institutions, central administration) and group in alphabetical order with surname, first name and official title, or within the group of students with the matriculation number. ²ⁱⁿ compiling the list of eligible voters, the requirements of data protection shall be taken into account.
- (2) ¹The list of persons entitled to vote, together with the election regulations, shall be posted at the latest from the 38th day before the first day of voting, in each case until the closing of this list from 10:00 a.m. to 3:00 p.m., at the places designated by the election officer

for inspection at designated locations. ²On the last working day before the first day of voting, the list of persons entitled to vote shall be closed by the election officer at 3.00 pm. ³If electronic elections are held, the register of eligible voters shall be closed no later than on the 14. working day before the first election day at 3:00 p.m. by the election officer. ⁴The list of eligible voters for the respective faculty shall be displayed in the dean's offices during the opening hours of the dean's office.

- (3) ¹Objections to the correctness of the list of eligible voters may be made in writing or recorded in writing to the election officer within the period allowed for publication. ²The election committee shall decide on the objection. ³This decision shall not preclude the lodging of an objection in the election verification procedure in accordance with Section 21. ⁴The election officer shall correct the list of eligible voters on the basis of justified objections until the list is closed. ⁵The election official may correct the electoral roll ex officio at any time.

Section 10 Election notice

- (1) The election officer shall announce the upcoming elections by no later than the 38th day before the first election day jointly announced to the university.
- (2) The notice must include:
1. the date of their publication,
 2. the designation of the collegiate bodies, functionaries and representatives to be elected,
 3. the names and group affiliation of the members of the election committee,
 4. The number of members to be elected to the college bodies per member group, 4a. The number of representatives to be elected to represent the interests of student assistants,
 5. a brief description of the electoral system(s) according to SectionSection 6, 6a, 6b,
 - 5a. in case of election of the central equal opportunity commissioner, university-public advertisement of the function of the equal opportunity commissioner with reference to the qualification requirements,
 6. a reference to the fact that only those who are entered in the register of eligible voters may vote, as well as to the cut-off date relevant for the eligibility to vote,
 7. an indication of the place and time of display of the list of eligible voters,
 8. an indication of the possibility of lodging an objection to the list of eligible voters and of the forms and deadlines applicable for this purpose,
 9. the invitation to submit election proposals, with reference to the information required in this connection and the specifications to be taken into account in accordance with Section 11,
 10. the place of announcement of the election proposals,
 11. the election date,
 12. an indication of whether the election will be conducted as a ballot box or an electronic ballot, the place and time of voting,
 13. a reference to the possibility of absentee voting, stating the deadline by which absentee ballot applications must be submitted to the election officer,

14. time of electronic voting and a notice that electronic voting is available in a polling place during the voting hours established by the Board of Elections from 10:00 a.m. until 3:00 p.m.,
15. the place where the votes are counted,
16. the place where the election result will be announced.

Section 11 Election proposals

- (1) ¹For the election to the collegial bodies, each eligible member of a member group may nominate himself or herself or other members of his or her group for election. ²For the election of the central equal opportunity representative and her deputies, each eligible voter may submit one nomination for the election of the central equal opportunity representative and for each of her deputies. ³For the elections to represent the interests of student assistants, the student body shall propose candidates. ⁴Only those who have been included in an election proposal are eligible for election.
- (2) Nominations may be submitted to the election officer from the date of publication of the election notice until 3:00 p.m. on the 21st day before the first day of the election at the latest, using the forms provided by the election officer.
- (3) For elections to collegiate bodies, the following regulations apply to the content and form of election proposals (election lists):
 1. An election list proposal may contain one or more candidates.
 2. The electoral lists are to be drawn up with gender parity.
 3. The list proposals must contain the following information:
 - a) a person responsible for the election proposal (shop steward) who is authorized to receive decisions of the election committee
 - b) Designation of the election and the group for which the list proposal is to apply,
 - c) an identifying keyword, which may contain a maximum of 100 characters,
 - d) from each candidate the surname, first name, institution (faculty, central institution, central administration), office title, date of birth or, in the case of students, the matriculation number and the exact address at which he/she can be personally contacted,
 - e) a written and personally signed statement by each candidate that he/she has agreed to be included on the electoral list,
 - f) if gender parity in representation was not achieved in the election proposals, the relevant reasons for this.
 4. For the election of a collegiate body, a candidate may not be included in more than one ballot. The names of the candidates shall be listed in a recognizable order. In the absence of such, the alphabetical order shall apply.

- (4) ¹The election proposals for the election of the central equal opportunity officers and their deputies may each contain only one candidate; para. 3 no. 3 lit. d) and e) and no. 4 shall apply accordingly. ²The nominations for the election of the central equal opportunity commissioner must also contain details of special professional qualifications. ³The woman of confidence in an election proposal shall be the respective female candidate.
- (5) ¹The election proposals for the election of the representation of student assistants may only contain one candidate each; para. 3 no. 3 lit. d) to f) and no. 4 apply accordingly. ²The respective candidate shall be deemed to be the shop steward of an election proposal.

Section 12

Examination of the election proposals

- (1) ¹The election officer shall check the election proposals for correctness and completeness immediately after receipt; the date and time of receipt shall be noted. ²The department responsible for personnel matters shall be involved in the examination of nominations for the election of the central equal opportunity commissioners and their deputies. ³If it identifies deficiencies in an election proposal and is unable to remedy them on the basis of the electoral roll, it shall immediately notify the shop steward and request him/her to remedy the deficiencies no later than the 16th day before the first day of the election.
- (2) ¹The election officer shall reject election nominations if they are
1. have been submitted late,
 2. do not meet the requirements set by these Election Regulations even after the expiry of the period specified in paragraph 1.
- ² The shop steward shall be informed immediately of the rejection, stating the reasons.
- (3) ¹Deficiencies relating only to individual candidates on an election list and which have not been remedied within the period specified in para. 1 shall not result in the rejection of the election proposal, but only in the deletion of the individual candidates from the list. ²Para. 2 sentence 2 shall apply accordingly.
- (4) ¹A written complaint against the rejection of a nomination or the deletion of individual candidates may be lodged with the election committee no later than the 15th day before the first day of the election. ² It may be lodged by the shop steward or any other candidate of the election proposal concerned, including a deleted candidate. ³The election committee shall decide on appeals filed in due form and time immediately, but at the latest by the 13th day before the first election day. ⁴The decision on the complaint shall be final; it shall not preclude the lodging of an objection in the election verification procedure (Section 21).
- (5) ¹The election officer shall publish without delay, at the latest on the 11th day before the first election day after elections separately, the approved election proposals by stating the surname, first name and institution affiliation of each

of each candidate of the election proposal without the signatures shall be made public to the university. ² In the case of election proposals for the elections to the collegial bodies, the identifying keywords of the election lists shall also be indicated.

Section 12a

Grace period for the submission of election proposals

- (1) If, after expiry of the deadline set out in Section 11 (2) for the individual elections, at least one valid election proposal has not been received for each of the individual groups, or if the election proposals for one of the individual elections and groups nominate fewer candidates in total than the number of seats to which this group is entitled in the body, the election officer shall call for the submission of election proposals within a grace period of two working days.
- (2) If there is no valid election proposal for a group even after expiry of the grace period in accordance with Para. 1, this shall be announced with the publication of the election proposals of the other groups. ²An election shall not take place in this respect. The seats to which this group is entitled in the body shall not be filled.
- (3) If no valid election proposal is received for the group of university teachers within the grace period or if so few candidates are nominated that the prescribed number of representatives for this group cannot be reached, a by-election must be held.

Section 13

Election documents

- (1) Official election documents, each bearing the official seal of the University, which may also be printed, shall be used in the election, in particular official ballots, ballot papers, and ballot envelopes.
- (2) ¹For each group and election, clearly distinguishable election documents shall be produced by the election officer. ²For the ballots for the election to the collegial bodies, the distinction by group shall be made by imprint. ³The distinction between different elections shall be made on the ballot papers by means of coloring and imprinting. ⁴The ballot paper shall also contain the number of votes to be cast, a reference to the provisions of SectionSection 6, 6a, 6b, the names, first names and institutions to which the candidates belong; if applicable, the identifying keyword in accordance with Section 11 para. 3 no. 3 lit. e) shall also be indicated. ⁵On the ballot paper, the election proposals shall be listed in the order in which they are received by the election officer; for elections to the collegial bodies, the candidates of the individual election lists shall be listed in the order of Section 11 para. 3 no. 5. ⁶In the cases of SectionSection 6 para. 8 sentence 2, 6a para. 4 sentence 2, 6b para. 6, the ballot paper shall also contain the option of voting yes or no; the ballot paper must indicate that a decision has been made on

the entire election proposal or proposals is to be voted yes or no.

Section 14 **Electoral action, electoral advertising**

- (1) Elections shall be by ballot. ²Voting by absentee ballot is permissible upon request.
- (2) ¹By resolution of the election committee, the election may be conducted as an Internet-based online election (electronic election) with the option of voting by letter. ²The electronic election is only permissible if the applicable principles of electoral law, in particular the principles of secret ballot and publicity of the election, are observed in its implementation.
- (3) The ballot election shall be held on four consecutive non-lecture business days from 9:30 a.m. to 4:00 p.m.
- (4) ¹The election committee shall ensure that voting can be carried out unobserved and that a sufficient number of ballot papers are kept ready in the voting room. ²In the voting room, any influence on the voters by word, sound, writing or image shall be prohibited. Announcements by the election committee or the election officer shall remain unaffected.
- (5) The election officer or the respective election supervisor may expel persons who disturb the order or peace of the election from the voting room.
- (6) ¹If the election is conducted as an electronic election, the election committee shall determine the beginning and end of the election period (first and last time of a possible vote). ²The election period shall be at least four and at most 15 working days.

Section 15 **Voting**

- (1) ¹Before the election documents are handed out, the eligibility to vote and the institution affiliation (faculty, central institution, central administration) must be checked according to the entry in the register of eligible voters on the basis of a valid official ID with photo. ²Participation in elections shall be noted in the register.
- (2) ¹The voter shall vote by marking the spaces provided on the ballot paper with no more crosses than the number of crosses he or she is required to mark under the SectionSection 6, 6a and 6b, clearly indicates which candidate or candidates he/she wishes to vote for. ²In the cases of SectionSection 6 para. 8 sentence 2, 6a para. 4 sentence 2, 6b para. 6, the voter shall vote by clearly indicating in the spaces provided for this purpose whether he/she is voting in favour or against. ³The voter shall throw all the ballot papers into the ballot box.
- (3) A voter who is incapacitated by physical infirmity may avail him/herself of the assistance of a person he/she trusts.

Section 16 Absentee ballot

- (1) ¹Applications for absentee ballots may be submitted informally to the election committee no earlier than 21 days before the first day of voting and no later than the seventh day before the first day of voting. ²After verification of eligibility to vote, the absentee ballot documents shall be handed over or sent to the applicant by the election officer. ³The eligible voter shall be noted in the list of eligible voters as a postal voter.
- (2) The absentee voter receives as absentee ballot documents a ballot paper for each election together with a ballot envelope, a ballot paper with the pre-printed assurance that the person entitled to vote has marked the ballot paper personally and an appropriately stamped absentee ballot envelope (ballot letter).
- (3) ¹The absentee voter places the completed ballot paper(s) in the voting envelope. ²The voter places the ballot paper together with the signed ballot paper in the voting envelope. ³The voter must send the sealed election envelope to the election officer.
- (4) ¹The election letter must be received by the election officer before the end of the voting period. ²The election officer shall note the day and time of receipt on the ballot paper, collect the ballot papers and keep them unopened under lock and key until the end of voting.
- (5) After the end of the voting period, the election officer shall open the ballot paper envelopes received under the supervision of the election assistants and shall ensure that the vote is recorded in the electoral roll and that the ballot papers are then placed in the appropriate ballot box, while maintaining the secrecy of the ballot.
- (6) An election letter shall be rejected if
 1. it has been received late by the election officer,
 2. the voter is not or is no longer registered in the register of eligible voters,
 3. the ballot paper does not contain a ballot paper or the assurance on the ballot paper has not been given or has not been given properly,
 4. the voting envelope is unsealed.
- (7) ¹The rejected ballot papers shall be noted in the election record. ²They shall be marked accordingly and enclosed with the election record in bundled and sealed form.
- (8) Voters who have been issued or sent documents for postal voting may also participate in the general voting on the election date upon presentation of the ballot paper.

Section 16a Voting in the electronic election

- (1) ¹For electronic elections, the election officer sends the election notification electronically to the eligible voters.
This consists of

a notification of the election indicating the voting period, as well as information on how to conduct the election and use the election portal. ³The election portal enables voting by calling an electronic ballot.

- (2) ¹Voting shall take place in person and unobserved in electronic form. ²Authorized voters are authenticated by means of a University ID and their personal password. ³The electronic ballot is to be filled out and sent electronically in accordance with the instructions contained in the election notification and in the election portal. ⁴The electronic voting system used must ensure that the right to vote cannot be exercised more than once. ⁵The storage of the votes sent must be anonymized and carried out in such a way that the order in which the votes were received cannot be traced. ⁶Electors must have the opportunity to correct their entry or cancel the vote until the final vote is cast. ⁷Sending of the vote shall only be possible on the basis of electronic confirmation by the voter. ⁸The transmission must be recognizable for the voter on the screen. ⁹With the indication of the successful casting of the vote, this shall be deemed to be completed.
- (3) ¹When votes are entered, the electronic voting system used must not result in the voter's votes being stored in the computer used for this purpose. ²It must be ensured that unnoticed changes to the vote input by third parties are excluded. ³The ballot paper must be hidden on the screen immediately after the vote has been entered. ⁴The electronic voting system used must not permit the possibility of a paper printout of the vote cast after the final vote has been cast. ⁵The storage of the vote in the electronic ballot box must be based on a non-traceable random principle. ⁶The registration to the voting system, the selection and casting of the vote as well as personal information and IP addresses of the eligible voters must not be logged.
- (4) ¹When casting a vote, the voter or his/her auxiliary person must assure the election officer in electronic form that he/she has marked the vote in person or as an auxiliary person in accordance with the declared will of the voter. ²The effective submission of the assurance in electronic form requires that the voter or the auxiliary person submits the assurance in the electronic voting system. The assurance shall be deemed to have been provided in electronic form if the voter or his/her assistant clicks on a selection field in the electronic voting system relating to the assurance or communicates electronically by means of another form of conduct provided for in the electronic voting system that he/she has marked the vote in person or as an assistant in accordance with the declared intention of the voter. ⁴If the voter or the auxiliary person has not effectively declared the assurance, the electronic ballot shall be rejected. ⁵The person casting the vote shall not be counted as a voter; the vote shall be deemed not to have been cast.
- (5) Voting in electronic form shall be possible in a polling room during the voting hours set by the election board between 10:00 a.m. and 3:00 p.m.

Section 16b Start and end of electronic voting

¹The start and end of electronic voting is only permissible with simultaneous authorization by at least two authorized persons. ² Authorized persons within the meaning of sentence 1 are the members of the election committee and the election officer pursuant to Section 8.

Section 16c Malfunctions of the electronic dialing

- (1) ¹If it is not possible for eligible voters to vote electrically during the election period for technical reasons for which the Technical University of Dortmund is responsible, the election officer may extend the election period in agreement with the election committee. ²The extension must be announced to the general public.
- (2) ¹The election officer shall, in agreement with the election committee, interrupt or cancel the electronic election in justified individual cases, in particular in the event of manipulation or attempts at manipulation as well as technical or mechanical malfunctions, if this does not ensure that the election can be conducted properly. ²If, during the electronic election, malfunctions ^{become} known which can be remedied without the risk of premature disclosure or deletion of votes already cast and possible vote manipulation is excluded, the election committee may remedy such malfunctions or have them remedied and continue the election; otherwise, the election shall be stopped in accordance with sentence 1 without counting the votes. ³If the election is stopped, the election officer shall decide on the further procedure in consultation with the election committee; Section 22 shall apply accordingly. ⁴In the event of other disruptions, the election officer shall decide at his/her appropriate discretion how to respond to the disruption, in particular by extending the deadline or restricting voting to the computers in the voting room or cancelling the election. ⁵The decisive factor shall be the extent to which the relevant election principles are impaired.

Section 16d Absentee ballot for electronic voting

- (1) If the election is conducted as an electronic election, the vote may also be cast in the form of a postal vote. ²Section 16 shall apply mutatis mutandis, whereby the postal vote may be cast no earlier than 38 days before the first day of the election and no later than by 21 day before the first day of voting may be requested informally from the election committee. ³The mailing or delivery of the absentee ballot documents shall exclude eligible voters from voting electronically.
- (2) ¹The sealed absentee ballot documents must reach the election officer by the end of the electronic voting process at the latest. ²The absentee ballot envelopes containing the ballot papers must be collected in a ballot box and counted in accordance with Section 18.

Section 16e Technical requirements

- (1) ¹Electronic elections may only be held if the electronic voting system used complies with current technical standards, in particular the security requirements for online voting products of the Federal Office for Information Security. ²The system must have the technical specifications listed in the following paragraphs. ³Fulfillment of the technical requirements must be demonstrated by suitable documentation.
- (2) ¹External services may be used to conduct the electronic election and to determine the sufficient technical security standard. ²When using external services, the service provider must be contractually obligated to comply with the legal requirements of these election regulations as well as the ordinance on the implementation of online elections of the universities and the student body in North Rhine-Westphalia.
- (3) ¹In order to maintain the secrecy of the ballot, electronic ballot boxes and electronic electoral directory must be maintained on different server hardware. ²The electoral directory shall be stored on a university-owned server.
- (4) ¹The election servers must be protected against attacks from the network; in particular, only authorized accesses may be permitted. ²Authorized accesses include, in particular, the verification of voting eligibility, the storage of the votes of authorized voters, the registration of votes and the verification of multiple exercise of voting rights (election data). ³Suitable technical measures shall be taken to ensure that no votes can be irretrievably lost in the event of the failure or malfunction of a server or a server area.
- (5) ¹The transmission procedure of the election data shall be designed in such a way that it is protected against attempts to spy out or decrypt it.
- (6) ²The transmission channels for verifying the voter's eligibility to vote, the validity of their assurance and for registering the vote in the electoral roll and voting in the electronic ballot box must be separate so that at no time is it possible to attribute the content of the voting decision to the voter.
- (7) ¹Data transmission must be encrypted to prevent any unnoticed modification of the voting data. ²When transmitting and processing the election data, it must be ensured that no access to the content of the vote is possible when registering the vote in the electoral roll.

- (8) Voters shall be informed of suitable security measures to protect the computer used for voting against third-party interference in accordance with the current state of the art; reference shall be made to free sources of suitable software.

Section 17 Election security

1 Sealable ballot boxes must be used to hold the ballot papers and must be set up in such a way that the ballot papers inserted cannot be removed before the ballot box is opened. ²Before voting begins, the election officers must satisfy themselves that the ballot boxes are empty. ³They shall close and seal the ballot boxes in such a way that ballot papers cannot be inserted or removed between the voting times of the individual voting days. ⁴They shall carefully store the ballot boxes. ⁵During the voting times, they shall be present in the voting room at least during the opening and closing of the voting room and during the change of the election assistants. ⁶In all other respects, they shall carry out random checks on the activities of the election assistants. ⁷For the duration of the election times, at least two election assistants from different member groups shall be present at all times.

Section 18 Counting the votes

- (1) ¹ Immediately after the elections, the votes shall be counted with the assistance of the election assistants, i.e. the votes for the elections to the Senate shall be counted under the direction of the respective head of elections, and the votes for the elections to the faculty councils shall be counted under the direction of the respective faculty representative (Section 7 para. 3). ²The counting shall be public. ³The ballots shall be taken from the ballot boxes and counted separately by election. ⁴The ballot papers recorded in the register of eligible voters shall be counted ^{first}. ⁵If, despite checking, there is no agreement, this shall be noted in the election record. ⁶The ballots, sorted separately by election, are then handed over to the respective election chairperson or the respective faculty representative for evaluation. Ballots that are blank or give cause for concern will be discarded.
- (2) ¹The respective election chairperson or the respective faculty representative shall decide on the validity of the separated ballot paper in accordance with these election regulations by making a corresponding note on it. ²The valid and invalid ballots are then counted. ³The respective election chairperson or the respective faculty representative shall ensure mutual control during the counting.
- (3) ¹Voting papers are invalid in particular if
1. they do not contain any labeling,
 2. more candidates are marked with a cross than the voter has votes according to Section 6, 6a and 6b,
 3. no labeling clearly identifies which candidate is the

- candidate or which candidates are meant or, in the cases of SectionSection 6 para. 8 sentence 2, 6a para. 4 sentence 2, 6b para. 6, it is not clear whether the vote is in favor or against,
4. the voter makes additions beyond the prescribed marking that express a further expression of will.
- ²If the voter ticks fewer candidates than the voter has votes according to Section 6, this does not affect the validity of the ballot paper. ³The same shall apply if one or more markings do not clearly indicate which candidate is meant, as long as at least one marking can be clearly assigned to a candidate. ⁴If a candidate included in an election proposal ^{loses} his/her eligibility, votes cast for him/her shall be counted as invalid votes.
- (4) ¹The votes cast for the individual candidates shall be entered in tally lists. ²In the cases of SectionSection 6 para. 8 sentence 2, 6a para. 4 sentence 2, 6b para. 6, the yes votes and the no votes shall be recorded in separate tally lists. ³The respective election chairperson or faculty representative shall ensure mutual control in this respect. ⁴The counting lists are to be signed by him/her.
- (5) ¹In the counting of each election, the following figures shall be determined separately for each group and recorded in the election minutes of the respective voting room or elections:
1. Numbers of voting records,
 2. Number of valid ballots and number of invalid ballots,
 3. the number of valid votes cast for each candidate, broken down by election proposals,
 4. in the case of elections to collegiate bodies, the number of valid votes cast for the candidates on the electoral list separately for each electoral list.
- ²In the cases of sections 6 (8) sentence 2, 6a (4) sentence 2, 6b (6), the following shall apply by way of derogation of sentence 1 No. 3 and 4, the number of votes in favor and the number of votes against are recorded separately.
- (6) The minutes for each voting room, the ballots cast, the registers of eligible voters, and all other documents and papers produced shall be delivered to the election official immediately after the completion of the minutes.
- (7) The election officer shall then determine the results of the elections and declare the results of the elections.
- (8) ¹If the election is conducted as an electronic election, authorization by at least two authorized persons pursuant to Section 8 is required for the administration of the election servers and, in particular, for the counting and archiving of the election. ²The election committee shall arrange for the computer-based university-public counting of the votes cast immediately after the end of the electronic election and shall establish the result by means of a printout of the counting results, which shall be signed off by two members of the election committee. ³A record of the count shall be prepared in accordance with Section 19 para. 1. ⁴All data records of the electronic Internet election shall be stored in a suitable manner. ⁵Section 19 subsection 2 shall apply accordingly.

- (9) In the case of electronic elections, technical means shall be provided to make the counting process reproducible for each voter at any time.

**Section 19
Election minutes**

- (1) ¹The election officer shall prepare joint minutes of the election and the election results, which shall be signed by the members of the election committee. ²The minutes must contain:

1. the names of the members of the election committee, indicating which member held the office of election chairperson in which voting room, and the names of the faculty representatives,
2. the names of the election assistants and the secretary,
3. the number of eligible voters of each member group entered in the register of eligible voters,
4. the respective time, beginning and end of the voting,
5. The total number of ballots cast by those voting in each member group,
6. the total numbers of valid and invalid ballots per member group in total,
7. the total number of valid votes for each electoral list,
8. the total number of valid votes for each candidate,
9. the number of seats allocated to the electoral lists,
10. the names of the elected candidates and the number of votes they received,
11. in the case of elections to the representative body for the interests of student assistants, the names of the elected deputies and the number of votes they received,
12. the names of the substitute members and the number of votes they received,
13. the order, if necessary determined by drawing lots, pursuant to Section 6 para. 1 of the candidates of each electoral list to be considered,
14. the order of delegation of substitute members by the electoral lists in the event of exhaustion of an electoral list, determined in accordance with Section 6 (4) sentences 2 and 3,
15. special occurrences during the electoral acts or the determination of the election results,
16. the
signatures of the members of the election committee and the secretary,
17. a reference to the possibility of contesting the election.

³In the cases of Section 6 para. 8 sentence 2, 6a para. 4 sentence 2, 6b para. 6, the number of votes in favor and the number of votes against shall be stated in the election minutes instead of the information pursuant to sentence 2 nos. 7 and 8. ⁴The information in accordance with sentence 2 no. 10 shall be provided without stating the number of votes. ⁵The information pursuant to sentence 2 nos. 11 to 14 shall be omitted.

- (2) The
ballots, counting sheets,
papers and the
letter documents are kept sealed until the election result is unappealable; they are then destroyed
by the
election officer, insofar as this is legally permissible

Section 20 Announcement of the election results

- (1) ¹The election results shall be forwarded in writing by the election officer to the rectorate and the deans and shall be made public at the university for the duration of the objection period pursuant to Section 21 para. 2. ²The elected candidates shall immediately be notified of their election in writing by the election officer and requested to submit a written declaration within one week as to whether they accept the election. ³If the elected candidate does not make a declaration by the expiry of the set deadline, the election shall be deemed to have been accepted at that time. ^{4A} declaration with reservations shall be deemed to be a rejection. ^{5An} acceptance or rejection may not be revoked.
- (2) If a candidate does not accept the election, the seat shall be taken by the candidate who is the first substitute member on the list of the withdrawing candidate. Section Section 6 (3) sentence 9 shall apply accordingly.
- (3) The election committee shall determine the details, in particular the type and content of the announcement.

Section 21 Election audit

- (1) The election shall be valid upon the announcement of the election result, without prejudice to any election review proceedings.
- (2) The election may be contested in writing to the election officer within one week of the announcement of the election result.
- (3) ¹Any person entitled to vote may contest the election. ²The challenge shall only be admissible on the grounds that the election result, including the voting ratios, has been distorted, in particular by the fact that
 1. the election result was incorrectly calculated,
 2. valid votes had been declared invalid and invalid votes had been declared valid,
 3. certain provisions of the electoral regulations had been violated, thereby influencing the result of the election.
- (4) ¹The election committee may remedy the challenge. ²If the election committee does not remedy the challenge, the election officer shall forward it without delay to the chairperson of the election review committee (para. 9) together with the statement of the election committee and the election documents.
- (5) ¹The election review committee shall make its final decision after a comprehensive review. ²The chairperson of the election review committee shall notify the election committee and the complainant of its decision in writing.
- (6) The election shall be declared invalid in whole or in part by the election verification committee if essential provisions concerning the preparation of the election, the right to vote, eligibility or the election procedure have been violated, unless this has not affected the allocation of seats.

- (7) If the withdrawal of a member is ordered or the election is declared invalid as a whole or in a group of members, this shall not affect the legal validity of the previously adopted resolutions of the collegial body, insofar as these have been executed.
- (8) ¹If the election ^{is} declared invalid in the election verification procedure as a whole or in a group, it shall be repeated to the extent determined in the decision. ²When the election is repeated, subject to a different decision of the election review committee, the election shall be held according to the list of eligible voters and electoral lists of the invalidated election, if the repeat election takes place in the same semester as the first election; otherwise, the election shall be repeated according to the provisions of these election regulations.
- (9) ¹The election review committee shall be appointed by the rectorate as required. ²The election review committee shall include five representatives of the member groups with voting rights in a ratio of 2 : 1 : 1 : 1. ³The Chancellor or a representative appointed by him/her shall be a member of the election review committee in an advisory capacity. ⁴The scrutiny committee shall elect a chairperson and deputy chairperson from among its members.

Section 22 By-elections and re-elections

- (1) ¹By-elections for the remainder of a term of office shall be held upon application to the election committee on the basis of the provisions of these election regulations. ²The election committee may, in the course of setting the date for the by-election, reasonably shorten the procedural deadlines.
- (2) ¹A repeat election for the remainder of the term of office shall be held on the basis of the provisions of these Election Regulations if an election has not been held in whole or in part or has been declared invalid in accordance with Section 21. ²Repeat elections shall be held on the basis of the provisions of these Election Regulations. ³The rectorate may, in the course of setting the date for a repeat election, reasonably shorten the procedural deadlines. ⁴The repeat election shall not take place during the lecture-free period.
- (3) Paragraphs 1 and 2 shall not apply if the next regular election is to be scheduled at the beginning of the lecture period of the following semester.
- (4) ¹In collegial bodies in which, due to their tasks, an absolute majority of representatives of the group of university teachers is required by law and this majority does not exist due to a lack of substitute members, the voting rights of so many members from the other groups that the representatives of the group of university teachers have one more vote than the other members together shall be temporarily suspended until a by-election or re-election. ²The order in which voting rights are suspended shall be determined in such a way that, in the case of groups having more than one vote, first a member from the group of technical and administrative staff, then a member from the group of students, then a member from the group of academic staff, shall be suspended.

employees, and so on. ³Within each group, the order shall be determined according to the reverse order of the election result determined in the group.

Section 23

Meeting of the collegial bodies

The constituent meetings of the fully or partially newly elected collegial bodies shall be held immediately after the beginning of the term of office of the newly elected members, but no later than the end of the summer semester.

Section 24

Transitional arrangement

¹Departing from Section 2, the first term of office of the central equal opportunity commissioner and her deputies beginning after the entry into force of these regulations shall begin on 01.10.2016 and end for the central equal opportunity commissioner on 30.06.2020 and for her deputies on 30.06.2018. ²The elections of the central equal opportunity commissioner and her deputies for the terms of office beginning on 01.10.2016 shall take place in the summer semester 2016 in accordance with these election regulations.

Section 25

Amendment of the electoral regulations

¹An amendment to these election regulations is only possible in an ordinary Senate meeting. ²The full text of the proposal for amendment must have been sent out with the invitation. ³It shall require a majority of the members present and entitled to vote in order to be adopted, whereby abstentions and invalid votes shall not be counted in the calculation of the majority.

Section 26

Entry into force

These Election Regulations shall enter into force on the day following their publication in the Official Notices of the TU Dortmund University. At the same time, the Election Regulations of the University of Dortmund dated March 21, 2017 (AM 5/2017) shall expire.

Issued on the basis of the resolution of the Senate of the Technical University of Dortmund dated 08.07.2021.

Note

Attention is drawn to the fact that, pursuant to Section 12 (5) of the Higher Education Act of the State of North Rhine-Westphalia (Hochschulgesetz - HG NRW), a breach of procedural or formal requirements of the university's regulatory or other autonomous law can no longer be asserted after the expiry of one year from the date of this announcement, unless

- 1) the order has not been duly published,
- 2) the rectorate has previously objected to the decision of the body adopting the regulations,
- 3) the formal or procedural defect has been notified to the university in advance and the violated legal provision and the fact giving rise to the defect have been indicated, or
- 4) the legal consequence of the exclusion of objection was not pointed out in the public announcement of the order.

Dortmund, 13 July 2021

University Professor Dr.
Manfred Bayer