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Election Regulations for the Election to the Bodies or Boards or Committees of the Doctoral School NRW

in the version dated 13.02.2023

Based on Section 67b and Section 13 (1) sentence 2 of the Higher Education Act of the State of North Rhine-Westphalia (Higher Education Act - HG) as amended by the Act Amending the Higher Education Act of July 12, 2019 and Section 13 (1) of the Administrative Agreement of the Doctoral School NRW (VV) and taking into account the Ordinance on the Implementation of Online Elections of Universities and Student Bodies in North Rhine-Westphalia (Online Election Ordinance), the Doctoral School NRW issues the following election regulations:

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Part I - General regulations

§ 1

Scope of application

(1) These election regulations apply to elections to the following Bodies or Boards or Committees of the Doctoral School NRW:

- (1) Doctoral School Senate,
- (2) Department boards,
- (3) Director
- (4) Central Person in charge of Equal Opportunities Affairs and her two deputies
- (5) Representative body for severely disabled persons.

(2) Elections to the doctoral committees are governed by the Framework Doctoral Degree Regulations and the Departmental Degree Regulations; elections to the Recommendations Committees are governed by the Framework Departmental Degree Regulations and the Departmental Regulations.

Part II - Elections to the Doctoral School Senate and the Department boards

§ 2

Gender-equitable composition of Bodies or Boards or Committees

(1) In accordance with Section 11b (1) HG, the Bodies or Boards or Committees of the Doctoral College must have equal gender representation, unless there is an objectively justified exception in individual cases. When drawing up lists and nominations, equal representation must be ensured.

(2) Insofar as Body or Board or Committee appointments are made separately according to groups, the requirement of gender parity within the meaning of paragraph 1 shall be met for the corresponding groups by ensuring that the proportion of women in each group corresponds at least to the proportion of women shown in the group from which the Body or Board or Committee is formed. The prerequisite for this is that gender parity is not in the relevant groups despite intensive efforts. The efforts must be recorded in accordance with paragraph 4 sentence 1.

(3) If the right of nomination exists for only one person, women and men must be considered alternately, unless there is an objectively justified exception in individual cases. In the case of an odd number of persons, sentence 1 shall apply accordingly to the last position.

(4) The reasons for the exception must be recorded in the individual case of deviation. If the exceptional reasons have not been recorded in the case of the composition of the Doctoral School Senate and the Department Boards, the respective Body or Board or Committee shall be dissolved and reconstituted without delay, unless the reasons are subsequently recorded without delay.

§ 3

Composition of Doctoral School Senate and Department boards

(1) The number of members of the Doctoral School Senate to be directly elected and the distribution of seats are regulated in Section 10 (3) of the Constitution.

(2) The number of members of the Department board to be directly elected and the distribution of seats are regulated in Section 18 (3) of the Constitution.

§ 4

Dispensability of elections

(1) If the number of candidates in a group is less than or equal to the number of seats allocated to it, all eligible candidates in this group shall become members of the Body or Board or Committee without election.

(2) If no elections are held in a group because no valid nominations have been received, the last incumbents of this group shall remain in office in accordance with Section 13 (3) of the

Administrative Agreement. The Executive Board must be informed.

§ 5

Conduct of elections; term of office

- (1) The group representatives on the Body or Board or Committee are elected in direct, free, equal and secret elections by the respective member group.
- (2) The election may take place as a ballot box election, postal vote or online election or a combination of these election procedures. In the case of voting by ballot, a decentralized election at the individual supporting universities is permissible.
- (3) In accordance with Section 10 (2) of the Constitution, the term of office of the Doctoral School Senate is three years.
- (4) The term of office of the Department board is three years in accordance with Section 18 (2) of the Constitution.
- (5) The term of office of the doctoral candidates' representatives on the Doctoral School Senate and the Department Board is a one-off two-year term for the 2022 election, so that the election cycle is once again in line with the other groups.

§ 6

Connection of the elections

Elections to the Doctoral School Senate and to the Department boards are generally prepared and held simultaneously as linked elections.

§ 7

Voting rights for elections to the Doctoral School Senate and Department boards

- (1) All members of the Doctoral School NRW, with the exception of the Executive Board, have the right to vote for the Doctoral School Senate. All professorial members and doctoral candidates as well as members of the Staff members assigned to this department have the right to vote for the Department board. In the case of assignment to more than one department, a decision must be made in favor of one department.
- (2) The right to vote must be exercised separately for each group in accordance with Section 13 (1) HG.
- (3) Members entitled to vote who belong to several groups must declare to the election committee within the period specified in the election notice in which group they wish to exercise their right to vote; the declaration is irrevocable for the respective election. If a member entitled to vote does not submit their declaration by the deadline specified in sentence 1, they shall be assigned to a group or department by the election committee.
- (4) Membership of the group of doctoral college staff is determined by § 9 paragraph 1 numbers 1 and 2 of the administrative agreement.

(5) Membership of the doctoral college in the group of doctoral candidates is determined in accordance with Section 10 (1) of the administrative agreement.

(6) Membership of the doctoral college in the group of professors is determined in accordance with Section 8 (1) of the administrative agreement.

§ 8

Election committee

(1) The election committee shall be appointed by the Chairperson of the Executive Board.

(2) The election committee is made up of five members of the doctoral college. As far as possible, the different groups should be taken into account.

(3) The members of the election committee shall appoint a chairperson from among their number. The chairperson is obliged to announce the names of the members to the Executive Board and the departments of the doctoral college without delay.

(4) The members appointed to the election committee may only refuse to accept the office for good cause. The reason must be submitted in writing. The decision on the refusal shall be made by the Chairperson of the Board of Directors.

(5) The elections shall be prepared and managed by an election committee.

(6) The election committee makes its decisions by a simple majority of the members present. In the event of a tie, the vote of the chairperson shall be decisive.

(7) In the case of elections by ballot, the election committee shall appoint a local election committee consisting of three persons to conduct the elections at each election location. Only members of the doctoral college who are eligible to vote may be appointed. Appointment to the local election committee can only be refused for good cause. The Chair of the Board of Directors decides whether a rejection is justified.

(8) The election committee may appoint election assistants. These must be members of the doctoral college who are eligible to vote.

(9) The appointment as an election assistant pursuant to Section 8 (8) can only be rejected for good cause. The Chairperson of the Board of Directors shall decide whether a rejection is justified.

(10) The election committee shall be dissolved after the elections.

§ 9

Compilation of the electoral roll

(1) The list of eligible voters shall be broken down by group and, in the case of elections to the Department boards, also by department. The election committee must keep the list of eligible voters up to date until voting is completed.

(2) Only those who are entered in the voters' register may vote. Only those who are entered in the electoral roll by the deadline for submitting nominations may vote.

(3) The list of eligible voters or a copy thereof shall be available for inspection from the time

the election notice is issued until voting is completed. Any member of the doctoral college who is entitled to vote may lodge an objection to the accuracy of the list of eligible voters with the election committee in writing by no later than 12.00 noon on the third day before the election. If the objection is directed against the entry of third parties, they should be informed of the objection by the election committee and involved in the further procedure. The election committee shall decide on the objection and notify the of its decision without delay, but no later than the end of voting. If the objection is justified, the electoral board must correct the list of eligible voters.

§ 10

Election notice

(1) The election notice shall be drawn up by the election committee. The election notice must be published immediately. Obvious inaccuracies in the election notice may be corrected by the election committee at any time.

(2) The election notice must contain:

1. Place and date of its enactment,
2. the number of members to be elected for the individual Bodies or Boards or Committees, broken down by group,
3. the determination of the voting procedure used or the combination of voting procedures used,
4. the reference to the requirement of a gender-balanced composition of Bodies or Boards or Committees and the need to document efforts in this context in view of the fact that gender parity may not be achieved,
5. the reference to the legal consequences in the event of a failure to achieve gender parity in the composition of Bodies or Boards or Committees without an objectively justified exception (immediate dissolution and reconstitution of the Doctoral School Senate and the Department Boards),
6. Time and place for inspecting the electoral roll and the electoral regulations,
7. notification of the groups in which an election is likely to be canceled because the number of eligible voters does not exceed the number of seats to which the group is entitled,
8. the information that only the person entered in the voters' register has the right to vote,
9. information on the possibility of lodging objections to the electoral roll, the form and deadlines for such objections,
10. that each member of the Doctoral College may only be nominated on one nomination for the election of the Body or Board or Committee concerned,
11. that each member of the Doctoral College may only sign one nomination for election to a Body or Board or Committee,
12. the information that only nominations submitted by the deadline will be considered and that only those who are included in such a nomination can be elected,
13. that the nominations will be in the election notice and that the elected candidates will be named on the Doctoral School NRW homepage,

14. the place and time of voting,
15. in the case of ballot voting, the determination of the rules for the conduct of the ballot in accordance with § 20
16. the regulations for postal voting, stating the deadline for postal voting applications and the office to which such applications are to be sent in accordance with § 21,
17. in the case of online voting, the determination of the rules for implementation pursuant to Section 22.

§ 11

Election proposals

- (1) The election proposals must be submitted to the election committee separately for the election of the individual Bodies or Boards or Committees and separately for each group within at least two weeks of the election notice being issued.
- (2) Nominations can only be signed by members of the respective group who are entitled to vote, and for elections to the Department boards only by members of the respective department who are entitled to vote. If an election proposal has also been signed by persons who are not entitled to nominate candidates, these will be deleted. Persons entitled to nominate candidates may only sign one nomination for each of the individual elections with legal effect.
- (3) If an authorized nominee has signed several nominations for one of the individual elections, the signature only counts on the first valid nomination received.
- (4) Only eligible doctoral college members of the respective group may be nominated for the elections and, in addition, only members of the respective departments may be nominated for the elections to the Department boards. Candidates who are not eligible shall be deleted. Candidates may only be nominated in one election proposal for each of the individual elections. If candidates are nominated in several election proposals, the first valid election proposal received shall apply.
- (5) A written declaration of willingness to stand for election must be submitted by each candidate together with the election proposal.
- (6) Election proposals that are not submitted on time are invalid.

§ 12

Content of the election proposals

- (1) Each election proposal must contain the following information:
 1. the Body or Board or Committee for which the candidates are nominated,
 2. the group for which the candidates are nominated,
 3. Surname, first name, group and, if applicable, department affiliation,
 4. the written declaration of consent of the candidates.
- (2) The names of the individual candidates must be listed one below the other on the nomination form and numbered consecutively. The nominations must be submitted on forms

issued by the election committee.

(3) Election proposals may enter into a list combination. This must be declared to the election committee at the time the nomination is submitted. Combined lists are treated as one list.

(4) Nominations may be provided with a list designation.

§ 13

Treatment of election proposals

(1) The persons specified in the election notice shall the nominations. The date and time of receipt must be noted on the nominations. This applies accordingly if a corrected nomination is submitted.

(2) The election committee shall the election proposals without delay. If deficiencies are identified, it shall immediately the timely correction of the deficiencies to be specified, returning the election proposal; the deadline for the submission of corrected election proposals shall end on the date specified in Section 14 (2) (grace period). If the election committee identifies invalidities, the election proposal shall be returned without delay, stating the reasons, and efforts shall be made to submit a proper new election proposal within the submission deadline.

§ 14

Grace period for the submission of election proposals

(1) If at least one valid election proposal for the group has not been received by the end of the submission deadline for the individual elections, the election committee shall immediately announce for which election and for which group no election proposal has been submitted. The same applies if the nominations for one of the individual elections and groups nominate fewer in total than the number of seats in the Body or Board or Committee to which this group is entitled.

(2) The election committee shall call for the submission of election proposals within the specified grace period of seven days with reference to the consequences of § 14 (3).

(3) If so few candidates are nominated for the elections to the Doctoral School Senate or the Department Boards for a group even within the grace period that the prescribed number of representatives of this group cannot be reached, the seats of the representatives of this group in the Doctoral School Senate or the Department Board shall remain vacant.

§ 15

Designation of the election proposals

The election committee assigns numbers to the valid election proposals of the groups in the order in which they are received (proposal 1 etc.). The order is determined by drawing lots if several election proposals are received at the same time. In the case of election proposals that have been corrected, the time of receipt of the corrected election proposal is decisive.

§ 16

Electoral system

- (1) The election committee shall determine whether the group representatives of the individual bodies are to be elected according to the principles of proportional representation or according to the principles of majority voting.
- (2) Proportional representation is carried out on the basis of lists. It shall take place if several valid nominations have been received for each election and group.
- (3) Elections shall be held in accordance with the principles of majority voting if only one valid nomination has been received per election and group or if only one candidate from a group is to be elected.

§ 17

Notice of election

- (1) Immediately after expiry of the period specified in Section 11 (1) or Section 14 (2), but at the latest on the third day before the start of voting, the election committee shall make the election announcement. This shall contain.
 1. the invitation to vote with an indication of the election period, in the case of ballot box elections the polling stations and the times of day for voting,
 2. the access data for online elections, with which the vote can be cast,
 3. the rules for voting,
 4. the approved election proposals and
 5. an indication of which Body or Board or Committee in which group may not be elected.
- (2) The election notice shall be signed by the chairperson of the election committee.

§ 18

Exercise of the right to vote / Voting

- (1) Only nominated in a valid election proposal may be elected.
- (2) The right to vote is exercised by casting a vote or a ballot paper. Different ballot papers, possibly electronic, shall be used for the individual elections or groups; in all other respects, the respective ballot papers must be identical.
- (3) Votes shall be cast no later than three weeks after the expiry of the deadline pursuant to § 11 (1) and the grace period pursuant to § 14 (2).
- (4) In the case of proportional representation elections, the person entitled to vote has only one vote for each election. The ballot paper shall show the nominations in the order of their assigned numbers. The surnames and first names of the candidates must be listed according to the order in which they appear in the nomination submitted. The ballot paper must have space for marking a cross or, in the case of online elections, a field for clicking on the individual candidates of the nomination. The list designation pursuant to § 12 paragraph 4 must be

added. It must be made clear that only one candidate can be ticked. In addition, must be pointed out that the vote for one candidate is also counted in favor of the entire list.

(5) In the case of a majority election in a group, the person entitled to vote has as many votes per election as the number of seats allocated to the group.

(6) The right to vote is exercised by submitting a ballot paper or, in the case of online elections, by sending a ballot paper.

(7) In particular, ballot papers are invalid,

- a) which are not submitted on a form issued by the election committee;
- b) from which the will of the voters cannot be determined beyond doubt;
- c) which contain special additions or a reservation;
- d) on which more votes are cast than person entitled to vote is individually entitled to.

§ 19

Election procedure

(1) The Chairperson of the Executive Board shall determine in agreement with the election committee whether the election is to be conducted in whole or in part as a pure ballot box election, postal vote or online election or a combination of these procedures. The online election is only permissible if the applicable principles of electoral law, in particular the principles of secret ballot and the public nature of the election, are complied with in accordance with the Online Election Ordinance §§ 4-7.

(2) If postal voting is not specified as the main procedure but as a supplementary procedure, postal voting must be applied for in writing, verbally or electronically to the electoral board. The application must be noted in the voters' register. An application for postal voting is valid if submitted by a duly authorized person.

§ 20

Ballot box voting

(1) The election committee appoints an election officer and election assistants for each polling station. The electoral officer shall ensure that the election is conducted in an orderly manner. If special incidents occur during the course of the election, the electoral officer prepares a record of these.

(2) The local electoral board shall take precautions to ensure that voters can mark the ballot paper(s) unobserved. The ballot paper(s) shall be folded by the person entitled to vote in such a way that secrecy is maintained at all times. Ballot boxes are to be used to hold the ballot papers. Before voting begins, the local electoral board must check that the ballot boxes are empty and seal them. They must be set up in such a way that the ballot papers cannot be removed before the ballot box is opened. The use of separate ballot boxes for the individual elections and groups is permitted.

(3) As long as the polling station is open for voting, at least the Chief Electoral Officer must be present.

(4) Before the ballot paper or ballot papers are placed in the ballot box, it must be established whether voter is entered in the voters' register. The vote cast must be recorded in the electoral roll. Proof of identity may be requested in case of doubt. If the voter has applied for postal voting or a postal voting procedure has been carried out, voting in the ballot box election requires the presentation of the polling card.

(5) If the election is interrupted, the local electoral board shall, in the meantime, seal and store the ballot boxes in such a way that it is impossible to insert or remove ballot papers without damaging the seal. When the election is reopened, the local electoral board must ensure that the seal is intact

(6) Voters may not be influenced with regard to their vote either by notices or by personal addresses at the polling place or polling station.

(7) The local electoral board shall ensure that the ballot boxes are stored securely and locked after voting is completed. The electoral board shall arrange for the ballot boxes to be collected for the central vote count.

§ 21

Postal voting

(1) Eligible voters may make use of the option of postal voting if they apply to the election committee in writing, verbally or electronically within the period specified in the election notice. An absentee ballot application is valid if submitted by a duly authorized person.

(2) An application may only be submitted in the form specified in Section 19 (2). In addition, the deadline set in the election notice pursuant to Section 10 (2) must be observed.

(3) The ballot paper(s) with an envelope, a postage-paid envelope bearing the address of the electoral board, an explanation of postal voting and a ballot paper () must be handed over or sent to the person entitled to vote. The ballot paper contains the voter's confirmation that the vote was cast in person or on their own behalf. The electoral board must note the handing over or sending of the ballot paper in the voters' register.

(4) To exercise the right to vote, the person entitled to vote shall place the ballot paper(s) completed by him or her in the enclosed envelope, which in turn shall be placed in the postage-paid envelope together with the ballot paper. The envelope must be sent to the electoral board in good time so that it is available before voting is completed.

(5) Immediately before the counting of votes begins, the polling shall remove the ballot envelopes from the sealed envelopes received by this time and place them unopened in the ballot boxes after noting the votes cast in the list of eligible voters.

(6) Envelopes received after voting has been completed shall be added unopened to the election documents by the election management with a note on the time of receipt

§ 22

Online voting

(1) The online election is based on the provisions of the Ordinance on the Implementation of Online Elections at Universities and Student Bodies in North Rhine-Westphalia (Online Election Ordinance), as amended.

(2) Electronic voting is valid, but another form of voting must be possible, in particular by ballot box or, upon request, by postal vote.

(3) In accordance with Section 6 (5) of the Online Election Ordinance, the electoral board shall send the details of the election period as well as information on the conduct of the election and use of the election portal electronically or by post to those entitled to vote. The election portal enables voting by means of an electronic ballot paper.

(4) Votes are cast in person and unobserved in electronic form. Prior authentication of the person entitled to vote is required. The authentication data must enable unambiguous identification that cannot be duplicated or circumvented in an unauthorized manner according to the state of the art. At the same time, the person entitled to vote must make an affirmation in lieu of an oath to the electoral board, stating the date. The affirmation in lieu of an oath is submitted in written form or in electronic form. The votes cast must be stored anonymously and in such a way that the order in which the votes were received cannot be traced. Those entitled to vote must have the opportunity to correct their entry or cancel the vote until the final vote is cast. It must only be possible to cast a vote on the basis of an electronic confirmation by the voter. The transmission must be visible to the voter on the screen. The vote is deemed to have been cast when the voter is notified that the vote has been successfully cast.

(5) When entering votes, the electronic voting system used must not store the voter's vote in the computer used for this purpose. It must be ensured that unnoticed changes to the vote input by third parties are excluded. The ballot paper must be hidden on the screen immediately after the vote has been entered. The electronic voting system used must not allow for a paper printout of the vote cast after the final vote has been cast. In addition, the storage of votes in the electronic ballot box must be based on an untraceable random principle and personal information such as IP addresses etc. must not be logged.

(6) If electronic voting is not possible for eligible voters during the election period for technical reasons, the election committee may extend the election period. The extension must be made public.

(7) The online election must be canceled if manipulation or manipulation attempts as well as technical or mechanical malfunctions occur and the proper conduct of the election cannot be guaranteed as a result. Accordingly, by-elections or repeat elections shall be held. If faults become known during the electronic election that can be rectified without the risk of premature disclosure or deletion of votes already cast and if possible vote manipulation is ruled out, the election committee may have such faults rectified.

(8) Online elections may only be conducted pursuant to Section 4 (1) of the Online Election Ordinance if the electronic voting system used meets current technical standards, in particular the security requirements for online voting products of the Federal Office for Information

Security. The system must have the technical specifications listed in the following paragraphs. Compliance with the technical requirements must be proven by means of suitable documentation.

(9) In order to safeguard the secrecy of the ballot, the electronic ballot box and the electronic voters' register pursuant to Section 4 (2) no. 1 of the Online Election Ordinance must be kept on different server hardware.

(10) The election servers must be protected against attacks from the network in accordance with Section 4 paragraph 2 numbers 2 and 3 of the Online Election Ordinance; in particular, only authorized access may be permitted. Authorized accesses are, in particular, the verification of eligibility to vote, the storage of votes cast by registered voters, the registration of votes and the verification of multiple exercise of voting rights (election data). Suitable technical measures must be taken to ensure that no votes can be irretrievably lost in the event of the failure or malfunction of a server or server area.

(11) In accordance with Section 4 (2) nos. 4 and 5 of the Online Election Ordinance, the transmission procedure for election data must be designed in such a way that it is protected against attempts to spy on or decrypt it. The transmission channels for verifying the voters eligibility to vote, the validity of his or her affirmation in lieu of an oath and for registering the vote in the voters' register and casting the vote in the electronic ballot box must be separate so that it is not possible at any time to assign the content of the voting decision to the voter.

(12) Data transmission must be encrypted in order to prevent any undetected alteration of the election data. When transmitting and processing the election data, it must be ensured that the content of the vote cannot be accessed when the vote is registered in the electoral roll.

(13) The electoral college is entitled to use external services to carry out the online election and to determine the sufficient technical security standard.

§ 23

Determination of the election result

(1) Immediately after the time set for casting votes has expired, the election committee shall conduct the count. The electoral board is obliged to check the validity of the votes cast. For this purpose, the local electoral board compares the number of ballot papers contained in the ballot box with the number of votes cast according to the electoral roll. The electoral board also records the result of the count.

(2) The election committee shall decide on the validity or invalidity of ballot papers give rise to doubts. The decision shall be noted on the ballot papers. The invalid ballot papers are kept separately with the election documents.

(3) In the case of proportional representation, the local election committee shall add up the valid votes on each list and within each list for the individual candidates.

(4) In the event of a majority vote, the valid votes cast for the individual are added together.

(5) The election committee shall arrange for the computer-based counting of the votes cast immediately after the end of the online election and shall determine the result by printing out

the counting results. The votes from the other election procedures are added together with the votes from the online election. The election result must be documented in writing. The result of the count must be signed by the chairperson of the election committee.

§ 24

Minutes of the election

(1) The election committee is obliged to prepare minutes of the election result immediately after the election result. The chairperson of the election committee must sign the minutes.

(2) The minutes must be divided into elections and groups:

1. the total number of votes cast,
2. the totals of valid and invalid votes cast,
3. in the case of list elections, the number of valid votes allocated to the individual candidates within the lists and the final order of the candidates,
4. in the case of a majority vote, the number of valid votes cast for each ,
5. the names of the elected ,
6. the reference to by-elections pursuant to § 32.

(3) Special occurrences during the determination of the election result shall be noted in the minutes.

§ 25

Determination of the elected representatives in the case of proportional representation

(1) The sums of the valid votes cast for the individual lists of nominations or list combinations of each group are placed next to each other and divided by 1, 2, 3 etc. in order. A seat is allocated to the highest partial number (maximum number) until all the seats to which the group is entitled have been allocated (d'Hondt method). If the number of seats is not sufficient in the case of equal maximum numbers, the decision is made by drawing lots. If a list contains fewer candidates than the maximum number of seats to which it would be entitled, the surplus seats are allocated to the remaining seats of the same group in the order of the next maximum number.

(2) The order of the candidates within a list shall be determined by the highest number of valid votes they received; in the case of candidates with the same number of votes and candidates who did not receive any votes, the order in the election proposal shall be decisive. As many candidates are elected in the order determined in accordance with sentence 1 as the number of seats to which the group is entitled.

§ 26

Determination of the elected representatives in the majority election

In the event of a majority vote, the candidates of a group are elected in the order of the highest number of votes they receive. In the event of a tie, the election is decided by drawing lots.

§ 27

Notification of the elected representatives

- (1) The election committee shall notify the elected representatives of the election in written or electronic form.
- (2) The election committee shall publish the names of the elected representatives in the Official Notices of the Doctoral School NRW.

§ 28

Redialing

- (1) A repeat election shall take place if and to the extent that
 1. the election is declared invalid due to an election audit pursuant to § 29,
 2. the Bodies or Boards or Committees have not achieved gender parity in accordance with § 2, there is an objectively justified exception in individual cases,
 3. the number of votes cast exceeds the number of voters,
 4. the legal requirements for electronic elections in accordance with the Online Election Ordinance and Section 22 cannot be complied with.
- (2) The election shall be limited to the group concerned. If the election is repeated, the election regulations shall be taken into account. The reason for the election rerun must be stated in the election notice. In the event of a repeat election, the election committee may, by resolution to be publicly announced, make provisions deviating from these election regulations regarding deadlines and other time specifications as well as announcements, provided that it is ensured that those affected have sufficient opportunity to take note of the election notice and the election announcement as well as to submit objections and proposals.

§ 29

Election audit

- (1) Persons entitled to vote may lodge an objection against the validity of the election with the election committee within two weeks of the announcement of the election result. The objection must be substantiated.
- (2) The election committee decides on objections.
- (3) If the ascertained election result is declared invalid in whole or in part, it shall be annulled in whole or in part and a new ascertainment ordered.
- (4) The election shall be declared invalid in whole or in part if essential provisions concerning the preparation of the election, the distribution of seats, the right to vote, eligibility or the election procedure (online election) have been violated, unless this has not affected the distribution of seats.
- (5) The election committee shall notify the decision to the doctoral candidate who raised the objection and to all those affected by the decision.

(6) If an election is invalid, the election committee shall immediately initiate a rerun. The election rerun shall be limited to the group concerned. The election regulations remain valid. The election committee may make deviating provisions regarding deadlines and other time specifications as well as announcements, provided that it is ensured that those affected sufficient opportunity to take note of the election notice and the election announcement as well as to submit objections and proposals.

§ 30

Storage of the election documents

The election documents must be kept until the end of the term of office or until the following election has been completed. At the end of the term of office, they must destroyed or deleted, provided there are no regulations to the contrary.

§ 31

Change in group membership

If the group affiliation of a Body or Board or Committee member changes or if it subsequently transpires that an incorrect group affiliation was assumed when the entry was made in the list of eligible voters, this member shall leave the Body or Board or Committee. The regulations on the entry of substitute members in accordance with § 32 shall apply.

§ 32

Entry of substitute members

(1) Membership of a Body or Board or Committee shall expire upon resignation or withdrawal from the Doctoral College. A replacement member from the respective member group shall take their place.

(2) The substitute members shall be taken in the order of the next highest number of votes from the list of nominees from which the members to be replaced originate . If no candidate can be taken from the respective member group, a by-election shall only take place at the request of a member of the group affected in the Body or Board or Committee. The provisions of these election regulations apply.

(3) If no substitute member is available for the vacant seat in the group after the by-election, the seat shall remain vacant.

(4) If an electoral mandate and an official mandate coincide for a member of a Body or Board or Committee, the electoral mandate shall be suspended for the term of office in accordance with Section 13 (2) of the Administrative Agreement. During this period, a substitute member shall take over.

Part III - Election of the Director

§ 33

Election of the Director and his or her deputies

- (1) The Department board elects an election officer for the election of the director and deputies at the constituent meeting and determines the election date.
- (2) Members of the Department board who are eligible to vote may make nominations for the elections. Each member may nominate only one candidate for each office to be filled. The nominees shall declare whether they accept the candidacy.
- (3) At the election meeting, the respective candidates shall be given the opportunity to present the focus of their future office; the members of the department shall be given the opportunity to question the candidates.
- (4) The Director and the Deputy Directors are elected by the Department Board from the group of professorial members by a majority of the votes of the members of the Body or Board or Committee in accordance with Section 25 (5) sentence 1 of the Administrative Agreement.
- (5) The election of the director and one or two deputies shall take in separate ballots. The shall then be elected first at the election meeting. The candidate who receives the majority of votes from the members of the Department board is elected. If none or none of the nominees are elected, a second ballot is held among the candidates who received the highest and second-highest number of votes. If no candidate is elected in the second ballot either, a third ballot will be held after at least one week among the two candidates with the highest number of votes in the second ballot. The result is determined immediately after the respective election. If no candidate receives the required number of votes in the third ballot either, the election committee shall initiate a new election procedure. After the elected candidates have declared their Acceptance of the election, the result of the election is announced to the Executive Board and by publication in the Official Notices.
- (6) If the person elected as Director is an elected member of the Department Board, a substitute member shall take their place on the Department Board before the subsequent election of a deputy.
- (7) If a director or deputy director leaves office prematurely, the Department board must hold a by-election without delay. Paragraphs 1 to 5 apply accordingly and § 33 must be observed. The term of office in the event of a by-election shall be for the remaining term of office of the resigned director or deputy director.
- (8) An online election is possible, provided that all requirements of the Online Election Ordinance are met. In addition, the Chairperson of the Board of Directors must give their consent.
- (9) The election requires confirmation by the Chairperson of the Board of Directors.
- (10) In accordance with Section 17 (2) of the Constitution, the term of office of the director and deputy director(s) is three years. Re-election is permitted in accordance with Section 25 (5) sentence 4 of the Administrative Agreement.

Part IV - Election of the central Person in charge of Equal Opportunities Affairs and her deputies

§ 34

Election of the central Person in charge of Equal Opportunities Affairs and her deputies

- (1) The Person in Charge of Equal Opportunities Affairs and her two deputies are elected by the Doctoral School Senate from among all female members of the Doctoral College in accordance with Section 13 (3) sentences 1 and 2 of the Constitution and appointed by the Chairperson of the Executive Board. They should include one professorial member and one member of the group of doctoral candidates.
- (2) The election shall be prepared and conducted by the election committee.
- (3) All female members of the doctoral college are eligible for election, however, in accordance with Section 24 (2) sentences 2 and 3 HG, the professional qualifications of the Person in charge of Equal Opportunities Affairs should meet the requirements of her duties; this requires a completed university degree or proven professional qualifications.
- (4) In accordance with Section 13 (3) sentence 4 of the Constitution, the term of office is three years for the Person in charge of Equal Opportunities Affairs and for her deputies.
- (5) The election of the central Person in charge of Equal Opportunities Affairs and the deputies shall take place in separate ballots.
- (6) The functions are to be advertised publicly in accordance with Section 13 (3) sentence 3 of the Constitution.
- (7) Persons in charge of Equal Opportunities Affairs and their deputies are elected by receiving the highest number of valid votes.

Part V - Election of the representative body for severely disabled persons

§ 35

Election of the representative body for severely disabled persons and their deputies

- (1) If at least five severely disabled people are employed at Doctoral School NRW on a more than temporary basis, a representative and at least one deputy member shall be elected in accordance with Section 177 (1) SGB IX to represent the representative in the event that they are unable to attend.
- (2) In accordance with Section 177 (2) SGB IX, all severely disabled people employed at Doctoral School NRW are entitled to vote.
- (3) In accordance with Section 177 (3) SGB IX, all employees of the Doctoral School NRW who have reached the age of 18 on the election day and have been members of the Doctoral School NRW for six months are eligible for election.

(4) The regular elections shall take place every four years in the period from October 1 to November 30. Elections are held outside of this period in accordance with Section 177 (5) SGB IX if

1. the office of the representative for severely disabled persons expires prematurely and a deputy member does not succeed him/her,
2. the election has been successfully contested or
3. a representative body for severely disabled employees has not yet been elected.

If an election of the representative body for severely disabled employees has taken place outside the period specified for the regular elections, the representative body for severely disabled employees shall be re-elected in the next regular election period following the election. If the term of office of the representative body for severely disabled persons has not yet lasted one year at the beginning of the period specified for the regular elections, the representative body for severely disabled persons shall be re-elected in the next but one regular election period.

(5) The representative and the deputy member shall be elected by secret and direct ballot in accordance with the principles of majority voting.

(6) The election shall take place in accordance with the provisions of the election regulations for severely disabled persons' representatives (SCHwbVWO) as amended.

(7) The term of office of the representative body for severely disabled employees is four years. It begins with the announcement of the election results or, if the term of office of the previous representative body for severely disabled employees has not yet ended, upon its expiry. The office expires prematurely if the representative resigns, leaves the employment relationship or loses eligibility. If the shop steward office prematurely, the deputy member elected with the highest number of votes succeeds him/her for the remainder of the term of office; this applies accordingly to the deputy member. At the request of a quarter of the severely disabled persons entitled to vote, the Appeals Committee may decide to terminate the office of a representative for gross violation of their duties in accordance with Section 202 SGB IX.

(8) The duties of the representative body for severely disabled employees are regulated in § 178 SGB IX.

Part VI - Final provisions

§ 36

Entry into force

This regulation comes into force on the day after its publication in the Official Notices of the Doctoral School NRW.

Bochum, 24.02.2023

The Chairman of the Executive Board

Sankt Augustin, 13.02.2023

The Chairman of the Doctoral School Senate

signed. *Sternberg*

(Prof. Dr. Martin Sternberg)

signed. *Jung*

(Prof. Dr. Norbert Jung)

Informational Version