

Wahlordnung (hereinafter Electoral Regulations) of the University of Rostock

of 2 February 2016

Source: Official Bulletin No. 3/2016 of 5 February 2016

Amendments:

1. §§ 2, 17, 26(5), 34(1), 52(3) amended by the First Amending Statutes of the Electoral Regulations of the University of Rostock of 25 June 2020 (Official Bulletin no. 38/2020 of 30 July 2020)

Based on § 2(1) in conjunction with § 80(1) of the *Landeshochschulgesetz* (hereinafter State Higher Education Act), in the version announced on 25 January 2011 (GVOBl. M-V 2011 (Law and Ordinance Gazette of Mecklenburg-Vorpommern) p. 18), the University of Rostock hereby passes the following Statute:

I. Elections for the Council, Academic Senate and Faculty Councils	3
§ 1 Scope of Application.....	3
§ 2 Right to Vote.....	3
§ 3 Electoral Groups.....	4
§ 4 Electoral Principles	5
§ 5 Elections for the Council.....	6
§ 6 Elections for the Academic Senate	6
§ 7 Elections for the Faculty Councils	6
§ 8 Electoral Bodies.....	7
§ 9 Election Committee	7
§ 10 Committee for the Scrutiny of Elections	8
§ 11 Returning Officer	8
§ 12 Electoral Office	8
§ 13 Election Officials	8
§ 14 Election Dates (Cut-Off Date).....	8
§ 15 Announcement of Elections	9
§ 16 Voting Register	9
§ 17 Lists of Candidates	9
§ 18 Submission of Lists of Candidates	10
§ 19 (deleted).....	11
§ 20 Decision-Making for the Lists of Candidates.....	11
§ 21 Announcement of the Lists of Candidates	11
§ 22 Election Rallies	11
§ 23 Election Documents	12
§ 24 Issue of Election Documents.....	12
§ 25 Casting Votes via Postal Voting	12
§ 25a Casting Votes via Postal Voting with the Possibility of Ballot Box Voting	13
§ 25b Casting of Votes via Online Voting.....	13
§ 25c Start and End of the Online Election	13
§ 25d Faults during Online Voting	13
§ 25e Postal Voting for Online Elections.....	14
§ 25f Technical Requirements.....	14

§ 26	Determination of the Election Result.....	15
§ 27	Determination of the Preliminary Election Result and Recording of the Election Result	16
§ 28	Announcement of the Preliminary Election Results; Acceptance of the Vote	16
§ 29	Requests for the Scrutiny of Elections	16
§ 30	Decision from the Committee for the Scrutiny of Elections.....	16
§ 31	Storage of the Election Documents.....	17
§ 32	Repeat Election	17
§ 33	Representation and Stepping Down of Seat Holders and Suspension of the Mandate	17
§ 34	Term of Office.....	18

II. Elections for the University Council 18

§ 35	Composition.....	18
§ 36	Selection Committee	18
§ 37	List of Nominees.....	19
§ 38	Election Procedure	19
§ 39	Election Record and Announcement of the Election Result	19

III. Election and Voting Out of Members of the Rectorate..... 20

1. Election of the Rector..... 20

§ 40	Selection Committee	20
§ 41	Candidature Requirements	20
§ 42	List of Nominees.....	20
§ 43	Election Procedure	21
§ 44	Recording and Announcement of the Election Results	22

2. Election of the Pro-Rectors..... 22

§ 45	Term of Office.....	22
§ 46	List of Nominees.....	22
§ 47	Election Procedure	22

3. Election of the Registrar (Head of Administration and Finance)..... 22

§ 48	Election of the Registrar (Head of Administration and Finance).....	22
------	---	----

4. Voting Out of Members of the Rectorate 23

§ 49	Voting Out of Members of the Rectorate	23
------	--	----

IV. Election of the Dean, the Dean of Studies and the Vice-Deans 23

§ 50	Election of the Dean	23
------	----------------------------	----

§ 51 Election of the Dean of Studies.....	24
§ 52 Election of the Vice-Deans.....	24
V. Final Provisions.....	24
§ 53 Deadlines.....	24
§ 54 Use of Online Elections.....	24
§ 55 Entry into Force, Expiry.....	25

I. Elections for the Council, Academic Senate and Faculty Councils

§ 1

Scope of Application

The first chapter of these Electoral Regulations applies to the elections for the University of Rostock's Council, Academic Senate and faculty councils.

§ 2

Right to Vote

(1) All members of the university community at the University of Rostock are entitled to vote (actively or passively), with the exception of the Rector. The office of Rector, like the office of a Pro-Rector, is neither compatible with the office of Dean or Vice-Dean, nor with a seat on the Council, Academic Senate or a faculty council. The office of Dean is not compatible with a seat on the Council, Academic Senate or faculty council. The office of Registrar (Head of Administration and Finance) is not compatible with a seat on the Council or Academic Senate.

(2) The 64th day prior to the cut-off date is decisive for the affiliation to a group of members and an electoral group. With the exception of students, all members of the university community who have been on a leave of absence for more than six months on this date, are not entitled to vote. Likewise, students, who have not yet re-registered on the 64th day prior to the cut-off date, are not entitled to vote. Students enrolled in several degree courses or in a degree course with more than one subject, are only entitled to vote for the faculty that they indicated on enrolment.

(3) In the University's bodies, members of the university community are represented by the following groups:

- the professorial staff (professors and junior professors),
- the students,
- the members of academic staff (teaching and/or research assistants, postdoctoral fellows, research fellows, research associates, artistic members of staff, and doctoral candidates),
- the members of non-academic staff.

These members have active and passive electoral rights.

(4) These groups include all of the University of Rostock's employees, whose main occupation falls under public service for the state of Mecklenburg-Vorpommern, and the enrolled students. A main occupation requires the working hours to be at least half of the normal working hours in the public service sector.

(5) The members of the university community at the University of Rostock include the following persons if they are not considered to have a main occupation at the University as defined in Sub-Section (3):

belonging to the group of professorial staff

- the interim professors and visiting professors and visiting lecturers,
- lecturers who have been taken on by the University and whose status was determined by former legal systems,
- lecturers in higher education,
- professors who regularly hold courses at the University of Rostock after reaching retirement age, and

belonging to the group of academic staff members

- the *Privatdozents* (senior lecturers),
- the *außerplanmäßige Professors* (senior lecturers),
- the honorary professors,
- the part-time teaching staff,
- the graduate assistants.

These employees have an active electoral right.

(6) Persons, whose main occupation is at the University of Rostock, but who are not a member of the university community in accordance with the previous sub-sections, who have been approved by the respective organ pursuant to the *Grundordnung* (hereinafter Basic Regulations), have an active electoral right.

(7) Persons from the group of academic staff members, who fulfil the appointment requirements in accordance with § 58 of the State Higher Education Act and independently perform university tasks in both research and teaching in the subject area to which they belong, are assigned to the group of professorial staff. Affiliation to a different status group shall only be made upon submission of a request to the Rectorate.

(8) Members of the university community, who are currently at the stage of their partial retirement in which they are released from work responsibilities on the 64th day prior to the cut-off date, are not entitled to vote.

(9) Members of the university community, i.e. also including professors who have already reached statutory retirement age, who are not members pursuant to the previous stipulations are not entitled to vote. The persons who are not entitled to vote include the honorary members, honorary senators and those persons completing a habilitation who are not members of the university community at the University of Rostock.

(10) Every person who is entitled to vote is only entitled to vote in one group. Persons who belong to several groups are entitled to vote in the group of voters that is named first in the following list:

- the professorial staff
- the members of academic staff
- the members of non-academic staff
- the students.

(11) Members belonging to the groups of academic and non-academic staff are entitled to vote and eligible for election in the electoral group in which or for which they do most of their work. If members are part-time employed with equally spread work hours in various electoral groups, they must write to the Returning Officer to bindingly declare the electoral group in which they would like to exercise their active and passive electoral rights.

§ 3

Electoral Groups

(1) For elections to the Council and the Academic Senate, the University of Rostock shall create one electoral group for each of the following member groups: members of academic staff, students and members of non-academic staff.

(2) The following electoral groups shall be created for the group of professorial staff for elections to the Council and Academic Senate:

- Electoral Group 1: Faculty of Agricultural and Environmental Sciences
- Electoral Group 2: Faculty of Computer Science and Electrical Engineering
- Electoral Group 3: Faculty of Mechanical Engineering and Marine Engineering
- Electoral Group 4: Faculty of Law
- Electoral Group 5: Faculty of Mathematics and Natural Sciences
- Electoral Group 6: Faculty of Arts and Humanities
- Electoral Group 7: Faculty of Theology
- Electoral Group 8: University Medicine
- Electoral Group 9: Faculty of Economics and Social Sciences

(3) Each electoral group defined in Sub-Section (2) shall be allocated with one seat each for the elections to the Council and Academic Senate. The remaining seats, following the allocation as stipulated in Sentence 1, shall be distributed by the Election Committee according to the University of Rostock's valid staffing plan on the day on which the elections are announced in relation to the number of positions assigned to the individual electoral groups using the d'Hondt method.

(4) For elections to the faculty councils, the faculty shall create an electoral group for each of the member groups.

§ 4

Electoral Principles

(1) The elections are direct, free, fair and secret. Elections can be held using postal voting, postal voting with the possibility of ballot boxes, internet-based electronic election (online voting) and online voting with the possibility of casting votes via post. Online voting is only permitted if it can be guaranteed that the valid electoral principles are observed, in particular the principles of secret ballot and transparent elections.

(2) The election shall take place in accordance with the principles of personalised proportional representation. Votes are cast for valid lists of proposed candidates that have been submitted for the individual electoral groups. Sub-Sections (6) to (7) remain unaffected.

(3) For the elections to the Council, Academic Senate and faculty council, every voter has as many votes as there are eligible seats for his/her member group in the respective electoral group. Voters may not cast more than one vote for an individual candidate.

(4) The total number of votes cast for the candidates on a list amounts to the number of votes cast for this list. The seats of an electoral group are allocated to the lists in relation to the number of votes cast for the individual lists using the d'Hondt method. The resulting seats per list are allocated to the listed candidates in the order of the number of votes received by the individual candidates. If a list has less candidates than the number of seats it would be entitled to, the surplus seats will fall to the other lists of the electoral group in the order of the next highest number of votes. If two or more lists of an electoral group have attained the same highest number, the order on the ballot paper shall be decisive. If two candidates on the same list receive the same number of votes, their order on the list shall be decisive.

(5) Candidates on a list that have not received a seat will be made substitute members according to the order of the highest number of votes. If the number of votes received is the same, their order on the list shall be decisive.

(6) Majority voting shall take place if the number of candidates of a member group is not twice the size of the available number of seats on the day that the elections are announced. Majority voting shall also take place if there is only one list per electoral group or the overall number of candidates on one or more lists does not exceed the number of available seats after the end of

the extended deadline for the submission of nominations pursuant to § 17(1) Sentence 5.

(7) If majority voting is taking place, each voter has as many votes as there are available seats belonging to his/her member group in the respective electoral group. Voters may not cast more than one vote for an individual candidate. If, after majority voting, there is a tied vote, the order on the ballot paper shall be decisive. Candidates that have not received a seat will be made substitute members in the order of the number of votes they received; if there is a tied vote, the order on the ballot paper shall be decisive.

§ 5

Elections for the Council

A total of 66 members from the following groups must be elected for the Council:

22 members of professorial staff

22 students

eleven members of academic staff

eleven members of non-academic staff.

§ 6

Elections for the Academic Senate

A total of 22 members from the following groups must be elected for the Academic Senate:

twelve members of professorial staff

four students

four members of academic staff

two members of non-academic staff.

§ 7

Elections for the Faculty Councils

(1) A total of eleven members from the following groups must be elected for the faculty councils:

six members of professorial staff

two students

two members of academic staff

one member of non-academic staff.

(2) Depending on the *Fakultätsordnung* (hereinafter Faculty Regulations), if there are more than 30 appointed professorial chairs at the time of the election, the total number of members on the faculty council can amount to 22:

twelve members of professorial staff

four students

four members of academic staff

two members of non-academic staff.

(3) In faculties in which there are no more than six members of eligible members in the group of professorial staff at the time of the election, the faculty council is made up of all of the faculty's members of professorial staff and representatives from the other groups at a ratio of 6:2:2:1; each group must be represented by at least one representative. When voting, the members' votes must be weighted so that the distribution of votes across the four groups remains at a ratio of 6:2:2:1. If further tenured posts are appointed to eligible members of professorial staff during the legislative period, these will receive a seat on the faculty council after completion of the appointment procedure until six tenured posts are held by eligible members of professorial staff. If more eligible members of professorial staff are appointed at the same time than there are free seats on the faculty council, the faculty will hold a ballot for the new members of professorial staff.

(4) In accordance with § 2, only the members of the faculty are entitled to vote. This covers the

members of the university community who predominantly work at that faculty or who are enrolled for a degree course provided by the faculty. Every member of the university community is only entitled to vote in one faculty. Please refer to § 2(11) for cases in which members could be affiliated to several faculties.

§ 8 Electoral Bodies

- (1) Electoral bodies are
 - the Election Committee
 - the Committee for the Scrutiny of Elections and
 - the Returning Officer.
- (2) The electoral bodies are obliged to fulfil their respective duties in an impartial and conscientious manner.
- (3) The Election Committee and the Committee for the Scrutiny of Elections are appointed for a period of two years and are responsible for all of the university elections, challenges of elections, and repeat elections during this period. The term of office for student members of the Election Committee and the Committee for the Scrutiny of Elections ends after one year. If a member of the Election Committee steps down early and if there is no further representative, a new member and a representative shall be appointed for the remaining term of office.
- (4) Sessions of the Election Committee and the Committee for the Scrutiny of Elections are not open to the general public.

§ 9 Election Committee

- (1) A joint Election Committee is formed for the elections to the Council, the Academic Senate and the faculty councils.
- (2) The Election Committee is charged with the overall supervision of the elections.
- (3) It is composed of five members and at least three representatives.
- (4) The members and their representatives must be appointed by the Rector at least one month prior to the date on which the elections are announced. Every group of members pursuant to § 2(3) shall be represented. The members of the university community that have been appointed to the Committee are obliged to fulfil this voluntary office unless there are any important reasons that prevent them from doing so.
- (5) A member of the Election Committee who is running as a candidate for a body for which the Election Committee must pass a decision, must be excluded from the decision-making. A representative must take his/her place on the Committee.
- (6) When writing to inform the members and representatives of their appointment to the Committee pursuant to Sub-Section (4) Sentence 1, the Rector shall also invite them to the first session. The first session will be conducted by the Rector until the members have elected a chairperson, a deputy chairperson and a secretary from among the members of the Committee.
- (7) The Election Committee has a quorum if at least three members with voting rights are present. A representative has voting rights if a member is not present.
- (8) The Election Committee passes its decisions with a simple majority of those present with voting rights. If there is a tie of votes, the vote of the presiding member is decisive. The Election Committee shall keep records of its decisions.

(9) The Election Committee passes decisions on circumstances named specifically in these Electoral Regulations and, if there are any conflicts on the interpretation of the Electoral Regulations.

§ 10

Committee for the Scrutiny of Elections

(1) A joint Committee for the Scrutiny of Elections is formed for the elections to the Council, the Academic Senate and the faculty councils.

(2) It consists of five members.

(3) § 9(4)-(6) apply mutatis mutandis for the appointment, membership and first session provided that appointment occurs by the 15th day prior to the cut-off date as defined in § 14 and the chairperson and a further member are qualified to hold judicial office. The members of the Election Committee and their representatives cannot be appointed to the Committee for the Scrutiny of Elections.

(4) The Committee for the Scrutiny of Elections has a quorum if at least three persons with voting rights, including one person who is qualified to hold judicial office, are present. § 9(7) Sentence 2 and § 9(8) apply mutatis mutandis.

§ 11

Returning Officer

(1) The Returning Officer and the Deputy Returning Officer are appointed by the Registrar (Head of Administration and Finance) and hold their offices until revoked. The Returning Officer may not be a member of any other electoral body.

(2) In accordance with § 4(1) Sentence 2, the Election Committee decides which election procedure to use in agreement with the Returning Officer.

(3) S/he ensures the technical preparation and the realisation of the elections and is supported in his/her role by the Electoral Office. The Returning Officer or a person commissioned by him/her attends the sessions of the Election Committee and the Committee for the Scrutiny of Elections with an advisory role and implements their decisions.

§ 12

Electoral Office

(1) The Electoral Office reports to the Returning Officer.

(2) The Electoral Office supports the electoral bodies by performing the assigned duties that are defined in the Electoral Regulations.

§ 13

Election Officials

Election officials who are required for preparing and holding the elections are appointed by the Returning Officer.

§ 14

Election Dates (Cut-Off Date)

(1) The elections to the Council, Academic Senate and faculty councils are to be held simultaneously. The Returning Officer determines the cut-off date for these elections. The cut-off date is the last election day. The cut-off date must be during the lecture period.

(2) The elections to the Council, Academic Senate and faculty councils shall always take place in the last semester of the legislative period and at the same time as the election for the Student Council (StuRa).

§ 15

Announcement of Elections

(1) The Returning Officer announces the election dates at the latest on the 64th day prior to the cut-off date (§ 14) on noticeboards and on the internet. The announcement can also be inspected at the Electoral Office.

(2) The most important regulations regarding voting entitlement, the nomination of candidates, the election procedure and the most important dates shall be included in the election announcement.

§ 16

Voting Register

(1) The Returning Officer shall create a voting register by the 55th day prior to the cut-off date (§ 14) for every faculty, for University Medicine, for every central facility and the administration, split into the member groups pursuant to § 2(3). The voting register must include the surname and first name(s) of the eligible voters. Further information must be provided if required to avoid confusion.

(2) The voting register is to be provisionally finalised on the day before it is displayed for public inspection and the number of persons registered must be officially recorded with the date and the signature of the Returning Officer.

(3) The voting register is to be displayed for public inspection in the Electoral Office during normal office hours between the 54th and 41st day prior to the cut-off date.

(4) Any member of the university community who believes the voting register to be incorrect or incomplete, can request rectification by submitting an official form in writing with signature during the period in which the voting register is on display. S/he must provide required proof unless the claimed facts are on file or obvious. During the period in which it is on display, the voting register can be amended or added to ex officio.

(5) The Returning Officer shall decide on the rectification; a rectification must be documented in the voting register. Before the decision is made, the person affected by the rectification shall be given the opportunity to pass comment. Objections to the decision made by the Returning Officer can be filed to the Election Committee up until the 35th day prior to the cut-off date. The Election Committee must decide on objections immediately.

(6) The voting register is to be conclusively finalised on the 30th day prior to the cut-off date, taking into consideration the decisions made during the rectification procedure. The number of registered voters must be determined and recorded with the date and signature of the Returning Officer.

(7) The incorrectness of the voting register can no longer be asserted after the display period pursuant to (3) has ended, not even by means of challenging the election. The Electoral Office can rectify any obvious mistakes at any time.

§ 17

Lists of Candidates

(1) All lists of candidates are submitted to the Electoral Office using official forms. The forms for lists of candidates can be obtained from the Electoral Office and the respective organisational

units and are provided on the Electoral Office's website. One candidate must be indicated as the spokesperson on every list of candidates. If no indication has been made, the first candidate will be seen as the spokesperson for the list. If no list of candidates has been received or lists of candidates with less nominated candidates than available seats have been received by the Electoral Office by the end of the deadline pursuant to § 18(1), the Election Committee shall extend the deadline for the submission of further lists of candidates for a maximum of seven days. It is possible to submit new lists of candidates or to add additional candidates to existing lists if consent has been provided by the list's spokesperson.

(2) The lists of candidates should have their own specific names. If no specific name has been provided, the Electoral Office will use the name of the first candidate as the name of the list. The names of the candidates on a nominated list should be listed in a ranking order. Hereinafter, the order is called place.

(3) Individual candidates for list elections and individual candidates for first-past-the-post elections must contain the following details for every candidate:

1. Surname,
2. First Name(s),
3. Name of the organisational unit/faculty, position; for students - student ID number and the main subject that was indicated first on enrolment,
4. Signature of the candidate, by which s/he declares his/her approval for a candidature for the corresponding list or the place on the list. The declaration of candidature can be sent via email if it is sent from the personal university email account.

(4) In an election for the same university body, a person entitled to vote may not

- stand for election on various lists of candidates and
- be named as a candidate more than once on a single list of candidates.

(5) In proportional representation elections, 'lists' with only one candidate will be approved as a list of candidates.

§ 18

Submission of Lists of Candidates

(1) The lists of candidates have to have been received by the Electoral Office by 3.00 p.m. on the 44th day prior to the cut-off date. If demanded, the Electoral Office will issue a confirmation of receipt of a list of candidates.

(2) Defective lists shall be returned immediately to the spokesperson of the list with an indication of the shortcomings. Lists of candidates that had been returned can be submitted again up until the 37th day prior to the cut-off date once the shortcomings have been rectified. If a list of candidates is returned due to the nomination of an ineligible candidate, or due to a missing declaration of candidature and has not been submitted again, it shall be presumed that the spokesperson of the list gives his/her consent to rectify the shortcoming by striking the name of the ineligible candidate off the list following a decision made by the Election Committee. The spokesperson of the list is to be informed about this procedure on return of the list. If an ineligible candidate has to be struck from the list, s/he can be replaced by an eligible candidate. If, due to a defective list of candidates, less candidates have been nominated than there are available seats for an electoral group within the deadline stipulated in Sub-Section (1), the deadline for the submission of lists of candidates shall be extended pursuant to § 17(1) Sentence 5.

(3) The candidate's withdrawal of his/her declaration of candidature pursuant to § 17(3) Number 4 is only permitted up until the 37th day prior to the cut-off date.

§ 19
(deleted)

§ 20

Decision-Making for the Lists of Candidates

- (1) Immediately after the end of the deadline for the submission of previously rejected lists of candidates, the Election Committee shall decide on the validity and admission of all the submitted lists of candidates.
- (2) Lists of candidates are void if they:
1. have been submitted late,
 2. contain a reservation or a proviso,
 3. do not correspond with the requirements of these Electoral Regulations,
 4. nominate an ineligible candidate or a declaration of candidature is missing and this shortcoming has not been rectified in accordance with § 18(2) Sentence 3.
- (3) If lists of candidates have been rejected in full or in part, this decision must be announced immediately to the spokesperson of the list with an indication of the reasons. The spokesperson of the list is entitled to dispute the decision by writing to the Returning Officer by the 31st day prior to the cut-off date. No legal means can be used to challenge the decision of the Election Committee pursuant to Sub-Section (1); however, an objection to a decision pursuant to Sub-Section (1) can be made in the electoral scrutiny procedure.
- (4) Return to the status quo ante (§ 32 *Landesverwaltungsverfahrensgesetz* (State Administrative Procedure Act)) is not possible. However, lenience shall be granted up until the 32nd day prior to the cut-off date if the late submission of a list of candidates pursuant to Sub-Section (2) Number 1 is due to the fault of an electoral body.

§ 21

Announcement of the Lists of Candidates

- (1) The Returning Officer creates an overall list of the lists of candidates, divided into bodies and electoral groups, based on the authorised lists of candidates, at the latest on the 32nd prior to the cut-off date.
- (2) The order of the lists of candidates on announcement and on the ballot papers is determined by the use of a computer programme that selects a random number if the election procedure is being aided by computers, otherwise by the lot drawn by the Chairperson at the Election Committee's session.
- (3) The Returning Officer shall immediately announce the overall list of candidates. § 15(1) shall apply mutatis mutandis for the announcement. The announcement must indicate that only those candidates can be elected that are named on the announced overall list.

§ 22

Election Rallies

- (1) The candidates have the opportunity to present themselves at election rallies and on the website of the Electoral Office.
- (2) The election rallies can also take place during normal office hours if they do not stand in the way of work or study-related interests.

§ 23

Election Documents

- (1) The ballot papers must be produced separately for each member group for elections to the Council, Academic Senate and faculty councils and, within each of these bodies, for the persons entitled to vote in each electoral group. The following details must be indicated for every candidate: Surname and first name(s), organisational unit and, if applicable, position. Furthermore, the ballot papers must indicate the number of votes every person entitled to vote has.
- (2) If elections are being held by list, the ballot paper must indicate the authorised lists with the specific names of the respective lists pursuant to § 17(2) Sentences 1 and 2. The candidates on the respective lists must be listed in the order defined in § 17(2) Sentences 3 and 4.
- (3) The Returning Officer decides on all other aspects of the design of the election documents.
- (4) The persons entitled to vote shall be sent the following election documents:
 1. the ballot paper for their member group and electoral group,
 2. the information sheet with the personal declaration,
 3. the ballot paper envelope,
 4. the official return envelope,The ballot paper envelope and the official return envelope shall be marked with suitable labels.

§ 24

Issue of Election Documents

- (1) The election documents for postal and ballot box voting must be sent directly to the persons entitled to vote at the latest on the 14th day prior to the cut-off date. The election documents for persons entitled to vote from the group of students and those members of the University of Rostock without a work address shall be sent to the last address they have provided. All other persons shall receive their election documents via the in-house postal service.
- (2) If elections are being held online, the election documents can also be sent in digital form.
- (3) A person who is entitled to vote, but who has received either no, incomplete or incorrect election documents, or who has misplaced the election documents can receive replacement documents from the Electoral Office.

§ 25

Casting Votes via Postal Voting

- (1) The person entitled to vote fills out the ballot paper in secret, places it in the ballot paper envelope and seals it. S/he places the sealed ballot paper envelope and the personal declaration, with a written confirmation that s/he has filled out the ballot paper in person, separately in the official return envelope, which s/he seals and then sends to or hands into the Electoral Office.
- (2) The votes are considered to have been cast on time if the official return envelope has been received in the offices of the Electoral Office at the latest by 3.00 p.m. on the cut-off date.
- (3) At least two members of the Electoral Office's staff open the incoming official return envelopes individually and remove the personal declaration and the ballot paper envelope. The details provided on the personal declarations are compared with the entries on the voting register. If there are no objections pursuant to § 26(3), the ballot paper envelopes are placed unopened in a ballot box. The personal declarations are collected.
- (4) The time official return envelopes were received must be indicated on envelopes that were received late.

§ 25a

Casting Votes via Postal Voting with the Possibility of Ballot Box Voting

(1) Persons entitled to vote who do not cast their vote via postal voting, can cast their vote at the ballot box. The details, in particular the locations and opening hours are determined by the Election Committee in agreement with the Returning Officer. Persons entitled to vote who are not carrying the documents that had been sent to them and have not yet exercised their voting rights, will receive the documents required for voting at the ballot box.

(2) The Election Committee shall make provisions to enable persons entitled to vote to secretly mark the ballot papers in the polling station and place the ballot paper in the ballot paper envelope. The ballot boxes must be empty. They are to remain sealed until the polling station is opened.

§ 25b

Casting of Votes via Online Voting

(1) If the voting is to be held online, the persons entitled to vote shall receive their election documents from the Electoral Office. These consist of the election letter with the login details, as well as information about the election process and using the election portal.

(2) The casting of votes takes place electronically by filling out the electronic ballot paper. The layout must not be identical to the ballot paper for postal voting. The authentication of the persons entitled to vote is provided by the use of the access details named in the election letter for logging into the election portal. The electronic ballot paper must be filled out and submitted electronically according to the instructions provided in the election letter and on the election portal. The chosen electronic voting system must make sure that the persons entitled to vote are not able to exercise their voting rights on multiple occasions. The cast votes must be saved in anonymous form and so that the order in which the votes were received cannot be traced. The persons entitled to vote must be able to correct their entries or cancel the voting procedure prior to submitting their final votes. The votes are only to be definitively cast once they have been electronically confirmed by the persons entitled to vote. The transmission of the votes must be clearly visible on the screens of the persons entitled to vote. Voting is completed once information appears that states that voting has been completed successfully.

(3) When casting votes, the online voting system being used may not save the votes of the voters in any form on the computer they used. It must be made sure that it is not possible for third parties to make unnoticed changes to the cast votes. The ballot paper must disappear from the voters' screens as soon as they have cast their votes. The chosen online voting system must not allow the possibility of printing out the cast votes after they have been submitted definitively. Votes that have been cast in the electronic ballot box must be stored according to an untraceable random principle. Signing in to the voting system, the selection and submission of votes, as well as the personal credentials and the IP address of the persons entitled to vote may not be logged.

(4) It is also possible to cast electronic votes at the Electoral Office during office hours.

§ 25c

Start and End of the Online Election

The start and end of the online election must be authorised by two accredited persons at the same time. Accredited persons pursuant to Sentence 1 are the members of electoral bodies as defined in § 8(1) indents 1 and 3.

§ 25d

Faults during Online Voting

(1) If it is not possible for persons entitled to vote to submit their electronic votes by the end of the election deadline due to technical reasons for which the University of Rostock is responsible, in

agreement with the Election Committee, the Returning Officer can extend the election deadline. The extension of the deadline must be announced to all members of the university community.

(2) In justified individual cases, in particular if the voting has been manipulated or attempts have been made to manipulate the voting, or if there has been technical or mechanical faults as a result of which it is not possible to guarantee the orderly holding of elections, in agreement with the Returning Officer, the Election Committee must interrupt or cancel the online election. If the election is cancelled, the Election Committee shall determine the further steps in agreement with the Returning Officer. § 36 applies correspondingly.

§ 25e

Postal Voting for Online Elections

- (1) If the election is being held online, it is also possible to cast votes via postal voting.
- (2) The persons entitled to vote, who must send an official postal voting request form to the Electoral Office, must request the documents for postal voting in writing. The Electoral Office must have received the request form by the 35th day prior to the cut-off date.
- (3) The Electoral Office sends the election documents to the persons entitled to vote in accordance with § 23(4) and § 24(1) or hands them out directly to the persons entitled to vote, and makes a note of this in the voting register. If the persons entitled to vote have received their election documents via post or they have been handed out to them in person, they are excluded from electronic voting.
- (4) The sealed postal voting documents must have been received by the Electoral Office by 3.00 p.m. on the cut-off date as stipulated in § 14(1). The official return envelopes with the ballot papers must be collected in a joint ballot box and counted in accordance with § 26.

§ 25f

Technical Requirements

- (1) Elections can only be held online if the online voting system that is being used corresponds with current technical standards, in particular the security requirements for online voting products as defined by the Federal Office for Information Security (BSI). The system must possess the technical specifications defined in the following sub-sections. Suitable documents must prove the technical requirements are fulfilled by the system.
- (2) In order to guarantee the secrecy of the ballot, the online ballot box must be technically separated from the electronic voting register. The voting register shall be saved on a server belonging to the University.
- (3) The election server must be protected from attacks from the World Wide Web, in particular, it must only grant access for authorised purposes. Authorised purposes include, in particular, the validation of a person's entitlement to vote, the storage of the votes cast by authorised voters, the registration of the cast votes and the verification whether voting rights have been exercised on multiple occasions (election data). Technical measures must ensure that no votes can be lost irretrievably if there is a failure or malfunction of a server or section of a server.
- (4) The procedure for transmitting the election data must ensure the data is protected from attempted espionage or decryption. The transmission paths for verifying the voter's entitlement to vote and for registering the vote in the voting register and the submission of the vote in the online ballot box must be separated in such a way that it is not possible at any time to match the contents of the election decision to the voter.

(5) The transmission of data must be encrypted to avoid unnoticed changes to election data. When transferring and processing election data, it must be guaranteed that during the registration of submitted votes in the voting register, no access is provided to the contents of the submitted votes.

(6) The voters must be informed about suitable security measures they can take on the computers they are using to cast votes for the election; reference must be made to free sources of suitable software.

§ 26

Determination of the Election Result

(1) Immediately after the end of the voting period, the election result is determined by the election officials, who are supervised by the Election Committee. The counting of the votes and the determination of the election result are open to all members of the university community.

(2) The Returning Officer presides over the counting of the votes. The procedure is regulated by the Election Committee based on the Returning Officer's recommendations and, in particular, must guarantee the secrecy of the ballot.

(3) If the election is being held online, at least two accredited persons pursuant to § 8(1) indents 1 and 3 are required for authorising the administration of the election server and, in particular, the counting and archiving of the election. The Election Committee shall order the computer-based counting of the cast votes, which must be accessible for all members of the university community, immediately after the end of the online election; and determines the result by printing out the results of the counting procedure, which is then signed by two members of the Election Committee. All of the data sets from the online election must be stored suitably. § 31 applies correspondingly.

(4) Votes from postal voting shall not be counted if

1. the official return envelope has been received late,
2. the official return envelope is empty,
3. the official return envelope is missing a valid personal declaration pursuant to § 23(4) Number 2,
4. the voter is not listed on the voting register,
5. a personal declaration has already been submitted from the same voter,
6. the official return envelope does not contain an official ballot paper envelope or the ballot paper envelope has some kind of mark on it,
7. the ballot paper envelope has not been sealed. The enclosed ballot paper will not be removed.

(5) A ballot paper is invalid, if

1. it cannot be recognised as being official
2. either no votes have been cast or more votes have been cast than are permitted in accordance with § 4(3),
3. it is not clearly evident which candidate(s) the voter is casting his/her vote(s) for,
4. it contains a remark or additional information.

An empty ballot paper envelope shall be counted as an invalid ballot paper.

(6) The Election Committee shall decide on the validity of the ballot papers for any other cases of doubt that have not been named above.

(7) All of the invalid ballot papers shall be stored separately.

§ 27

Determination of the Preliminary Election Result and Recording of the Election Result

- (1) The Election Committee determines the number of valid votes cast for every nominee and for list elections for every candidate on a list.
- (2) An election record must be produced for every election and every electoral group, which contains all of the relevant details about the counting proceedings and the determination of the election result. The election record must contain the following minimum details:
 1. the number of persons entitled to vote on the voting register,
 2. the overall number of submitted ballot papers,
 3. the number of valid and invalid ballot papers,
 4. the election turnout,
 5. the number of votes cast for every list and every individual candidate,
 6. the elected members and representatives,
 7. in list elections, the allocation of seats to the individual lists,
 8. the signatures of the Chairperson of the Election Committee and the Secretary.
- (3) The preliminary election results are determined once the election record has been signed.

§ 28

Announcement of the Preliminary Election Results; Acceptance of the Vote

- (1) The Returning Officer announces the preliminary election results with the details pursuant to § 27(2) Numbers 2 to 7 in accordance with § 15(1).
- (2) At the same time as the preliminary results are announced, the Electoral Office writes to the persons that have been elected to inform them of their election. The election results are accepted if the Electoral Office has not received a written rejection of the vote, which is due to a well-founded reason, within 10 days.

§ 29

Requests for the Scrutiny of Elections

- (1) Every member of the university community that is entitled to vote can request the scrutiny of the validity of an election within one week following the announcement of the preliminary election result.
- (2) The request must be made in writing or sent for recording to the Returning Officer. It can only be justified due to the violation of provisions related to the preparation of the election, the allocation of seats, the right to vote, the eligibility or the election procedure and if this violation could have had an effect on the allocation of seats and if the election affects representatives for whom the member of the university community is entitled to vote.
- (3) The request has no suspensive effect unless this is ordered by the Committee for the Scrutiny of Elections due to the obvious justification of the request and the inevitable repetition of the election.

§ 30

Decision from the Committee for the Scrutiny of Elections

- (1) The Committee for the Scrutiny of Elections must decide on requests for the scrutiny of an election and the validity of the election within one month after the announcement of the preliminary election results, as follows:
 1. If an elected member or representative was not eligible for election, s/he must be ordered to step down.
 2. If there were irregularities in the preparation or holding of the election that could have

affected election results in individual circumstances, the affected election must be repeated correspondingly.

3. If the preliminary election results have not been determined correctly, they must be annulled and orders must be issued for the results to be redetermined.
4. The election is to be declared valid if none of the cases named in 1 to 3 exists.

(2) If the Committee for the Scrutiny of Elections had been asked to decide on requests for the scrutiny of an election, it will inform the Election Committee and the Returning Officer of its decision in writing. The person who made the request shall receive the written decision from the Chairperson of the Committee for the Scrutiny of Elections, which shall contain his/her rights of legal appeal.

(3) The Election Committee determines the final result of the election based on the decision of the Committee for the Scrutiny of Elections, which must be announced in the 'Official Gazette of the University of Rostock'; the final election results shall also be displayed at the Electoral Office and announced on the Electoral Office's webpages. In cases of Sub-Section (2), an announcement shall be made after the end of the deadline for the rights of legal appeal. The announcement must indicate any legal appeals that have been filed.

(4) If the Committee for the Scrutiny of Elections declares the entire election or the election for a whole or part of an electoral group to be invalid, the election must be repeated immediately in the scope specified in the decision. The repeat election shall be held according to the same voting register and the same nominees used in the election that was declared invalid, subject to a divergent decision from the Committee for the Scrutiny of Elections.

§ 31

Storage of the Election Documents

The ballot papers shall be stored by the Returning Officer until the end of the deadline for filing rights of legal appeal, or if a right of legal appeal has been filed, until the decision has been adjudicated; after these dates, they will be destroyed by the Returning Officer.

§ 32

Repeat Election

(1) A repeat election for all seats belonging to one electoral group or for all electoral groups shall take place if and as long as

- a) an election has not been held in full or in part, because the election procedure was interrupted because of a decision made by the Election Committee due to a violation of the provisions of these Electoral Regulations, or
- b) the election has been declared invalid by the Committee for the Scrutiny of Elections in accordance with § 30(4), or
- c) a final judgement has been made to declare the entire election invalid or invalid for a complete electoral group or parts thereof.

(2) In cases of Sub-Section (1)(a) the voting register and lists of nominated candidates shall be adopted without changes. In cases of Sub-Section (1)(c) the voting register and the lists of nominated candidates can be added to and the positions of the candidates can be changed.

(3) If the repeated election can be held in the current semester, the respective deadlines for the election procedure can be shortened suitably by the Election Committee.

§ 33

Representation and Stepping Down of Seat Holders and Suspension of the Mandate

(1) If a member of a body named in § 1 is unable to take part in a session, s/he will be represented by the next named representative on his/her respective list of candidates.

(2) If, during the legislative period, a selected member of a body loses his/her attribute as a member of the university community, or if s/he loses his/her passive right to vote, or if the membership of a particular electoral group or faculty for which s/he is a representative changes, then his/her mandate expires. The mandate also expires if the election of an elected member is officially declared invalid during the legislative period.

(3) If an elected member is dislodged, or the mandate expires, or if s/he steps down, s/he is replaced by the next representative according to the set order. If no further representatives are available on the list, the seat will remain unoccupied. Members must announce their stepping down to the Electoral Office in writing. § 28(2) Sentence 2 applies mutatis mutandis for the acceptance of the mandate.

(4) If an elected candidate is on a leave of absence, has been seconded or is unable to fulfil the duties of his/her mandate due to other reasons for more than six months during the legislative period, his/her mandate shall be suspended. Sub-Section (1) applies correspondingly to this period. If no further representatives are available on the list, the seat will remain unoccupied.

(5) A by-election in the group of professorial staff is only held if the voting majority that is legally stipulated in § 81(5) Sentence 2 State Higher Education Act is no longer provided due to the stepping down of members or the lack of representatives due to the suspension of the mandate. The Election Committee can shorten the respective deadlines for the procedure.

§ 34

Term of Office

(1) The term of office is two years, the student members of a body serve for one year. The term of office shall begin on 1 October of the election year and ends, irrespective of the date of the election, with the end of the regular term of office pursuant to Sentence 1, at the latest on 30 September of a year.

(2) If a member steps down from a body early, contrary to Sub-Section (1), the successor's term of office shall only last as long as the term of office for the person who has stepped down prematurely.

II. Elections for the University Council

§ 35

Composition

The University Council consists of five persons from industry and commerce, the professional world, academia or the arts, who can be expected to fulfil the required tasks due to their personal backgrounds. They may not be members of the university community. The members of the University Council are elected by the Council following nomination from the Academic Senate in a secret ballot. The term of office shall last four years. It starts on 1 October. Re-election is possible.

§ 36

Selection Committee

The Academic Senate establishes a Selection Committee to prepare a list of nominations for the University Council. The Chairperson of the Academic Senate can submit a list of recommendations for the places on the Council. The Committee consists of six members of the Academic Senate (three professors, one student, one member of academic staff, and one further member of staff). It selects a chairperson from within its own ranks.

§ 37

List of Nominees

- (1) The Academic Senate's list of nominees shall contain at least five candidates. The Electoral Office adds personal details and information about the professional careers of the nominees, taking the fulfilment of specific tasks required of the University Council into special consideration. In accordance with § 80(3) of the State Higher Education Act, the representatives of each of the Council's groups are entitled to submit their own suggestions for candidates prior to a deadline set by the Selection Committee.
- (2) If the list of nominees from the Academic Senate has less than five candidates, the Council shall determine the number of members pursuant to § 35 for the University Council's subsequent term of office based on a proposal from the Academic Senate.
- (3) The Academic Senate shall decide on every individual nomination in a secret ballot.

§ 38

Election Procedure

- (1) The Council's Election Committee (§ 10 Standing Orders of the Council) runs the election procedure.
- (2) Each voter receives one ballot paper. The ballot paper lists the nominated candidates in alphabetical order according to their surnames.
- (3) Each voter has the same number of votes as the number of available seats. Voters may not cast more than one vote for an individual candidate. The available mandates are allocated to the nominated candidates in the order of the number of votes they received. If there is a tie of votes, the lot selected by the Chairperson of the Council's Election Committee shall be decisive.
- (4) Any kind of mark that differs from those defined in Sub-Section (3) shall render the ballot paper invalid. Ballot papers with no markings shall be counted as abstentions.
- (5) If a member of the University Council steps down during the term of office, a by-election shall be held for the remaining term of office.
- (6) The elected members must write to the Chairperson of the Council within four weeks after the election to declare whether they accept the election.

§ 39

Election Record and Announcement of the Election Result

- (1) An election record must be produced, which contains all of the relevant details about the counting proceedings and the determination of the election result.
- (2) The election record must contain:
 1. the names of the Chairperson of the Council's Election Committee and the Secretary,
 2. the determination of the orderly invitation of all members,
 3. the number of persons present who were entitled to vote,
 4. the numbers of submitted and not submitted ballot papers,
 5. the number of valid and invalid ballot papers,
 6. the number of valid votes cast for each candidate,
 7. the signatures of the Chairperson of the Council's Election Committee and the Secretary.
- (3) The names of the elected members of the University Council will be announced to all members of the university community.

III. Election and Voting Out of Members of the Rectorate

1. Election of the Rector

§ 40

Selection Committee

- (1) The Academic Senate establishes a Selection Committee to prepare nominations for the office of Rector.
- (2) The provisions of § 36 apply mutatis mutandis.

§ 41

Candidature Requirements

- (1) Candidates for the office of Rector require a successfully completed postgraduate degree, the ability to handle the expected tasks linked to the office, which can be assumed from several years of experience at managerial level in academia, culture, industry and commerce, administration, or the administration of justice; and must not reach the decisive regular retirement age for the State of Mecklenburg-Vorpommern's civil servants during the first term of office.
- (2) The position of Rector must be announced to the general public in good time. The Academic Senate determines the text to be displayed in the announcement and where it shall be published.
- (3) Applicants must submit a written declaration that they are willing to run as candidate for the election.
- (4) The term of office shall last five years. The term of office shall commence on 1 October. § 18(7) of the Basic Regulations shall apply to all other circumstances.
- (5) Re-election is possible.

§ 42

List of Nominees

- (1) The Selection Committee will be summoned by the Chairperson in due time prior to the end of the term of office. In cases of premature vacancy pursuant to § 18(7) of the Basic Regulations, the Selection Committee shall be summoned immediately.
- (2) The Chairperson of the Selection Committee shall commission the public announcement of the position, receives the applications and confirms their receipt. The Selection Committee shall convene immediately after the end of the application deadline, inspects the applications and determines who fulfils the requirements as defined in § 41(1). In accordance with § 80(3) of the State Higher Education Act, the representatives of each of the Council's groups are entitled to submit their own nominations for candidates within the application period defined in the announcement. This is only permissible if the Academic Senate receives a written declaration from the person who has been nominated, which confirms s/he is willing to run as a candidate by the end of the application deadline.
- (3) The Academic Senate will be informed about the state of applications and the candidates that have been selected; members of the Academic Senate must be given the opportunity to inspect the application documents. If the state of applications is insufficient, the Academic Senate can suggest the Election Committee re-advertises the position.
- (4) The Academic Senate decides which applicants it would like to invite. These applicants then receive a letter from the Chairperson, inviting them to present themselves to the Academic Senate. The persons who have been suggested to the Academic Senate by the Council shall also be

invited to present themselves as long as they fulfil the prerequisites defined in § 41(1). The applicants' presentations and the discussion in the Academic Senate shall be held behind closed doors.

(5) A secret ballot shall be held by the Academic Senate to determine the applicants they consider to be particularly well suited for the office of Rector and shall thus be included in the list of nominees for the Council. The list of nominees shall include no more than three candidates.

(6) The Academic Senate's list of nominees shall list the nominated candidates in alphabetical order according to their surnames.

(7) The position shall be re-advertised if the Academic Senate has not produced a list of nominees based on the received applications.

§ 43

Election Procedure

(1) The Rector shall be elected by the Council in a secret ballot that is to be held in the semester prior to the commencement of the term of office.

(2) The Council's Election Committee runs the election procedure.

(3) Each voter receives one ballot paper. The ballot paper lists the names of the candidates from the list of nominees in alphabetical order according to their surnames, together with the following additional details: organisational unit/institution, job title. The voter may only put his/her mark next to the name of one candidate on the ballot paper. If there is only one candidate, voters must decide between 'Yes' or 'No'.

(4) Any kind of mark that differs from those defined in Sub-Section (3) shall render the ballot paper invalid. Ballot papers with no markings shall be counted as abstentions.

(5) The candidate that gains the majority of the votes from all members of the Council is elected.

(6) If only one candidate has been nominated and s/he does not obtain the majority of the votes from all members of the Council in the first round of voting, the candidate shall not be elected.

(7) In elections with several candidates, if no candidate gains the majority of the votes from all members of the Council in the first round of voting, a run-off shall be held between the two candidates who attained the most votes in the first round. If, in the first round of voting, a candidate attains the relative majority of votes and two or more candidates attain the same number of votes, the run-off will be held between all of these candidates. The winner of the election is the candidate that gains the majority of the votes from all members of the Council in the second round of voting.

(8) The election procedure shall be cancelled if none of the candidates gains the majority of the votes from all members of the Council in the second round of voting. The Academic Senate must then submit a new list of candidates. The election procedure pursuant to §§ 40 ff. is initiated.

(9) The elected person must declare whether s/he accepts the election to the Chairperson of the Council immediately after the election.

(10) A candidate can withdraw his/her candidature at any point of the election procedure.

(11) The Rector elected by the Council is appointed by the Ministry of Education, Science and Culture.

§ 44

Recording and Announcement of the Election Results

The provisions of § 39 apply mutatis mutandis.

2. Election of the Pro-Rectors

§ 45

Term of Office

The Pro-Rectors' term of office shall last two and a half years. The term of office for the student Pro-Rector shall last one year. If it is a winter semester, the term of office shall start on 1 October, if it is a summer semester on 1 April. § 18(7) of the Basic Regulations shall apply to all other circumstances.

§ 46

List of Nominees

(1) In accordance with § 20(4) of the Basic Regulations, the members of the Council and the Academic Senate, the Student Council, and the Rector recommend persons for the office of Pro-Rector to the Academic Senate in due time so that the Council can hold the election in the semester prior to the Pro-Rectors' commencement of their term of office. The Rector can set up an advisory committee to help prepare a list of nominees. The recommendations must be announced to the Academic Senate prior to the session in which it is to decide on the list of nominees. The suggested candidates must declare their willingness to run as a candidate in writing with signature by the date on which the election is held for the list of nominees.

(2) The recommendations pursuant to Sub-Section (1) shall then receive a letter from the Chairperson of the Academic Senate, inviting them to present themselves to the Academic Senate.

(3) Following the presentations and ensuing discussion, the Academic Senate shall hold secret ballots for every individual candidate to decide whether s/he shall be added to the official list of nominees for the election. The Rector must officially declare his/her approval in the same session of the Academic Senate. In exceptional cases, this can be done within one week after the decision has been made on the list of nominees in a special session that is to be convened for the Academic Senate.

§ 47

Election Procedure

(1) Each Pro-Rector shall be elected by the Council in separate rounds of secret ballots. §§ 39 and 43 apply correspondingly.

(2) The Pro-Rectors that have been elected by the Council are appointed by the Rector.

3. Election of the Registrar (Head of Administration and Finance)

§ 48

Election of the Registrar (Head of Administration and Finance)

(1) In accordance with § 87(2) of the State Higher Education Act, the Registrar (Head of Administration and Finance) shall be elected by the Council on the basis of a recommendation from the Rector and appointed by the Ministry of Education, Science and Culture.

(2) Candidates for the office of Registrar (Head of Administration and Finance) require a successfully completed degree in economics and/or business administration from a tertiary education institution or be qualified to hold a senior administrative position or judicial office, and have several years of managerial experience in industry and commerce, public administration or the

administration of justice that provides them with the necessary skills for fulfilling the required tasks.

(3) The Council shall set up a Selection Committee to prepare the election of the Registrar (Head of Administration and Finance). It prepares the nomination for the Council's election of the Registrar (Head of Administration and Finance). The Committee consists of the Rector, the Chairperson of the Council, and four further members of the Council (one member of professorial staff, one student, one member of academic staff, and one further member of staff). The Rector can appoint further persons with advisory roles to the Selection Committee to help prepare the nomination. The Chairperson of the Council shall also be Chairperson of the Committee and suggests the members of the Committee in agreement with the Rector. In agreement with the Selection Committee, the Rector organises the public announcement of the position in good time. § 43(2) to (10) and § 39 apply *mutatis mutandis* to the election procedure.

4. Voting Out of Members of the Rectorate

§ 49

Voting Out of Members of the Rectorate

(1) The voting out of members of the Rectorate, with the exception of the Registrar (Head of Administration and Finance), can be requested by the Academic Senate, which requires a majority of two thirds of its members, and is effected by the Council with a majority of two thirds of its members.

(2) The motion is to be sent to the members of the Council together with an invitation to a session. The Chairperson of the Council's Election Committee shall preside over the session being held for the voting-out procedure.

(3) If members of the Rectorate have been voted out successfully in accordance with Sub-Section (1), a member of the Rectorate, who has been determined by the Rectorate, shall take on the areas of responsibility of the voted-out members for the interim period until a new election procedure has been initiated. If all of the elected members of the Rectorate apart from the Registrar (Head of Administration and Finance) have been voted out, s/he and the Chairperson of the Council shall assume the official duties as Interim Rector until the new election.

(4) Interim representatives shall enter office immediately. The removal of the voted-out Rector and the appointment of the Interim Rector shall be effected by the Ministry of Education, Science and Culture.

IV. Election of the Dean, the Dean of Studies and the Vice-Deans

§ 50

Election of the Dean

(1) The Dean is elected by the Faculty Council in a secret ballot. The election procedure is chaired by the oldest professor on the Faculty Council who belongs to the Faculty's full-time professorial staff. The election shall take place at the opening session of the Faculty Council. Nominations shall be accepted until the vote is actually held. Self-nomination is permitted.

(2) The term of office is two years as of 1 October of the year of election. Re-election is permissible.

(3) The preceding holder of the office shall continue the duties until the Dean is elected.

(4) § 43(2)-(9) and § 39 apply correspondingly for the election procedure.

(5) § 100(3) of the State Higher Education Act in combination with the provisions for the election of the Dean of University Medicine Rostock pursuant to the Statute of University Medicine Rostock shall also apply and take priority.

(6) If, during the term of office, the Dean loses his/her attribute as a member of the university community or his/her passive right to vote, or the election is officially declared as invalid during the term of office, s/he will be forced to step down from office.

(7) If s/he steps down from office prematurely, contrary to Sub-Section (2), the successor shall be elected only for the period up until the end of the regular term of office of the person that has stepped down prematurely.

§ 51

Election of the Dean of Studies

(1) The Dean of Studies is elected in a secret ballot by the members of full-time professorial staff belonging to the Faculty Council based on a list of nominees presented by the student representatives of the Faculty Council.

(2) If there are no student members on the Faculty Council, the election shall be based on recommendations from the departmental student councils. Further details are defined in the *Fachschaftsrahmenordnung* (General Regulations for Departmental Student Councils).

(3) The student that gains the majority of votes from the members of the Faculty Council that are present is elected. § 43(8) to (9) and § 39 apply correspondingly.

(4) The term of office is two years starting on 1 October of the year of election. It ends, irrespective of the date of the election, at the latest with the end of the Faculty Council's regular term of office. Re-election is permissible. § 50(6) and (7) apply *mutatis mutandis*.

§ 52

Election of the Vice-Deans

(1) The up to two further members of the executive staff at the Dean's Office (Vice-Deans), as defined in the faculty regulations, are elected by the Faculty Council in separate rounds of secret-ballot voting, based on recommendations from the Dean.

(2) The person is elected that manages to gain the majority of votes from the members of the Faculty Council that were present. § 43(8) and (9) and § 39 apply *mutatis mutandis*.

(3) The term of office is two years, if it is a student member the term shall last one year, each starting on 1 October of the election year. Re-election is permissible. § 51(4) applies to all other aspects.

V. Final Provisions

§ 53

Deadlines

§§ 186 to 193 BGB apply correspondingly to the calculation of the deadlines as stipulated in these electoral regulations.

§ 54

Use of Online Elections

Before an online election system is used for the first time, the Rectorate shall examine the system's compatibility with data protection regulations to determine whether online elections are to be

admissible until revocation. If changes have been made to legislation or to the online election system prior to the start of a new election period, which affect the data protection or technical requirements, investigations must be held to determine whether the system still complies with data protection regulations and matches the technical requirements. In such cases, the Rectorate shall reconsider the admissibility of the online election procedure.

§ 55

Entry into Force, Expiry

The Electoral Regulations enter into force on the day after their publication in the University of Rostock's official bulletin and shall apply for the first time to the election period 2016 to 2018. The Electoral Regulations of the University of Rostock of 10 February 2012 expire at the same time.

Drawn up following the decision made by the Council of the University of Rostock of 27 January 2016.

Rostock, 2 February 2016

The Rector
of the University of Rostock
University Professor Dr. Wolfgang D. Schareck