



Election regulations

of the student body of the Palucca University of Dance Dresden

from 01 September 2023

The election regulations were adopted by the Student Council of the Palucca University of Dance Dresden (StuRa) in accordance with Section 27 (1) of the Law on Universities in the Free State of Saxony (SächsHSG).

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§ 1

Scope of application

These election regulations apply to the election of the members of the Student Council of the Palucca University of Dance Dresden in accordance with § 27 SächsHSG (hereinafter also referred to as "StuRa").

§ 2

Start and duration of terms of office

(1) The term of office of the members of the StuRa begins on the first day of the month following the acceptance of the election in accordance with § 17 para. 1.

(2) The term of office for members of the StuRa is one year. The elected members remain in office until new members of the StuRa are elected, with the exception of resignation, exmatriculation or death.

§ 3

Electoral bodies

(1) The electoral bodies are the election management and the election committee. Candidates cannot be members or deputy members of the electoral bodies.

(2) The members of the StuRa form the election committee. The election committee determines the election management.

(3) If at least two StuRa members are not available for the organisation and implementation of the election of a new StuRa due to the renewed election application of all StuRa members, StuRa shall notify the Chancellor of the Palucca University of Dance in good time, but no later than 15 May of the respective calendar year. In this case, the following procedure shall apply:

The election officer pursuant to § 3 para. 2 sentence 1 of the election regulations of the Palucca University of Dance Dresden or his/her deputy shall provisionally assume the tasks of the election management until at least two persons from the student body of the university have declared their willingness to assume the tasks of the election management and the election committee for the election of a new StuRa. If no electoral body can be formed by the student body, the Head of Elections of the Palucca University of Dance Dresden and his/her deputy shall assume the tasks of the electoral bodies.

(4) The election management is responsible for the proper preparation and organisation of the elections. In particular, the election management shall ensure the preparation of the electoral registers, the printing of the election notice and the ballot papers as well as the ballot boxes and other voting facilities. The election management announces the election notice and the other information and dates required for the organisation of the respective election at the university. The election management executes the resolutions of the election committee.

(5) The election committee shall fulfil the tasks assigned to it by these election regulations. At the request of the election management, the election committee decides on the details of the election preparations and the organisation of the election, in particular the election date. Its tasks include, in particular, deciding on challenges, election records, examining the election proposals, organising the election documents and supervising the casting of votes on the election date in the voting room as well as counting and checking the validity of the ballot papers.

(6) The election committee shall be convened by the election management. The invitation shall be issued with at least three days' notice. In exceptional cases, a shorter notice period may be given. The Election Committee is quorate if the majority of its members are present. It passes its resolutions by a simple majority of the members present. In matters that cannot be postponed, if it is not possible to convene the election committee, the election management can make the decision for the election committee. In such cases, the election management must inform the election committee of its decision without delay. If the election management and its deputy are absent at the same time, the Rector's Board shall determine who shall fulfil the duties of the election management in its absence.

(7) In their decisions, the electoral bodies shall take into account that the conditions for the highest possible voter turnout are to be created by regulating the election procedure and determining the time of the election.

(8) The electoral bodies may call upon assistants (election assistants) to fulfil their tasks.

(9) The election management, the members of the election committee and the election assistants are obliged to fulfil their duties impartially and conscientiously.

§ 4 Electoral roll

(1) The election management is responsible for ensuring that a list of voters is compiled for the election of the Student Council. The electoral roll contains all students of the Palucca University of Dance Dresden who are eligible to vote. It must be kept in alphabetical order or organised in another clear manner. It must contain the surname, first name and address of the authorised voters. The date of birth must be stated if it is necessary to identify eligible voters. The electoral administration must supplement and correct the electoral roll until it is closed. A printout complying with the requirements of these electoral regulations must be produced in good time before publication in accordance with paragraph 3 sentence 2.

(2) In the electoral roll, the eligibility to vote for the respective election shall be indicated.

(3) The electoral roll is closed on the 17th day before the election day. It must be available for inspection in the Rector's office for at least the last three non-lecture days prior to the closure.

(4) Until the electoral roll is closed, the person concerned may lodge a written reminder with the election management against the non-entry or incorrect entry in the electoral roll. The electoral administration shall make a decision without delay, at the latest within three days of the closure of the electoral roll.

(5) Until the electoral roll is closed, any person entitled to vote may lodge a written objection to the entry of a person not entitled to vote in the electoral roll with the electoral management. The election management decides on this within three days of the closing of the electoral roll at the latest. The person concerned should be heard beforehand.

(6) If a reminder is justified, the electoral administration shall correct the electoral roll. A correction of the electoral roll after it has been closed shall be noted in an annex to the electoral roll.

(7) A correction with regard to the information specified in paragraph 1 shall also be made by the electoral administration after the electoral roll has been closed. The electoral administration must also make a correction to the electoral roll after it has been closed if it becomes aware of facts by election day that lead to a loss of eligibility to vote or eligibility to stand for election on election day (e.g. leaving the university).

§ 5

Contesting and scrutinising elections

(1) Any person entitled to vote may contest the election within seven days of the announcement of the election result, stating reasons. The challenge shall be made in writing to the election management.

(2) The challenge is justified if essential provisions of the electoral law, eligibility or the election procedure have been violated and this violation has led or could have led to an incorrect distribution of seats.

(3) The election may not be contested on the grounds that a person entitled to vote was prevented from exercising his or her right to vote because he or she was not entered in the voters' register or was not entered correctly, or that a person took part in the election who was entered in the voters' register but was not entitled to vote.

(4) The election committee shall decide on the challenge by a majority of its members. The decision must be substantiated in writing, include information on legal remedies and be sent to the applicant and the person directly affected. If the challenge is justified, the election committee must either correct the election result in the event of an incorrect count or declare the election invalid to the extent necessary and order a repeat election. Subject to a decision to the contrary in this election review procedure, the repeat election shall be held according to the same proposals and on the basis of the same electoral roll as in the election declared invalid. The election must be repeated without delay. The Chief Electoral Officer shall determine the election date and the time of voting. § Section 13 (1) does not apply to the repeat election.

§ 6

Election record, storage of election documents and deadlines

(1) Minutes shall be kept of the proceedings of the Election Committee and its resolutions as well as of the election procedures. These minutes shall be signed by the chairperson of the election committee.

(2) The election records shall in particular record the course of the election, the election result and note any special occurrences.

(3) The electoral rolls, ballot papers and election transcripts shall be kept until the end of the term of office of the elected representatives.

(4) If a deadline is prescribed for the submission of motions or proposals, the deadline shall expire at 3.00 p.m. on the last day.

(5) The deadlines specified in these election regulations are cut-off deadlines.

§ 7

Electoral principles

The StuRa representatives are elected by the student body in a free, equal and secret ballot in accordance with Section 27 (1) SächsHSG. The election should be organised barrier-free.

§ 8

Eligibility to vote and eligibility for election

(1) Every student of the university within the meaning of §§ 19 para. 1, 20 para. 2 SächsHSG who is entered in the electoral roll at the time of closing is eligible to vote (passive right to vote). If a correction was made after the electoral roll was closed, this date is decisive for determining eligibility to vote.

(2) Every student of the university within the meaning of § 19 para. 1 SächsHSG who is entered in the electoral roll at the time of closing and is not an early student within the meaning of § 20 para. 2 SächsHSG is entitled to vote (active right to vote). If a correction was made after the electoral roll was closed, this point in time is decisive for determining eligibility to vote.

§ 9

Election notice

(1) The elections shall be advertised and publicised by notice no later than the 28th day before the election day.

(2) The notice of election must contain at least the following points:

1. the place and date of their enactment,
2. the declaration that the representatives of the StuRa are to be elected,
3. an indication of who is entitled to vote,
4. the number of representatives to be appointed by the StuRa,
5. an indication of when and where the electoral roll is available for inspection,
6. the information that the right to vote depends on the entry in the electoral roll, as well as the information on the deadlines pursuant to Section 4 (4) and (5),

7. the invitation to submit nominations, the period for the submission of nominations and the last day of the submission period,
8. the information that only nominations submitted in due time will be considered and that only those who are included in a nomination can be elected,
9. the place where the election proposals are publicised,
10. the date and time of voting,
11. the information that postal voting is possible in accordance with the provisions of § 14.

§ 10

Election proposals

- (1) Proposals for the election of StuRa representatives must be submitted as individual election proposals (election proposals).
- (2) Election proposals must be made in writing. It must be clear from the nomination that it concerns the election of the StuRa. A nomination must include the candidate's surname, first name, age, degree programme and semester of study as well as an email address. In addition, the election proposal should contain reasons why this person would like to stand for election to the StuRa. The election proposal may not contain any other information.
- (6) Proposed candidates may withdraw their candidature by written declaration to the election management as long as no decision has been made on the admission of the nomination.
- (7) Election proposals may be submitted to the election management within the deadline set by the election management. This deadline ends no later than the 14th day before the election day.
- (8) Advertising for an election proposal (election campaign) is permitted at the earliest from the day on which the valid election proposals are announced.

§ 11

Examination and authorisation of election proposals

- (1) After the submission deadline, the election committee shall immediately examine the election proposals and decide on their validity and authorisation. If it identifies deficiencies, it shall return the nomination to the candidate with the request to rectify the deficiencies within a period of three non-lecture days. If the deficiencies are not rectified within the deadline, this election proposal is invalid.
- (2) Ballot papers shall be prepared by the election management on the basis of the authorised nominations. The order of the nominations on the ballot paper may be determined alphabetically or by drawing lots by a member of the election committee.
- (3) The election management shall announce the authorised nominations no later than on the 7th day before the election day.

§ 12

Design of the election documents

- (1) For the election of the StuRa, ballot papers are produced in German and English. The nominations shall be listed on the ballot papers in the order determined in accordance with § 11 para. 2 with the information specified in § 10 para. 2, but without the email address and without stating their own reasons for standing as per § 10 para. 2.
- (2) The ballot paper shall bear the official seal of the university.
- (3) The election management decides on the external design of the election documents in consultation with the election committee.

§ 13

Voting

- (1) Votes must be cast on a non-lecture day between 9.00 a.m. and 3.00 p.m. for 2 hours.
- (2) The electoral management determines the location of the voting room. The electoral management shall take precautions to ensure that the voter can mark the ballot paper unobserved in the voting room. Ballot boxes are to be used for recording the ballot papers. The election is open to the university public. The election committee and the election assistants can expel persons who disturb order and peace from the voting room.
- (3) At least one person from the electoral committee or an election assistant must be present in the voting room at all times while it is open for voting. It is not permitted to influence the authorised voters in the voting room in any way. Each member of the electoral committee as well as each polling officer may prohibit any visible influencing of eligible voters in the immediate vicinity of the voting room. This perimeter must be marked.
- (4) Upon entering the voting room, voters receive the required ballot papers from the election committee or the election assistants. The voter casts his/her vote by clearly marking a cross to indicate which candidate he/she is voting for.
- (5) Each voter may cast only one vote.
- (6) Before inserting the folded ballot paper into the ballot box, it must be established whether the voter is entered in the electoral roll. Upon request, the voter must identify himself/herself. If the voter is entered in the electoral roll, he/she casts his/her ballot paper into the ballot box. The vote cast is to be noted in the electoral roll.
- (7) If the election process is interrupted or the election result is not determined immediately after voting has been completed, the electoral committee must seal and store the ballot box in the meantime in such a way that it is impossible to insert or remove ballot papers without damaging the seal. When the ballot box is reopened or the ballot papers are removed for counting, the electoral committee must ensure that the seal has not been damaged.
- (8) After the time set for voting has expired, only those eligible voters who are present in the polling station at that time may vote. After the votes have been cast by the voters present, the election committee shall declare the election closed on election day.

§ 14
Postal vote

(1) Votes may also be cast in the form of postal votes.

(2) Eligible voters who intend to cast their vote by postal ballot shall apply in writing to the electoral administration office for the ballot papers (ballot paper, ballot envelopes and postal ballot envelope bearing the address of the electoral administration office and the name and address of the eligible voter as the sender as well as the words "postal vote") to be sent or handed over to them. The hand-signed application for transmission must be received by the electoral administration no later than the 21st day before the election day. The personally signed application for the handing over of the documents must be received by the election management no later than the 3rd day before the election day. The election management verifies eligibility to vote. The election management sends or hands out the election documents to the authorised voters immediately after the announcement of the approved nominations. The election management notes the dispatch in the electoral roll. Eligible voters for whom the sending or handing out of postal voting documents is noted in the electoral roll can only cast their vote by postal vote.

(3) Postal voters shall place the ballot paper in the ballot envelope and seal it; the ballot envelope shall be placed in the envelope (ballot letter) and also sealed. The ballot letter must be received by the election management by the end of the time set for voting. The date and time of receipt must be noted on the ballot letter. The ballot letters received are counted and their number entered in the election record.

(4) The ballot letters received on time shall be opened for verification no later than after the completion of voting pursuant to section 13 paragraph 8 sentence 2. Ballot letters received after this time remain unopened. A postal ballot letter is rejected if

1. it has not been received by the end of the voting period,
2. it has been received unsealed,
3. the ballot paper envelope is not officially labelled or bears a mark,
4. the ballot paper is outside the ballot paper envelope.

(5) In the cases of paragraph 4 sentences 2 and 3, a vote has not been cast. The rejected ballot papers, including their contents, are to be separated out and, in the case of paragraph 4 sentence 3 no. 1, unopened, otherwise without opening the ballot paper envelope, attached to the election record pursuant to section 6.

(6) The ballot envelopes from non-rejected ballot letters are placed unopened in the ballot box after the vote has been recorded in the electoral roll.

§ 15
Counting

(1) Immediately after the end of voting in accordance with § 13 para. 8, the election committee shall count the votes cast.

(2) After the ballot boxes have been opened, the ballot papers are checked for validity. A ballot paper cast and consequently also the vote cast are invalid if

1. no candidate has been ticked or otherwise clearly identified,
2. it is not recognisable as official,
3. the ballot paper contains an addition that does not serve to identify the elected candidate or the elected election proposal, or contains a reservation,
4. a voter has cast more than the number of votes permitted under § 13 para. 5,
5. the voter's will is not clearly recognisable from the ballot paper.

(3) In case of doubt about the validity of the vote, the election committee shall decide.

(4) The valid votes for each individual election proposal shall be totalled.

§ 16

Determination of the election result

(1) After the votes for the StuRa election have been counted, the election management shall determine the result:

1. the total number of ballot papers cast
2. the total number of valid ballot papers cast
3. the total number of invalid ballot papers cast
4. the number of valid votes cast for each candidate.

The election management further determines the elected candidates and the order of the substitute representatives in accordance with paragraph 2. The election management announces the determined election result by posting it in the places designated for official public announcement or in another suitable manner. The election management shall correct it ex officio if spelling mistakes, calculation errors or similar inaccuracies become known within four months of the determination.

(2) In the event of a majority vote (election of persons), the persons receiving the highest number of votes shall be elected. In the event of a tie, a member of the election committee shall draw lots to decide. Those not elected are substitute representatives in the order of their number of votes. In the event of a tie, the order shall be decided by lot to be drawn by a member of the election committee. Persons who do not receive any votes are not substitute representatives.

§ 17

Acceptance of the election

(1) The election management must immediately notify the elected candidates of their election in writing against proof. The election is deemed to have been accepted unless a written rejection of the election for good cause is received by the election management within one week of receipt of the notification at the latest. The election management decides whether there is good cause for rejecting the election.

(2) After acceptance of the election, those elected may only resign from office if there are important reasons preventing them from exercising their office. The election management shall decide whether to accept the resignation.

§ 18

Succession of substitute representatives

(1) If the election is not accepted by an elected person with legal effect, the substitute representative who is next in the order of the substitute representatives in accordance with § 16 para. 2 sentences 3 to 5 shall move up. If there are no substitute representatives, a by-election shall take place.

(2) If an elected representative resigns, paragraph 1 and § 17 shall apply accordingly.

§ 19

Supplementary election

(1) All provisions of these election regulations shall apply accordingly to the by-election.

(2) By-elections shall be held immediately.

(3) The representatives elected as additions are only elected for the remaining term of office in accordance with § 2 para. 2 and their term of office ends with the regular term of office of the body.

§ 20

Entry into force and expiry

These election regulations come into force on 01 September 2023. They can be viewed on request at the StuRa and online on the university website. Previous election regulations of the Student Council of the Palucca University of Dance Dresden shall expire at the same time.

Dresden, 01 September 2023

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Members of the Student Council of the Palucca University of Dance Dresden