

## Statutes of the student body of TU Dortmund University dated 13 June 2022

Based on Section 53 (4) of the Higher Education Act of the State of North Rhine-Westphalia (*Hochschulgesetz* - HG) of 16 September 2014 (GV. NRW. p.547), last amended by the law of 25 November 2021 (GV. NRW. p.1210a), the Student Parliament of TU Dortmund University has adopted the following statutes:

### I. Section. The student body

#### Section 1 Definition and legal status

- (1) <sup>1</sup> All students enrolled at TU Dortmund University form the student body. <sup>2</sup> It is a member body of TU Dortmund University with legal capacity. <sup>3</sup> It organizes and administers the tasks incumbent upon it itself. <sup>4</sup> It has the right to cooperate with student bodies of other universities and to join umbrella organizations of the student body.
- (2) The student body is divided into student councils.
- (3) <sup>1</sup> These statutes are statutes according to Section 53 (4) HG NRW. <sup>2</sup> These statutes, in particular Sections 16 to 20, apply as election regulations for the elections to the AStA in accordance with Section 54 (3) HG NRW.

#### Section 2 Tasks

- (1) The student body has the following tasks:
- To represent the interests of its members as members of TU Dortmund University and society and to comment on all relevant issues in their interest,
  - Representing the university policy interests of its members and commenting on related issues,
  - To represent the professional, economic and social interests of its members, including social self-help, and to comment on related issues,
  - Supporting students in legal matters as part of the tasks of the student body,
  - Representing the cultural interests of its members and promoting student sport,
  - Maintaining interregional and international student relations,
  - Representation of the student body vis-à-vis the bodies and institutions of TU Dortmund University,
  - to promote tolerance and the political education of its members,
  - to stand up for the freedom of the individual within the framework of the legal mandate,

- to enable the discussion and publication of general socio-political issues in all types of media, especially our own.
- (2) <sup>1</sup>The student body advocates freedom of research, teaching and study. <sup>2</sup>It stands up for equality and against discrimination. <sup>3</sup> In particular, no one may be disadvantaged because of their gender, their origin, their nationality, their home country and origin, their language and form of communication, their sexual identity, their disability or chronic illness, their faith, their religious or political views or their social situation.

### Section 3 Rights and obligations of members

- (1) <sup>1</sup> The members of the student body have the right to participate in the self-administration of the student body. <sup>2</sup> They have the right to use its facilities and to participate in its events.
- (2) <sup>1</sup> Members of the student body must not experience any disadvantages due to a disability. <sup>2</sup> The following must be observed in particular:
- events or meetings must be accessible for accessible rooms for wheelchair users;
  - if necessary, sign language interpreters must be used for deaf students;
  - publications must be made accessible to the blind and visually impaired.
- Exceptions are only permitted in consultation with the autonomous department for the disabled. Non-compliance with these regulations may result in sanctions, for example in the form of funds being blocked or reduced. Further details are regulated by guidelines to be decided by the student parliament.
- (3) Every member of the student body has the right to vote and stand for election to the Student Parliament (StuPa, SP) and to the Student Representative Council (FSR) in their department, as well as the right to stand for election to the General Student Committee (AStA).
- (4) <sup>1</sup> Every member of the student body has the right to submit written inquiries to the StuPa and the AStA as well as to the FSR in their student council. <sup>2</sup> Further details are regulated by the rules of procedure of the AStA, the StuPa and the respective student council statutes.
- (5) Every member of the student body is obliged to pay fees in accordance with the applicable fee regulations.
- (6) Members of the student body may not be disadvantaged because of their work in self-administration.
- (7) Members of the student body are obliged to maintain confidentiality in matters that have become known to them as holders of an office or function and whose confidentiality is required by law, due to a special resolution of the responsible body or due to the nature of the matter.
- (8) These statutes and the supplementary regulations in accordance with Section 47 are binding for the members of the student body.

## Section 4 Organs of the student body

The bodies of the student body are

- the student parliament (StuPa) and
- the General Students' Committee (AStA).

## II. Section: The bodies of the student body

### 1. Student Parliament (StuPa)

#### Section 5 Student Parliament (StuPa)

- (1) <sup>1</sup>The StuPa consists of 35 members, subject to any deviation resulting from the election procedure. <sup>2</sup>These are elected by the members of the student body in a general, direct, free, equal and secret election for a term of one year.
- (2) <sup>1</sup>Voting takes place according to electoral lists. <sup>2</sup>Each voter has one vote. <sup>3</sup>Further details are regulated by the election regulations.
- (3) <sup>1</sup>The members on the electoral lists participate in the formation of the students' political will. <sup>2</sup>Their foundation is free. <sup>3</sup>Their internal organization must comply with democratic principles.
- (4) The StuPa adopts its own rules of procedure.
- (5) Simultaneous membership of StuPa and AStA is excluded.

#### Section 6 Tasks

- (1) <sup>1</sup> The StuPa is the supreme decision-making body of the student body. <sup>2</sup>It expresses the will of the student body.
- (2) It has the following tasks:
  - to adopt guidelines for the fulfillment of the tasks of the student body,
  - to decide on fundamental matters concerning the student body,
  - to adopt the statutes of the student body and its supplementary regulations (Section 47),
  - to adopt the budget and monitor its implementation,
  - elect the AStA spokesperson, their d e p u t y and the other AStA members (speakers),
  - to decide on the discharge of the AStA,
  - elect the members of the StuPa committees and commissions,

- to elect or nominate the representatives of the student body in other institutions and bodies that affect the overall interests of the student body, in particular those of TU Dortmund University and the *Studierendenwerk*, provided that this does not conflict with other provisions.

### Section 7 Term of office

- (1) <sup>1</sup>The term of office of the new StuPa begins on the day of its first meeting. <sup>2</sup>The first meeting of the StuPa shall take place no later than the 20<sup>th</sup> day after the last election day.
- (2) The term of office of the old StuPa ends on the previous day.

### Section 8 Resignation and succession of members

- (1) One member resigns from the StuPa:
  - by resigning from office,
  - by election to the AStA or
  - by leaving the student body.
- (2) The replacement of the vacant seat is governed by the election regulations.

### Section 9 Deputy StuPa members

- (1) <sup>1</sup>If a StuPa member is prevented from attending all or part of a meeting, all of their rights and obligations are transferred to a deputy for the duration of the meeting from the time they are prevented from attending. <sup>2</sup>The substitution cannot be revoked.
- (2) <sup>1</sup>Substitute StuPa members are the candidates on each list who have not been elected and have not yet been elected as a member. <sup>2</sup>The number of deputies may not exceed twice the number of seats on the list. <sup>3</sup>The order of the deputies is determined by Section 21 (3) of the Electoral Regulations. <sup>4</sup>The deputies attend the meetings in this order. <sup>5</sup>In the case of a deputy being unable to attend, the next available deputy will be considered.

### Section 10 Rights and duties of StuPa members

<sup>1</sup>The StuPa members have the right to inspect the written documents of the AStA, with the exception of processes relating to personnel matters. <sup>2</sup>These may only be inspected by the members of the relevant committee, or if no such committee exists, by the members of the budget committee.

### Section 11 StuPa Presidium

- (1) The Executive Committee consists of the Chairperson and their deputies.

- (2) In the constituent meeting, the StuPa decides on the size of the Presidium and elects the members of the Presidium individually from among its members.
- (3) Members of the Presidium can only be recalled by the election of a successor in accordance with subsection 2.

## Section 12 Tasks of the Executive Committee

- (1) The Presidium is responsible for the proper preparation and implementation of StuPa meetings.
- (2) <sup>1</sup> The Presidential Board shall convene the StuPa at least three times per semester. <sup>2</sup> It shall also convene it immediately if
  - 1/5 of the statutory StuPa members,
  - the AStA,
  - one hundredth of the members of the student body,
  - the student senate members of TU Dortmund University,
  - the FsRK,
  - three student councils or
  - two autonomous unitsrequest it, stating the agenda items to be discussed.

## Section 13 Committees of the StuPa

- (1) <sup>1</sup> The StuPa forms the Budget Committee as a standing committee and the Election Commission as a standing commission. <sup>2</sup> It can set up further committees or commissions to prepare and support its work.
- (2) <sup>1</sup> The Budget Committee consists of 7 StuPa members or deputy Stupa members who may not be members of the AStA. <sup>2</sup> The other committees each consist of a maximum of 10 StuPa members or deputy Stupa members. <sup>3</sup> The commissions shall each consist of a maximum of 10 members.
- (3) <sup>1</sup> The composition of the committees shall be based on the maximum number procedure according to Sainte-Laguë and the strength ratio based on the distribution of seats in the StuPa. <sup>2</sup> Sentence 1 applies accordingly for by-elections of committee members.
- (4) <sup>1</sup> The StuPa elects the members of the committees and commissions. <sup>2</sup> If the procedure in Section 44(1) has been applied in two separate, consecutive meetings with different candidates and the person standing for election has not achieved the required majority of votes, the electoral list to which the seat belongs shall determine the committee member for committees.
- (5) <sup>1</sup> Each committee and commission elects a spokesperson at its constituent meeting. <sup>2</sup> The rules of procedure of the StuPa apply accordingly to the committees and commissions as long as they do not set their own rules or otherwise agree on regulations.
- (6) <sup>1</sup> The term of office of the committees and commissions ends at the latest with the term of office of the StuPa. <sup>2</sup> The terms of office of the Budget Committee and the

The term of office of the election commission ends with the election of a new budget committee or a new election commission. <sup>3</sup>Section 7 shall apply accordingly.

(7) Section 8 applies accordingly to committees and commissions.

## Section 14 Dissolution of the StuPa

- (1) The Presidium of the StuPa must dissolve the StuPa if
  - the StuPa decides this with a majority of 2/3 of the statutory members,
  - the number of statutory members of the StuPa falls below 18. The Presidium of the StuPa must then immediately inform the Election Commission and - with an explanation of the reasons - the President of the university, the AStA and the university public.
- (2) <sup>1</sup> New elections must be held within the next 8 weeks of lectures. <sup>2</sup> The provisional StuPa Presidium takes over the tasks of the StuPa relating to the new election, in particular the setting of the election date, in agreement with the Election Commission.
- (3) Further details are set out in the election regulations.

## Section 15 Sustainability

- (1) <sup>1</sup> The minutes of the StuPa including attachments, the StuPa's resolution book and the minutes of the StuPa elections are permanently archived with the support of the University Library. <sup>2</sup>Further details are regulated by the StuPa rules of procedure.
- (2) Ballot papers and voting slips are kept for at least one year.
- (3) Resolutions shall be binding on the members of the student body until a resolution to the contrary or to rescind them is passed in accordance with these Statutes.

## 2. General Students' Committee (AStA)

### Section 16 Tasks

- (1) <sup>1</sup> The AStA represents the student body. <sup>2</sup>It implements the StuPa resolutions and is accountable to it. <sup>3</sup>The AStA must submit a report on its activities at every StuPa meeting.
- (2) The AStA is responsible for the day-to-day business of the student body within the guidelines of the StuPa.
- (3) <sup>1</sup>The AStA Chair represents the AStA. <sup>2</sup>The AStA chair consists of the spokesperson and the deputy spokesperson. <sup>3</sup>Legal declarations by which the student body is to be bound must be made in writing. <sup>4</sup>They must be signed by at least two members of the General Students' Committee. <sup>5</sup>Sentences 3 and 4 do not apply to simple transactions of day-to-day administration or to transactions that a person expressly authorized for a specific transaction or group of transactions in writing.

The Articles of Association may stipulate value limits for transactions pursuant to sentence 5, half-sentence 1.

- (4) <sup>1</sup>The AStA members take part in the StuPa meetings. <sup>2</sup>The AStA members are obliged to provide the StuPa, its committees and commissions and its members with comprehensive information upon request.
- (5) The AStA must publicize its resolutions of importance to the student body and the resolutions of the StuPa by posting them on the student body's notice boards and on its website within the student body.

### Section 17 Composition and term of office

- (1) AStA members are:
- the spokesperson,
  - the deputy spokesperson,
  - the financial officer and
  - the other speakers.
- (2) <sup>1</sup>The term of office of the AStA members is governed by Section 7 accordingly. <sup>2</sup>The term of office <sup>of</sup> the spokesperson also ends with the term of office of the other AStA members.

### Section 18 Election

- (1) At the beginning of its term of office, the StuPa individually elects the members according to Section 17 (1) for the duration of the StuPa's term of office.
- (2) In the election of AStA members, the 2nd and 3rd ballots take place at separate StuPa meetings.
- (3) The elections of the AStA members according to Section 17 (1) <sup>1</sup> indents 2 to 4 take place after the election of the spokesperson.
- (4) If a person who was elected to the StuPa in the elections leaves the AStA, they can be placed on the first subsequent position on their electoral list after leaving the AStA.
- (5) Until a new AStA is elected, the current AStA will continue to conduct business on an interim basis.

### Section 19 Resignation and constructive vote of no confidence

- (1) <sup>1</sup>The AStA members can resign at any time. <sup>2</sup>A resignation must be declared in writing to the StuPa Presidium and reasons must be given. <sup>3</sup>The resignation of the spokesperson and the financial officer is only possible for serious reasons.
- (2) <sup>1</sup>The deselection of a member of the AStA is only possible by a constructive vote of no confidence in a ballot with a majority of the statutory StuPa members. <sup>2</sup>The vote of no confidence must be on the agenda of the StuPa meeting, which must be submitted to the members of the StuPa and the AStA at least 48 hours before the start of the meeting.

- (3) 1In the event of the resignation of the AStA spokesperson, the StuPa Presidium must convene a StuPa meeting with the agenda item "AStA elections" within four weeks. 2The provisions of Section 18 accordingly.

### **Section 20 Special procedural regulations for the AStA**

- (1) The spokesperson must immediately convene the AStA members to an AStA meeting if an AStA member requests it, stating the agenda items to be discussed.
- (2) The rules of procedure of the AStA are submitted to the StuPa Presidium in text form for information.

## **3. Committees**

### **Section 21 Student Council Conference (FsRK)**

- (1) The FsRK serves as a coordination and communication body for the student councils among themselves and with other bodies and committees of the student body, the university and the public.
- (2) 1All student councils are members of the FsRK. 2Each student council is represented by a delegate or their representative, who is nominated by a body of the respective student council.
- (3) 1The FsRK proposes a key according to which the funds earmarked for the student councils are to be distributed among the student councils. 2The key must take appropriate account of the tasks of the individual student councils and the number of their members. 3It may also provide funds for the work of the FsRK. 4The bodies of the student body and its committees shall take this proposal for the distribution of funds to the student councils and the share earmarked for the work of the FsRK into account when drawing up the budget.
- (4) The FsRK elects at least one student representative.
- (5) 1If the FsRK considers resolutions, measures, omissions, budget management or elections of a student council to be unlawful, the student council representative or the student council representatives may demand remedial action. 2If the student council concerned fails to remedy the situation within a reasonable period of time, the student council representative or the student council representatives must inform the AStA spokesperson.
- (6) More detailed regulations on the FsRK are set out in the Student Council Framework Regulations, which the StuPa adopts at the suggestion of the FsRK.

### **Section 22 Student working groups/initiative groups**

- (1) The student body can support initiatives, projects and working groups, especially those of minorities and disadvantaged groups that have formed from among its members.



- (2) Contact persons for all student groups as defined in subsection 1 are the student body bodies, in particular the AStA.
- (3) 1The StuPa may provide student groups within the meaning of subsection 1 with funds from the student body budget. 2They are accountable to the StuPa for the use of these funds.
- (4) Further details are regulated by guidelines to be decided by the StuPa.

### Section 23 Autonomous units

- (1) The StuPa establishes the Queer Feminist Department, the Autonomous Foreigners' Department, the Autonomous Disabled Persons' Department and the Male Identity Queer Department to represent the interests of the respective groups.
- (2) 1The Autonomous Departments are elected by the respective groups in general, direct, free, equal and secret elections. 2The election in a general assembly is not permitted for the Autonomous Foreigners' Department. 3The Autonomous Disability Unit, the Male Identity Queer Unit and the Queer Feminist Unit may be elected in a general assembly.
- (3) 1Each autonomous department shall be provided with the funds required for its work in the student body budget. 2Each autonomous department shall decide <sup>on</sup> the use of the funds on its own responsibility. 3The AStA may only refuse disbursements for legal reasons. 4The Autonomous Departments shall observe the principles of the HWVO NRW, in particular those of economic efficiency and economy. 5The Autonomous Departments shall carry out a cash audit on their own responsibility once per financial year, which shall be presented to the respective General Assembly.
- (4) 1Each Autonomous Unit shall draw up its own statutes. 2The statutes shall be adopted by the respective plenary assembly. 3The statutes shall define in particular the size, term of office, election procedure, tasks and procedure for convening and passing resolutions. 4The StuPa and the AStA shall receive the statutes for information purposes.
- (5) The autonomous departments are obliged to hold at least one plenary meeting during the legislative period.
- (6) The autonomous units report to Parliament after the plenary assembly on the content of the unit's work; this must be approved by the plenary assembly beforehand.

### III. Section: Ballot and general meeting

#### Section 24 Ballot vote and general meeting

- (1) The StuPa can conduct a ballot among all members of the student body on all fundamental matters of the student body.
- (2) The ballot vote is direct, general, free, equal and secret.
- (3) The StuPa has to decide on the question to be asked for the ballot vote and the organizational framework conditions.

- (4) The StuPa can issue guidelines for the implementation of ballots.
- (5) 1Resolutions passed by majority vote in ballots are binding on the student body bodies if at least 20 percent of the voting members of the student body have given their written consent. 2Resolutions passed by majority vote are otherwise deemed to be recommendations to the student body bodies.
- (6) 1The Student Assembly (SVV) of the student body of TU Dortmund University is an assembly of all students of TU Dortmund University. 2All members of the student body of TU Dortmund University are entitled to vote and submit motions. 3The General Student Assembly has a quorum regardless of the number of students present. 4Details are governed by the rules of procedure for the implementation of student assemblies of the student body of TU Dortmund University.

#### IV. Section: The student councils

##### **Section 25 Student councils**

- (1) The student body is divided into student councils, which are listed in the student council framework regulations.
- (2) 1The affiliation of enrolled students to student councils is based on the degree determined by the student's chosen degree program; if none of the student councils listed in the general student council regulations corresponds to this degree, it is based on the chosen first degree program. 2Students may choose to belong to one or more other or one or more additional student councils when enrolling or re-registering for the degree programs they have chosen.

##### **Section 26 Tasks**

Notwithstanding the responsibility of the student body organs, the student council shall represent the special interests of its members arising from their membership of the student council within the framework of the tasks set out in Section 2. These are in particular

- to represent the professional interests of its members,
- to comment on university policy issues, insofar as they are subject-related,
- to maintain interregional and international student contacts on a professional level.

##### **Section 27 Bodies and committees of the student council**

- (1) Organs of the student council are
  - the student council (FSR),
  - the Fachschaftsvollversammlung (FVV).
- (2) 1The bodies referred to in subsection 1 may form committees and commissions. 2The members of the committees and commissions shall be appointed by election by the respective body. <sup>3</sup> Section 13 applies accordingly. 4Further details are regulated by the student council statutes in accordance with the student council framework regulations.

## Section 28 The Student Representative Council (FSR)

- (1) 1The FSR performs the tasks of the student council. 2It should cooperate with the representatives of the Department Council and the student body bodies.
- (2) The composition of the FSR and their election by the FVV is regulated by the Fachschaftsrahmenordnung.

## Section 29 The Student Representative Assembly (FVV)

- (1) The FVV is the highest decision-making body of the student council.
- (2) The FSR must hold a meeting of all members of the student council (student council plenary meeting) on fundamental matters of the student council if at least 5% of the members of the student council request a plenary meeting in writing, stating the voting question.
- (3) 1FVV resolutions only bind the other bodies of the student body if at least 10% of the members of the student body participate in a vote following the FVV and the resolution is approved by a majority of the votes cast. 2In all other cases resolutions of the Student Council General Assembly shall be deemed recommendations.

## Section 30 Student Council Framework Regulations and Student Council Statutes

- (1) The general student council regulations must define the basic principles of the composition, convening, tasks, decision-making and term of office of the student councils as well as the management of funds by the student councils.
- (2) 1The FVV adopts the student council statutes of the respective student council. 2These regulate the further details of the tasks of the student council. 3Deviation from the principles laid down in these statutes and from the general student council regulations to be adopted in accordance with subsection 1 is not permitted.
- (3) 1The student body statutes and amendments to them are adopted by a majority of the members present at the student body plenary meeting. 2They require the approval of the StuPa. 3 Approval may only be withheld for legal reasons.

## V. Section: Financial and economic management

### Section 31 Principles

- (1) The student body has its own assets.
- (2) The budgetary and economic management of the student body is governed by the relevant state regulations.
- (3) The fees collected from the members of the student body are public funds that must be administered sparingly and economically.

## Section 32 Contributions

- (1) The student body collects fees from its members in order to fulfill its tasks.
- (2) The contribution regulations to be adopted by the StuPa contain, in particular, provisions on the obligation to contribute and the amount of the contribution.

## Section 33 Financial year

The student body's financial year begins on 1 April of each year.

## Section 34 Short-term investment of fixed-term deposits

1The AStA is authorized to invest parts of the student body's assets as fixed-term deposits for a period of up to 90 days. 2The semester ticket funds may be invested for longer periods, provided that it is ensured that the underlying contractual obligations are fulfilled.

## Section 35 Budget

- (1) <sup>1</sup>All income and expenditure must be budgeted for the financial year and included in the budget. <sup>2</sup>Changes and additions to the budget may only be approved by the StuPa by means of a supplement to the budget.
- (2) Additions to and withdrawals from reserves must be budgeted.
- (3) Allocations for the student councils are budgeted as self-management funds.
- (4) The budget and any supplements must be published on the notice boards and on the student body's website no later than 30 days after the StuPa's decision.

## Section 36 Consultation on the budget

- (1) <sup>1</sup>The draft budget shall be submitted to the Budget Committee six weeks before the start of the financial year. <sup>2</sup>The Budget Committee discusses the budget and gives a detailed opinion on its estimates. <sup>3</sup>Each member of the Budget Committee is entitled to give a special vote on each individual budget item or on the budget items as a whole. <sup>4</sup>After the Budget Committee has given its opinion, the draft budget must be submitted to the StuPa for approval without delay. <sup>5</sup>The The resolutions of the Budget Committee, including any special votes cast, must be attached to the submission.
- (2) The StuPa discusses and decides on the individual budget estimates, taking into account the opinion of the Budget Committee and the special votes of its members.
- (3) Subsections 1 and 2 apply accordingly to any supplementary budgets.

## Section 37 Appointment of further speakers

The assignment of other officers to exercise individual powers of the finance officer in accordance with the provisions of state law requires the consent of the spokesperson of the AStA.

### Section 38 Cash management

- (1) 1The AStA appoints a treasurer. 2In addition to the treasurer, other members of the student body to be determined by the treasurer may be authorized to accept cash. 3Accepted funds must be delivered to the treasurer within 7 working days.
- (2) 1The treasurer is the supervisor of the employees of the student body. 2He/she performs this function in consultation with the AStA speaker, his/her deputy and the AStA finance department and on the basis of the resolutions of the StuPas and the AStA.

### Section 39 Cash and annual audit

1The corresponding provisions of state law apply to the cash and annual audit. 2The auditors do not have to be members of the student body.

### Section 40 Accounting

- (1) The AStA finance officer must immediately forward the financial results prepared by the treasurer within one month of the end of the financial year to the budget committee for comment.
- (2) Section 36 (1) sentences 2 to 4 shall apply mutatis mutandis to the Budget Committee's deliberations and opinion on the financial results.
- (3) The StuPa discusses and decides on the discharge of the AStA, taking into account the opinion of the Budget Committee and the special votes received.

### Section 41 Budget Committee

- (1) The Budget Committee has the following tasks:
  - Opinion on the budget,
  - Opinion on the accounting result,
  - Statement on financially relevant applications for support from the StuPa.
- (2) It can request information about the financial management at any time.
- (3) The budget committee must immediately inform the AStA and the StuPa of any concerns about the budget management.

## VI. Section: Common provisions

### Section 42 Duties of the chairpersons and spokespersons of the bodies and the bodies' committees

- (1) 1The chairperson or spokesperson represents the respective body or committee and conducts its business under their own responsibility. 2He\*she prepares the meetings and implements the resolutions or passes them on.
- (2) The chairperson or spokesperson has the following tasks in particular:
  - to convene the body or committee in writing, observing the notice period stipulated in the relevant rules of procedure,
  - to draw up the agenda,

- to chair the meetings,
  - to work towards the swift fulfillment of the tasks of the body or committee.
- (3) 1The chairperson or spokesperson shall convene meetings of the body or committee if business so requires. 2The body or committee shall be convened if 1/3 of the members entitled to vote so request, stating the agenda items to be discussed. 3Deviating provisions of these Articles of Association remain unaffected.

### Section 43 Rules of procedure for the bodies and committees of the bodies

- (1) The body or committee deliberates and passes resolutions in a duly convened and chaired meeting.
- (2) 1With the exception of meetings of the StuPa, meetings of the body or committee may also take place in electronic communication or in a hybrid form of physical and electronic presence of the members. 2The chairperson or spokesperson of the body or committee decides in which form the meeting will take place and informs the members of this in the invitation to the meeting. 3Sentences 1 and 2 shall only apply to meetings of the StuPas if meetings of the StuPas are permitted by law or ordinance in electronic communication or in a hybrid form of physical and electronic presence of the members.
- (3) 1With the exception of the StuPa, the body or committee may also pass resolutions in electronic communication or in a hybrid form of physical and electronic presence of the members. 2The first sentence only applies to the StuPa if the StuPa is permitted by law or ordinance to pass resolutions by electronic communication or in a hybrid form of physical and electronic presence of the members.
- (4) 1The body or committee shall constitute a quorum if at least half of its voting members are present, unless otherwise stipulated in a student body regulation. 2The quorum shall be determined at the beginning of the meeting by the chairperson or spokesperson; it shall be deemed to be present until the lack of a quorum is formally established. 3The rules of procedure may provide that the quorum can be established again during the course of the meeting and that the body or committee is quorate when dealing with an item regardless of the number of members present if the discussion of this item has been postponed due to a lack of quorum and the body or committee has been convened again to discuss the same item. 4In this case, when the meeting is convened, explicit reference must be made to the consequences for the passing of resolutions. 5 Sentences 1 to 4 do not apply to student representatives' plenary meetings.
- (5) 1Only the members of the body or committee have the right to propose motions. 2All persons present have the right to speak. 3If several motions are tabled, the motion with the most far-reaching content shall be put to the vote first. 4Motions to amend take precedence over the original motion. 5In cases of doubt, the chairperson or spokesperson decides. 6In the StuPa, the members of the AStA, the student members of the Senate of TU Dortmund University, the members of the autonomous departments, the spokespersons of the commissions and committees, the representative for the student councils (FSB) and a member of

the student body whose motion has been signed by at least 50 students also have the right to submit motions.

- (6) 1The vote on an item under discussion takes place immediately after the end of the discussion. 2Votes are generally taken by a show of hands. 3At the request of a member present and entitled to vote, the vote must be taken by secret ballot; this does not apply to points of order. 4Decisions on personnel matters are always taken by secret ballot.
- (7) 1Unless otherwise prescribed by law, by these Articles of Association or by rules of procedure, a motion is adopted if the majority of the members of the body or committee present vote in favor. 2In the event of a tie, the motion is deemed to have been rejected. 3 Abstentions and invalid votes are not counted for the calculation of the majority.
- (8) Elections to the body or committee shall be by secret ballot.
- (9) 1Unless otherwise determined by the body or committee, resolutions of the body or committee shall become effective upon adoption. 2They must be recorded in the minutes and - if the resolutions are to be published - posted on the notice boards of the student body or the student councils and on its website.
- (10) 1 Any outvoted member may present a dissenting position in a written special vote. 2 This must be announced after the vote and submitted to the recording secretary. 3 The special vote must be included in the minutes. 4 The special vote must be attached to resolutions that are to be submitted to other bodies.
- (11) 1In matters that cannot be postponed and in which a decision cannot be reached in good time by the body or committee responsible, the respective chairperson or spokesperson shall decide; this does not apply to elections. 2He/she must immediately inform the body or committee of the reasons for the decision taken and the manner in which it was made. 3If the meeting is to be held in public in order to pass a resolution on the matter, the chairperson or spokesperson must provide the public with sufficient information about the decision taken in an appropriate manner.
- (12) 1 With the exception of the StuPa, a body or committee may pass resolutions by circulation outside of its meetings. 2 Elections may not be carried out by circulation. 3 In order to pass resolutions by circulation procedure, the chairperson of the body shall send a draft resolution together with the associated documents to the members of the body or committee in text form. 4The voting members of the body or committee must submit their votes to the chairperson of the body or committee in text form; the deadline for submitting votes is one week. 5 The bodies or committees may stipulate different deadlines in their rules of procedure. 6A resolution by circulation procedure is excluded if a member of the body or committee objects to the resolution by circulation procedure in text form within this period; the possibility of objection must be pointed out when the draft resolution is submitted. 7 A resolution adopted by circulation procedure shall only be effective if at least half of the voting members of the body or committee have cast their votes. 8 The chairperson of the body or committee can set a longer deadline for voting and objections when submitting the draft resolution. 9

Sentences 1 to 8 only apply to the StuPa if the StuPa is permitted by law or ordinance to pass resolutions by circulation. <sup>10</sup>If a body or committee that meets in public pursuant to Section 45(1) adopts resolutions by circulation, suitable measures must be taken to ensure that the public is adequately informed about the resolutions that are to be adopted in public.

- (13) The details of the procedure are regulated by the respective rules of procedure to be issued by the bodies and committees.

## Section 44 Elections

(1) <sup>1</sup> Elections to committees and bodies are carried out by a majority of the statutory members. <sup>2</sup>If one of the proposed persons does not receive the required majority of votes in the second ballot either, a majority of the votes cast shall suffice in the third ballot. <sup>3</sup>In the case of election by the FVV in accordance with Section 28 (2), the majority of votes cast is sufficient in the first ballot.

- (2) <sup>1</sup> With the exception of elections in the area of responsibility of the StuPa, elections in the area of responsibility of committees and bodies of the student body can also be held by casting votes in electronic form in addition to casting ballots. <sup>2</sup> The chairperson or spokesperson shall decide in which form the election is to be conducted and shall announce this in the invitation to the meeting. <sup>3</sup> The tool used for the electronic election must guarantee secret voting and prevent a vote from being cast more than once. <sup>4</sup> It must be ensured that only authenticated persons are authorized to cast votes. <sup>5</sup> In justified individual cases, in particular in the event of manipulation or attempted manipulation as well as technical or mechanical malfunctions, the chairperson or spokesperson must interrupt or cancel the election if this does not ensure that the election is conducted properly. <sup>6</sup> If faults become known during the election that can be rectified without the risk of premature disclosure or deletion of votes already cast and if possible vote manipulation is ruled out, the chairperson or spokesperson may rectify these faults or have them rectified and continue the election; otherwise the election must be stopped without counting the votes. <sup>7</sup> In the event of an interruption, the chairperson shall decide whether to repeat the election. <sup>8</sup> The circumstances of the individual case in question must be noted in the minutes of the meeting. <sup>9</sup> Sentences 1 to 8 shall only apply to elections within the StuPa's area of responsibility if elections within the StuPa's area of responsibility are permitted by law or ordinance to be conducted by electronic voting. <sup>10</sup> Sentences 1 to 9 apply accordingly to secret ballots in the area of responsibility of a committee or body.

- (3) Unless otherwise stipulated in the rules of procedure or other regulations, the following procedure applies to the conduct of elections:

- Opening of the list of candidates (collection of candidate proposals; the consent of the candidate must be obtained for candidacy);
- Closure of the list of candidates;
- Presentation and questioning of the candidates;
- Election in accordance with the Articles of Association or other regulations;
- Election acceptance survey;
- Closing of the election.

- (4) <sup>1</sup> A member may only be voted out of office by a constructive vote of no confidence.



<sup>2</sup>The majorities in subsection 1 apply.

- (5) If no new member has been appointed at the end of a term of office or election period, the current member shall continue in office unless the body that elected him/her requests that he/she refrain from continuing in office. <sup>2</sup>Sentence 1 shall apply accordingly in the event of resignation.
- (6) If the election of a body or committee or individual members thereof is declared invalid after taking office, this shall not affect the legal validity of the previously passed resolutions of the body or committee, insofar as these have been implemented.

## Section 45 Public

- (1) <sup>1</sup> The meetings of the AStA, the StuPas and the student councils are generally open to the public. <sup>2</sup> The public may be excluded for individual items or the entire meeting on the basis of a reasoned request by a majority of the members present.
- (2) <sup>1</sup> The other committees do not generally meet in public. <sup>2</sup> They may open their meetings to the public by a majority of the members present, unless there are legal reasons or the protection of personal interests to the contrary.
- (3) The public is always excluded from personnel matters.
- (4) <sup>1</sup> The members of the bodies and committees and other participants in a closed meeting are obliged to maintain confidentiality. <sup>2</sup> The body or committee may release members from the duty of confidentiality by resolution, provided that this does not conflict with legal provisions or the confidentiality does not arise from the matter itself. <sup>3</sup>Discussions on personnel matters must always be kept confidential.

## VII. Section: Supplementary provisions

### Section 46 Secondary and guest students

Secondary and guest students have the right to use the facilities of the student body, to make inquiries in accordance with Section 3 (4) and to participate in public meetings of the bodies or committees.

### Section 47 Supplementary regulations

The StuPa adopts the following supplementary regulations to supplement these statutes, in principle with a simple majority of its statutory members:

- Fachschaftsrahmenordnung (FsRO),
- Rules of Procedure of the StuPas (GO),
- Election regulations for the elections to the StuPa (WO),
- Rules of Procedure for the Conduct of Student Assemblies (VerfO-SVV) and
- Fee regulations of the student body (BO).

### Section 48 Publication

<sup>1</sup>The statutes of the student body, the election regulations, the student body framework regulations and the contribution regulations are to be published in the official section of

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the Official Communications of TU Dortmund University. <sup>2</sup> The rules of procedure of the StuPas and the AStA, the regulations for the implementation of general student assemblies as well as guidelines and other fundamental resolutions of the StuPa should be published in the non-official section of the Official Communications of TU Dortmund University.

### **Section 49 Amendment of the Articles of Association; amendment of supplementary regulations**

<sup>1</sup> A change to these statutes or supplementary regulations must be formulated in full and in a direct comparison of the old and new versions. <sup>2</sup> A change to the statutes requires a majority of 2/3 of the statutory members of the StuPa. <sup>3</sup> A change to supplementary regulations requires a majority of the statutory members of the StuPa. <sup>4</sup> Amendments to these statutes, the election regulations, the contribution regulations and the student body framework regulations require the approval of the Rectorate. <sup>5</sup> Approval may only be refused on legal grounds.

## **VIII. Section: Transitional and final provisions**

### **Section 50 Transitional provisions and expiry of regulations**

- (1) When the term of office of the bodies and committees of the student body and the student councils elected under the previous law expires, new elections must be held immediately in accordance with these statutes.
- (2) With the entry into force of these statutes of the student body, the statutes of the student body of TU Dortmund University dated 28 February 2022 (AM No. 12/2022, p. 5) shall cease to be in force.

### **Section 51 Entry into force**

The Statutes of the Student Body of TU Dortmund University shall enter into force on the day following their publication in the Official Notices of TU Dortmund University.

Issued on the basis of the resolution passed by the Student Parliament of TU Dortmund University on 13 June 2022.

#### **Note**

Please note that, in accordance with Section 12 (5) of the North Rhine-Westphalia Higher Education Act (*Hochschulgesetz* - HG NRW), a violation of procedural or formal provisions of the university's regulatory or other autonomous law can no longer be asserted after one year has elapsed since this announcement, unless

- 1) the order has not been duly published,
- 2) the Rectorate has previously objected to the resolution of the body adopting the regulations,
- 3) the formal or procedural defect has been notified to the university in advance, stating the violated legal provision and the fact giving rise to the defect, or
- 4) no reference was made to the legal consequences of the exclusion of complaints when the order was published.

Dortmund, 29 June 2022

The Speaker of the  
General Students' Committee

Till Zäschel

Dortmund, 1 July 2022

On behalf of the Presidium of  
Students' Parliament

Raphael Martin

Dortmund, 20 July 2022

The President of  
TU Dortmund University

University Professor  
Dr. Manfred Bayer