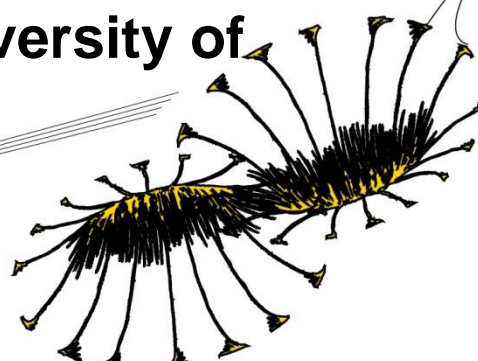


Election Regulations
for the election of members of the
university council, faculty councils and
service councils of the University of
Twente



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Adopted on 10 October 2022
by the Executive Board

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These election regulations apply to the election of members of the university council, faculty councils and service councils of the University of Twente. Taking due regard of the provisions in the Higher Education and Scientific Research Act, and with the approval of the university council, the regulations for the election of members of the university council, faculty councils and service councils of the University of Twente were established by the Executive Board on 10 October 2022. The regulations enter into effect on 1 January 2023.

Section 1: General provisions

Article 1 Definitions

1. The terms used in these regulations are defined as follows:

a. board	the applicable board (executive board, faculty board or director of service department)
b. doctoral candidate with grant from another organisation	as meant in article 2, paragraph 1, sub 2b of the PhD charter
c. executive board	the executive board of the university
d. days	working days
e. service	a service department of the university for which a service council has been established
f. service council	the council referred to in Article 9.50 of the Act
g. director	director of a service department
h. faculty	a faculty of the university for which a faculty council has been established
i. faculty board	the board of the faculty, consisting of the dean and portfolio managers
j. faculty council	the council referred to in Article 9.37 of the Act
k. section of the council	the employees or students appointed to the council
l. voting rights (<i>active and passive</i>)	the right to vote (active voting right) and the right to stand as a candidate (passive voting right)
m. voter or person entitled to vote	anyone who, in accordance with the provisions of the Act or of these regulations, is eligible to vote in or stand for an election
n. employee	personnel affiliated with the university through permanent or temporary employment, irrespective of the scope of their employment, and staff members employed by the Dutch Research Council or any similar organisation designated by the Executive Board, who regularly work within the university
o. reference date	the date referred to in Article 8 of these regulations
p. voting application	the electronic voting programme that can be accessed via the website of the University of Twente, and which calculates the allocation of seats on the basis of the voting results
q. election committee	the election committee that is responsible for the preparation and performance of the elections for the voting community of the university, faculties and services
r. in writing	by letter or email
s. student	a person who is enrolled as a student of the university in accordance with the Act, including doctoral candidates
t. research assistant	a student within the meaning of Article 10.1 of the Collective Labour Agreement of Dutch Universities
u. university	the University of Twente
v. university council	the council referred to in Article 9.31 of the Act

2. Insofar as other terms used in these regulations are also mentioned in the Act, they should be interpreted in the same way as in the Act.

Article 2 Voting rights

1. All individuals who are part of the voting community on the reference date (see appendix 1) are entitled both to vote in the election for the council and to stand for election to the council; those employed by the Dutch Research Council or any similar organisation designated by the Executive Board must obtain prior written permission from their employer before they may stand for election.
2. A voter must have active and/or passive voting rights for the relevant section of the council.
3. A member of the voting community who leaves the voting community after the reference date loses the right to vote.
4. A student who has ended their enrolment for the current academic year under the provisions of Section 7.42 of the Act loses the right to vote.
5. A research assistant only has voting rights for the student section of the council.
6. A student who is also registered as an employee of the university may only vote in the election for the student section of the council, unless the student wishes to vote in the staff section of the council and notifies the election committee of this in writing on or before the date on which a request for amendment of the voter register can be submitted to the election committee. In the latter eventuality, the individual concerned may only vote in the election for the staff section of the council.
7. The choice referred to in the preceding paragraph cannot be revoked before a new election takes place.
8. Members of the election committee only have active voting rights.

Article 3 Election period

The election committee schedules the election of the members of the council around May following consultations with the council, only for justified reasons the board, in consultation with the election committee, decides otherwise for the relevant council.

Article 4 Voting procedure and composition of the council

1. Elections for the membership of the council will be held for each section of the council separately. The voter votes for only one candidate.
2. In accordance with the provisions of Articles 9.31, 9.37 and 9.50 of the Act, the members of the council will be directly elected by and from amongst the section of the council to which they belong.
3. The number of seats on the university council, the faculty councils and the service councils are determined in the University Council Regulations, the Faculty Regulations and the Service Council Regulations respectively. An overview of the allocation of seats is attached as appendix 2 to these regulations.

Article 5 Term of membership

1. Employees are elected for two years and students for one year.
2. The members of each section of the council resign simultaneously after the expiry of the term of membership, and are immediately eligible for re-election.
3. In addition to periodic resignation, membership is ended by:
 - a. resignation in writing by the member to the chairperson of the council;
 - b. transition of the member to a section other than the one to which he or she has been elected as a member;
 - c. loss of membership of the voting community;
 - d. death.

Section 2 The election committee

Article 6 Composition

1. The council has an election committee as referred to in Article 1, paragraph 1 under point q, which is composed of a minimum of three members. The members and a maximum of three deputy members are appointed by the board for a period not exceeding two years, and can be reappointed immediately.
2. The election committee can be assisted by a secretary, who is appointed by the board.
3. The chairperson and the deputy chairperson can be appointed by the board from among the members of the election committee.
4. The meetings of the election committee are public.

Article 7 Tasks

1. The election committee is responsible for preparing and carrying out the election of the members of the council. Its tasks include in any event the following:
 - a. establishing and announcing the time schedule for the elections;
 - b. establishing the voter register on the basis of the information provided by the organisation;
 - c. deciding on requests for the improvement of the voter register;
 - d. deciding on the validity of the candidacy;
 - e. taking all measures to ensure the orderly conduct of the elections;
 - f. ensuring the proper format of the voting application;
 - g. determining and announcing of results of the elections;
 - h. ensuring that vacancies in the council are filled.
2. The election committee will make use of the various forms for use in the elections, such as the nomination form and the official reports referred to in these regulations, the templates for which will be determined by the election committee. The voting application can be used for casting votes and for determining the election results. The official reports must be signed by at least two members of the election committee.
3. The board provides the election committee with the information that it needs to carry out its work.
4. In divergence from the provisions of the General Administrative Law Act, interested parties may submit to the board a signed formal objection to a decision made by the election committee within five days of the announcement of the decision.

Section 3 Election procedure

Article 8 Reference date

At least ten weeks prior to the period referred to in Article 26, paragraph 2, the election committee determines the date on which the requirements for the acquisition of voting rights must be met; this date is referred to as the reference date.

Paragraph 1 Voter registration

Article 9 Voter register

1. The election committee ensures that the voter register for each section of the council is made up and established in good time.
2. The following details will be included in the voter register for each voter:
 - a. surname;
 - b. initials;
 - c. student or employee number.
3. Changes made after the reference date, with the exception of those referred to in Article 2, paragraphs 3 and 4, will not lead to the amendment of the voter register.

Article 10 Inspection of the voter register

1. Voters will be given the opportunity to examine their own details in the voter register for a minimum of five days after the establishment of the voter register.
2. The election committee announces when and how the voter register can be inspected.
3. The election committee may request proof of identity before allowing an inspection of the voter register.

Article 11 Request for amendment of the voter register

1. All members of the voting community who believe that their details have not been recorded correctly in the voter register can submit a written request to the election committee, explaining the grounds on which their details need to be amended, no later than on the last day of the period referred to in Article 10, paragraph 2. Notwithstanding the provisions of Article 2, paragraphs 3 and 4, the election committee may make official amendments to the voter register until that day.
2. If, as a result of an official amendment made to the voter register, a person is removed from the register on grounds other than those specified in Article 2, paragraphs 3 and 4, the person concerned will be informed by the election committee in writing of the reasons for such action.

Article 12 Decisions concerning amendment of the voter register

1. The election committee decides on requests for amendments to the voter register by a date and time to be determined and announced in advance by the election committee, and will amend the register when necessary.
2. The election committee immediately sends a copy of this decision to the person who submitted the request for amendment.
3. The election committee immediately makes a copy of the decision available for inspection by interested parties.

Paragraph 2 Nominations

Article 13 Nomination deadline

1. The election committee determines the day of the nomination deadline and announces this day at least two weeks in advance.
2. Lists of candidates can be submitted to the election committee until the indicated time of that day.

Article 14 Candidate lists

1. Nominations are made on the forms that are made available by the election committee.
2. Candidates are stated on the candidate list with their preferred name and surname, initials, student number or employee number, as well as (if applicable) the faculty or service to which the candidate belongs.
3. The name or designation of the candidate list may not contain more than 40 characters.
4. A candidate list contains a maximum of 15 candidates. The order of the candidates is determined by the candidates themselves.
5. Each candidate is stated on only one candidate list, and must belong to the section of the council for which the candidate list has been submitted.

Article 15 Signing of the candidate list

1. A candidate list must be supported by at least five voters belonging to the same section of the council. The election committee determines how this support takes place.
2. A voter may not support more than one candidate list.
3. A candidate list may not be supported by candidates included on that list.

Article 16 Declaration of consent by candidates

A written statement by each candidate declaring consent to the nomination must be provided.

Article 17 Submission of candidate lists

1. The candidate lists are submitted by a voter. This voter must present identification upon request. The candidate lists are submitted together with the declarations of consent as referred to in Article 16.
2. The election committee determines and states how the submission of the candidate lists takes place.
3. The election committee provides confirmation of receipt of the candidate list, stating the time and date of receipt, to the person who submits the list of candidates.

Article 18 Verification of candidate lists

As soon as possible after the end of the period within which the candidate lists may be submitted, the election committee will meet to verify the candidate lists submitted.

Article 19 Omissions

1. If following the verification referred to in Article 18, one or more of the requirements listed in Articles 13 to 17 are found to have been omitted, the election committee notifies all candidates on the list, or the candidate that the omission concerns, of this omission in writing as soon as possible.
2. The election committee allows those concerned to correct the omissions identified during a period announced in advance.

Article 20 Validity of candidate lists

1. Within two days of the expiry of the period referred to in Article 19, paragraph 2, the election committee decides at a meeting on the validity of the candidate lists and on the acceptability of the candidates listed.
2. The election committee makes the date, time and location of the meeting known at least five days in advance.

Article 21 Removal of candidates

The election committee removes from the candidate lists any candidates:

- a. who have not been listed on the candidate list as specified in Article 14, paragraph 1;
- b. who appear on the candidate list after the maximum permitted number of candidates has been reached, as stated in Article 14, paragraph 4;
- c. who do not fulfil the provisions of Article 14, paragraphs 2 and 5;
- d. who have not submitted a declaration of consent;
- e. whose candidacy has been deemed invalid, even after the provisions of Article 19, paragraph 2 have been applied;
- f. who are members of the election committee as determined in Article 2, paragraph 8.

Article 22 Invalid candidate lists

1. The following candidate lists are invalid:
 - a. those that do not fulfil the provisions of Article 13, paragraph 2;
 - b. those that, even after the possible application of the provisions of Article 19, paragraph 2, have not been signed by the required number of voters;
 - c. those from which all candidates have been removed by the application of Article 21.
2. The election committee announces its decision on the validity of candidate lists and the eligibility of candidates.

Article 23 Establishment of candidate lists and composition of summary list

1. Immediately after the nominations have been definitively established, the election committee compiles a separate summary list of all the candidate lists for each section of the council.
2. The candidate lists will be placed on the summary list in an order determined by drawing lots.
3. The election committee publishes the summary list immediately.

Paragraph 3 No voting

Article 24 No voting

If the number of candidates for a section of the council is less than or equal to the number of seats to be filled, no voting will take place for that section and the candidates in question will be declared elected.

Paragraph 4 Information on voting

Article 25 Sending of information

1. At least ten days before the period referred to in Article 26, paragraph 2, the election committee sends an email to every voter for information purposes, stating the following:
 - the section of the council for which the election is being held;
 - the names of candidates for that election listed in the order shown in the corresponding summary list;
 - the duration of the voting period;
 - the website of the voting application;
 - the manner in which the voter can gain access to the voting application.
2. At least twice in the voting period, the election committee sends an email with a direct link to the voting application to every voter; the first email will be sent on the first day of the voting period.

Paragraph 5 The voting procedure

Article 26 Method of voting

1. The voters select their preferred candidate in the voting application. There is also the option to cast a blank vote.
2. The election committee determines the period within which the voting application is open for casting votes.

Article 27 Irregularities; new elections

1. The voting referred to in the preceding articles will be declared invalid by the election committee as soon as any irregularities in the voting are detected that may be assumed to have influenced the determination of the results of the election. In that case, the election committee immediately initiates a new election.
2. The election committee immediately makes a copy of this decision available for inspection.

Paragraph 6 Determination and announcement of the results

Article 28 Determination and announcement of the results

1. Immediately after the results of the election are obtained with the use of the voting application, the election committee determines the results in a public meeting, the date, time and location of which are made known by the election committee at least one week in advance.

The results contain a summary of the number of votes cast per section of the council, their distribution over the candidates and the number of blank votes.

2. The election committee announces the results of the election as soon as possible and publishes these on the council's website.

Article 29 Notification of the candidates

1. As soon as possible, the election committee notifies all candidates of whether they have been declared elected.
2. If a decision of the board concerning an objection as referred to in Article 7, paragraph 4 leads to the amendment of the election results, the election committee notifies those directly involved of this in writing as soon as possible after receipt of that decision.
3. The election committee informs the chairperson of the council in writing of the election results and any amendments to them.

Article 30 Acceptance of seats

The candidate confirms acceptances of the seat to the election committee within a month of the receipt of the notice of election. If a candidate fails to do so will be deemed not to have accepted the seat.

Paragraph 7 Determination of the results with the use of the voting application

Article 31 Determination of vote count and electoral quotient per section of the council

The following will be determined for each section of the council:

- a. the number of votes cast for each candidate on a candidate list;
- b. vote count: the sum total of votes per candidate list, as specified under point a. ;
- c. electoral quotient per section: the total votes counts, divided by the total number of seats to be filled.

Article 32 Ranking of the candidate lists

1. The candidates on the candidate lists are ranked as follows:
At the top of the list, the candidates who have obtained a number of votes equal to or greater than half of the electoral quotient for that section of the council, in the order of the number of votes obtained by each candidate. The remaining candidates are then ranked in the order of the original candidate list.
2. Where candidates have received an equal number of votes, their position is decided according to the order of the original candidate list.
3. The seats to be filled are then allocated.

Article 33 Allocation of the seats

1. A number of seats equal to the number of valid votes cast divided by the electoral quotient, rounded down to a round number, is allocated to each candidate list. The remaining votes, as well as the votes cast for a candidate list that are below the electoral quotient, are deemed surplus votes. Seats that cannot be allocated in this manner are deemed surplus seats and are allocated to the candidate lists with the highest numbers of surplus votes. In the event of an equal number of surplus votes for two or more candidate lists, lots are drawn to determine which candidate will first be allocated a surplus seat.
2. If a seat cannot or can no longer be taken up by the persons appearing on the respective candidate list, that seat is deemed a surplus seat and is allocated in accordance with the provisions of paragraph 1.
3. If in accordance with the provisions of paragraph 2 there are no remaining candidate lists, the procedure is halted and no more seats are allocated.

Article 34 Assignment of seats to candidates

1. Candidates who have obtained a number of votes equal to or greater than the electoral quotient are immediately declared elected. A seat is assigned to each elected candidate on the candidate list.
2. If on the basis of the provisions of Article 33, paragraph 1 a seat is allocated to a candidate list, the unelected candidate who appears highest on the ranked candidate list, as calculated according to the provisions of Article 32, is declared elected.

Section 4 Filling vacant seats

Article 35 Filling vacant seats within candidate lists

There is considered to be a vacant seat if a candidate does not accept his or her election, or in a situation as described in Article 5, paragraph 1. To fill the vacant seat the highest placed candidate on the relevant candidate list, ranked in accordance with Article 32 who does not have a seat is declared elected.

The following candidates are not eligible:

- a. candidates whose vacant seat is filled;
- b. candidates who have transferred to a section of the council other than that to which the candidate has been nominated;
- c. candidates who have lost their membership of the voting community;
- d. candidates who are not willing to accept their election at that time;
- e. candidates who have died.

Article 36 Filling vacant seats in other cases

1. If, after the provisions of Article 35 have been applied, it is not possible to fill a vacant seat with a candidate from the same candidate list, the provisions of Article 33 will be applied to determine the candidate list to which the vacant seat will be allocated.
2. The candidate from that list who is eligible for appointment, after ranking in accordance with the provisions of Article 32, will be declared elected.
If the vacant seat cannot be filled in this way, the seat will be allocated to another candidate by the further application of the provisions of Article 32.

Article 37 Procedure for unfilled vacant seats

1. If a vacant seat cannot be filled in the manner referred to in Article 36 due to an insufficient number of candidates, the vacant seat remains vacant.
2. Once a third or more of the number of available seats become vacant, the vacancies will be filled by holding an interim election, unless a general election for that section of the council is due to take place within six months.
3. Exceptions to the provisions of the preceding paragraph may be made if the council and the board are so agreed.
4. In the event of an interim election, the reference date for the last election will serve as the reference date referred to in Article 8, unless with the approval of the election committee the board decides to determine a new reference date. An interim election is organised in the same way as a general election, with the exception that:
 - a. the election only relates to the vacant seats;
 - b. those who have lost their voting rights as a consequence of Article 2, paragraphs 3 and 4, will be removed from the voter register.

Article 38 Temporary Replacement

1. A member of the Board may be temporarily replaced because of illness, pregnancy and childbirth, a stay in the Netherlands or abroad in connection with research or a sabbatical, or to attend an educational institution or a traineeship.
2. The member concerned may submit a request for temporary replacement to the chairperson of the Board.

3. The chairperson shall decide on the request within two weeks and determine the duration of the replacement, which shall be at least four months.
4. Eligible as a replacement is the candidate who is next on the same list of candidates as the member being replaced.
5. Upon expiration of the replacement term, the temporary membership of the replacement shall expire and the membership of the replaced member shall revive until the end of the applicable term of office.

Section 5 Final provisions

Article 39 Personal data retention period

The personal data provided for the voter register will be deleted immediately after the completion of the elections.

Article 40 Final provisions

In circumstances that are not covered by these regulations, the election committee will as far as possible base its decisions on the scope of the provisions of the Act and the Electoral Law (Bulletin of Acts and Decrees 1989, No. 423).

Article 41 Citation title

These regulations may be cited as the Election Regulations of the University of Twente.

Appendix 1 Eligible voters (explanatory notes on Article 2)

Eligible voters:

For the election of members of the university council, faculty councils and service councils of the University of Twente, the following are eligible voters in accordance with Article 1, paragraph 1, under points o and p:

1. Students, including doctoral candidates

- *Persons who are enrolled as students of the university in accordance with the provisions of the Act, including doctoral candidates with a grant from another organisation.*
- Under the provisions of Article 2, paragraph 5, a research assistant only has voting rights for the student section of the council.

The details needed for the elections of the students with voting rights are generated from the student information system by the Centre for Educational Support and provided to the election committee.

The details of the doctoral candidates with a grant from another organisation with voting rights needed for the elections are generated from the HR system by the HR service and provided to the election committee.

2. Employees

Employees affiliated with the university, faculty or service respectively through permanent or temporary employment, irrespective of the scope of their employment, and employees employed by the Dutch Research Council or similar organisations designated by the executive board who regularly work within the university.

The details of the employees with voting rights needed for the elections are generated from the HR system by the HR service and provided to the election committee.

Excluded from elections

The following are excluded from the elections of members of the university council, faculty councils and service councils of the University of Twente:

- guests, including:
 - guest researchers;
 - guest lecturers;
 - seconded employees;
 - agency workers;
 - interns;
 - other external personnel;
- endowed professors;
- emeriti;
- externally financed doctoral candidates (known within the University of Twente as contract doctoral candidates) and external doctoral candidates.

Appendix 2 Number of seats on the university council, faculty councils and service councils*

Participation body	Employee seats	Student seats
University council	9	9
Faculty councils		
BMS	5	5
EEMCS	8	8
ET	5	5
ITC	5	5
ST	7	7
Service councils		
CES	5	
CFM	7	
FIN/HR/SP	3	
LISA	5	
M&C	5	
SBD	4	

- * - The number of seats on the university council is determined in the Executive and Management Regulations of the University of Twente.
- The number of seats on a faculty council is determined in the faculty regulations of the faculty.
 - The number of seats on a service council is determined in the service department regulations of a service.