

# Cognitive Systems Student Council Election Regulations

## Election Regulations

*The Election Regulations governs the construction of the Student Council and the conduction of elections. Every member of the Student Association has a right to make motions and a right to vote. Amendments to this document are to be made annually in the General Assembly.*

### §1 Basis

1. The Fachschaft “Cognitive Systems” (CogSys) on the basis of its Bylaws adopts the following election regulations.

### §2 General Guidelines

1. The CogSys Student Association Student Council is elected by the members of the Student Association in direct, free, equal, and secret elections.
2. Any member of the CogSys Student Association is eligible to vote and be voted for in the elections (see Bylaws §3 (1)).

### §3 Electoral system

1. The election follows the principles of plurality voting.
2. Individual members (not parties) can be elected to the Student Council.
3. Every voter can cast their vote for one or more candidates. One can also propose as many candidates as there are open council seats at the time by clearly naming such persons on a ballot.
4. The number of Council seats voted on is limited to at least 3 and at most 13.
5. Candidates are sorted according to how many votes they received. The ones with the most votes (corresponding in number to the number of seats being voted on) get are elected into the council.

6. In the case of a tie, a run-off vote determines seat allocation.
7. A candidate has the right to decline their nomination to the Council.

## **§4 Election Commission**

1. An Election Committee shall be struck for the proper preparation and conduct of the elections, and shall consist of at least two members of the CogSys Student Association.
2. The CogSys Student Council appoints members to the Election Committee by a simple majority vote, no later than a full month before the election. The CogSys Student Council requests a list of currently-matriculated students (Wählerverzeichnis) from the Dezernat für Studienangelegenheiten at this time, to be obtained no later than 3 business days before the (possibly first) election day.
3. The Student Council also appoints a Presiding Officer for the Election Committee.
4. The Election Committee constitutes a quorum if at least 50% of the Committee membership are present. Decisions are thereby made by a simple majority of present members. In the event of a tie, the Presiding Officer's casting vote decides.
5. The Election Committee decides on all matters concerning the interpretation of the Election Regulations of the CogSys Student Council, and also with regard to determination of the right to vote.
6. Members of the Election Committee are not eligible for election to the CogSys Student Council in the election for which the Committee is responsible.
7. The Election Committee is disbanded with the conclusion of all tasks related to the election including vote recalls or re-elections, if applicable.

## **§5 Election Advertisement**

1. The Election Committee shall advertise an upcoming election during the lecture period, no later than 10 business days before an election day.
2. Such advertisement must include at least the following:
  - a. a call for nominations to be submitted to the Election Committee,

- b. the date of publication,
- c. the date of the election,
- d. the place and time where votes may be cast,
- e. the number of seats up for election,
- f. a description of the election system,
- g. a notice that only members of the CogSys General Assembly may cast votes,
- h. the format of the publication of the vote result, and
- i. the names of the members of the Election Committee and their accessibility (e.g., e-mail addresses or appointments).

## **§6 Nominations**

1. Nominations for seats on the CogSys Student Council must be submitted to the Election Committee's Presiding Officer, by 12 noon on the 7th day before the (possibly first) election day.
2. Each nomination must include:
  - a. the first and last name,
  - b. the postal address and matriculation number, and
  - c. the year of study.
3. The deadline under §6 (1) of these Election Regulations may be extended as required by the Election Committee, if there are fewer than 13 candidates, but must remain earlier than the deadline set out in §8 (1).

## **§7 Review of Nominations**

1. Nominations are to be examined immediately by the Election Committee. The date and time of their entry are to be noted.
2. If nominations do not fulfill requirements (see §6), they must be rejected without delay, with reasons given and therewith a request to amend nominations for resubmittal within the deadline with all requirements properly fulfilled. An amended nomination then supersedes the original.
3. If requirements remain unfulfilled or are not fulfilled before the deadline, the Election Committee may decide whether the nomination is considered valid.

## §8 Election Announcement

1. The Election Committee must announce the election and candidates in an email to the Student Association mailing list, no later than 3 business days before the (possibly first) election day.
2. The Election Announcement must include:
  - a. the invitation to vote,
  - b. the names of the candidates and their academic year,
  - c. location and time of the election,
  - d. a notice that all voters must bring their student identification in order to cast a vote, and
  - e. location and time of the public vote count.

## §9 Election Date

1. Elections to the CogSys Student Council take place annually in the Summer Semester.
2. The Election Date must not be set during the lecture-free period.

## §10 Election Preparation

1. The Election Committee must produce official election documents (e.g., ballots). Only these may be used in the election.
2. All ballots must be uniform.
3. The Election Committee must use the list of all of the immatriculated members of the CogSys Student Association - i.e., students who are eligible to vote - in order to determine and verify voting privileges for the election. This list is specified in §4(2) and received from the CogSys Student Council that struck the committee.

## §11 Election Procedure

1. The voting process shall be governed by provisions as outlined in §2 and §3 of these Electoral Regulations.

2. Voters who are unable through physical handicap to mark the ballot or place it inside the ballot box may make use of the service of an assistant that they so name.
3. Before a voter may cast a vote, their right to exercise this privilege, i.e., membership in the CogSys Student Association, must be first verified by means of their student identification and the list provided for the Election Committee's use (see §10 (3)). Once this is completed, the voter may receive electoral documents. The Election Committee must mark their name both on the documents and on the list such that no further electoral documents may be distributed to the voter.
4. The voter must cast their vote in a manner that clearly identifies their decision on the ballot (see §12 (4)). The Election Committee must make provisions that the voter may exercise their right to vote unobserved.
5. Should the election process be interrupted, the ballot box must be shut and withheld by the Election Committee in such a way that no votes may get into or out of the ballot box outside the time of the vote.

## **§12 Vote Count and Announcement of Election Results**

1. Election Results shall be tallied publicly.
2. Ballots are taken from ballot boxes and tallied immediately after a polling station has been closed (see §8 (2)), in order to determine the result of the Election.
3. The number of ballots shall first be compared with the votes cast. If these numbers do not match, it must be noted in the electoral record. Thereafter, the votes on the ballot papers are counted.
4. A ballot is spoiled or discounted if:
  - a. it is not an official ballot, produced by the Electoral Committee,
  - b. the voter's selection cannot be clearly determined,
  - c. the number of candidates selected is more than the number of available seats,
  - d. it is marked in locations other than the areas on the ballot designated for casting a vote, or

- e. it is perforated, punctured or completely torn.
- 5. When counting the ballots, the following numbers must be reported:
  - a. the total valid and spoiled ballots, and
  - b. the total votes from valid ballots for each candidate.
- 6. The result of the Election is determined by:
  - a. listing the candidates in order, and
  - b. marking the proportion of vote won in percent.
- 7. The Election becomes valid once the result is announced, electoral verification procedures notwithstanding.
- 8. The Election result is to be published no later than 5 business days after the Election.

## **§13 Electoral Protocol**

- 1. An Electoral protocol shall be prepared for the Election and the election result. Electoral documents are kept by the Presiding Officer of the Election Committee, until the end of the period in which Election results may be challenged (see §18).
- 2. The Electoral protocol document must include:
  - a. the dates of the opening and the closing of the election,
  - b. the names of the members of the Election Committee,
  - c. all results of vote and ballot counts under §12 of these Election Regulations including peculiarities during the Election, and
  - d. the signature of the Election Committee Presiding Officer.

## **§14 Election Appeals**

- 1. The validity of every Election may be contested until 12 noon of the 10th business day after the announcement of the election results.
- 2. Anyone entitled to vote under §2 (2) of these Election Regulations is entitled to contest an Election.
- 3. Such appeals must be made in writing to the Election Committee and are only admissible according to one of the following justifications:
  - a. if the Election result were incorrectly calculated and determined,

- b. if some valid votes were considered invalid, or equivalently if some invalid votes were considered valid, and their numbers would affect the Election result, or
  - c. one or more rules of these Election Regulations were infringed, thereby influencing the outcome of the Election.
4. In the case of an admissible Election appeal, the Election Committee must open an election investigation.
5. The Election Committee is entitled by official channels to open election investigations.

## §15 Re-Elections

1. If, during the course of an investigation, the Election Committee recognises that the Election results are falsified or otherwise invalid, resulting in a reordering of candidates, the Election results are thus declared invalid and the Election must be rerun.
2. If Election results are declared invalid, this must be published no later than 2 working days of such a determination.
3. After the publication of the successful election appeal, a Re-Election is held. The Election committee publishes an Election announcement for the Re-Election (see §8). The procedures described in Paragraphs 10 to 13 of these Election Regulations must be repeated.

## §16 Term of Office

1. The Term of Office for members of the CogSys Student Council is one year.
2. If, for organisational reasons, the Election may not be held within the period of one year, §5 (9) of the CogSys Student Association Bylaws shall apply.
3. Re-election for CogSys Student Council members is possible.
4. The Term of Office begins upon the first constituent meeting of the CogSys Student Council, which must take place no later than 10 business days after the announcement of the Election results (see §12 (8)).
5. In the time period between the announcement of the Election results (see §12 (8)) and the first constituent meeting of the newly-elected CogSys Student

Council, all members of the former CogSys Student Council retain their positions.

## **§17 Departure of Members from the CogSys Student Council**

1. Any member of the CogSys Student Council may resign without giving an explanation and in so doing leave the CogSys Student Council.
2. If an elected member leaves the CogSys Student Council, the seat is automatically granted to the candidate who attained the most votes, from the list of unelected candidates.
3. If there are no such candidates who were unelected, the CogSys Student Council seat remains unoccupied until the next election.
4. Should more than 50% of the CogSys Student Council resign or have their mandates revoked as per §5(7) of the CogSys Bylaws, a new Election must take place, conforming to these Election Regulations.

## **§18 Retention of Election Documents**

1. The Electoral Protocol (see §13) is to be handed over to the Presidium of the Student Parliament of the University of Potsdam.
2. A copy of the Electoral Protocol must be handed over to the Presidium of the Assembly of Associations.
3. A further copy of the Electoral Protocol is to be archived by the CogSys Student Council.
4. Any other Election Documents are to be destroyed following the end of the period set for contesting or re-running an Election.

## **§19 Amendments to the Election Regulations**

1. An Amendment to the Election Regulations of the CogSys Student Council may only be enacted if at least 50% of the members of the CogSys General Assembly in attendance agree to the amendment.
2. Motions for Amendments to the Election Regulations must be published as part of the proposed agenda of the General Assembly meeting where they are to be discussed, following §4 (6) of the CogSys Bylaws.



## §20 Enforcement

1. These Election Regulations enter into force with their adoption and must be published within at most 5 business days.