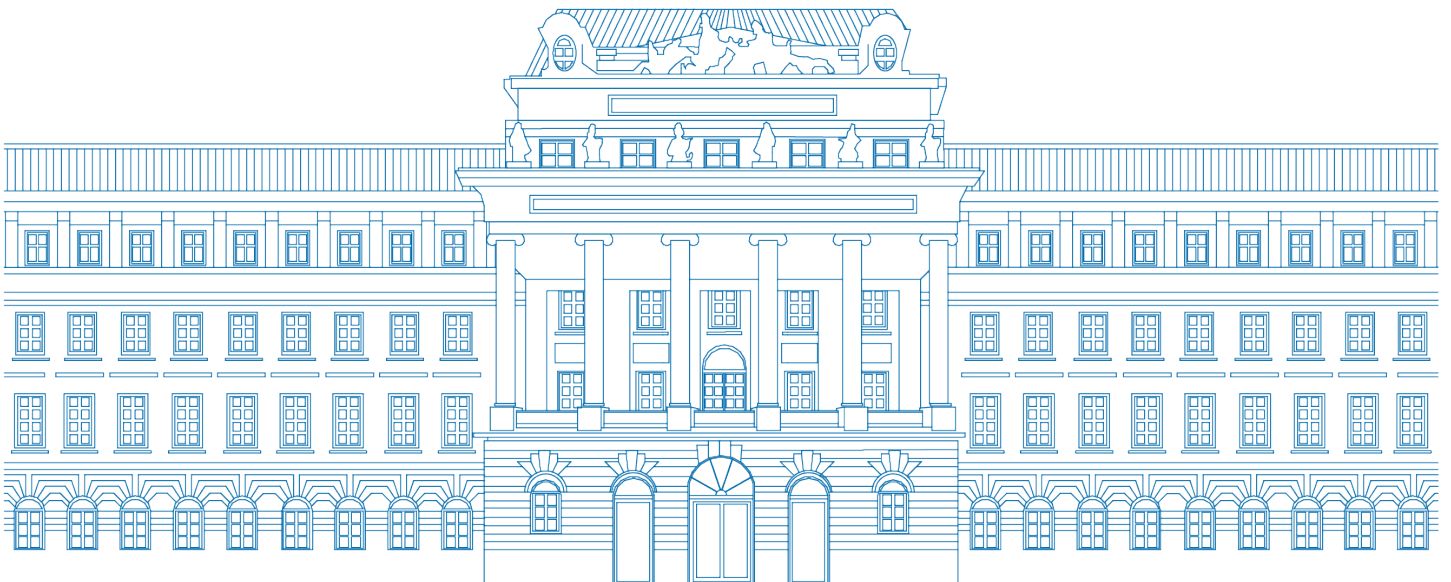




TECHNISCHE  
UNIVERSITÄT  
WIEN

# Rules of procedure Collegial bodies



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**Note: The German version is the only valid version. The English version provided is intended as a service for our international staff members and does not replace the German version.**

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## 1 Scope of application

- 1) These Rules of Procedure for collegial bodies apply to the Senate and the Faculty Councils, as well as to all collegial bodies of the Technische Universität Wien ("**TU Wien**") established by the Senate pursuant to § 25 (7) and (8) of the Universities Act 2002 ("**UG**").
- 2) The "Senate and Faculty Council Election Regulations" section of the statutes and the "Faculty Councils" section of the statutes also apply. In the event of contradictions, the more specific regulations in the respective parts of the statutes shall take precedence, in particular the provisions regarding "termination of (substitute) membership" and "succession".
- 3) The provisions of the Students' Union Act 2014 ("**HSG**") and the statutes of the Students' Union at TU Wien ("**HTU**") take precedence as more specific provisions for the group of persons named therein, in particular the provisions in point 3 para. 4 and 5 (*declaration AKG, appointment according to the zipper system*) do not apply here.

## 2 General information

- 1) Membership of a group of persons is determined by the current employment relationship in connection with the provisions of the UG.
- 2) For the calculation of deadlines in working days, Monday to Friday count, with the exception of public holidays and days off in accordance with a collective agreement or a company agreement. If the end of the deadline falls on a public holiday or a day off in accordance with a collective agreement or a company agreement, the deadline ends on the following working day. All days (Monday to Sunday inclusive) are to be counted for the weekly deadline. Public holidays and days off in accordance with a collective agreement or a company agreement must be included in this calculation.
- 3) E-mail correspondence fulfils the written form requirement

### 3 Membership / substitute membership and its termination in collegial bodies appointed by the Senate

- 1) The regulations for membership/substitute membership and its termination in the Senate and the Faculty Councils can be found in the "Senate and Faculty Council Election Regulations" section of the statutes.
- 2) The members of the groups of persons represented in the Senate or Faculty Council in accordance with § 25 para. 4 Z 1 to Z 4 UG each appoint a spokesperson from among their number.
- 3) The respective members and substitute members of the collegial bodies appointed by the Senate are nominated by the groups of persons represented in the Senate pursuant to § 25 para. 4 subparas. 1 to 3 UG on the basis of a proposal by the respective group of persons in the faculty(ies) concerned for the term of office of the respective collegial body appointed by the Senate.
- 4) As part of the appointment process, the proposals for the nominations from the groups of persons pursuant to Section 25(4)(1) to (3) UG, including the corresponding declarations of the AKG confirming the correctness of the composition ("AKG declaration"), shall be submitted by the spokespersons of the respective group of persons in the faculty(ies) concerned to the spokespersons of the respective group of persons in the Senate as soon as possible. If the AKG declaration cannot be provided within 3 weeks of submission to the AKG, the corresponding proposals must nevertheless be submitted to the spokespersons of the respective group of persons in the Senate.
- 5) Nominations for members and substitute members of the collegial bodies appointed by the Senate from the groups of persons pursuant to Section 25 para. 4 no. 1 to no. 3 UG are made according to the zipper system; this means that one woman and one man must be listed alternately, whereby the proportion of women must be at least 50%. This applies to the entire proposal. A deviation from this is only possible with objectively justified reasons.
- 6) The nominations from the groups of persons pursuant to § 25 para. 4 no. 1 to no. 3 UG must be announced immediately in writing by the spokespersons of the groups of persons represented in the Senate to the Chairperson of the Senate.
- 7) The representatives of the group of students - in accordance with § 25 para. 4 no. 4 UG - are to be delegated (§ 32 HSG 2014 in conjunction with the HTU statutes). The Chair of the HTU shall inform the Chair of the Senate in writing of the names of the delegated members. Membership continues until a new delegation is notified.
- 8) The Chairperson of the Senate shall immediately forward the overall proposal for the appointment of a collegial body to the Chairperson of the AKG, including all available declarations of the AKG.
- 9) The AKG either approves the overall proposal for the composition of the collegial body or must raise the objection of incorrect composition to the Arbitration Commission within 4 weeks in accordance with Section 42 (8a) UG. If this deadline expires without the objection of incorrect composition being raised, the collegial body shall be deemed to be correctly composed in any case with regard to § 20 a para. 2 UG. After expiry of the deadline, the Chairperson of the Senate shall arrange for the nominations or delegations by the students to be published in the TU Wien Mitteilungsblatt and inform the Senate at the next meeting.

- 10) Membership/substitute membership of the collegial bodies appointed by the Senate ends with:
  - a) resignation. The written declaration of resignation must be submitted to the Chairperson of the Senate and the spokesperson of the respective group of persons in the Senate.
  - b) loss of membership of the relevant group of persons at TU Wien pursuant to § 25 Para. 4 Z 1 to Z 3 UG
  - c) death
  - d) in appointment committees and in habilitation committees due to bias, which leads to exclusion from the collegial body after becoming known in accordance with the "Criteria for the exclusion of bias" section of the statutes.
- 11) The chairperson of the senate must immediately inform the spokesperson of the respective group of persons in the senate of the existence of a reason pursuant to para. 10 no. 2 to no. 4.
- 12) The regulations for membership/replacement membership and its termination in the Senate and the Faculty Councils can be found in the "Senate and Faculty Council Election Regulations" section of the statutes.

## 4 Succession upon termination of membership / substitute membership

- 1) The following regulations do not apply to the members and substitute members of the Senate or the Faculty Councils of TU Wien. For these, the more specific provisions in the "Senate and Faculty Council Election Regulations" section of the statutes apply.
- 2) In the event of termination of membership in accordance with point 3 para. 10 no. 1 (resignation) or point 3 para. 10 no. 4 (disqualifying bias), the departing member has the option of selecting a person from the list of substitute members to replace him/her for the remainder of the term of office of the collegial body appointed by the Senate ("ad personam - succession") when the termination is announced. A written declaration to this effect must be submitted to the Chairperson of the Senate. If the departing member does not make use of this possibility of ad personam succession, the group of persons affected in the Senate has 4 weeks from the announcement of the termination of membership to nominate a member ad personam from the list of substitute members after hearing the respective group of persons in the faculty(ies) affected and to submit an updated list of substitute members to the Chairperson of the Senate at the same time. If this period of 4 weeks elapses without an ad personam nomination, the next-ranked substitute member from the list of substitute members automatically takes their place as a member. The list of substitute members must be updated.
- 3) In the other cases in accordance with point 3 para. 10 no. 2 (loss of membership) and point 3 para. 10 no. 3 (death), the group of persons affected in the Senate has 4 weeks from the announcement of the termination of membership to nominate a member from the list of substitute members in person and at the same time to submit an updated list of substitute members to the Chairperson of the Senate after hearing the respective group of persons in the faculty(ies) affected. The next-ranked substitute member is automatically replaced after the four-week period has expired if no ad personam successor has been nominated. The list of substitute members must be updated.
- 4) The list of substitute members can be supplemented by the respective group of persons in the Senate at any time.
- 5) If the list of substitute members is exhausted in the cases pursuant to paras. 2 and 3, the affected group of persons in the Senate has a total of 8 weeks from the announcement of the termination of membership to

nominate a new member and at the same time submit a new list of substitute members to the Chairperson of the Senate on the proposal of the respective group of persons in the affected faculty(ies). If this period expires without a new member being nominated and without a list of substitute members being drawn up, the affected group of persons in the Senate must make a corresponding appointment and draw up a list of substitute members within 2 weeks.

- 6) If a group of persons in the senate does not fulfil its appointment obligation pursuant to para. 5 within two weeks, the University Council must set this group of persons a one-time grace period for nomination pursuant to § 20 para. 3 UG. If this grace period expires without result, the collegial body shall be deemed to be legally composed even without representatives of this group of persons.
- 7) The provisions on the appointment process under point 3 shall apply mutatis mutandis, in particular the provisions on the AKG's declaration and its approval of the overall proposal.
- 8) If a substitute member or several substitute members waive their right to move up in favour of a subsequent substitute member at the same time, they remain as substitute members in the original ranking.
- 9) The Chairperson of the Senate shall arrange for the announcement of any change in the composition of a collegial body in the TU Wien Mitteilungsblatt.

## 5 Constitution of collegial bodies

- 1) The constituent meeting of a collegial body must take place under the chairmanship of the previous chairperson until a new chairperson is elected. If this person is no longer a member of the collegial body in its new composition, the oldest member of the collegial body in terms of age shall assume this function. This also applies to the constituent meeting of newly established collegial bodies. After the election, the newly elected chairperson takes over the chairmanship of the meeting.
- 2) Once the term of office of a collegial body has expired, it remains in office until a new collegial body is constituted.

## 6 Election and dismissal of the chairperson and deputy chairperson of collegial bodies

- 1) The election is the responsibility of the respective collegial body at a meeting.
- 2) The following regulations apply unless there are more specific provisions in the parts of the statutes such as "Appointment procedure", "Habilitation procedure".
- 3) The election is valid if at least half of the members of the relevant collegial body are present at the election. Elections must be conducted by secret ballot and the right to vote must be exercised in person.
- 4) In the election of individuals, the person who receives more than half of the votes cast is elected. If no majority is achieved in the first ballot, a second ballot shall be held in a maximum of 3 further ballots between those persons who received at least one vote in the previous ballot. If, after 3 ballots, no person has received more than half of the votes cast, the relative majority of votes cast shall decide in the 4th

ballot. If more than one person has received the highest number of votes in the 4th ballot, a lot is drawn to decide between them.

- 5) The chairperson of the meeting shall make the final decision on any disputes arising at the time of the election, in particular on the validity of votes.
- 6) The following regulations apply exclusively to the chairperson of the Senate:
  - (i) The Senate Chair consists of the chairperson and their deputies.
  - (ii) The Senate Chair consists of at least 3 persons, whereby at least one person must be elected from each of the groups of persons pursuant to § 25 para. 4 no. 1, no. 2 and no. 4 UG.
  - (iii) An election proposal can name individuals or propose a team including the order (chairperson, deputies).
  - (iv) The members of the Senate decide in advance by means of a vote whether an election of individuals should take place or whether team proposals should be voted on.
- 7) Each Faculty Council may appoint a team in accordance with paragraph 6.
- 8) The body that elected the chairperson or deputy chairperson of a collegial body is responsible for dismissing them before the end of their term of office. Dismissal can only take place for good cause. This is the case, for example, in the event of a justified loss of trust, a serious breach of duty or a criminal conviction for an intentional offense. Whether good cause exists must be examined on a case-by-case basis.
- 9) The resolution on dismissal requires a two-thirds majority. Voting shall be by secret ballot and in person. Voting by circulation is not permitted. Following dismissal, a new election of the chairperson or a deputy chairperson must be scheduled as soon as possible within two weeks of the resolution being passed.
- 10) Withdrawal is also possible.
- 11) The result of each election must be announced immediately in the TU Wien Mitteilungsblatt.

## 7 Participation in meetings

- 1) All members of a collegial body must attend the meetings. The chairperson must be informed as soon as possible if they are unable to attend.
- 2) If a member of a collegial body is unable to attend a meeting or parts thereof, they may transfer their vote to another member of the same group of persons. A member may hold a maximum of 2 votes during a meeting.
- 3) If a member of a collegial body is prevented from attending a meeting or parts thereof - as set out in para. 2 - he/she may also nominate a substitute member of the collegial body who belongs to the same group of persons as a representative in a personal capacity, who will represent the prevented member in the collegial body for the duration of his/her absence.
- 4) If a member of a collegial body is not present and has not transferred his or her vote to another member in accordance with para. 2 or a substitute member in accordance with para. 3, the next-ranking substitute member shall take his or her place on the collegial body for the duration of the absence.
- 5) If a member of a collegial body does not nominate another member or substitute member ad personam for more than 2 consecutive meetings, the next-ranking substitute member represents this member in the collegial body for the remaining duration of his/her absence.

- 6) Each substitute member of a collegial body may participate in the meetings of the collegial body, but has no voting rights unless one of the cases set out in paragraphs 2 to 5 applies.
- 7) The Rector, the Vice-Rectors and the Deans of the faculties have the right to attend meetings of the Senate as permanent informants with the right to submit motions.
- 8) The Chairperson of the AKG or a representative from the AKG appointed by him/her has the right to participate in meetings of the Senate in an advisory capacity. In matters relating to the AKG's area of responsibility, the working group has the right to submit motions.
- 9) The Chairperson of the Works Council for Academic and Artistic University Staff or a deputy has the right to participate in the meetings of the Senate in an advisory capacity.
- 10) The Chairperson of the Works Council for General University Staff or a deputy has the right to participate in the meetings of the Senate in an advisory capacity.
- 11) The Chairperson of the HTU or a deputy has the right to participate in the meetings of the Senate in an advisory capacity.
- 12) The deans of studies or a vice dean of studies of the faculties are to be invited to the Senate's agenda items relating to their area of responsibility as persons providing information with the right to submit motions.
- 13) The chairperson of each study commission or a deputy has the right to participate in meetings of the Senate. In any case, he/she must be invited to the agenda items relating to his/her area of responsibility as a person providing information with the right to submit motions.
- 14) The Dean and the Dean of Studies or the Vice Dean of Studies of the respective faculty have the right to participate in meetings of the Faculty Council as a permanent informant with the right to submit motions.
- 15) The deans of studies or vice deans of studies of the respective faculties have the right to attend meetings of the Study Commission as an informant with the right to submit motions.
- 16) Up to 2 members of the AKG have the right to participate in the meetings of the collegial bodies with decision-making powers to be set up in accordance with § 25 Para. 8 Z 1 and 2 UG and the faculty councils in an advisory capacity.
- 17) For agenda items relating to the election of the Rector and/or the election of Vice Rectors of TU Wien, only the members and substitute members of the Senate as well as the persons named in point 7 para. 9 to 12 have the right to be present at meetings of the Senate.

## 8 Convening of meetings

- 1) A meeting of the collegial body must be convened by the chairperson within 2 weeks if (i) at least 1/5 (one fifth) of the members of the collegial body or (ii) all representatives of a group of persons represented in the collegial body so request, enclosing a written proposal for the agenda. If the chairperson does not comply with this request, a representative of the applicants may instruct a member of the collegial body to convene a meeting within one week of the expiry of this two-week period after prior notification of the rector. The person appointed to convene the meeting shall then also chair the meeting.
- 2) The Chairperson may convene a meeting at any time.



- 3) The members of the collegial body and the persons providing information listed in point 7 (7) to (16) must be notified in writing of the date, venue and known agenda items by the convener at least 5 working days before the meeting. The matter of a dismissal, nomination and matters relating to § 25 para. 1 no. 1 to 7 UG must in any case already be included in this agenda.
- 4) The holding of a meeting of the collegial body during the lecture-free period requires the written consent of at least half of the members of each group of persons represented in the collegial body. The regulations regarding a quorum in accordance with point 14 and voting by circulation in accordance with point 18 do not apply.

## 9 Agenda

- 1) The agenda is drawn up by the chairperson, taking into account the agenda items submitted by members of the collegial body. The order of the agenda items can be changed by the collegial body by a majority vote.
- 2) Each member of the collegial body may request before and during the meeting that the agenda be extended to include items specified by them. Such items must be dealt with unless this is opposed by at least 1/5 (one fifth) of the votes cast or by all members of a group of persons present.
- 3) The agenda must include the following items:
  - (i) Determination of proper convening, attendance and quorum. In the appointment and habilitation procedure, it must also be determined whether there is bias in accordance with the "Criteria for the exclusion of bias" section of the statutes.
  - (ii) Approval of the agenda.
  - (iii) Election or appointment of the secretary. If the secretary has been elected or appointed for a specific period of time, the aforementioned agenda item may be omitted during this period.
  - (iv) Approval of the minutes of the last meeting.
  - (v) Report of the chairperson of the respective collegial body.
  - (vi) Report of the invited chairpersons pursuant to item 7 (8) to (11) and (13).
  - (vii) Reports by the chairmen of the collegial bodies set up as commissions and their working groups.
  - (viii) Communications from members of the respective collegial body and invited informants.
  - (ix) Other matters.

## 10 Chairing the meeting

- 1) Meetings shall be chaired by the chairperson or, if the chairperson is unable to attend, by a deputy chairperson. If the chairperson and any deputies are unable to attend, the oldest member of the collegial body in terms of age shall perform the duties of the chairperson ("chairperson of the meeting").
- 2) The chairperson of the meeting
  - (i) establishes the quorum of the collegial body;
  - (ii) examines the representation of members who are unable to attend and the transfer of voting rights;
  - (iii) determines the order of announcements and items on the agenda;
  - (iv) gives the floor and announces the resolutions of the collegial body.

- 3) The chairperson of the meeting opens the meeting and may interrupt it for a short time. The chairperson of the meeting closes the meeting when all items on the agenda have been dealt with or the motion to adjourn the meeting has been accepted. If the collegial body no longer has a quorum, the chairperson of the meeting may suspend or close the meeting.
- 4) The chairperson of the meeting is responsible for maintaining order and security at the meeting. He/she can "call the meeting to order" in justified cases.

## 11 Communication and reporting

The chairperson of the meeting must report to the collegial body on the significant business cases that have arisen since the last meeting, as well as on independent business as per point 19 and all events affecting the sphere of activity of the collegial body.

## 12 Debate

The chairperson of the meeting must ensure that the debate is opened for each item on the agenda or after each report or motion. The floor is to be given in the order in which requests are made.

## 13 Applications

- 1) Every member has the right to submit motions on an item on the agenda.
- 2) Motions on an agenda item that have already been rejected or postponed may not be discussed again at the same meeting.
- 3) At the request of a member, the wording of a motion on an agenda item must be recorded in writing for the minutes prior to the vote.

Points of order are:

- (i) Compliance with the rules of procedure;
- (ii) Conclusion of the debate;
- (iii) Conclusion of the list of speakers;
- (iv) Speaking time limit;
- (v) Involvement of persons providing information;
- (vi) Postponement of a single motion;
- (vii) Postponement of an item on the agenda;
- (viii) Adjournment of the meeting;
- (ix) Interruption of the meeting.

- 4) Points of order may be raised by any member of a collegial body at any time and must be granted immediately by the chairperson of the meeting. They must be dealt with without delay and can be approved by a majority vote.
- 5) For all points of order, a pro-speaker and a contra-speaker must be designated upon request. The rapporteur for the respective agenda item is entitled to a closing statement in relation to the respective agenda item.
- 6) Under the agenda items listed in item 9 para. 3 no. 5 to 9, only motions for points of order or motions for the inclusion of an additional agenda item pursuant to item 9 para. 2 may be submitted and voted on.
- 7) The permanent respondents listed in point 7 para. 7, 14 and 15 have the right to submit motions at the meetings of the respective collegial bodies.
- 8) The persons providing information listed in point 7 (8) to (13) and (16) have the right to submit motions on matters relating to their area of responsibility at meetings of the respective collegial bodies.

## 14 Resolution requirements

- 1) A resolution requires the presence of at least half of the voting members of a collegial body.
- 2) Resolutions require a simple majority of the votes cast. A majority of votes is given if the number of votes in favour is greater than the sum of votes against, abstentions and invalid votes.

## 15 Type of vote

- 1) In principle, all motions submitted must be voted on separately in the order in which they were submitted. Motions on points of order must always be put to the vote immediately. If several accepted motions contradict each other, a casting vote must be held between them.
- 2) Unless otherwise determined or decided, voting is open. This is done, for example, by a show of hands.
- 3) Matters that affect a member of the collegial body personally must always be voted on by secret ballot.
- 4) A secret ballot must also be held if this is requested by at least one member of the collegial body.
- 5) The number of votes in favour, against, abstentions and invalid votes must be determined for each vote.

## 16 Minutes of the meeting

- 1) Minutes must be taken for each meeting of a collegial body.
- 2) The minutes of the meeting are a record of resolutions. In any case, they must reflect the agenda, the names of the members present, the votes carried forward, the motions and resolutions submitted, including

any minority votes cast, the result of elections and the result of votes with the voting ratios. The content of the reports and debates must only be recorded with the facts and arguments relevant to the decision. Every member of the collegial body has the right to have their own comments or contributions to the discussion by other members recorded in the minutes. If the bias of members of appointment committees and habilitation committees has been established in accordance with the "Criteria for the exclusion of bias" section of the statutes, this must be recorded in the minutes.

- 3) The fair copy of the minutes must be prepared within 3 weeks of the meeting, signed by the chairperson and the secretary and sent to all members of the collegial body as well as to the persons listed in point 7 (7) to (16) of the respective collegial body. Any objection to the content of the minutes must be submitted in writing to the chairperson no later than 3 weeks after the minutes have been sent out and must be dealt with at the next meeting of the collegial body, whereby it should be noted that a resolution to approve the minutes is only permissible if there are at least 5 working days between the minutes being sent out and the resolution being passed.
- 4) The minutes of the final meeting of a temporary collegial body shall be sent to the members of the collegial body. By way of derogation from point 16 para. 3 second sentence, the approval or objection by the members of the collegial body shall be sent by e-mail within one week. In the event of an objection, the amended version shall be sent by e-mail within one week. The amended version must in turn be approved or objected to by the members of the collegial body by e-mail within one week; the minutes are then forwarded, with any objections recorded separately. If there is insufficient feedback, the minutes must be forwarded with any objections recorded separately.

## 17 Minority vote

- 1) Any member of the collegial body present at the meeting in question may append their opinion differing from a resolution to the minutes in a minority vote ("votum separatum"). A minority vote must be registered at the meeting and submitted in writing to the chairperson no later than two weeks after the meeting, otherwise it is deemed to have been withdrawn.
- 2) Members not present at the meeting have the opportunity to submit a statement on a resolution to the chairperson no later than 2 weeks after the minutes have been sent out.
- 3) When forwarding resolutions, any minority vote pursuant to para. 1 or a statement pursuant to para. 2 must be included or submitted subsequently.

## 18 Voting by circulation

- 1) The chairperson of the collegial body may order a vote by circulation on matters and items for which a resolution appears necessary due to urgency before the next meeting of the collegial body. This does not apply to matters that must always be voted on by secret ballot in accordance with point 15 para. 3.
- 2) The circular must be sent by post or email, stating a reasonable period of time within which it must be returned to the chairperson. The circular must contain at least a briefly justified motion, which must be worded in such a way that it can be voted on simply with "YES" or "NO" or with "NEED FOR DISCUSSION". Voting rights may not be transferred.

- 3) Votes are cast (i) by post by signing separate ballot papers, which must be returned in a sealed envelope or (ii) by e-mail by signing with a qualified electronic signature.
- 4) The circular must also be sent to all permanent members of the collegial body with the right to request information and to the Chairperson of the AKG for their information.
- 5) A resolution by way of circulation shall not be passed if even one person with voting rights reports a "NEED FOR DISCUSSION" within the deadline set in accordance with para. 2, calculated from the date of transmission. In this case, the item must be placed on the agenda of the next meeting.
- 6) For a positive resolution, more than half of all those entitled to vote must have voted "YES" and no "NEED FOR DISCUSSION" must have been reported.
- 7) The chairperson of the meeting must report the result of a vote by circulation to the collegial body at the next meeting and include it in the minutes.

## 19 Independent business of the Chairperson

- 1) The chairperson of the respective collegial body represents it internally and externally.
- 2) The chairperson of the collegial body must act independently:
  - a) the ongoing business and affairs of the collegial body
  - b) Matters of minor importance
  - c) the handling of urgent matters, i.e. all business to be dealt with immediately and without delay before the next meeting of the collegial body and matters that cannot be dealt with in good time even by way of a vote by circulation or in the event of imminent danger.
- 3) In cases of doubt, the collegial body decides by resolution which matters belong to the independent business of the chairperson of the collegial body.

## 20 Respondents and relevant experts

By invitation of the convener, each collegial body may also call on persons providing information and relevant experts not explicitly named in this part of the statutes to participate in an advisory capacity in individual matters of its deliberations. The invitation is not subject to any time limit.

## 21 Right of inspection

- 1) Each member of the collegial body has the right to inspect all business documents relating to the area of activity of the respective collegial body and to make copies in justified cases after registering with the chairperson.

- 2) Para. 1 also applies *mutatis mutandis* to the members of the AKG in all matters that fall within its sphere of activity.

## 22 Duty of confidentiality

Members and substitute members of collegial bodies, the persons invited to the meetings to provide information and the relevant experts consulted, as well as all persons entrusted with the matter, irrespective of which collegial body they belong to, are subject to the duty of confidentiality pursuant to Section 48 UG and other applicable legal norms and are obliged to comply with these vis-à-vis third parties. This duty of confidentiality also includes the confidentiality of all information, documents, communications, information and data (in particular personal data as well as business and trade secrets) that have been entrusted or made accessible. This does not apply to information that already publicly known or expressly intended for the public.

## 23 Meetings using technical means of communication

- 1) A meeting must always be held with the physical presence of the members of the collegial body/the persons providing information as well as the persons with an advisory vote (hereinafter all "participating persons"). Due to urgency, a vote may be taken by way of circulation in accordance with point 18. If the Senate Chair determines by unanimous decision that physical meetings of collegial bodies are not feasible (e.g. due to force majeure), all meetings of all collegial bodies (including deliberations, votes, elections, resolutions) must be held using technical means of communication (e.g. by video conference). The Chair of the Senate must also determine the end of the holding of meetings using technical means of communication.

If the physical presence of one or more participating persons in a meeting is not possible (e.g. due to health reasons) or not feasible, these participating persons may take part in the meeting using technical means of communication. The following requirements must be met for the participation of the connected participating persons in a meeting or for the conduct of the meeting using only technical means of communication:

- a) the decision-making of the participating persons must not be influenced;
- b) the following criteria for the use of technical means of communication must be met:
  - the participating persons must be mutually audible;
  - data transmission must be carried out confidentially via secure channels;
  - an equal level of knowledge among the participants must be guaranteed;
  - the manner in which the meeting was conducted and the resolutions passed must be recorded in the minutes.

When participating in a meeting using technical means of communication, the connected participant is deemed to be present.

In the event that the physical presence of one or more participating persons is not possible or not feasible, the person concerned must inform the chairperson of the collegial body.

In the event that the connection to the technical means of communication used is disrupted during a meeting conducted exclusively using technical means of communication, the chairperson shall decide whether to interrupt or terminate the meeting.

In the event that the connection to the technical means of communication used by the connected participating persons is disrupted during the meeting, the chairperson shall decide whether the connection is to be re-established or whether the connected participating persons are to be recorded as absent from the moment the connection is terminated.

If there are no regulations on unforeseen circumstances, the chairperson decides on the measures to be taken and records them in the minutes.

The nature and duration of the attendance of the persons participating in the meeting must be recorded.

- 2) (Secret) votes and secret elections may be held using online voting systems that guarantee the anonymity of the vote in the event that a secret ballot is required. The online voting system must be designed in such a way that the members can make their decision once, the vote cannot be read out during transmission and it is not possible to draw conclusions about the identity of the participating members during evaluation. Once the result of the secret ballot or election has been determined, access to the corresponding online voting system must be deleted immediately by the administrators.
- 3) The provisions on virtual meetings set out in item 23. are supplementary provisions that do not affect the other provisions set out in this section of the Articles of Association.

## 24 Final provisions

- 1) It is one of the rights and duties of the members of TU Wien to participate in the decision-making of the collegial bodies in accordance with the UG.
- 2) The members of a collegial body are not bound by any instructions within the meaning of § 20 para. 3 UG when carrying out their activities in the collegial body.

## 25 Entry into force

- 1) This section of the Articles of Association shall enter into force for all commissions appointed from June 24, 2021 on the day following the announcement in the newsletter.
- 2) The amendment to the Rules of Procedure for Collegial Bodies in item 7 para. 18 with Gazette no. 21 of 19.05.2022 comes into force on the day of publication in the Mitteilungsblatt.