

# Statute on Rules of Procedure for the UAS Council

Version 11 from 01.10.2024

## Table of contents

|                                                                               |   |
|-------------------------------------------------------------------------------|---|
| § 1. Scope.....                                                               | 2 |
| § 2. Definitions .....                                                        | 2 |
| § 3. Functions of the UAS Council .....                                       | 2 |
| § 4. Members of the UAS Council .....                                         | 2 |
| § 5. Inability to Attend by Members of the UAS Council .....                  | 3 |
| § 6. Rights and Obligations of Council Members.....                           | 4 |
| § 7. Respondents and / or Experts.....                                        | 4 |
| § 8. Convening of Meetings .....                                              | 4 |
| § 9. Agenda .....                                                             | 4 |
| § 10. Quorum.....                                                             | 5 |
| § 11. Meetings .....                                                          | 5 |
| § 12. Reporting and Information.....                                          | 6 |
| § 13. Resolutions, Implementation of the Resolutions and Correspondence ..... | 6 |
| § 14. Bias.....                                                               | 6 |
| § 15. Voting.....                                                             | 6 |
| § 16. Voting in the Circulation Procedure .....                               | 7 |
| § 17. Minutes of Meetings .....                                               | 7 |
| § 18. Working Groups and Committees .....                                     | 8 |
| § 19. Entry into Force.....                                                   | 9 |

## § 1. Scope

- (1) These rules of procedure shall apply to the UAS Council (§ 10 FHG as amended) of the UAS Technikum Wien and by analogy to all of the working groups and committees set up by the UAS Council (§ 18 of the Rules of Procedure).

## § 2. Definitions

In this statute the following definitions shall apply:

- (1) Head of UAS Council: The head of the UAS Council holds the title of chairperson and the title of UAS Rector in accordance with § 10 para. 3 fig. 1 in conj. with § 10 para. 8 FHG as amended.
- (2) Deputy head of UAS Council: The deputy head of the UAS Council holds the title of UAS Vice Rector in accordance with § 10 para. 3 fig. 1 in conj. with § 10 para. 8 FHG as amended.

## § 3. Functions of the UAS Council

- (1) The UAS Council observes the responsibilities laid out in § 10 para. 3 FHG as amended.
- (2) According to § 3 para. 2 fig. 1 FHG as amended in conjunction with § 8 para. 3 fig. 5 FHG as amended the UAS Council has autonomy in the execution of its functions, as defined in § 10 para. 3 FHG as amended.
- (3) In the event of an appeal by students against the decision of the head of the degree programme pursuant to § 10 para. 6 FHG as amended, the UAS Council shall decide on the matter itself and shall not refer the matter back to the head of the degree programme.

## § 4. Members of the UAS Council

- (1) Members of the UAS Council with a seat and a vote are:
1. Head of UAS Council (UAS Rector)
  2. Deputy head of the UAS Council (Vice Rector)
  3. Six of the degree program directors
  4. Six representatives of the teaching and research staff
  5. Four student representatives of the UAS degree programs
- (2) All persons referred to in para. 1 figures 1-4 are only members of the UAS Council as long as they have a valid employment contract with the UAS Technikum Wien; their activities in the UAS Council end with the termination of the employment contract. This shall not apply to the representatives of part-time teachers listed under para. 1 figure 4; these are automatically eliminated from the UAS Council only after they have received no teaching contract at the UAS Technikum Wien for three semesters in succession.

- (3) The equality manager of the UAS Technikum Wien has the right to participate without voting rights, in meetings of the UAS Council and is bound to confidentiality. If the equality manager cannot attend, a replacement may be sent.
- (4) On the basis of a simple majority of those present, a secretary who need not be a member of the UAS Council, shall be elected by the Council. This person is bound to confidentiality.
- (5) In agreement with the operator, the elected rector (see para. 1 item 1 and 2) can propose to the UAS Council additional members of the Rectorate, who are to be confirmed by the UAS Council with a 2/3 majority. These additional members of the Rectorate will carry the title UAS Vice-Rector in accordance with § 10 para. 8 FHG as amended. These additional UAS vice rectors are non-voting members of the UAS Council; their period of tenure is tied to the term of the elected Rectorate.

## **§ 5. Inability to Attend by Members of the UAS Council**

- (1) In the event that the UAS Rector and the UAS Vice Rector are prevented from attending at the same time, the member of the UAS Council who has represented the curia of the teaching and research staff or the curia of the degree program directors for the longest period of time shall temporarily take over the chair and shall initiate the elections to the rectorate six months after the beginning of the absence. This period may be shortened if the absence is permanent.
- (2) In the case of permanent absence (more than 6 months) of either the UAS Rector or the UAS Vice Rector, a new election procedure for the vacant position shall be held for the remaining rectorate period.
- (3) If a member of the curia of the degree program directors or that of the teaching and research staff is prevented from attending for more than six months, he/she shall leave the UAS Council and the next substitute member shall take his/her place.
- (4) If a member of the curia of students is prevented from attending for more than six months, he/she shall resign from the UAS Council and a substitute member shall be delegated by the representative body of the Austrian National Union of Students.
- (5) Members prevented from attending the meeting are to notify the rector in writing before the beginning of the meeting.
- (6) In the case of absence at short notice, the vote can be transferred to a member of the same curia or a substitute member from the same curia can be nominated. A maximum of two votes may be transferred to one person.

## § 6. Rights and Obligations of Council Members

- (1) In the performance of their duties, members of the UAS Council are not bound by any instructions or orders and are required to attend the meetings.
- (2) Student representatives are exempted from their obligation to attend courses when participating in Council meetings.

## § 7. Respondents and / or Experts

- (1) For advice on individual matters, the UAS Council may call on respondents and experts in an advisory capacity. They neither have the right to table motions nor vote and are bound to confidentiality.
- (2) Like the head of the UAS Council, any member of the UAS Council may, after the provisional agenda has been sent out or when registering an item on the agenda, request the head of the UAS Council to invite respondents and/or experts.

## § 8. Convening of Meetings

- (1) The UAS Council is convened at least two times annually by the rector. Extraordinary meetings can be held for special reasons or to deal with urgent matters. When scheduling, the Viennese school holidays are to be taken into consideration.
- (2) The invitation to the meeting shall be sent in writing to all members of the UAS Council at the last known address or E-mail address.
- (3) The invitation to a regular meeting shall be dispatched at least four calendar weeks prior to the intended date and include a proposal for the agenda. The detailed agenda is to be sent out two weeks before the meeting.
- (4) The rector him or herself, or at the request of at least four members of the UAS Council, may, in a suitable manner, call an extraordinary meeting of the UAS Council within one week, to be held within a further week of the invitation.

## § 9. Agenda

- (1) Each member of the UAS Council may request that items designated by him or her be included in the agenda. The announcement of such agenda items shall be made in writing to the rector at least two weeks prior to the meeting. This deadline does not apply to meetings that were convened in accordance with § 8 para. 4.
- (2) The agenda is drawn up by the rector and issued in its final form two weeks before the meeting. This deadline does not apply to meetings that were convened in accordance with § 7 para. 4.

- (3) All agenda items should be precisely worded so that it is easy to recognize what is included in this point and who submitted it. Provision should be made that the person who submits the agenda item should report on it.
- (4) During the meeting, up to the "Approval of the Agenda" point at the latest, any member may request that agenda items designated by him or her be included in the agenda under "Any other Business". No decisions can be taken on those agenda items received after the final agenda has been sent out, unless a simple majority agrees that it is to be voted on (emergency motions).
- (5) The agenda of a meeting always begins with the points "Quorum", "Approval of the Proposed Agenda", "Confirmation of the Proper Invitation" and "Approval of the Minutes of the Last Meeting." The "Approval of the Minutes of the Last Meeting" can be omitted in extraordinary meetings.

## § 10. Quorum

- (1) Unless otherwise specified, a decision will only be valid if more than half of those with voting rights are present. This quorum must be established at the time of taking a decision, which means at the time of holding the vote. For a quorum in terms of circular resolutions, § 16 of these Rules of Procedure shall apply.

## § 11. Meetings

- (1) The meetings of the UAS Council are not public. Members of the UAS Council are bound to confidentiality regarding discussions or resolutions.
- (2) The rector opens, chairs and closes the sessions. In his or her absence, the vice rector fulfils this role. If both are absent, the chair of the meetings passes to the longest serving member of the UAS Council from the curia of degree program directors.
- (3) After the reading and approval of the agenda, the rector reports to the UAS Council on any business arising since the last meeting as well as independent business as defined in § 10 para. 3 FHG as amended.
- (4) In dealing with the individual items on the agenda, the rector shall give the floor to the member, at whose request the respective agenda item was added; after this, the discussion is opened. Following the close of the debate, voting is held on the proposal on the agenda.

## § 12. Reporting and Information

- (1) At the beginning of each meeting of the UAS Council, the rector has to report of the following, in the event that the matter in question is not the subject of a separate agenda item:
1. the management of current business;
  2. the implementation of resolutions taken by the UAS Council;
  3. notifications from the competent ministry;
  4. the settling of urgent matters;
  5. the outcome of voting in the circulation procedure;
  6. external activities.

## § 13. Resolutions, Implementation of the Resolutions and Correspondence

- (1) A proposal will be deemed accepted when it is supported by more than half the votes cast. Abstentions and invalid votes are not taken into consideration.
- (2) If the same number of votes is cast for and against, the rector has the casting vote.
- (3) For the passing of a resolution on/or an amendment to the Rules of Procedure and Statute, a 2/3 majority of the votes cast is required.
- (4) As long as the resolutions of the UAS Council remain in his or her autonomous sphere, the rector shall implement them and forward them as well as any agreed proposals and recommendations to the relevant authorities. He or she will also report these matters to the next meeting of the UAS Council.
- (5) In the event of legal objections to a resolution of the UAS Council, the rector is entitled to suspend its implementation; he or she will report to the UAS Council and cite the reasons for the suspension in writing.

## § 14. Bias

- (1) For bias by members of the UAS Council the provisions of § 7 AVG as amended apply by analogy.

## § 15. Voting

- (1) The rector regulates the order in which the voting on the proposals submitted to the agenda will take place.
- (2) A vote on matters that are not on the agenda is not permitted except for emergency motions within the meaning of the last sentence of § 8 para. 4.
- (3) Unless otherwise specified or agreed, voting will be conducted by a show of hands.

- (4) However, in the case that he or she does not approve of the vote, each member of the UAS Council can request that his or her objection is taken verbatim in the minutes. Likewise, every member of the UAS Council can request that statements, opinions or memoranda to an agenda item are recorded in the minutes, or if a written copy of it is submitted, this will be attached.
- (5) Secret voting is to be used, if requested by a member of the UAS Council. In a tie, a secret ballot is held after an open vote. In personnel matters and matters affecting a member personally, voting is always in secret.
- (6) For new points introduced according to § 9 item 4, a postponement of the voting to the next meeting of the council can be obtained, if all members of one curia vote for this postponement.

## **§ 16. Voting in the Circulation Procedure**

- (1) Voting in the circulation procedure is permitted if this is necessary or otherwise appropriate due to urgency and if no member objects to the circular vote within three working days of delivery of the circular request.
- (2) A written copy of the proposal to be carried out is to be sent to each voting member in writing or by E-mail. The request for the procedure must include a brief explanation and be written so that there is a simple "yes" or "no" vote. The deadline for voting is seven calendar days after delivery.
- (3) Participation in the vote is to be noted on a list of signatures. The counting of ballots is to be carried out by the rector or his or her deputy. If they wish, each curia may appoint a member to attend the count.
- (4) A proposal is approved if a majority of all voting members of the UAS Council votes in favour. In the case of a tie, the rector shall have the casting vote. A report on the outcome of the vote is to be given at the next meeting of the UAS Council.

## **§ 17. Minutes of Meetings**

- (1) Minutes of each meeting and the resolutions of the UAS Council are to be kept.
- (2) The secretary is responsible for keeping the minutes.
- (3) The minutes shall contain:
  - 1. Day and time of the start and end of the meeting;
  - 2. Names of the head of the meeting and the members of the UAS Council attending;
  - 3. Names of excused and unexcused members;
  - 4. the agenda;
  - 5. the proposals;

6. the resolutions;
  7. the result of the voting and elections;
  8. formal decisions on the proceedings of the meeting.
- (4) The minutes of the resolutions should contain all the resolutions.
  - (5) The secretary shall send out the minutes of the meeting, signed by the rector, by post or by E-Mail no later than four weeks after the meeting and at least two weeks before the next meeting. In individual cases, the UAS Council can specify a different deadline. Messages to and documents for the information of the UAS Council can be attached as a supplement to the minutes.
  - (6) The members of the UAS Council may draw attention to any inaccuracies or faults in the minutes; however, they themselves may not carry out any changes. Contested issues in the minutes are to be dealt with at the next meeting. The deadline for objections ends no later than when the item "Approval of Minutes" is considered at the next meeting.
  - (7) The meetings and other records are to be kept by the secretary and handed over to his or her successor in this function.
  - (8) Each member of the UAS Council is entitled to demand that their own individual statements be minuted verbatim.
  - (9) Only members of the UAS Council are entitled to be apprised of the full content of the minutes of the meeting.
  - (10) For the minutes of the resolutions, the deadline for objections is two weeks. If there is an objection, the minutes of the resolutions will be dealt with in the next Council meeting. The minutes of the resolution are to be brought to the attention of all those entitled to access to the intranet of the UAS Technikum Wien (CIS) by the Secretary, no later than one month after the end of the meeting.

## **§ 18. Working Groups and Committees**

- (1) The UAS Council may appoint working groups and committees for the preparation, review and handling of individual or groups of its items to be discussed. The working groups have no decision-making power.
- (2) Committees are to appointed in line with the composition of the UAS Council, all curiae are to be represented in the same ratio as in the UAS Council.
- (3) The UAS Council determines the size of the working groups. Each curia represented in the UAS Council has the right to be represented with at least one member. However, curiae may waive all or part of their representation.
- (4) Members of the working groups and committees will be nominated by the respective curia.



- (5) Once the working groups and committees are established, their inaugural meeting shall be convened by the rector, in which a chairman of the working groups and committees has to be elected by a simple majority.
- (6) The quorum of committees is achieved if at least half of the members are present. Transfers of votes within the curia are allowed; each member may only exercise voting rights for one other transferred vote. In a tie, the head of the Council casts the deciding vote.
- (7) For the committees, the present Rules of Procedure shall apply with any necessary modifications. Any additional arrangements only come into effect after a resolution of the UAS Council.

## § 19. Entry into Force

- (1) These Rules of Procedure version 11 of 01.10.2024 were passed by the UAS Council on 22.10.2024 and come into force on 23.10.2024.
- (2) The Rules of Procedure version 10 of 13.10.2024 are therefore no longer in force.