



## **TILBURG UNIVERSITY ELECTION REGULATIONS**

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Adopted by resolutions of the Executive Board on March 30, 1999.

Amended with effect from September 1, 2002 by resolution of December 10, 2001.

Amended with effect from January 1, 2004 by resolution of November 11, 2003.

Amended with effect from February 11, 2017 by resolution of December 13, 2016.

Amended with effect from July 7, 2017 by resolution of June 6, 2017.



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## **CHAPTER 1                    GENERAL PROVISIONS**

### **Article 1.1                    Definitions**

1. If the terms used in these Regulations shall are also used in the Tilburg University Structure Regulations (“Regulations”), they will have the meaning ascribed to them by the Tilburg University Structure Regulations (“Structure Regulations”).
2. In these Regulations, the following definitions also apply:
  - a. days: working days, and where applicable, from 9:00 to 17:00 hrs.;
  - b. reference date: the date on which it is determined who, according to the information available at that time, will be eligible to vote on the first day of the nomination of candidates;
  - c. place of inspection: the place where the data relating to the election are made available for inspection;
  - d. University Council: the University Council of Tilburg University as referred to in Article 28 of the Structure Regulations.

### **Article 1.2                    Electoral community and sections**

1. The following definitions apply to elections to the University Council and the School Councils:
  - a. Electoral community: the Tilburg University community or the School community;
  - b. Council: the University Council or the School Council.
2. The electoral community consists of those who belong to either of the following sections:
  - a. Staff section;
  - b. Student section.
3. In the context of elections to a Services Council “Council” in these Regulations is understood to refer to the Services Council, and the electoral community then consists of the staff assigned to the Central Service concerned.

4. In the context of elections to a Program Committee, “Council” in these “Regulations is understood to refer to the Program Committee. Paragraph 2 applies.

**Article 1.3                    Direct elections**

The members of the Council are directly elected by and from among the voters of the section to which they belong.

**Article 1.4                    Allocation of seats**

The seats of the various Councils are allocated to the sections:

- a. with regard to the University Council, as provided in the University Council Regulations referred to in Article 31 of the Structure Regulations;
- b. with regard to the School Councils, as provided in the relevant School Regulations referred to in Article 15 of the Structure Regulations;
- c. with regard to the Services Councils, as provided in the relevant Services Council Regulations referred to in Article 48 of the Structure Regulations.
- d. with regard to the Program Committees, as provided in Article 19, paragraph 4 of the Structure Regulations.

**Article 1.5                    Voting procedure**

The Electoral Committee may decide that voting will be by ballot rather than by electronic means, in which case (1) these Regulations, to the extent possible, apply equally, and (2) Chapters 6A and 7A rather than Chapters 6 and 7 apply.

## **CHAPTER 2                    RIGHT TO VOTE**

### **Article 2.1                    Right to vote and right to stand for election**

1.        Subject to the relevant provisions of the Structure Regulations and of these Regulations, anyone who on the reference date belongs to a section of the electoral community has the right to vote as well as the right to stand as a candidate (“voting rights”). Any such person will cast an equal number of votes.
2.        No member of the electoral community can belong to more than one section of said community.
3.        Student assistants only have voting rights in the student section, unless they wish to exercise their voting rights in the staff section and notify the Electoral Committee of their wish in writing no later than on the third day before the date referred to in Article 4.3 of these Regulations. They then only have voting rights in the staff section.
4.        Members of staff who are enrolled as students at Tilburg University only have voting rights in the staff section, unless they wish to exercise their voting rights in the student section and notify the Electoral Committee of their wish in writing no later than on the third day before the date referred to in Article 4.3 of these Regulations. They then only have voting rights in the student section.
5.        With regard to electing members to the Council concerned, the choice referred to in paragraphs 3 and 4 will remain in force during the following year or years, as the case may be, if elections are then held for the student section only.

### **Article 2.2                    Staff section**

Subject to Article 2.1, members of the staff section are:

- a.    persons employed by Tilburg University, regardless of whether they are employed full-time or part-time, and
- b.    the persons referred to in Article 2.3 of these Regulations.

### **Article 2.3                    Expansion of the staff section**

1.        Any employee of the Netherlands Organization for Scientific Research (Nederlandse Organisatie voor Wetenschappelijk Onderzoek) who will regularly work at Tilburg University for at least one year after the reference date has voting rights, but any such person may only exercise his/her right to stand as a candidate after having obtained his/her employer's written permission. Any person referred to in the first sentence counts as a member of staff working at a School.

For the purposes of Article 7.13 of these Regulations, the Electoral Committee must determine, on the basis of the nature of the work, which staff category any person referred to in the previous two sentences may be deemed to belong to.

2.        Any person who, on the basis of a secondment agreement, regularly works for Tilburg University for at least one day a week and for one year after the reference date has voting rights for the duration of that work, but any such person may only exercise his/her right to stand as a candidate after having obtained his/her employer's written permission. Any person referred to in the first sentence counts as a member of staff working at a School or at a Central Service.

For the purposes of Article 7.13 of these Regulations, the Electoral Committee must determine, based on the nature of the work, which staff category the persons referred to in the previous two sentences may be deemed to belong to.

3.        Without prejudice to the provisions of Article 20, paragraph 3 of the Structure Regulations, persons who, under an agreement concluded with Tilburg University following their employment with Tilburg University continue without interruption to serve in the position they most recently held outside the employment of Tilburg University are, for the purposes of these Regulations, deemed to be employed by Tilburg University.

4.        Scholarship PhD students who receive an external stipend to prepare their PhD thesis have the right to vote and to stand as a candidate if:

- a.    they have an association with Tilburg University for a period of more than two years; and
- b.    in the context of their PhD project they perform activities at Tilburg University without being employed by Tilburg University; and

- c. they are not employed by another employer; and
- d. they are registered as scholarship PhD students at one of the Graduate Schools of Tilburg University; and
- e. regarding the exercise of the right to stand as a candidate they have the permission of the external provider of the stipend to do so.

#### **Article 2.4 Reference date**

The Electoral Committee must set the reference date. That date must not be earlier than one month after the date on which the decision setting the reference date has been formally taken and not earlier than six months before the last day of voting.

#### **Article 2.5 Loss of voting rights**

1. Any member of the electoral community who leaves that community after the reference date consequently loses his/her voting rights.
2. A student's voting rights are deemed to have lapsed as from the date on which the Electoral Committee receives notification that the enrollment of the student concerned has ended.
3. Persons whose voting rights have lapsed are automatically removed from the relevant electoral register.

### **CHAPTER 3 ELECTORAL COMMITTEE**

#### **Article 3.1 Composition of the Electoral Committee**

1. There is an Electoral Committee, which is composed of three to five members. The committee members and if necessary no more than three deputy committee members must be appointed by the Executive Board for a period of two years. The Electoral Committee may choose to be assisted by a secretary, who must be appointed by the Executive Board.

2. The Executive Board must appoint the chair and the deputy chair from among the committee members.

### **Article 3.2 Duties of the Electoral Committee**

1. The Electoral Committee is responsible for preparing and holding the elections to the Council. Its duties in any case include:

- a. establishing the electoral register on the basis of the information provided by or on behalf of the Executive Board;
- b. deciding on requests for improvement of the electoral register;
- c. deciding on the validity of the nomination of candidates;
- d. taking all necessary steps to ensure the orderly course of the elections;
- e. determining the results of the elections;
- f. filling vacancies in the Council.

2. In executing its duties, the Electoral Committee must adopt and use the various forms to be used in elections, such as the nomination form, the election notice, and the voting form, as well as the official records referred to in these Regulations.

When adopting the nomination form and the voting form, the Electoral Committee must ensure that both forms clearly and uniformly specify the Central Service or the School to which each candidate belongs or, if the candidate is a student, no more than one degree program, to be specified by the candidate, in which the candidate is enrolled.

### **Article 3.3 Procedure of the Electoral Committee**

1. The Electoral Committee must be established at and must sit at a Tilburg University location.

2. Decisions of the Electoral Committee must be carried by by majority vote. In the event of a tied vote, the chair must cast the deciding vote.

### **Article 3.4 Objections**

1. Decisions of the Electoral Committee are open to objection.
2. Objections must be submitted in writing to the Electoral Committee within five days of the day of notification or publication.
3. Before d on an objection, the Electoral Committee must give the person submitting the objection the opportunity to be heard. The committee need not do this if the objection is manifestly inadmissible or manifestly unfounded.
4. The Electoral Committee must take its decision within five days. If the contested decision needs to be reconsidered, the Electoral Committee must revoke it and must, if necessary, take a new decision instead.
5. The Electoral Committee must promptly notify the person(s) directly involved of the decision. Copies of decisions on objections must be made available for inspection at the place of inspection.

## **CHAPTER 4                    ELECTORAL REGISTER**

### **Article 4.1                    Compilation of the electoral register**

1.        The Electoral Committee must ensure that for each section, the relevant electoral register is compiled in good time, and a copy of each electoral register must be held by the Electoral Committee.
2.        The electoral register must specify at least the family name as referred to in Article 5 of Book 1 of the Dutch Civil Code, the initial(s) or given name(s), and the administration number of every voter.
3.        Immediately after any change in the electoral community resulting in changes to the electoral register has become known, the Executive Board must notify the Electoral Committee of such a change. The Electoral Committee must then ensure that everything necessary in this regard is done. With the exception of the changes referred to in Article 2.5 of these Regulations, changes after the reference date do not result in changes to the electoral register.

### **Article 4.2                    Making the electoral registers available for inspection**

The Electoral Committee must in good time announce the date as of which a copy of the electoral register compiled for each section will be available for inspection at the place of inspection designated by the Electoral Committee for each electoral register.

### **Article 4.3                    Requests for improvement**

1.        Within a period to be determined by the Electoral Committee after the date referred to in the previous article, any member of the electoral community may request the Electoral Committee in writing to improve the electoral register if said member believes that, contrary to the Articles (*Statuten*) of the *Stichting Katholieke Universiteit Brabant* or the regulations adopted for the purpose of implementing these Articles, he/she him/herself or any other person(s) have not or not properly been included in the register, or have been wrongly included in it. Without

prejudice to the provisions of Article 2.5 of these Regulations and up to the same day, the Electoral Committee may also improve the electoral register on its own initiative.

2. If a request for improvement of the electoral register concerns a person other than the person making the request, the Electoral Committee must notify that other person of the request by registered letter no later than the day after receiving the request.

3. If a person is removed from the electoral register as a result of an ex officio improvement to the electoral register and for another reason than the one referred to in Article 2.5 of these Regulations, the person concerned must be informed of this removal.

#### **Article 4.4 Decision on requests for improvements**

1. The Electoral Committee must decide on the request for improvement, stating the reasons for its decision, on a day it has set and announced in advance, and it must if necessary amend the electoral register.

2. The Electoral Committee must promptly send a copy of the decision to the person who requested the improvement and if the request concerns another person to that other person as well.

3. A copy of the decision must be made available for inspection at the place of inspection.

## **CHAPTER 5 NOMINATION OF CANDIDATES**

### **Article 5.1 Nomination day**

1. The nomination days must be determined by the Electoral Committee.
2. The Electoral Committee must announce the nomination days and venue at least four weeks before the nomination.
3. Candidates must be nominated on lists of candidates, whose layout and design must under Article 3.2, paragraph 2 of these Regulations be determined by the Electoral Committee. The relevant forms must be made available free of charge.
4. Lists of candidates must be submitted to the Electoral Committee on the nomination days.

### **Article 5.2 Formal requirements for lists of candidates**

1. No list of candidates must contain more than thirty names of candidates and be signed by fewer than five voters. If the section comprises fewer than twenty voters, the signatures of two voters will suffice.
2. No candidate must appear on more than one list of candidates.
3. No voter must sign more lists than the number of vacant seats.
4. As a voter, any candidate may co-sign a list of candidates on which he/she him/herself appears in order to comply with the provisions of the first paragraph.

### **Article 5.3 Lists of candidates per section**

1. Each candidate must belong to the section for which the list of candidates has been submitted.

2. Each list of candidates must be signed only by voters who belong to the same section as the candidates.

#### **Article 5.4 Appellation of candidates on lists**

1. The appellation of each candidate on any list of candidates must consist of the candidate's family name as referred to in Article 5 of Book 1 of the Dutch Civil Code, his/her initials, and his/her administration number. Optionally, the candidate's initials may be followed, in parentheses, by his/her given name or the name by which he/she are commonly known. Any female candidate may be listed under his/her spouse's family name, provided that name is followed by a hyphen and the female candidate's own family name.
2. To the extent applicable, any candidate's appellation may also include further details, if abbreviated in the usual manner, such as "Professor" (whether or not abbreviated to "Prof.") and abbreviations of the titles mentioned or referred to in Articles 7.20 through 7.23 of the Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*).
3. The name or appellation of any group must not exceed twenty letters.

#### **Article 5.5 Statement of consent**

1. Each list of candidates must be submitted together with a written statement from each candidate on that list expressing his/her consent to being included on that list and, where applicable, to his/her position on that list. Consent, once given, cannot be revoked, except as provided for in Article 5.9, paragraph 3 of these Regulations.
2. The written permission of the employer of any person referred to in Article 2.3, paragraphs 1 or 2 of these Regulations must be submitted together with the list of candidates.

#### **Article 5.6 Submitting lists of candidates**

1. Each list of candidates must be submitted by or on behalf of a voter. The person submitting any such list must identify him/herself when asked to do so.
2. Employees' organizations that are parties to the Collective Labor Agreement applicable to Tilburg University may submit lists of candidates in writing. Any such lists must have been received by the Electoral Committee no later than on the final nomination day as referred to in Article 5.1 of these Regulations.
3. The Electoral Committee must issue a written statement of receipt stating the date and time of receipt to any person submitting any list of candidates.

#### **Article 5.7 Examination of lists of candidates**

As soon as possible after the deadline for submitting lists of candidates has expired, the Electoral Committee must convene at its office and examine the submitted lists of candidates.

#### **Article 5.8 Noncompliance with formal requirements**

1. If the Electoral Committee finds that one or more of the following cases of noncompliance with formal requirements have occurred, it must inform as soon as possible the person who submitted or sent in the list of candidates concerned. These cases of noncompliance with formal requirements are the following:
  - a. A list of candidates has not been signed by the required number of voters.
  - b. A list of candidates does not comply with the provisions of Article 5.1, paragraph 3 of these Regulations.
  - c. The name or appellation of a group exceeds twenty letters.
  - d. A candidate does not comply with the provisions of Article 5.3, paragraph 1 of these Regulations.
  - e. A candidate's statement of consent referred to in Article 5.5 of these Regulations is missing.
  - f. A candidate's appellation does not comply with the provisions of Article 5.4 of these Regulations.
  - g. A candidate appears on more than one list of candidates.

- h. A list of candidates has been signed by a voter who has signed more lists of candidates than is permitted under Article 5.2, paragraph 3 of these Regulations.
- i. A list of candidates does not comply with the provisions of Article 5.3, paragraph 2 of these Regulations.

2. If the Electoral Committee holds that the names or appellations of two or more groups are so similar as to potentially confuse voters, it must inform the persons who submitted the relevant lists of candidates accordingly and invite them to be heard. After hearing the persons concerned, the Electoral Committee must decide which names or appellations must be changed. The persons concerned must be notified of this decision immediately. The changed names must be communicated to the Electoral Committee within five days.

#### **Article 5.9 Rectifying noncompliance with formal requirements**

1. If Article 5.8, paragraph 1, under a, b, c, e, or f of these Regulations applies, the person who submitted the list of candidates concerned may rectify the case or cases of noncompliance at the Electoral Committee's office within a period to be determined and announced in advance by the Electoral Committee. If noncompliance with Article 5.8, paragraph 1, under c of these Regulations is not rectified, the Electoral Committee must limit the name or appellation concerned to the first twenty letters.

2. If Article 5.8, paragraph 1, under d of these Regulations applies, the person concerned must be given the opportunity to put themselves forward as a candidate for the section to which he/she belongs within the period referred to in paragraph 1. If such a person wishes to add his/her candidacy to a list of candidates already submitted, the nomination form must be accompanied by a statement expressing this wish, including a specification of his/her position (ranking) on the list, as well as by a statement of consent confirming the former statement signed by all candidates already on the list and by the voters referred to in Article 5.2, paragraph 1 of these Regulations.

3. If Article 5.8, paragraph 1, under g, h, or i of these Regulations applies, the Electoral Committee must give the person concerned the opportunity to withdraw

his/her candidacy or revoke his/her signature on one or more lists within the period referred to in paragraph 1. If that person does choose or does not wish to choose, that voter's candidacy or his/her signature on the relevant lists must be deemed invalid if subparagraphs g and h apply, and the disputed signature must be deleted if subparagraph i applies.

4. If the notification referred to in the penultimate sentence of Article 5.8, paragraph 2 of these Regulations is not acted on, or in such a way that in the opinion of the Electoral Committee the confusion is not eliminated, the Electoral Committee will add to the names or appellations concerned such instructions as it deems necessary.

#### **Article 5.10 Determining lists of candidates**

1. Within two days of the period referred to in Article 5.9, paragraph 1 of these Regulations having ended, the Electoral Committee must decide, in open session, on the validity of the lists of candidates and on maintaining the candidates appearing on them.

2. The Electoral Committee must publicize the day, hour, and venue of the session referred to in paragraph 1 at least one week in advance.

#### **Article 5.11 Amendments to lists of candidates**

The Electoral Committee must remove from any list of candidates any candidate:

- a. who does not comply with the provisions of Article 5.3, paragraph 1 of these Regulations;
- b. whose statement of consent referred to in Article 5.5 of these Regulations is missing;
- c. whose appellation does not comply with Article 5.4 of these Regulations;
- d. whose nomination cannot be deemed valid under Article 5.9, paragraph 3 of these Regulations;
- e. whose position on such a list exceeds the maximum number allowed.

#### **Article 5.12 Invalidation**

Any list of candidates is invalid if:

- a. it has not been submitted to the Electoral Committee on one of the nomination days;
- b. where applicable under Article 5.9, paragraph 3 of these Regulations, it has not been signed by the required number of voters;
- c. it does not comply with the provisions of Article 5.1, paragraph 3 of these Regulations;
- d. all candidates have been removed from such a list under Article 5.1 of these Regulations.

**Article 5.13            Decision on the validity of lists of candidates**

The Electoral Committee must, as soon as possible, publish its decision on the validity of any and all lists of candidates and on maintaining the candidates on these lists by making them available for inspection at the place of inspection.

**Article 5.14            Compiled lists**

1. Immediately after the nomination of candidates has become irrevocable, the Electoral Committee must for each section compile a separate list of all lists of candidates for that section.
2. The top of any and all lists of candidates must state the name or appellation of the group concerned.
3. The Electoral Committee must promptly publish any and all compiled lists. Any and all compiled lists must also be sent to the candidates concerned.

**CHAPTER 6    PROCEDURE FOR ELECTRONIC VOTING**

**Article 6.1            Voting**

1. Voting for any section will and can only take place if the number of listed candidates in such a section exceeds the number of seats available for that section.



2. Voting will and must take place by electronically completing and sending the digital voting form in the voting application on the Internet page of Tilburg University.

**Article 6.2                      Compiled lists as comparators**

For each section, votes must be cast only for those candidates whose names appear on the compiled list established for that section under Article 5.14 of these Regulations.

**Article 6.3                      Voting date**

The Electoral Committee must determine the period of time during which the voting application will be open for voting.

**Article 6.4                      Election notice**

1. On the first day of the period referred to in the previous article, the Electoral Committee must send each voter an electronic election notice calling him/her to vote.

2. This election notice must in any case specify:

- a. the Council and the number of members to be elected;
- b. the electronic address of the voting application; and
- c. the voting procedure and deadline.

3. The layout and design of the election notice must be determined by the Electoral Committee pursuant to Article 3.2, paragraph 2 of these Regulations.

4. For each section, a register is kept of the election notices sent.

**Article 6.5                      (reserved)**

**Article 6.6                      (reserved)**

## **Article 6.7            Design of the voting form**

The voting form must include and specify:

- a.    the section;
- b.    the lists of candidates, in the same way as for the compiled list; and
- c.    voting boxes preceding the candidates' names.

## **Article 6.8 Voting**

1.    Each voter must cast his/her vote by checking (i.e., marking or clicking on) the voting box preceding the name of the candidate of his/her choice. Each voter may check one voting box only.
2.    Each voter must send his/her voting form in accordance with the instructions in the voting application.

## **Article 6.9        (reserved)**

## **Article 6.10        Irregularities**

1.    If voting irregularities have occurred, the Electoral Committee must declare the voting invalid insofar as these irregularities may have an effect on the election results. In that case, the Electoral Committee must immediately call a new election for the voters concerned.
2.    The Electoral Committee must arrange for a copy of the decision referred to in the previous paragraph to be promptly made available for inspection at the place of inspection.

## **CHAPTER 6A    PROCEDURE FOR VOTING BY BALLOT**

### **Article 6A.1        Voting**

1.    Voting for any section will and can only take place if the number of listed candidates in such a section exceeds the number of seats available for that section.

2. Voting will and must take place by submitting the ballot paper to the Electoral Committee in accordance with Article 6A.9, paragraph 3 or 4 of these Regulations.

**Article 6A.2            Compiled lists as comparators**

For each section, votes must be cast only for those candidates whose names appear on the compiled list established for that section under Article 5.14 of these Regulations.

**Article 6A.3            Voting date**

The Electoral Committee must determine the final day on which ballot papers may be submitted at its office.

**Article 6A.4            Polling card**

1. At least fifteen days before the day referred to in the previous Article the Electoral Committee must send each voter a polling card, calling them to vote.
2. This polling card must in any case specify:
  - a. the number of members of the Council for which elections are being held;
  - b. the voter's family name, given name(s) or initials, and address;
  - c. the section, and the number under which the voter appears in the electoral register; and
  - d. the voting procedure and deadline.
3. The layout, design, and color of the polling card must, under Article 3.2, paragraph 2 of these Regulations, be determined by the Electoral Committee.
4. For each section, a register is kept of the polling cards sent.

**Article 6A.5            Duplicate polling card**

1. Any voter who states that he/she has not received a polling card or whose polling card has become mislaid will at his/her request be issued with a duplicate polling, but only once and provided that h/she produces sufficient evidence of his/her identity.

2. The duplicate polling card must be issued by the Electoral Committee and must be marked "duplicate." Any issuance of a duplicate polling card must be registered in the polling register.

#### **Article 6A.6 Sending the ballot papers**

1. Each voter must be sent the ballot paper together with the polling card, including two return envelopes: one large and one small, the latter marked "Only for ballot papers."

2. Any voter who declares that he/she has not received these documents or whose documents have become mislaid will, at his/her request, be issued with a copy of each of these documents only once. Any issuance of duplicate ballot papers must be registered in the polling register.

#### **Article 6A.7 Design of the ballot papers**

The ballot paper must include and specify the following information:

- a. the section;
- b. the signature of the chair of the Electoral Committee;
- c. the lists of candidates, in the same way as for the compiled list; and
- d. voting boxes preceding the candidates' names.

#### **Article 6A.8 Voting**

Each voters must cast his/her vote by checking the voting box preceding the name of the candidate of his/her choice. Each voter may check one voting box only.

### **Article 6A.9            Submitting ballot papers**

1.        Each voter must submit his/her ballot papers using the small and large envelopes referred to in Article 6A.6 of these Regulations. The voter must place the ballot paper in the small envelope, which he/she must then place in the large envelope.
2.        Together with his/her ballot paper, the voter must also return his/her polling card, bearing his/her signature in the appropriate place. The voter must place his/her polling card, together with the small envelope, in the large envelope and close it.
3.        The voter must send the closed large envelope containing both the ballot paper and his/her polling card to the Electoral Committee in time for the Electoral Committee to receive it not later than on the day referred to in Article 6A.3 of these Regulations.
4.        The ballot paper referred to in paragraph 3 may also be deposited in a ballot box installed and sealed for that purpose at the address of the Electoral Committee.

### **Article 6A.10          Irregularities**

1.        If voting irregularities have occurred, the Electoral Committee must declare the voting invalid insofar as these irregularities may have an effect on the election results. In that case, the Electoral Committee must immediately call a new election for the voters concerned.
2.        The Electoral Committee must arrange for a copy of the decision referred to in the previous paragraph to be promptly made available for inspection at the place of inspection.

## **CHAPTER 7 DETERMINING THE RESULTS OF ELECTRONIC VOTING**

### **Article 7.1 Opening the voting application**

1. After the voting has ended the Electoral Committee must open the voting application in open session, whose date and time it must have previously announced.
2. At the open session referred to in the previous paragraph the Electoral Committee must verify and record the results automatically generated by the voting application.

### **Article 7.2 Election results**

1. The election results must be determined in open session on a day to be determined by the Electoral Committee.
2. The Electoral Committee must announce the date, time, and venue of this session in writing at least one week in advance.
3. The results must be determined in accordance with Articles 7.6 through 7.13 of these Regulations.

**Article 7.3** *(reserved)*

**Article 7.4** *(reserved)*

**Article 7.5** *(reserved)*

### **Article 7.6 Blank votes**

1. A voting form will be deemed to contain a blank vote if the corresponding voting box has been checked.
2. A blank vote as referred to in the previous paragraph is deemed a valid vote for the purpose of calculating voter turnout.

**Article 7.7            Vote count**

For each section and for each list of candidates the Electoral Committee must determine:

- a. the number of votes cast for each candidate on the list concerned;
- b. the sum of the numbers of votes referred to under a. This sum is called the vote count.

**Article 7.8        Section quota**

For each section, the Electoral Committee must divide the sum of the vote counts of all lists of candidates by the number of seats to be allocated. The resulting quotient is called the section quota.

**Article 7.9        (reserved)**

**Article 7.10        Ranking the candidates**

1. The Electoral Committee must rank the candidates on the lists of candidates as follows.

The ranking is headed by the candidates who have obtained a number of votes in excess of half the section quota and arranged by the number of votes obtained by each of them; the remaining candidates are subsequently ranked by the order of the list of candidates.

2. If any two or more candidates have obtained an equal number of votes, they will be ranked by the order of the list of candidates.

**Article 7.11        Allocating seats**

1. Immediately after the candidates have been ranked in accordance with the previous article, the Electoral Committee must allocate the seats to be filled, taking into account the candidates' ranking and Articles 1.4, 7.12, and 7.13 of these Regulations.

2. The number of seats to be allocated to a list of candidates must be equal to the frequency of the section quota in the vote count for that list.

3. Any residual seats, known as remaining seats, must be allocated successively to the lists of candidates having the largest average number of votes per seat after the seat has been allocated. If averages are equal, the issue must be decided by drawing lots.

4. If under this article a seat would be allocated to a list of candidates all of whose candidates have already been declared elected, this list must be disregarded for the purpose of allocating the seat concerned.

#### **Article 7.12            Declaring candidates elected**

If under the previous article, and without prejudice to Article 7.13 of these Regulations, a seat has been allocated to a list of candidates, the candidate who has not yet been declared elected and who under Article 7.10 of these Regulations ranks highest on that list must be declared elected.

#### **Article 7.13            Allocating staff section seats**

1. The Electoral Committee must verify whether the composition requirements as laid down in Article 2.1, paragraph 3 of the University Council Regulations have been met. If they have not, the Electoral Committee must examine whether the conditions can be satisfied:

- a. by declaring elected another candidate in the required staff category who appears on one of the lists to which seats have been allocated; or
- b. by allocating the last seat to a candidate belonging to the required staff category who appears on one of the other lists.

If the conditions have been thus satisfied, the Electoral Committee must subsequently declare the candidate concerned elected.

2. If, under (a) or (b) of the previous paragraph, more than one candidate qualifies for being declared elected, the candidate who has obtained the largest number of preferential votes will be declared elected.

**Article 7.14            Official record**

1.        Immediately after the election results have been determined, the Electoral Committee must adopt the official record of all activities relating to the determination of the election results. The official record must be signed by all members of the Electoral Committee.
  
2.        The Electoral Committee must promptly make a copy of the official record referred to in the previous paragraph available for inspection at the place of inspection.
  
3.        The Electoral Committee must send a copy of the official record to the Executive Board, the Deans of the Schools concerned, and the Directors of the Divisions concerned.

**Article 7.15            Informing candidates of the election results**

1.        The Electoral Committee must inform each candidate in writing of whether or not he/she has been elected.
  
2.        If a candidate thus informed does not accept his/her election, he/she must notify the Electoral Committee of his/her non-acceptance in writing within one month of having received the election results.



## **CHAPTER 7A DETERMINING THE RESULTS OF VOTING BY BALLOT**

### **Article 7A.1 Opening the large envelopes**

1. After the voting has ended, the Electoral Committee must open all large envelopes in open session, whose date and time must have been announced by the Electoral Committee, and the Electoral Committee must then ascertain whether each envelope thus opened contains the polling card of the voter concerned. All small envelopes must remain unopened.
2. If any polling card thus found does not carry the signature of the voter concerned, the ballot paper in the small envelope included in the large envelope concerned must be disregarded.
3. If a large envelope is found not to contain a polling card, the small envelope included in that large envelope must be set aside.
4. All small envelopes must be kept in two separate collections: one for small envelopes that have been set aside and one for small envelopes that have not been set aside.

### **Article 7A.2 Election results**

1. The election results must be determined in open session on a day to be determined by the Electoral Committee.
2. The Electoral Committee must announce the date, time, and venue of this session in writing at least one week in advance.

### **Article 7A.3 Opening the small envelopes**

1. The Electoral Committee must open the small envelopes immediately after the session has been opened.

2. If a small envelope set aside in accordance with Article 7A.1, paragraph 3 of these Regulations upon opening is found to contain both the ballot paper and the polling card; the ballot paper thus found will be taken into consideration for the vote unless the polling card does not carry the signature of the voter concerned.

3. If upon opening of the small envelopes in accordance with the two previous paragraphs several ballot papers are found that relate to the same section of the same Council, these ballot papers must be disregarded.

#### **Article 7A.4 Verifying signatures in case of irregularities**

If the Electoral Committee suspects that one or more irregularities have occurred, it must verify the signature(s) on the polling card(s) concerned using the documents present at Tilburg University.

#### **Article 7A.5 Incorrectly completed ballot papers**

1. If any returned ballot paper contains any information other than that referred to in Article 6A.8 of these Regulations, the ballot paper concerned will be deemed to not contain this information and will for that reason not be invalid.

2. If on any ballot paper more than one voting box has been checked, no voting box on the ballot paper concerned will be deemed to have been checked.

#### **Article 7A.6 Blank votes**

1. Any ballot paper will be deemed to contain a blank vote if no voting box on it has been checked or must be deemed to not have been checked.

2. A blank vote as referred to in the previous paragraph is deemed a valid vote for the purpose of calculating voter turnout.

#### **Article 7A.7 Vote count**

For each section and for each list of candidates the Electoral Committee must determine:

- a. the number of votes cast for each candidate on the list concerned;
- b. the sum of the numbers of votes referred to under a. This sum is called the vote count.

**Article 7A.8            Section quota**

For each section, the Electoral Committee must divide the sum of the vote counts of all lists of candidates by the number of seats to be allocated. The resulting quotient is called the section quota.

**Article 7A.9    (*reserved*)**

**Article 7A.10          Ranking the candidates**

1. The Electoral Committee must rank the candidates on the lists of candidates as follows.

The ranking is headed by the candidates who have obtained a number of votes in excess of half the section quota and arranged by the number of votes obtained by each of them; the remaining candidates are subsequently ranked by the order of the list of candidates.

2. If any two or more candidates have obtained an equal number of votes, they will be ranked by the order of the list of candidates.

**Article 7A.11          Allocating seats**

1. Immediately after the candidates have been ranked in accordance with the previous article, the Electoral Committee must allocate the seats to be filled, taking into account the candidates' ranking and Articles 1.4, 7A.12, and 7A.13 of these Regulations.

2. The number of seats to be allocated to a list of candidates must be equal to the frequency of the section quota in the vote count for that list.

3. Any residual seats, known as remaining seats, must be allocated successively to the lists of candidates having the largest average number of votes per seat after the seat has been allocated. If averages are equal, the issue must be decided by drawing lots.

4. If under this article a seat would be allocated to a list of candidates all of whose candidates have already been declared elected, this list must be disregarded for the purpose of allocating the seat concerned.

#### **Article 7A.12          Declaring candidates elected**

If under the previous article, and without prejudice to Article 7A.13 of these Regulations, a seat has been allocated to a list of candidates, the candidate who has not yet been declared elected and who under Article 7A.10 of these Regulations ranks highest must be declared elected.

#### **Article 7A.13          Allocating staff section seats**

1. The Electoral Committee must verify whether the composition requirements as laid down in Article 2.1, paragraph 3 of the University Council Regulations have been met. If they have not, the Electoral Committee must examine whether the conditions can be satisfied:

by declaring elected another candidate in the required staff category who appears on one of the lists to which seats have been allocated; or

by allocating the last seat to a candidate belonging to the required staff category who appears on one of the other lists.

If the conditions have been thus satisfied, the Electoral Committee must subsequently declare the candidate concerned elected.

2. If under (a) or (b) of the previous paragraph more than one candidate qualifies for being declared elected, the candidate who has obtained the largest number of preferential votes will be declared elected.

**Article 7A.14            Official record**

1.        Immediately after the election results have been determined the Electoral Committee must adopt the official record of all activities relating to the determination of the election results. The official record must be signed by all members of the Electoral Committee.
2.        The Electoral Committee must promptly make a copy of the official record referred to in the previous paragraph available for inspection at the place of inspection.
3.        The Electoral Committee must send a copy of the official record to the Executive Board, the Deans of the Schools concerned, and the Directors of the Divisions concerned.

**Article 7A.15            Informing candidates of the election results**

1.        The Electoral Committee must inform each candidate in writing of whether or not he/she has been elected.
2.        If a candidate thus informed does not accept his/her election, he/she must notify the Electoral Committee of his/her non-acceptance in writing within one month of having received the election results.

## **CHAPTER 8 FILLING VACANCIES**

### **Article 8.1 Vacancies**

1. The Electoral Committee must fill a vacancy on the Council by allocating the vacant seat to a list of candidates and by subsequently declaring elected a candidate on this list in the manner stipulated in Articles 7.11, 7.12, and 7.13 of these Regulations, on the understanding that in Article 7.12 of these Regulations "the candidate who has not yet been elected and who under [the relevant article of these Regulations] ranks highest" is also understood to mean a candidate previously declared elected who is no longer a member of the Council.
2. Articles 7.14, paragraph 2 and 7.15 of these Regulations apply.

## **CHAPTER 9 TRANSITIONAL AND FINAL PROVISIONS**

### **Article 9.1 Entry into force**

Unless otherwise stipulated, these Regulations enter into force the day after the Executive Board has adopted them.

### **Article 9.2 Additional arrangements**

In cases not provided for by these Regulations the Electoral Committee must make arrangements whose content and purport are in accordance with the Tilburg University Structure Regulations and which adhere as closely as possible to the corresponding provisions of the Dutch *Kieswet* (Elections Act) or, as the case may be, the Dutch *Wet op de ondernemingsraden* (Works Councils Act).