



**SEMMELWEIS UNIVERSITY**

**ORGANIZATIONAL AND OPERATING RULES**

**BOOK I**

**ORGANIZATIONAL AND OPERATING ORDER**

**I 3 SPECIAL PART**

**RULES FOR THE ELECTION OF BODIES AND EXECUTIVES**

**BUDAPEST**

**2023**

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## **PART I 3 RULES FOR THE ELECTION OF BODIES AND EXECUTIVES**

### **Chapter 1 Rules for Senate elections**

#### *Article 1 [Scope]*

These rules shall apply to full-time, fixed-term or indefinite term, teaching, research, teaching or other positions, employment or medical service (hereinafter referred to as "voter or candidate"), and to persons assisting in the conduct of the election, including members of the election committee, in the election of the Senate.

#### *Article 2 [Calling the election]*

- (1) The Rector shall call the election of the general Senate. Rectortice of election shall specify in particular:
  - a) the period for submitting nomination papers, which shall not be shorter than five working days,
  - b) the conditions for Nomination and a specimen of the documents to be submitted in support of the Nomination,
  - c) the time limit for the election, which may not be less than one working day and may not exceed five working days,
  - d) the specimen of the ballot papers to be used during the election,
  - e) Other information relating to the conduct of the election needs to be provided for in these regulations.
- (2) The notice of the election shall be published on the University's website.
- (3) <sup>1</sup>The general election of the Senate shall be called so that the Senate may be elected at its inaugural meeting every four years, between 01 July and 30 September of the year.

#### *Article 3 [The constituency]*

- (1) Employees and persons in the medical service may participate in the general election of the Senate by being classified into the groups defined in Article 22 (6) paragraph 6 and Article 22 (5) paragraph b) of Part I. 1 of the SZMSZ (hereinafter referred to as "constituency").
- (2) Designations of constituencies of lecturers, researchers, and teachers:
  - a) Faculty of General Medicine,
  - b) Faculty of Health Sciences,
  - c) Faculty of Public Health,

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<sup>1</sup> Modified by Senate Decision No. 28/2023 (24 April) Annex 1, Effective from: 01 May 2023

- d) Faculty of Dentistry,
- e) Faculty of Pharmacy,
- f) Clinical Centre,
- g) Doctoral School,
- h) András Pető Faculty.

(3) The constituency's name for other employees is: Other employees.

(4) In the constituencies of lecturers, researchers, and teachers, only lecturers, researchers, and teachers, and in the constituencies of other employees, only persons employed in other jobs may be elected as members of the Senate and may be candidates.

(5) Every person entitled to stand for election shall be enrolled in the constituency in which they are eligible for election as a member of the Senate. Every person entitled to be elected may vote and be a candidate in the constituency in which they are registered.

(6) The Student Council, the Doctoral Students' Council, the Staff Council, and the trade unions shall notify the President of the Senate of the election's results in accordance with the applicable rules.

#### *Article 4 [Electoral roll]*

(1) The electoral roll is a list of university citizens entitled to vote in the electoral district, prepared by the Directorate-General for Human Resources Management and made available to the electoral committee and the election mediators (hereinafter referred to as the preliminary electoral roll).

(2) When preparing the preliminary list, the Directorate-General for Human Resources Management shall

- a) the Chairperson, Vice-Chairperson of the University Doctoral Council, the Chairperson of the Standing Committees of the University Doctoral Council (Education and Credit Committee, Review and Quality Control Committee, International Committee, and Disciplinary and Ethics Committee), in the case of a lecturer, researcher or professor, of the Doctoral School,
- b) in the case of a lecturer, researcher, or teacher of a department belonging to both the Faculty of General Medicine and the Clinical Centre, the Clinical Centre, if the provisions of point a) do not apply,
- c) if points a) to b) do not apply, in the case of a lecturer, researcher, or teacher of the University Pharmacy, Institute for Pharmaceutical Organisation, the Clinical Centre,
- d) if points a) to c) do not apply, in the case of a member of the Presidency of the Clinical Centre, the Clinical Centre,
- e) for all other lecturers, researchers, and teachers, the relevant faculty the constituency of the respective faculty.

- (3) The Electoral Committee shall inform the citizens of the University on the University's website about the compilation of the preliminary electoral roll and the possibility of inspection, indicating the appropriate deadline.
- (4) The Electoral Committee shall, upon request, submit within the time limit set for this purpose and, if necessary, with the assistance of the Directorate General for Human Resources Management
  - a) correct the error in the provisional list if the applicant so justifies,
  - b) transfer to the electoral roll of the constituency indicated by the applicant a candidate who could be elected in more than one constituencyif the conditions for doing so are met and the applicant so certifies or if the electoral committee is otherwise satisfied appropriately. The deadline is statute-barred.
- (5) The Electoral Committee, if necessary, with the assistance of the Directorate General for Human Resources Management, shall establish the final list of voters before the start of voting based on the preliminary list, the changes according to paragraph (4), and any changes that have occurred in the meantime, in particular new entries. Only people on the final list shall be able to participate in the vote.
- (6) The electoral roll may be used as a list to determine eligibility to participate in the general Senate election and only for the duration of the election. The Electoral Committee shall destroy the electoral roll, with a record being kept, within 60 days of the final determination of the election results and the inaugural meeting of the Senate, but by 60 days after the inaugural meeting of the Senate.
- (7) The electoral roll shall contain the following information by constituency:
  - a) the name of the person entitled to stand for election,
  - b) the date of birth of the person entitled to stand for election,
  - c) the name of the mother of the person entitled to vote,
  - d) the department employing the person.
- (8) The electoral roll can be inspected by
  - a) the person on the register,
  - b) the election mediator,
  - c) the Electoral Committee, and
  - d) the redress committee in exercising their dutiesin the adjudication of appeals.

*Article 5 [The Electoral Committee]*

- (1) The Electoral Committee shall be a body of persons appointed by the Rector for the duration of the election and empowered to make decisions relating to the election of the General Senate. The Rector appoints the Chairperson of the Electoral Committee from among the former Rectors of the University or other citizens of high standing.

- (2) The other members of the Electoral Committee shall be:
- a) except for the faculty of the Chairperson's department, 1-1 members appointed based on a proposal from the deans, the Chairperson of the Clinical Centre,
  - b) the Director-General for Legal and Administrative Affairs,
  - c) the Secretary General of the Senate,
  - d) <sup>2</sup>
- (3) The term of office of a member of the Electoral Committee shall terminate if he/she wishes to stand as a candidate in the election. The Rector appointed a new committee member to replace such a person and a member who does not participate in the committee's work.
- (4) Duties of the Electoral Committee:
- a) to decide on any matter relating to the election,
  - b) accept the authentic documents of the election (electoral roll, nomination papers, registration of candidates, ballot paper),
  - c) decide on the modification of the electoral roll,
  - d) verifies the Validity of nominations and registers candidates,
  - e) draw up and adopt the ballot paper for each constituency,
  - f) monitor and supervise the conduct of voting,
  - g) decide on any disputes relating to the ballot,
  - h) determining the results of the election and the candidates who have obtained a seat,
  - i) announce to the President of the Senate the members of the Senate elected based on the results,
  - j) to publish on the university website any call, statement, decision, or other document of importance to the university citizenry in connection with the election or to issue a mandate for publication.
- (5) The Electoral Committee shall be represented by the chairman, who may act on its behalf with regard to the points (4) paragraph f), i), j). The administrative tasks related to the operation of the Electoral Committee (in particular the preparation of minutes, recording of decisions, organisation of meetings, publication of decisions) are carried out by persons appointed by the Rector for the duration of the nomination and election.
- (6) The Electoral Committee shall meet as necessary, its meetings being convened by the President. Minutes shall be taken of the meetings of the Electoral Committee. The Electoral Committee shall decide within three working days of receipt. The Electoral Committee shall publish its decisions on the University's internal website within 24 hours of its decision. The Electoral Committee shall be quorate if more than half its members are present. Decisions of the Electoral Committee shall be taken by a majority of the members present, with the Chairperson casting the deciding vote in the event of

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<sup>2</sup> Repealed by Senate Decision 28/2023 (24 April) Annex 1, Effective from: 01 May 2023

a tie. The Electoral Committee may also vote by electronic means. Its decision shall also be recorded in a resolution.

- (7) The Electoral Committee shall take minutes of the results of the voting by constituency, which shall include:
- a) the number of participants in the election (signatories of the register of voters) and the percentage of eligible voters, the total number of votes cast and the percentage of votes cast about the number of those present,
  - b) the total number of valid and invalid ballot papers and the percentage of valid and invalid ballot papers in relation to the number of those present,
  - c) the number of votes cast for each candidate on the ballot paper is expressed as a percentage of the total number of valid ballot papers,
  - d) the determination of the result of the election,
  - e) the determination of the person(s) who obtained the mandate,
  - f) <sup>3</sup>the signatures of the chairman of the Electoral Committee and of a certifying member appointed by the Chairperson, the date and place of recording of the minutes.

*Article 6 [Election mediators]*

- (1) The election assistants shall be citizens of the University who participate in the conduct of elections and who shall be appointed by the Rector. Restoration mediators may be appointed to perform only specific tasks and may be appointed to cover the whole University or only a specific constituency. The number of election mediators shall be determined in relation to the number of persons on the electoral roll and the polling stations. The Rector appoints the head of the election mediators from among those who shall be responsible for the election. The chief election agent appointed by the Rector is entitled to represent the election mediators. The Electoral Committee chairman shall direct the election mediators' activities.
- (2) The election mediators shall participate in the conduct of the election in the constituency, within the framework of which:
- a) managing the register of voters,
  - b) providing information on election-related issues,
  - c) providing the documents necessary for the election,
  - d) assisting in the conduct of elections,
  - e) refer any disputes arising during the election to the Electoral Committee,
  - f) handle the nomination papers, ballot papers, and other election documents,
  - g) supervise the conduct of the election,
  - h) counting the votes,
  - i) forward the summary of the ballot results and the documents to the Electoral Committee.
- (3) The election mediators may not decide on any disputes related to the election.

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<sup>3</sup> Modified by Senate Decision No. 28/2023 (24 April) Annex 1, Effective from: 01 May 2023

*Article 7 [Nomination]*

- (1) The candidate who obtains the recommendation of 20% of the number of persons entitled to vote in the constituency, but at least ten persons, may be elected from among those entitled to vote. The number of recommendations required, based on the information available prior to the call for nominations, shall be specified in the call for nominations and shall not be subject to appeal.
- (2) The voter can make a recommendation in their constituency. A voter may recommend several candidates. A voter may support a candidate with only one recommendation. The recommendation may not be withdrawn. The recommendation may be made on the recommendation form by the model in the election notice. When making a recommendation, the nominating person must be identifiable by indicating the details on the form; in the absence of identification, the nomination is invalid.
- (3) Candidates may be recommended on a pre-certified recommendation form received from the election intermediary or delivered to the candidate, on which the election intermediary shall indicate the name of the candidate and the constituency concerned.
- (4) Recommendations may be collected anywhere in a manner befitting the University.
- (5) A candidate shall be declared by submitting the required number of recommendations to the Electoral Committee. The Electoral Committee, with the assistance of the Election Co-operators, if necessary, shall verify the Validity of the Nomination and decide on the registration of the candidate. The submission of the required number of recommendations shall also constitute an application pursuant to Article 4 paragraph (4) lit. b) for the given constituency.

*Article 8 [The ballot paper and voting]*

- (1) The ballot paper shall, subject to the derogations provided for in these Rules, show the candidates in the order determined by the electoral committee by drawing lots, or, failing this, in alphabetical order, with the following particulars:
  - a) name,
  - b) Deputy Rector, - in case of ambiguity, with indication of the faculty - Dean, Deputy Dean, in the case of a Clinical Centre, President, Vice President, President of the University Doctoral Council,
  - c) the name of the teaching, research or patient care organisation in which the candidate's main professional activity is carried out,
  - d) a reference to any managerial position held in the department referred to in lit. (c) and the position held.
- (2) Voting takes place during the period specified in the election notice, on a ballot paper. Voting shall take place in one or more places in the constituency, as necessary, with the conditions of secret ballot being provided. Secrecy is ensured by the use of a polling



booth or a separate room. The Electoral Committee shall publish the polling stations on the University's website.

- (3) Before the commencement of voting, the election officials shall jointly ascertain the integrity of the ballot box/ballot boxes before closing them and that the ballot box is empty. A record shall be made of this and the closing of the ballot box. A record shall be made of this and the closing of the ballot box.
- (4) During the voting, the election mediator shall verify the eligibility of the person casting the ballot to vote in the electoral roll before handing over the ballot paper, and the person entitled to vote shall sign the electoral roll simultaneously.
- (5) After the voting is completed, the election officials open the ballot box and count the votes.
- (6) A vote is valid if the will of the voter is clearly stated on the ballot paper and the ballot contains the correct number of votes.
- (7) The ballot paper shall be invalid if the will of the person entitled to vote cannot be established beyond reasonable doubt.
- (8) The election officials shall take minutes of the opening of the ballot box, its integrity, and the counting of the ballots, sign them, and deliver the ballot papers and the minutes to the Electoral Committee.

*Article 9 [Number of votes that may be cast]*

- (1) The ballot paper shall indicate the Dean, the President of the Clinical Centre, and the other candidates separately. If the election of a lecturer, researcher, or teacher who does not hold a senior post is also to be ensured in the constituency, then those who hold a senior post shall be indicated first, followed by those who do not hold a senior post.
- (2) In the case of a Clinical Centre, the candidates shall also be separated by faculty concerning the relevant criterion.
- (3) The ballot paper shall be valid if
  - a) the Dean, the Chair of the Clinical Centre is marked in favor of the relevant section is left blank, and
  - b) in the case of other candidates, a supporting designation is included next to no more than one fewer name than the number of candidates eligible for election,
  - c) in the case of the Clinical Centre, if there are no more than 3 supporting nominations among candidates from among the candidates other than the candidates for the Faculty of Dentistry and the Faculty of Pharmacy and

- d) if a member without a executive mandate is to be elected in the given constituency, then, in the case of candidates with a executive mandate, there is a supporting mark next to a maximum of two fewer names than the number of candidates eligible for election, excluding candidates under lit. a).
- (4) Information on the method of valid voting and the reason for the separation shall be shown on the ballot paper.

*Article 10 [Validity of the vote]*

- (1) The first round of voting in a general election is valid if at least 25% of the eligible voters in the constituency have voted.
- (2) The ballots of the by-election and the second ballot of the general election are valid regardless of the number of voters.

*Article 11 [Results and outcome of voting]*

- (1) A candidate shall obtain a mandate (the vote is thus partially or wholly successful) who
  - a) in the case of a candidate obtaining more than 50% of the votes cast,
  - b) for more than one candidate,
    - ba) if a person not holding an executive mandate is also to be elected in the constituency concerned, has obtained the highest number of votes among the candidates not holding an executive mandate,
    - bb) in the case of the Clinical Centre, the candidate with the highest number of votes among the candidates with the FOK and the GYTK,
    - bc) in descending order of the number of votes obtained, except for the seats reserved under sub-paragraphs bb) to bc), the additional candidate in the position corresponding to the number of seats to be filled, in descending order of the number of votes obtained, with a maximum of one candidate without a senior mandate and one candidate with a senior mandate but without a higher senior mandate less than the number of seats to be filled in the constituency,

in all cases, provided that there is no tie and that the candidate has obtained 25% of the votes of the voters who cast a valid ballot paper.

- (2) If the election in a constituency is invalid or inconclusive, in whole or in part, or in the event of a tie vote affecting the result of the election, a second round of voting shall be held for the vacant seats. In the second round of voting
  - a) in the event of a tie, only the candidates affected by the tie,
  - b) in the event of partial or total inconclusiveness, up to twice the number of candidates (in the order of the results of the first round) for the seats not filled,
  - c) in the event of invalidity,
    - ca) if the turnout is 10 %, a number of candidates equal to twice the number of seats to be filled,
    - cb) if the turnout is less than 10%,

all candidates are on the ballot paper.

- (3) For the second round of voting, the general election rules shall apply, except that the election result shall be determined independently of the turnout and the percentage of votes cast.

*Article 12 [Determination of the result of the ballot]*

- (1) The Electoral Committee shall determine the result of the vote by re-examining the ballot papers in case of doubt or in case of a tie. The Electoral Committee shall determine the candidates who have been elected and shall notify the President of the Senate thereof and publish its decision on the University's website. The election result may be appealed against within three days of publication. In the absence of an application and for the parts not affected by the application, the election's outcome shall be final.
- (2) In the case of an appeal, the Rector appoints a 3-member redress committee. No candidate or member of the Electoral Committee may be a member of the redress committee. If possible, the member of the redress committee shall be a person who does not have the right to vote in the constituency concerned.
- (3) The procedure and decisions of the redress committee shall be governed by the rules applicable to the Electoral Committee. In the event of an appeal procedure, if the application is granted in whole or in part, the redress committee shall determine the election's final result.
- (4) The decision of the redress committee shall be final, and no further appeal or judicial review of the election shall be permitted.
- (5) The Secretary General of the Senate shall prepare credentials based on the election's final results and the delegates' declarations.

*Article 13 [Interim Senate Elections (by-elections)]*

- (1) The rules applicable to the general election of the Senate shall apply mutatis mutandis to the by-election of the Senate, except that the members of the Electoral Committee need not include representation from constituencies not covered by the by-election.
- (2) The term of office won in a Senate by-election shall not extend beyond the inaugural session of the Senate elected at the next general Senate election.

*14. § [Safekeeping of election documents]*

Among the documents of the general senate election, the original copies of the election notice, the minutes, and the resolutions of the Electoral Committee shall be deposited in the University Archives and preserved.

*15. § [Other provisions]*

- (1) The time limit for the election procedure shall be set to the nearest hour. If the time limit is nevertheless set to the nearest day, it shall expire at 3:00 p.m. on that day.
- (2) For the application of Article 9, in respect of directors' terms of office which have already been granted or which are due to expire, the date to be taken into account shall be the 1st day of July following the election in the case of a general election and the 30th day following the day on which the poll commences as stated in the notice of election in the case of a by-election.
- (3) In the application of Article 8 paragraph (1), in the case of a managerial mandate which has already been issued but has not yet commenced, the term "elected" or "appointed" shall be used. If a managerial mandate is not issued based on a tender, the term "mb." shall also be indicated.
- (4) A candidate may withdraw until the close of voting, and the withdrawing candidate shall be eliminated. A candidate who ceases to be eligible for election before the close of voting shall also be eliminated. The eliminated candidate may not obtain a mandate, and the eliminated candidate shall not be indicated on the ballot paper, withdrawn from there, or informed in another suitable manner to the voters of the withdrawal.

**Chapter 2**  
**The rules for the democratic election of additional University bodies and executives**

*16. § [Rules for the democratic election of university executives and bodies]*

- (1) In the election of members to the University, a Faculty, an Institute, and Self-Governemnt bodies, in so far as these regulations make the establishment of membership of the body subject to election and the election of officers of the body is necessary for the exercise of rights, the principles and provisions of these regulations and the rules of the relevant organizations governing the election procedure shall apply.
- (2) The organization of the election of the representatives of the teaching/research staff and other staff members shall be the responsibility of the University's officers, the organization of the election of the student representatives shall be the responsibility of the Student Council, and the election of the representatives and officers of the Doctoral Students' Council shall be the responsibility of the Doctoral Students' Council.
- (3) All university employees, health care service staff, and students shall be eligible to vote and to be elected, subject to the provisions of the law and the conditions laid down in these Rules of the SZMSZ.
- (4) Elected students and lecturers shall represent their constituents and be obliged to report regularly to them on their activities in the field of representation.
- (5) The elected members of the bodies may be dismissed or recalled by those entitled to elect them.
- (6) The elected members may resign their mandate.
- (7) Where the condition of membership of a body referred to in paragraph (1) is subject to election, the body concerned shall, subject to the provisions of these Regulations, adopt electoral regulations, the contents of which shall be as follows:
  - a) the determination of the persons entitled to be elected,
  - b) the conditions and rules governing the right to vote and eligibility to stand as a candidate,
  - c) the detailed rules of the electoral procedure, in particular the provisions relating to Nomination, the conduct and date of voting, and the information of those entitled to vote,
  - d) the provisions on the authentication of the results of the election and the supervision of the conduct of the election, the procedures for the settlement of disputes,
  - e) the rules governing the notification of the election results to the Rector.

*Article 17*

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- (1) Elections shall be held every three years or as required.
- (2) The Rector shall order elections. Restrictions shall be held at a time that allows the newly elected delegates to attend the first meeting of the Board of Governors of the new academic year.
- (3) The Director of the Institute may also order elections to fill a vacancy on the Institute Council.
- (4) An Electoral Committee shall be constituted in due time before the elections. The Electoral Committee shall consist of a chairperson and at least two members.
- (5) It shall be the Electoral Committee's duty to organize the elections' orderly conduct
- (6) A quorum of a body, institute, or electoral (public) assembly (hereinafter, collectively, "electoral assembly") convened for an election shall be at least sixty percent of the persons entitled to vote. The quorum shall be verified before each vote.

*Article 18*

- (1) The participants in the electors' meeting shall be informed of the procedure for Nomination and voting.
- (2) The election of the members of the institutional council shall be based on a list of nominees.
- (3) Any eligible person may be included on the nomination list. The list shall be made available to all before the vote. The candidates' names shall be listed alphabetically on the nomination list.
- (4) After the list of candidates has been drawn up,
  - a) the Chairperson of the electors' meeting shall arrange for the preparation of the ballot papers,
  - b) the electors' meeting shall elect a ballot counting committee consisting of three members from among those not present on the list of candidates to count the votes and determine the result of the election. The Committee's composition shall be proposed by the members of the electors' meeting.

*Article 19*

- (1) The election is held in secret.
- (2) Any ballot paper containing more votes than the required number of votes for a candidate, as well as votes cast for persons not on the list of candidates, shall be invalid.

A ballot paper from which the voter's will can be established beyond doubt shall be valid.

*Article 20*

- (1) To be elected, a candidate must obtain a majority of the votes cast.
- (2) If more than one person is running for office and no candidate has received a majority of votes, the candidates who have received the highest number of votes shall be elected in the first round of voting. The name of the candidate who received the fewest votes shall not appear on the ballot paper on the second ballot. The voting procedure shall continue this way until one candidate has obtained a majority of votes or until two candidates remain for the final round.  
If neither of the remaining two candidates obtains a majority of the votes in the next ballot, the ballot shall be repeated once; if this is unsuccessful, the application shall be inconclusive. In such a case, a new call for applications shall be made, and the employer shall be entitled to fill the post by appointment until the Governing Board decides on the new call.
- (3) In the election of the members of Bodies, the Electoral Committee shall determine the names of the persons who obtained a majority by counting the votes. The candidates who receive the highest number of votes shall be elected as members of the Bodies and shall occupy the seats on the Bodies in the order of the votes cast for them.

*Article 21*

- (1) If the available seats cannot be filled, a new election shall be held at the same election meeting to fill the vacant seats.
- (2) In such an election, candidates not previously elected and who consent to their re-nomination shall be placed on the new list in the order of the number of votes previously received. In the new election, the candidates who obtain the highest number of votes shall occupy the seats on the Bodies in the order of the votes cast for them.

*Article 22*

With regard to the Senate, the provisions of Articles 1-15 shall apply instead of Articles 16-21.