



## **Rules of Procedure for the University Council**

### **CHAPTER 1          GENERAL**

#### **Article 1**

The term 'the Act' is used in these Rules of Procedure to refer to the Higher Education and Research Act (WHW: *Wet op het hoger onderwijs en wetenschappelijk onderzoek*). All other terms in these Rules of Procedure, to the extent that they are also mentioned in the Act, have the same definitions as assigned to them by the Act.

#### **Section 1          *The Chair, the Deputy Chair(s) and Registrar of the University Council***

#### **Article 2**

1. The University Council elects a Chair either from its members or externally.
2. Each Council section elects a Deputy Chair from its members.
3. The Chair and one or more Deputy Chairs together form the Presidium of the University Council.
4. The Presidium members are elected for a period of one year.
5. In consultation with the Presidium of the University Council, the Board of the University appoints a Registrar to support the Council as administrative secretary.
6. In unforeseen circumstances, in the absence of the Chair and his/her deputies, the Council makes a temporary arrangement for chairing the meeting.

#### **Article 3**

The Chair of the University Council is responsible for preparing and chairing the meetings and maintaining order, in accordance with the provisions of these Rules of Procedure.

#### **Article 4**

1. A Deputy Chair within the meaning of Article 2 has the same duties and powers as the Chair.

#### **Section 2          *Appointment of University Council members***

#### **Article 5**

1. The Central Voting Office notifies each candidate who is elected a University Council member and simultaneously also informs the Chair of the University Council of this fact.
2. The Chair of the Council may require an appointed member of the Council to produce a means of identification.

## **CHAPTER 2**

## **UNIVERSITY COUNCIL MEETINGS**

### **Section 1**

### ***Preparations for University Council meetings***

#### **Article 6**

1. The Chair is responsible for preparing the University Council meetings under the terms of the articles below.
2. The Registrar is responsible for the immediate distribution of all relevant documents drawn up by the Chair and any additional documents referred to below.

#### **Article 7**

1. The Chair draws up the University Council meeting agenda, including:
  - a. the topics for discussion suggested both by him/herself and the members
  - b. the proposed decisions announced by the Board of the University, as referred to in Article 5.1 of the University Council Regulations.
2. The Chair of the University Council must notify the members at least 14 days before the date of the meeting, stating the time and place of the meeting and including the agenda and any additional documentation.
3. If the documents referred to in Article 7.2 cannot be sent to the Council members at least eight working days before the date of the meeting, the Chair explains the reasons for this to the members. The Council decides as the occasion arises whether and how these documents will be discussed.
4. The agenda and the documents referred to in Articles 7.2 and 7.3 are made available for inspection immediately after they have been dispatched, unless the Chair declares them to be confidential.

#### **Article 8**

If a Council member wants to submit suggestions, amendments and/or sub-amendments to the documents referred to in Article 7.2 to the Council, he/she must inform the Chair of this in writing or electronically at least four working days before the date of the meeting, enclosing digital or equivalent copies of the relevant documents.

#### **Article 9**

1. The documents referred to in Article 8, as well as any other proposals made by the Chair arising from points to be added to the agenda or that have been approved or proposed, must be sent to the Council members at least four working days before the date of the meeting.
2. The provisions of Article 7.4 apply *mutatis mutandis*.

#### **Article 10**

In a meeting at which more than half of the sitting members are present, the Chair may decide to remove the provisional confidentiality requirement relating to the content of documents referred to in Article 7.4.

## **Section 2**                      **Time of meetings**

### **Article 11**

1. The University Council meets at least nine times a year, and in any case:
  - a. to discuss topics that are on the agenda for a predetermined consultative meeting
  - b. to issue advice/consent concerning a topic as referred to in Article 5.1 of the University Council Regulationsand:
  - c. whenever the Chair deems it necessary to hold a meeting
  - d. if a written request, stating reasons, is submitted by one-quarter of the sitting members.
2. If a meeting is deemed necessary by the required number of Council members, the Chair convenes a meeting within eight days.
3. Meetings are in principle held on the Thursday preceding the last Friday of the month. Meetings start at 9.30 a.m. and end no later than 5 p.m., on condition that the agenda item under discussion at that time is completed and a round of questions before closure is held.
4. If, once the last agenda item to be discussed has been completed, the only item left on the agenda is the questions before closing, this item may be started after 5 p.m.
5. The Chair is authorized to set an alternative meeting date or start or end time in extraordinary cases.
6. If the agenda has not been fully dealt with by the time the meeting is supposed to end, the meeting will continue on the second Thursday after the Thursday referred to in Article 11.4, unless a decision is made by motion of order to change the end time or to include any items not discussed in the agenda for the next Council meeting. This meeting also starts at 9.30 a.m.

## **Section 3**                      **Nature of meetings**

### **Article 12**

1. University Council meetings are public in the sense that anyone may sit in.
2. Notwithstanding the provisions of Articles 10 and 13, the doors will be closed if one-quarter of the members present request it or the Chair deems it necessary, or if documents that the Chair deems provisionally confidential are being discussed.
3. The decision whether or not to continue the meeting behind closed doors must be taken as soon as the doors have been physically closed. The decision is carried if two-thirds or more of the members present vote in favour.
4. Decisions as to which matters are to be discussed behind closed doors may be taken in accordance with the provisions of these regulations.
5. Once the confidential status of the meeting has been lifted, and if a majority of the members present so decide, the Council may instruct the Chair to make public the decisions that have been taken behind closed doors.

### **Article 13**

1. The University Council may impose confidentiality with regard to the topics discussed in a private meeting and the content of any documents discussed and decisions made during such meetings.
2. The confidentiality requirement must be complied with by the members who were present at

the discussions and by the members who have learned by other means of the matters discussed, including the content of documents and the related decisions.

3. The confidentiality requirement continues to apply until the Council discontinues it.

#### **Article 14**

1. Each member of the University community has the right to approach the Chair or Deputy Chair(s) to peruse the Council documents referred to in Articles 7.2, 7.4 and 9.1.
2. Staff members may have copies made of these documents at their own expense, unless provision is made for this.

### **Section 4**                    **Meeting procedure**

#### **Article 15**

1. All members must sign the attendance list when they attend a meeting.
2. The Chair signs off the attendance list at the opening of the meeting. Only those members whose signature is on the attendance list and who have not given notice of departure in accordance with Article 15.4 will be deemed to have been present at the meeting.
3. Members who arrive after the meeting has already started must report to the Registrar to sign the attendance list.
4. Members who leave the meeting before it has ended must report to the Registrar, who makes a note on the attendance list.
5. If so many members leave during the meeting that at some point fewer than half of the active members are still present, the Chair may decide to close the meeting.

#### **Article 16**

1. If more than half the number of sitting members have signed the attendance list, the Chair opens the meeting at the specified time.
2. If the attendance list shows that fewer than half the number of sitting members are present, the opening of the meeting is postponed for no more than half an hour, on the understanding that the Chair will open the meeting without delay as soon as the required number of members are present.

#### **Article 17**

1. If after the time stated in Article 16.2 the required number of members have not turned up, or if on the basis of Article 15.5 the Chair decides to close the meeting, the Chair may, contrary to the provisions of Article 11 and bearing in mind Article 17.2, set a day and time for a new meeting.
2. Notification of the time referred to in Article 17.1 must be sent at least five working days before the date on which the meeting is to be held.

#### **Article 18**

1. If the Chair determines pursuant to Article 17.1 that the required number of members are not present, the meeting may continue under the proviso that no business will be discussed or decided upon apart from the items on the original agenda.
2. The provisions of Articles 16, 17 and 18 must be included in the notice convening the meeting referred to in Article 18.1.

### **Article 19**

1. Matters are discussed in the order in which they appear on the agenda for the meeting, unless the Council specifically decides otherwise.
2. Proposals concerning issues that are not listed on the agenda must be submitted to the Chair in writing at least 24 hours before the start of the meeting, signed by the proposer and two other members.
3. In extraordinary cases, when discussion of a certain issue is urgent in the opinion of the Chair, the Chair may deviate from the prescribed submission term. However, proposals must always be submitted to him/her in writing before the start of the meeting.
4. If the Chair is of the opinion that the nature of the matter is such that its discussion cannot be postponed until the next meeting and that it should therefore be added to the agenda, he or she specifies its number on the agenda.
5. Immediately after the opening of the meeting, the Chair informs those present that the proposal has been received. The meeting then decides, after one round of deliberation, whether the proposal will be discussed and, if the Chair receives a substantiated proposal to change the order of items on the agenda, the meeting decides on this proposed amendment.
6. If the decision regarding the proposal referred to in Article 19.2 is positive, the Chair hands out the proposal to the members if he or she has not already done so.

### **Article 20**

1. Members of the Council may not address the meeting unless invited to do so by the Chair.
2. The Chair invites members to speak in the order in which the requests to speak are made.
3. The Chair may propose that a person other than a Council member be invited to address the Council on a particular matter. The Council decides on such proposals without deliberating.
4. Articles 20.1 and 20.2 apply to speakers within the meaning of Article 20.3, as well as Articles 25, 26, 37 and 39.

### **Article 21**

1. The order in which people are invited to speak may be interrupted in the event of a request to submit a motion of order.
2. Motions of order may only be discussed if they are supported by two other members in addition to the proposer.
3. Motions of order concerning splitting up a proposal or the order of discussion of a proposal do not require the support of other members. Such motions are decided upon after one round of deliberations.
4. In the event that a motion of order is submitted to close the deliberations, the reasons must be stated. The motion is decided upon after one round of deliberations, for which the Chair may impose a limit on speaking time.

### **Article 22**

1. The members of the University Council may submit a reasoned request to the Chair for immediate temporary adjournment of the meeting.
2. The Chair adjourns the meeting unless the Council decides differently on the proposal of one or more members.

### **Article 23**

1. Discussions and decision-making must in principle be based on the proposals originally

submitted to the University Council and the proposed decisions by the Board of the University.

2. All members may submit amendments or sub-amendments to proposals discussed in the meeting, as well as proposals in response to topics stated in the agenda. Such amendments or proposals must be submitted to the Chair in writing. They may be explained by the proposer and discussed in the meeting if they are supported by two other members of the Council in addition to the proposer. The Council may decide by motion of order that these submitted amendments or sub-amendments do not apply to the original proposal or that they cause unacceptable damage to the original proposal and therefore may not be regarded as amendments or sub-amendments to the original proposal.

#### **Article 24**

1. If a motion put before the meeting is subdivided into parts or articles, the meeting debates the motion in a general sense first, followed by each individual part or article in the correct sequence, in such manner that the proposals and the proposed amendments and sub-amendments are dealt with as specified in Article 23.
2. If several amendments, sub-amendments and proposals as referred to in Article 23 are submitted, the Chair determines the order in which they will be discussed, unless the Council determines otherwise by motion of order as referred to in Article 21.3.

#### **Article 25**

1. With the exception of the Chair and the person defending the proposal, no-one else may speak on the same topic more than twice, unless the Chair or the Council give permission by motion of order.
2. Proposals are debated in two rounds, unless the Council decides otherwise by carrying a motion of order.

#### **Article 26**

1. The Chair of the University Council may limit each speaker's speaking time for individual topics.
2. The Chair may also limit the speaking time for replies and rejoinders by other members. This limit also applies to people who are addressing the meeting for the first time after the speakers have been answered in the first instance.

### **Section 5**

#### ***Decision-making during meetings on matters***

#### **Article 27**

1. Once the deliberations have been closed, or if no-one has requested to address the meeting, the Chair puts the issue to the vote. If none of the members ask to address the meeting, the decision is deemed to have been taken, on the proviso that decisions may only be taken if half the number of members plus one are present, and that at least half of the members of each section must be present, unless specified otherwise in these Rules. Vacancies are not included when counting the number of members of the University Council. The resulting number of members is rounded off to the next-highest whole number.  
Each member may request to have a note made in the report that he/she wishes to be deemed to have voted against.
2. Valid decisions on matters as referred to in Article 5.1 of the University Council Regulations may only be taken if half the members plus one of each section are present at the meeting.

### **Article 28**

1. Members may not confer or be bound by a mandate or instructions when casting their vote.
2. Except in cases where a different type of majority is needed in accordance with statutory provisions or stipulations in these Rules of Procedure, all decisions are taken on the basis of a simple majority vote (i.e. half plus 1). Blank votes count as valid votes cast.

### **Article 29**

1. If one of the members calls for a vote, the vote is by a show of hands.
2. If five or more members object to the procedure described in Article 29.1, the vote is by roll call according to the sequence of names on the attendance list, beginning with a member whose name is drawn by lot.
3. In the event of a roll call, the Chair votes last, if he/she has been appointed from among the members.
4. The Chair announces the result of the vote, stating the number of votes 'for', 'against' and 'blank'. In addition, the Chair also states the number of abstentions.

### **Article 30**

1. If amendments have been deliberated upon, the meeting votes first on each sub-amendment, then on the amendment itself, followed by the article, part or proposal/motion to which they relate.
2. If a number of amendments, sub-amendments or proposals within the meaning of Article 23.2 have been submitted, the Chair determined the order in which they are voted upon.

### **Article 31**

Members vote by roll call, stating the words 'for', 'against' or 'blank' without any addition. It is not possible to change a vote cast once the next member has been called upon to cast his or her vote.

### **Article 32**

1. If, when a vote is called, more than half the number of sitting members are absent from the meeting, the vote will not take place.
2. A vote is void if half or less than half of the number of sitting members have cast a vote.
3. A vote is valid, regardless of the number of voters, if the subject of the vote is a proposal for which a vote was requested in a previous meeting but where the vote could not take place in accordance with Article 32.1 or was void on the grounds of Article 32.2, as well as any vote during a meeting as referred to in Article 18.

## **Section 6**

### ***Decision-making during meetings regarding people***

### **Article 33**

1. In the event that people are to be elected, nominated or recommended, votes are cast on sealed and unsigned ballots.
2. Subject to being declared void, the number of names on ballots referred to in Article 33.1 must not exceed the number of vacancies.

### **Article 34**

1. The Chair appoints one or more committees of three vote counters, who collect the ballots

- and determine the result of the vote.
2. If the number of ballots turns out to exceed the number of members who participated in the vote, the vote is declared void and a new vote is held.
  3. Ballots are deemed void if, in the view of the vote counters, they are not filled in properly or clearly or are not filled in at all. Members who submit such ballot papers are deemed to have cast a vote.

#### **Article 35**

1. A person is elected if he/she receives the majority (i.e. half plus 1) of the valid votes.
2. Blank votes count as valid votes cast.

#### **Article 36**

1. If none of the candidates receives a majority of votes on the first round, a second round is held. The provisions of Article 35 apply *mutatis mutandis*.
2. If no candidate receives a majority of votes in the second round, a third round is held and the Chair limits the list of candidates to the two candidates who received the most votes in the second round; in the event that candidates receive an equal number of votes, an individual vote is held on each of these candidates in order to determine who is admitted to the third round.
3. If the vote is tied in the individual election referred to in Article 36.2, lots are drawn to determine who is admitted to the third round.
4. Blank votes are not permitted in the third round.
5. If the two remaining candidates receive an equal number of votes in the third round, lots are drawn to determine the outcome.
6. Lots as referred to in Articles 36.3 and 36.5 are drawn in a manner determined by the Chair.

### **Section 7**                      ***Public order during meetings***

#### **Article 37**

1. If a speaker deviates from the subject under discussion, the Chair draws this to his or her attention and calls the speaker to order.
2. In the event that a speaker continues to deviate from the subject, the Chair may forbid this person to speak on the topic under discussion for the duration of the meeting, subject to any appeal to the Council.

#### **Article 38**

When the Chair finds that a certain topic has been sufficiently discussed, he/she suggests to the Council that the agenda item be closed. This does not affect the Council members' power to lodge a motion of order similar to that referred to in Article 21.3.

#### **Article 39**

In the event that a member hinders the proceedings of the meeting, the Chair calls him or her to order. If the member continues his/her behaviour, the Chair may forbid this person to speak either for the duration of the current agenda item or the entire meeting, or propose denying this person access to the follow-up meeting during which the decision is to be taken.

**Article 40**

If a member is denied access to a meeting, his/her name is removed from the attendance list.

**Article 41**

The Chair may order audience members who hinder the proceedings of the meeting in any way to be removed from the meeting.

**Article 42**

The Chair may adjourn the meeting for a time to be determined by him/her to help maintain order and may, if the order proceedings are again hindered after reopening, close the meeting.

**Section 8                      *Reporting of decision-making during meetings*****Article 43**

1. The Chair sends a draft list of decisions made during the meeting to all members within 12 days of the meeting.
2. The provisions of Article 12.4 apply mutatis mutandis.

**Article 44**

1. The list of decisions is approved by the Council at its next meeting.
2. Upon approval by the Council, the list of decisions is signed by the Chair and the Registrar.
3. The Registrar saves the signed list of decisions.

**Article 45**

The list of decisions must include at least:

- a. the names of the Chair and the Registrar
- b. the names of members present and those absent
- c. a brief summary of announcements made and documents received
- d. a brief overview of topics discussed and proposals submitted
- e. all decisions taken
- f. an overview of the proceedings of each vote, stating for roll calls the names of members who voted 'for' and those who voted 'against' as well as those who abstained from voting.

**Article 46**

1. The list of decisions taken during a private meeting is kept on file separately, where possible in keeping with the provisions of this section, and stored by the Registrar.
2. In cases as referred to in Article 13.1, discussions on and approval of this list take place behind closed doors, unless the Council has discontinued the confidentiality requirement in accordance with the provisions of Article 13.3.

**Article 47**

1. The Council informs the Board of the University in a written, substantiated report of all decisions concerning proposals as soon as possible, and in any case within two weeks.
2. The Council notifies the Board of the University in writing, supported by reasons, as soon as possible and in any case within two weeks of all its decisions with regard to advice/consent concerning proposed decisions by the Board of the University as referred to in Article 5.1 of the University Council Regulations.

## **Section 9**                      **Assistance committees**

### **Article 48**

1. The University Council has three permanent assistance committees:
  - A. Teaching and Research Committee
  - b. Administrative Committee
  - c. Resources Committee
2. The composition, duties and working method of each committee are set out by the Council upon their establishment.

## **Section 10**                      **Working groups**

### **Article 49**

1. The University Council may decide to set up permanent or special working groups to deal with certain topics that fall within the University's responsibility if it deems this necessary.
2. The composition, duties and working method of the working groups are specified by the Council upon their appointment, if necessary in separate regulations that then form part of these Rules of Procedure.
3. The Council may terminate the activities of the working groups at any time, or itself take on the matter that the relevant working group is dealing with.

## **CHAPTER 3**                      **FINAL PROVISIONS**

### **Article 50**

In cases of doubt regarding the application or explanation of any provision in these Rules, and in all situations not covered by the Rules, the meeting decides, unless powers have been granted to the Chair with regard to the matter.

### **Article 51**

Bearing in mind the provisions of Article 32 of these Rules of Procedure, the University Council may at any time decide to deviate from the provisions of these Rules of Procedure if none of the people present object to this, and on condition that this does not constitute any violation of the law or the University Council Regulations.

### **Article 52**

These Rules of Procedure come into effect on 1 September 2015.