

# **Rules of Procedure of the German Rectors' Conference – Conference of the Rectors and Presidents of the Universities in the Federal Republic of Germany**

**as amended on 11 May 2016**

(This English translation of the German original is for information purposes only and has no legal force. The German abbreviation, HRK, will be used throughout the text.)

## **Article 1 – Responsibilities**

(1) The German Rectors' Conference (Hochschulrektorenkonferenz – HRK) is an association of universities in which the member institutions work together to fulfil their responsibilities in the fields of research, teaching, promotion of young researchers and scientists, academic continuing education, technology and knowledge transfer, international cooperation. The HRK also represents and protects the other interests and concerns that its members share.

(2) To this end, the HRK, in particular

- (a) Promotes cooperation between the members and between the different types of higher education institution,
- (b) Informs member higher education institutions of policy developments and problem areas,
- (c) Advises and supports member universities in the performance of their tasks and responsibilities,
- (d) Formulates positions and statements on higher education and research policy questions,
- (e) Represents the interests of the member universities vis-à-vis the public and in political decision-making processes,
- (f) Maintains and cultivates international relations.
- (g) Informs the public about the services offered by its members.

(3) The HRK cooperates with suitable organisations at home and abroad to promote its goals and to fulfil its tasks and responsibilities.

(4) The HRK receives its necessary human and financial resources from the Foundation for the Promotion of the German Rectors' Conference (Stiftung zur Förderung der Hochschulrektorenkonferenz) as set out in Article 2 of the Statutes of the Foundation for the Promotion of the German Rectors' Conference of 9 July 1965, as most recently amended.

## **Article 2 – Registered Offices**

The Registered Offices of the German Rectors' Conference are located in Berlin.

## **Members**

### **Article 3 – Membership Criteria**

(1) Membership of the HRK is open to public and state-approved universities operating in Germany under German law as long as they are recognised as equivalent to the universities associated in the Member Group to which they are to be assigned.

(2) Members are assigned to Member Groups in accordance with the respective types of higher education institutions (Article 4).

(3) The criteria for determining equivalency as per Paragraph 1 are, in particular, the institution's legal form, its size and autonomy, the range of subjects and the quality of teaching, the scope and quality of research, the number and employment status of the academic staff, and the infrastructure.

### **Article 4 – Member Groups, Membership Fees**

(1) The Members are listed in the Appendices to these Rules of Procedure and are assigned to these as follows:

Appendix 1: Universities, Technical Universities

Appendix 2: Universities of Applied Sciences

Appendix 3: Universities of Education in Baden-Württemberg

Appendix 4: Colleges of Art and Music

Appendix 5: Philosophical-Theological Colleges and Church-maintained Colleges

Appendix 6: Other Higher Education Institutions.

(2) Besides the Member Groups, members are, as part of the HRK, free to form subgroups, circles, associations and similar subordinate bodies. The President of the HRK must be advised of their composition, their management and their objectives. The Senate discusses and decides on the recognition of such subdivisions as part of the HRK.

(3) The Members pay fees, unless alternative arrangements have been made between the Foundation for the Promotion of the HRK and the relevant state authorities. The level of these membership fees is set by the General Meeting in accordance with general criteria.

### **Article 5 – Admission of New Members**

Upon motion by a Member and after preliminary deliberation by the Executive Board, including consideration of the position taken by the State Rectors' Conference in the State in which the university is located, the General Meeting decides on the admission of new members and of their assignment to one of the Appendices (Member Groups) as set out in Article 4, Paragraph 1.

## **Article 6 – Decision-Making and Subsidiary Bodies**

(1) The Decision-Making Bodies of the HRK are

- the General Meeting,
- the Senate,
- the Executive Board, and
- the President.

(2) The Subsidiary Bodies of the HRK are the Member Groups as defined by Article 25 and the Standing Committees as defined by Article 16 of these Rules of Procedure.

## **General Meeting**

### **Article 7 – Responsibilities**

(1) The General Meeting is the supreme decision-making body of the HRK. It is, notwithstanding matters assigned elsewhere to it in these Rules of Procedure, in particular responsible for

1. discussing and deciding on policy issues and questions of particular importance,
2. electing the President and the Vice-Presidents in accordance with the provisions of Article 17, Paragraph 1, No. 2,
3. deciding on amendments to the Rules of Procedure of the HRK,
4. receiving and discussing the Executive Board's Report,
5. deciding on the budget.

### **Article 8 – Votes and Representation**

(1) 1. Each member holds at least 1 vote.

2. Members with

- a) 5,000 and more, but fewer than 10,000 students, hold 2 votes,
- b) 10,000 and more, but fewer than 15,000 students, hold 3 votes,
- c) 15,000 and more, but fewer than 20,000 students, hold 4 votes,
- d) 20,000 and more, but fewer than 25,000 students, hold 5 votes,
- e) 25,000 and more, but fewer than 30,000 students, hold 6 votes,
- f) 30,000 and more, but fewer than 35,000 students, hold 7 votes,
- g) 35,000 and more, but fewer than 40,000 students, hold 8, votes,
- h) 40,000 and more students, hold 9 votes.

3. The number of votes per member is determined on the basis of the latest official statistics and applies for the respective term in office of the President.

(2) It is not possible to transfer votes to other members.

(3) Members are represented by their Rectors/Presidents.

(4) The persons specified in Paragraph 3 are represented in the General Meeting in accordance with the rights of the relevant member university.

(5) The Members of the Executive Board who do not hold a vote in the General Meeting attend sessions in a consultative capacity. Notwithstanding the right of the General Meeting to consult other persons itself, the Executive Board decides on the consultation of other persons.

## **Article 9 – General Meetings**

(1) The General Meeting convenes at least once in every half-yearly period. One General Meeting should be held in connection with an Annual Meeting

(2) As far as necessary, the President may convene extraordinary sessions of the General Meeting. If the Senate so decides or if at least one quarter of the Members so motion, the President is required to convene a General Meeting.

(3) Invitations to the General Meeting should be received by the Members together with a draft agenda 14 days prior to the meeting.

(4) The General Meeting decides on the agenda at the beginning of each meeting. Motions on the agenda may be placed by each member of the HRK, by the Members of the Executive Board, and by the Senate. Motions should have been received by the President of the HRK at least four weeks prior to the meeting.

(5) The Executive Board or one quarter of the Members or the majority of a Member Group (Article 4, Paragraph 1) may, notwithstanding the provisions of Article 25, Paragraph 4, demand that a case is treated in substance by the General Meeting; Paragraph 2 applies accordingly.

## **Article 10 – Quorum**

(1) The General Meeting is quorate when enough members are present to ensure that at least half the maximum number of possible votes has been reached. The presence of a quorum must be determined by the President at the beginning of the meeting. The quorum is considered as given for the General Meeting unless the absence of a quorum has been determined by motion.

(2) Resolutions adopted by the General Meeting are, insofar as they affect Members, communicated in the form of recommendations.

(3) Decisions and resolutions presented by the Executive Board and/or the Senate or

proposed by members of the General Meeting are adopted by a majority of the maximum number of votes held by the attending members. The Executive Board may decide or the Senate may motion for resolutions and decisions to be adopted in a written procedure as long as at least one quarter of the vote-holding members do not object within 14 days.

(4) If decisions are to be made on resolutions proposed by Member Groups, their adoption requires the majority of votes as defined in Paragraph 3, Clause 1, of the members of the General Meeting and of the Member Group(s) affected by the matter.

(5) Decisions that amend these Rules of Procedure require a two-thirds majority of the maximum possible number of votes; Paragraph 3, Clause 2 does not apply.

(6) The Minutes of resolutions adopted by the General Meeting must be sent to members within four weeks of each meeting.

## **Article 11 – HRK Annual Meeting**

The President will generally convene an Annual Meeting of the HRK at least once a year to provide a forum for the members to discuss higher education policy questions among themselves and with representatives of politics and society.

## **The Senate**

### **Article 12 – Responsibilities of the Senate**

(1) The Senate facilitates dialogue on the concerns and interests of the higher education institutions and the State Rectors' Conferences. The Executive Board and the Standing Committee discuss their work with the Senate.

(2) The Senate offers recommendations and makes decisions on regional or national issues which arise from this dialogue.

### **Article 13 – Members and Votes**

(1) The Senate is made up of

16 representatives of the members as defined by Article 4, Paragraph 1, [Appendix 1](#),  
16 representatives of the members as defined by Article 4, Paragraph 1, [Appendix 2](#),  
1 representative of the members as defined by Article 4, Paragraph 1, [Appendix 3](#),  
2 representatives of the members as defined by Article 4, Paragraph 1, [Appendix 4](#),  
1 representative of the members as defined by Article 4, Paragraph 1, [Appendix 5](#).

(2) The Senate Members who represent the Member Groups as defined in Article 4, Paragraph 1, Appendices 1 and 2 are delegated by the respective State Rectors' Conferences.

(3) The Members as defined by Article 4, Paragraph 1, Appendix 1 each delegate one representative per state. Together, they hold 33 votes that are distributed as follows:

Baden-Württemberg	4
Bavaria	4
Berlin	2
Brandenburg	1
Bremen	1
Hamburg	1
Hesse	3
Mecklenburg-West Pomerania	1
Lower Saxony	3
North Rhine-Westphalia	6
Rhineland-Palatinate	1
Saarland	1
Saxony	2
Saxony-Anhalt	1
Schleswig-Holstein	1
Thuringia	1

(4) The Members as defined in Article 4, Paragraph 1, Appendix 2 each delegate one representative per state.

(5) The Colleges of Art and Music each delegate one representative.

(6) Each representative of a Member as defined in Paragraph 1 as per Article 4 Paragraph 1, Appendices 2 through 5 holds one vote. If not entitled to vote in accordance with Paragraph 1, the Members of the Executive Board serve as Members of the Senate in a consultative capacity. The Chairs of the Standing Committees sit on the Senate in an advisory capacity provided Article 1 does not entitle them to vote or they are not members of the Executive Board.

#### **Article 14 – Transfer of Votes and Representation**

Votes cannot be transferred. A permanent deputy must be nominated in accordance with the procedure set out in Article 13, Paragraphs 1, 2 and 5 for each member.

#### **Article 15 – Senate Meetings, Decision-Making and Guests**

(1) As a rule, the Senate will convene four times a year. At least one of the meetings will serve as a Strategy Meeting. Article 9, Paragraphs 2 through 5 will apply accordingly.

(2) Article 10, Paragraphs 1 through 3, Clause 1 and Paragraph 4 apply accordingly in respect of quorum and decision-making. The minutes of the resolutions adopted by

the Senate will be sent to all HRK members. Article 10, Paragraph 6 applies accordingly.

(3) The Executive Board decides on the invitation of guests to the Senate, and in particular to the Strategy Meetings.

## **The Executive Board**

### **Article 16 – Responsibilities**

(1) The Executive Board is headed by the President and is the Executive Management Body of the HRK responsible for performing the tasks set out in Article 1.

(2) The Executive Board is also responsible for considering the interests and concerns of the Member Groups and of hearing their respective speakers on such matters.

(3) The Executive Board is bound by the decisions and resolutions of the General Meeting and the Senate.

(4) The Executive Board establishes Standing Committees for the President's period of office. The Executive Board chooses the members of the Standing Committees from suggestions made by the organs and bodies of the HRK in consultation with the General Meeting.

### **Article 17 – Members of the Executive Board**

(1) The Members of the Executive Board are:

1. The President

2. The five Vice-Presidents elected by the General Meeting in accordance with Article 18, of which one should be a member of a member university as defined in Article 4, Paragraph 1, [Appendix 2](#). Each of the Vice-Presidents should be assigned responsibility for a respective area.

3. The two speakers elected by the Universities Member Group Assembly and the Universities of Applied Sciences Member Group Assembly, respectively, each serve as Vice-Presidents on the Executive Board.

(2) The Executive Board governs the division of responsibilities among its members, in particular, the assigned areas, as well as the permanent representation of the President by the Vice-Presidents. The Executive Board reaches its decisions by majority vote of the attending members. In the event of a tie, the President's vote will be decisive. The Executive Board may commission experts to represent the HRK on other bodies or to exercise special responsibilities.

(3) The President, the Vice-Presidents and the Secretary-General form the Board of the Foundation for the Promotion of the HRK. The Board presents the draft budget.

## **Article 18 – Election of Vice-Presidents**

(1) In accordance with Section 17 Paragraph 1 No. 2, the Vice-Presidents are elected separately before 1 December by the majority of the General Meeting as defined in Section 10 Paragraph 3 Clause 1 and in a secret ballot for a period of office of two years. Section 20 Paragraph 2 Clause 1 applies accordingly. The period of office ends at the latest on 30 November of the second year after election or of the year when a new President is elected. Candidates can be re-elected for a total period of office of 6 years.

(2) Before a Vice-President is elected, the President proposes one or more candidates to the General Meeting. If the period of office of the person to be elected falls within that of the designated President, the President is entitled to put candidates forward.

(3) Should a Vice-President leave office early, another person is elected for the remaining period of office. If the period of office of the person to be elected falls within that of the President and designated President, both are entitled to put candidates forward.

(4) Another candidate can be proposed per 25 members.

(5) If an elected person does not accept the office, Paragraph 2 or Paragraph 3 applies to the right to make nominations for re-election.

(6) Paragraph 1 - providing that the period of office ends at the latest on 30 November of the second year after election and that two re-elections are permitted - and Paragraph 3 Clause 1 apply accordingly to the election of the Spokespersons of the Member Groups

## **The President**

### **Article 19 – Responsibilities**

(1) The President holds office in a full-time capacity, represents and speaks for the members in their entirety, heads the Executive Board, and is responsible for and sets the general policy guidelines.

(2) The President convenes the General Meeting, the Senate and the Executive Board with invitations that include the draft agenda, and chairs the sessions.

(3) The President must execute the resolutions and decisions of the General Meeting, the Senate and the Executive Board. Between sessions, the President is responsible for the day-to-day business. The President has a right and duty to inform members of all matters.



## **Article 20 - Election**

(1) The President is elected by the majority of members of the General Meeting as defined in Article 10 , Paragraph 3, Clause 1. Elections are held by secret ballot.

(2) Only individuals who hold or have held the office of Rector/President can be elected as President of the HRK. The President may be re-elected once.

(3) The elected person is entitled, until assuming office, to attend all decision-making and subordinate bodies of the HRK in an advisory capacity.

## **Article 21 – Term of Office**

(1) The period of office of the President is three years.

It begins on 1 August of the year of election and ends on 31 July of the third year after election provided that a new President is elected. If a new President has not been elected, the period of office is extended until this has happened.

(2) The period of office also ends if the General Meeting elects a new President early. If this happens, the period of office of the new President begins when the office is accepted and ends on 31 July of the third year after the election year.

(3) Unless the President leaves office early, an early election is only permitted if at least 25 members request this in writing by nominating a person as a candidate and if this person has agreed to their nomination in writing. There must be a period of four weeks between the nomination being announced and the election..

## **Article 22 – Selection Committee**

(1) Without prejudice to the provisions of Article 21, Paragraphs 2 and 3, the election of the President will in each case be held three months before taking office.

(2) At the latest six months before the election, the General Assembly sets up a Selection Committee consisting of seven members. Four of the members are drawn from the Member Group listed in Article 4, Paragraph 1 Appendix 1, two from the Member Group listed in Article 4, Paragraph 1 Appendix 2 and one from the Member Group listed in Article 1, Paragraph 1, Appendices 3 - 6. At least two members should be women. The Selection Committee chooses a Chair from among the members.

(3) At the latest one month before the election, the Selection Committee presents up to three nominations which require the agreement of the majority of the Section Committee. Nominations are only effective if the nominees have expressed their willingness to be candidates.

## **Article 23 – Electoral Procedure**

(1) In the first four ballots, election is restricted to the nominations made by the Selection Committee.

(2) If four ballots fail to produce a result, a new Selection Committee is set up in accordance with Article 22, Paragraph 2.

## **Article 24 – Acceptance, Nomination of Candidates from among the Members of the General Meeting**

(1) After the election, the elected candidate will be asked whether the election is accepted.

(2) If the election is not accepted, new nominations will be made from among the members of the General Meeting in the same session in accordance with the procedure defined in Article 23, Paragraph 2.

(3) Written nominations in accordance with Article 22 will be considered null and void if the candidates are not re-nominated as defined in Paragraph 2.

(4) The nomination procedure defined in Paragraph 2 will also apply if the written nomination procedure as set out in Article 20 fails to reach a positive result.

## **Article 25 – Rights and Responsibilities of Member Groups and Subdivisions**

(1) The Members as defined in Article 4, Paragraph 1, Appendices 1 and 2 each form a Member Group. Each Member Group elects a Speaker and a Deputy Speaker. The Member Groups hold a General Assembly at least once a year.

(2) The Members as defined in Article 4, Paragraph 1, Appendices 4, 5 and 6 have the right to proceed in accordance with the provisions set out in Paragraph 1.

(3) The Speakers of the Member Groups convene and chair their respective General Assembly. They may draw on the services offered by the Secretariat in the exercise of these responsibilities.

(4) Assemblies serve as a forum for information exchange, for consultation and decision-making on questions of specific relevance to the respective Member Group. Resolutions adopted by the assemblies are presented to the Executive Board, which will, if so requested by the Member Group, decide without delay on whether they may be published as such. If the Executive Board reaches a negative decision in this respect, it is obliged, if so requested by the Member Group, to submit such resolutions immediately to the Senate or the General Meeting, depending on the respective responsibilities as defined in these Rules of Procedure. The Senate or the General Meeting is obliged to deal with these matters objectively in substance. The majority of the relevant Member Group(s) has the right to have their resolution motion recorded in the minutes of the Senate or General Meeting. The President will advise of such matters in the course of the general HRK public relations work.

(5) Paragraph 4 applies accordingly to subdivisions as defined in Article 4 Paragraph 2.

## **Article 26 – Secretariat**

(1) A Secretariat has been established at HRK Head Office to support the Executive Board. The Secretariat also contributes to the preparatory work for policy and strategy decisions to be taken by the Executive Board

(2) The Secretariat is headed by a Secretary-General. The Secretary-General is bound by the decisions and resolutions adopted by the decision-making bodies, by the directives of the Executive Board and, in individual cases, by the decisions of the President. The term of office for the Secretary-General is eight years. In the event of an extension, the new term of office follows on seamlessly to the previous term.

(3) The Secretary-General is appointed by the Chair of the Board of the Foundation for the Promotion of the HRK on the basis of a nomination by the Executive Board and after hearing the Senate and the General Meeting. The Secretary-General is entitled and upon request required to attend the meetings of all decision-making bodies and committees.

(4) Departures from the provisions set out in Paragraph 2, Sentence 3 are only permissible in exceptions and require the approval of the Senate.

## **Article 27 – Budget and Approval of the Board**

The General Meeting approves the budget upon motion by the Advisory Board of the Foundation for the Promotion of the HRK. It formally approves and discharges the Board of the Foundation for the Promotion of the HRK.

## **Article 28 – Non-Profit Status**

(1) The HRK exclusively and directly pursues non-profit purposes for the public good as defined by the section "tax privileged purposes" of the German Fiscal Code.

(2) Any profits may only be used for purposes as set out in the Rules of Procedure. Members do not receive any allocations from the resources of the HRK.

(3) No individual may gain any personal benefit, neither through administrative expenses that are alien to the purposes of the HRK nor through disproportionately high remunerations.

## **Article 29 – Use of Assets if the Members Withdraw or the HRK is Dissolved**

(1) If the Members withdraw from the HRK or is the HRK is dissolved, members will have no rights to the assets of the HRK.

(2) If the HRK is dissolved or terminated, or if its previous purpose ceases, the assets of the HRK shall fall to the German National Academic Foundation (Studienstiftung des Deutschen Volkes), which must use these assets directly and exclusively for non-profit purposes for the public good.

### **Article 30 – Effective Date**

These Rules of Procedure come into effect on 11 May 2016

Appendices to the Rules of Procedure of the Hochschulrektorenkonferenz (Links to the german version):

Appendix 1: Universities, Technical Universities

Appendix 2: Universities of Applied Sciences (Fachhochschulen)

Appendix 3: Colleges of Education in Baden-Württemberg

Appendix 4: Colleges of Art and Music

Appendix 5: Philosophical-Theological Colleges affiliated to the Catholic or Lutheran Church

Appendix 6: Other Higher Education Institutions.