



Rules of Procedure

for the election of academic staff members to the Sections of the Scientific Council of the Max Planck Society

- adopted by the Senate of the Max Planck Society on March 24, 2006 -

Election of academic staff members

§ 1

At every Institute founded or adopted by the Senate of the Max Planck Society – irrespective of existing sub-classifications – an academic staff member there employed shall be elected for a period of three years to the Section of the Scientific Council to which the Institute is assigned (§ 23, Para. 3 of the Statutes of the Max Planck Society). No elections will take place at managed Institutes or other Society facilities. In case of doubt, the Senate shall decide.

Voting rights and eligibility for office

§ 2

1. Academic and scientific-technical staff members who have completed their university or polytechnic education including doctoral and scholarship students are entitled to vote, with the exception of staff working at the Institute in a guest capacity (for less than one year).
2. Academic staff members who are entitled to vote and who at the time the election is declared (§ 4, Para. 1) are engaged in an employment relationship with the Max Planck Society are eligible to stand for election. Candidature should generally be limited to those members who anticipate being available for a full term of office. Candidates must be known to the scientific community through publications.
3. In case of doubt the Election Committee shall decide following consultation with the Institute management.

Formation of an Election Committee

§ 3

1. The election will be prepared for and conducted by an Election Committee comprised of three members who are eligible to vote.
2. No later than two months before the election is due, the Institute management will prepare a list of those who are eligible to vote and will call them to a meeting at which the three members of the Election Committee and three substitutes will be elected.
3. Should a member of the Election Committee stand as a candidate, pursuant to Para. 2 his or her place will be taken by the substitute elected by the highest number of votes.
4. At Institute sub-sections not located at the headquarters of the Institute, persons at the departments concerned who are eligible to vote may in each case from among their number elect an additional Election Committee member. Should these departments be headed by Scientific Members, the latter may perform the tasks of the Institute management pursuant to § 3, Para. 2. The Election Committee may charge its additional members with the performance of the tasks specified in § 4 and § 5 for their departments.

Tasks of the Election Committee

§ 4

The Election Committee has the following tasks:

1. The Committee must declare the election not less than 21 days prior to the election date. The election declaration must in particular specify the place and time of the poll. The declaration together with a list of the members of staff eligible to vote and to stand for election and a copy of these Rules of Procedure must be placed on display at the Institute and forwarded to those eligible to vote. The Election Committee will decide upon any objections to the accuracy of the list.
2. The Committee must call upon all members of staff eligible for election who do not wish to stand as candidates within a specified period of time to have their names deleted from the list of those eligible for election.
3. The Committee will thereafter publish a final list of candidates. The list will also act as a ballot paper and must be issued to all staff members eligible to vote together with an unmarked ballot paper envelope no later than eight days before the day of the ballot. If there is only one candidate standing for election, the ballot paper must include the alternatives "Yes", "No" and "Abstention".
4. On request, the Committee must forward the documents required to vote pursuant to Para. 3 to eligible persons who are prevented from voting in person on the day of the election together with a postal voting envelope addressed to the Election Committee and marked with the name and return address of the eligible person.
5. The Committee must supervise the due and proper casting of votes and must count the same.
6. The Committee must announce the result of the election forthwith by a notice displayed at the Institute. Upon expiry of the time limit for contesting the election pursuant to § 7 the Committee must notify the President of the Max Planck Society of

the name of the elected candidate, enclosing the requisite documents pursuant to § 8, Sentence 2.

7. Minutes must be kept of all meetings of the Election Committee and signed by all members.

Election procedure

§ 5

1. Voters cast their votes by marking a cross against one of the names listed on the ballot paper. Ballot papers on which more than one name is crossed or which contain additional marks will be invalid. The ballot paper must be submitted by the voter in a sealed ballot paper envelope.
2. In the case of postal votes, voters must use the postal voting envelope to send their ballot paper in a sealed ballot paper envelope to the Election Committee in sufficiently good time in order that it should arrive no later than 13.00 hours on the day of the election. When the casting of votes is concluded the Election Committee must open the postal voting envelopes and add the ballot paper envelopes to the unopened ballot paper envelopes deposited at the polling place.
3. Should less than 50 % of eligible voters participate in the poll, the election shall be invalid. In such event the Election Committee must conduct a second poll within two months. Should the level of participation in the poll again fail to reach a minimum of 50 %, the Institute shall send no Member to the Section for the duration of one year.
4. Should a candidate receive more than 50 % of valid votes cast in the first round of voting, he or she shall be elected. Otherwise a second round of voting will take place in which only the three staff members polling the highest number of votes shall stand. The staff member receiving the highest number of votes shall then be elected. In the event of a tied vote, lots shall be drawn. If only a single staff member stands as a candidate in the first round of voting and fails to achieve the required absolute majority, a second round of voting cannot take place with this candidate. In such event the entire procedure must be carried out afresh.
5. A written record must be kept of the election procedure. This record must in particular state:
 - a) The number of persons eligible to vote,
 - b) The number of votes cast,
 - c) The number of invalid votes,
 - d) The name of the elected staff member and the two candidates receiving the next lower numbers of votes and the number of votes cast for them,
 - e) The notice of acceptance of the election.

Electronic voting

§ 6

With due consideration to the interests of confidentiality and in compliance with the specified deadlines, members of the Election Committee may be elected (§ 3) and the election itself prepared for and conducted (§§ 4 and 5) by suitable electronic means. The arrangements contained in § 3 - § 5 must be applied accordingly.

Contesting an election

§ 7

A challenge to an election shall be resolved by the Election Committee. Any such challenge by a person eligible to vote must be presented in writing no later than on the tenth working day following the day of the election for the attention of a member of the Election Committee.

Confirmation of the election by the President

§ 8

The elected candidate for the Institutes must be confirmed as a Member of the Section by the President of the Max Planck Society pursuant to § 23, Para. 3 of the Statutes of the Max Planck Society. To this end, the Election Committee shall furnish the President with documents regarding the staff member personally (curriculum vitae and list of publications) and the written record of the election procedure (§ 5, Para. 5).

Term of office

§ 9

1. The term of office commences upon confirmation of the election by the President. It ends with the General Meeting which takes place in the third calendar year following the assumption of office (cf. § 27, Para. 1, Sentence 1 of the Statutes of the Max Planck Society).
2. According to § 23, Para. 3, Sentence 4 of the Statutes of the Max Planck Society, only one term of office is generally considered. In the event of a deviation from this rule, re-appointment shall be permissible only by re-election. In other respects § 27, Para. 1, Sentence 3 of the Statutes of the Max Planck Society shall apply

Premature withdrawal

§ 10

1. Should the academic member of staff elected to the Section step down prior to the expiry of his or her three-year term of office, a new election must be held at the Institute.
2. An elected Section member may withdraw prematurely as a result of:
 - a) Departure from the Institute,
 - b) Leave or suspension for a period of more than one year,
 - c) Resignation,
 - d) Appointment as Scientific Member,
 - e) Dissolution of the Institute.