



**University of
Applied Sciences
St. Pölten**

Statute of the USTP – University of Applied Sciences St. Pölten

Part 1 – Organisation Provider

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I. Scope of Application

- § 1.** (1) This document is an integral component of the Statute of the University of Applied Sciences St. Pölten (USTP) and shall be adopted by mutual agreement of the **UAS** Board and the Provider (see § 10 FHG¹).
- (2) The Statute applies to all study programmes and continuing education programmes of the USTP accredited in Austria and forms the basis for the educational relationship between the Student and the Provider (USTP).

II. Guiding Principles and Tasks

- § 2.** (1) Pursuant to § 3 (1) FHG, the USTP has the responsibility to offer study programmes on a tertiary educational level which serve to provide a scientifically and artistically sound professional training.
- (2) The main objectives are:
1. The guarantee of a practice-oriented training on a higher educational basis
 2. The imparting of the ability to solve the tasks of the respective vocational field while keeping the latest scientific findings and the present and future requirements of the practical field in mind
 3. The promotion of permeability in the educational system and of the professional flexibility of graduates

§ 3. The USTP is to observe the principles regarding the design of **UAS** study programmes laid down in § 3 (2) FHG.

III. Statute

3.1. Content of the Statute

§ 4. The Statute is divided into several parts and encompasses the following documents:

1. Part I Organisation
 - a. Organisation – Provider
 - b. Organisation – Rules of Procedure of the Board
 - c. Organisation – Electoral Regulations of the Board
2. Part II Study Law
 - a. Study Regulations
 - b. Admission Regulations
 - c. Nostrification and EEA Recognition
3. Part III Gender Equality and Promotion of Women
4. Part IV Terms of the University System

¹ University of Applied Sciences Act, orig. version Federal Law Gazette 340/1993 as amended in Federal Law Gazette I 177/2021

3.2. Adoption and Amendments

§ 5. (1) Pursuant to § 10 (3 (10)) FHG, the Statute is to be adopted and amended by the Board in agreement with the Provider according to the following provisions.

(2) A request regarding the amendment of the Statute (or a part thereof), which is to be directed to the Board, can be filed by:

1. One or more members of the Board
2. The Chairperson of the Board or their Deputy Chairperson
3. The Provider

(3) To amend the Statute, a decision of the Board is required.

(4) Following the decision of the Board – irrespective of who requested the amendment – an agreement with the Provider needs to be reached.

(5) Following the establishment of the agreement, the Statute in its current version is to be made known and published in an appropriate manner, that is, on the website of the USTP.

3.3. Entry into Force

§ 6. This Statute and any amendments thereof enter into force upon expiry of the day of its/their announcement, unless otherwise stated in the resolution of the amendment.

IV. Provider of the USTP

§ 7. (1) According to § 2 FHG, the Hochschule für Angewandte Wissenschaften St. Pölten GmbH is the Provider (legal body) of the USTP.

(2) The Hochschule für Angewandte Wissenschaften St. Pölten GmbH, which carries out its activities as a non-profit organisation in accordance with § 34 ff BAO², is a public employer under the BVergG 2018³ and is subject to examination by the audit court⁴. Its employees are officials according to § 74 (1 (4)) StGB⁵.

(3) Bodies of the Hochschule für Angewandte Wissenschaften St. Pölten GmbH are

1. the General Assembly,
2. the Executive Board, and
3. the Supervisory Board.

(4) In addition to the duties assigned by law, the Provider is especially responsible for the following tasks:

1. Establishment of organisational units
2. Drafting of a strategy

² Austrian Fiscal Code – BAO, Federal Law Gazette no. 194/1961 as amended

³ Austrian Public Procurement Act – BVergG 2018, Federal Law Gazette I no. 65/2018 as amended

⁴ Federal Constitutional Law – B-VG, Federal Law Gazette no. 1/1930 as amended and Court of Audit Act – RHG 1948, Federal Law Gazette no. 144/1948 as amended

⁵ Austrian Criminal Code – StGB, Federal Law Gazette no. 60/1974 as amended

4.1. Bodies

4.1.1. General Assembly

§ 8. (1) The shareholders of the Hochschule für Angewandte Wissenschaften St. Pölten GmbH, which are comprised of

1. Hochschulen St. Pölten Holding GmbH (74%) and
2. the federal state of Lower Austria (26%),

form the general assembly.

(2) The General Assembly performs the tasks which have been transferred to it especially by

1. Law (e.g., GmbHG) and by
2. the Shareholder Agreement (such as the agreement to the execution of certain transactions)

4.1.2. Executive Board

§ 9. (1) The Executive Board conducts the business of the Hochschule für Angewandte Wissenschaften St. Pölten GmbH and is authorised to represent the institution (authorised to sign).

(2) The Executive Board performs the tasks which have been transferred to it especially by

1. Law (e.g., GmbH Act, Imperial Law Gazette no. 58/1906 as amended),
2. the Shareholder Agreement, and
3. instructions of the shareholders (e.g., rules of procedure).

(3) The Executive Board can issue instructions or authorisations to individual employees.

4.1.3. Supervisory Board

§ 10. (1) With the shareholders' resolution from 10/05/2022, a Supervisory Board was installed at the USTP.

(2) It is the duty of the Supervisory Board to advise the Executive Board, to supervise the latter's activities, and to obtain information on the current state of business matters on a regular basis for this purpose; moreover, the Supervisory Board is to bring about decisions with regard to business that is subject to approval by the Supervisory Board pursuant to the Shareholder Agreement.

(3) The members of the Supervisory Board are delegated from among the shareholders. Their number depends on the share held (> 10% to 50% share capital: 1 person; > 50% share capital: 2 persons). Beyond that, the Works Council also has the right to appoint Supervisory Board members pursuant to § 110 ArbVG⁶.

4.2. Tasks of the Provider

4.2.1. Establishment of Organisational Units

§ 11. (1) The Provider may install organisational units (departments, research institutes, research centres, service units, administrative departments, or other organisational units) and determine their respective tasks (organisation chart, see § 8a (1 (1)) FHG).

⁶ Labour Relations Act – ArbVG, orig. version Federal Law Gazette 22/1974 as amended in Federal Law Gazette I 115/2022

- (2) When setting up organisational units, attention should be paid to combining research, teaching, and learning as well as administration in a suitable manner.

4.2.2. Development Plan and Strategy

§ 12. The development plan (see § 8 (2 (1)) FHG, § 8a (1 (1)) FHG) or strategy is the strategic planning tool of the USTP. It is to include, in particular:

The objectives of the USTP

The focus areas and measures in teaching and research as well as the structural and content-related development planning

Personnel planning

Gender equality

The establishment of a performance and quality management system