

**Financial regulations of the student body**  
**the University of Applied Sciences for Intercultural Theology Hermannsburg**

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#### **I. Basics**

##### **§ 1 Scope of application of the Financial Regulations**

(1) The Financial Regulations shall govern the responsibilities and procedures for handling the financial resources of the student body of the Hermansburg University of Applied Sciences for Intercultural Theology.

(2) The regulations concerning the obligation to pay contributions, the amount, due date and procedural provisions for the collection of contributions shall be regulated in a separate contribution regulations.

##### **§ 2 Principles for handling financial resources**

Persons entrusted with the handling of financial resources shall be required to apply budgetary economic and efficient management and to comply with these Financial Regulations.

### **§ 3 Significance of the budget**

(1) 1 The basis for the financial management of the student body shall be the budget. 2 The budget shall reflect the financial planning associated with the activities and individual activities of the student body and shall fully reflect the obligations and income resulting from these activities and individual activities.

(2) The budget shall authorise the General Student Committee (AStA) and other student bodies named in the Financial Regulations to operate in accordance with the provisions of these Financial Regulations.

(3) The budget shall neither establish nor cancel claims, demands or obligations.

### **§ 4 Financial Year**

The financial year is the period 1 January to 31 December.

## **II Procedure and responsibilities**

### **§ 5 Responsibility of the AStA's financial officer**

1. Within the Committee, the financial officer shall be responsible for drawing up the draft budget in accordance with these Regulations. 2 He or she shall be responsible for managing the finances of the student body and for monitoring the lawful use of funds.

(2) The finance officer shall draw up the draft budget in good time before the beginning of the financial year, but no later than 31 December for the following financial year.

(3) 1The financial officer is responsible for the budget and supervises the cash management. With the approval of the student parliament, members of the Student Union and financial advisors may be commissioned in writing to exercise individual powers.

(4) 1 In case of a change of office on the part of the AStA, the finance officer, or the financial officer, the official duties must be handed over in an orderly manner. 2 This must be documented in written form. 3 A copy of the handover/takeover protocol must be forwarded immediately to the AStA and the Rectorate of the University of Applied Sciences of Intercultural Theology Hermannsburg.

### **§ 6 Competence of the Student Parliament**

(1) 1The student parliament shall deliberate on the submitted draft budget and adopt it by a majority of its members (absolute majority). 2 The budget must be adopted by 31 December at the latest. 3 If the resolution is not passed by the deadline, the budget of the previous year shall continue to apply with the condition that only those expenses may be incurred that the student body is legally obliged to incur or that are necessary to fulfil the tasks of the student body. 2 The upper limit of the

authorisation in the context of provisional budget management shall be the estimates for the individual revenue and expenditure items of the previous year.

(2) The student parliament shall control the financial officer and the student body in accordance with the provisions of this Act.

### **§ 7 Duties of Information to the Rectorate**

(1) The budget shall be forwarded to the rectorate of the Hermansburg University of Applied Sciences for Intercultural Theology.

(2) 1If the rectorate of the Hermansburg University of Applied Sciences for Intercultural Theology is to be informed of measures taken under these regulations, or if it has to take a decision, all documents relevant to the matter shall be submitted to it by the competent body; in addition, further documents may be requested. 2If special procedures have been laid down in these Regulations in individual cases, these shall be observed separately.

### **III Budget and financial management**

#### **§ 8 Budget and financial management**

1. The budget shall show all foreseeable income and expenses for the financial year and shall be balanced in terms of revenue and expenditure.

(2) 1The budget and the accounts must be drawn up in such a way that the principles of proper accounting, in particular those of clarity and truthfulness, are ensured at all times. 2Revenue and expenditure shall be entered in full and separately for each purpose. 3This classification shall permit at least the following distinctions to be made:

- personnel costs including allowances for expenses
- Material costs structured according to intended use
- Investments
- Income according to origin.

(3) All payments and bookings are subject to the dual control principle - i.e. execution and control of execution by two persons - and the principle of prompt recording.

(4) Expenditure may only be made for the purpose specified in the budget and only up to the end of the financial year.

(5) Measures taken by the student body (e.g. declarations to third parties) that may oblige the student body to incur expenses in future financial years shall only be permissible if the student parliament has previously approved them by a two-thirds majority.

## **§ 9 Temporary staff and other remuneration**

(1) Remuneration for students (so-called temporary staff) on the basis of employment contracts, contracts for work and services or other contracts with the student body may only be granted if the approved budget of the student body provides for corresponding expenses and the framework provided is not exhausted.

(2) Beyond the cases mentioned in paragraph 1, no financial assistance may be granted to students or other persons. Grants, scholarships or assumption of costs shall be excluded.

## **§ 10 Conclusion of contracts and awarding of benefits**

The purchase of goods and services must be made in accordance with the principles of regularity, efficiency and economy.

## **§ 11 Prohibition of taking out loans, credits and other liabilities**

1Credits may not be taken out. 2No liabilities may be assumed in guarantee or similar contracts.

## **§ 12 Travel, travel costs and expenses**

(1) 1Travel that is financed from student funds requires a corresponding application and must be approved prior to travel. 2 The Finance Officer is responsible for granting approval. 3 In the event of a journey by the Finance Officer, the ASTA Chair shall be responsible for approval. 4 The amount of the maximum reimbursement in each case is based on the Federal Travel Expenses Act.

(2) The reimbursement of travel expenses may be requested by any person who is a registered student or enrolled student of the University of Applied Sciences Hermansburg at the time of travel and is carrying out the journey on behalf of the student body, as documented by the travel request.

(3) Approval of a journey eligible for reimbursement under these regulations shall only be permitted if the student body's budget provides for expenditure on travel expenses and the framework provided is not used up.

## **§ 13 Conduct of events**

1For all events planned, organised and carried out by the student body or its organs, it must be ensured in good time in advance that the necessary financial resources are available and that appropriate organisational plans are made to ensure that the events are carried out and managed properly. 2This includes:

- Appointment of a person responsible for implementation,
- a meaningful preliminary calculation of planned expenditure and expected income,

- Explanation of control mechanisms for handling cash, cash security, the safekeeping of cash as well as for the protection of material assets (e.g. stored goods in the stockroom),
- Appointment of persons responsible for controlling the inventory,
- Appointment of responsible persons, who ensure a comprehensible documentation of income and expenses/turnover,
- the promise of prompt settlement within 10 working days after completion of the project

3 The checklist to be drawn up in accordance with these requirements, which must be signed by at least two persons responsible, shall be submitted to the student parliament in each individual case before a legally binding agreement is entered into for the planned event.

#### **§ 14 Purchase and sale of assets**

(1) Assets shall only be acquired to the extent that they are necessary for the fulfilment of the tasks of the student body in the foreseeable future.

(2) Assets that are not needed to fulfil the tasks of the student body in the foreseeable future may only be sold with the consent of the student parliament if their purchase value exceeds EUR 50. 2 Consent shall generally be deemed to have been given if the sale of the assets is provided for in the budget. 3 The AStA shall decide on the disposal of assets with an purchase value of less than EUR 50.

(3) 1Assets may only be sold at their full value. 2The market price or the price attainable in normal business transactions shall be taken as a basis.

#### **§ 15 Deferral, cancellation and remission of claims**

(1) Claims due to the student body may only be

1. be deferred if immediate collection would entail considerable hardship for the debtor and the claim is not jeopardised by the deferment
2. be struck down if it is established that the recovery will not succeed or if the costs of recovery are disproportionate to the amount of the claim,
3. be waived if, according to the circumstances of the individual case, the recovery would cause particular hardship for the debtor.

(2) Decisions under subsection 1 shall be made by the student parliament in closed session on the proposal of the finance officer. § Section 16 Reserves

1 The student body may establish a reserve as a general working capital reserve or for the renewal or expansion of investments. 2 Allocations to and withdrawals from this reserve shall be shown in the budget. 3The annual reserve may not exceed 20% of the average annual income of the last three

years. 4The total amount of the reserve may not exceed 50% of the average annual revenue of the last 3 years.

#### **IV. Annual accounts**

##### **§ 17 Annual Financial Statements and Audit of the Annual Financial Statements**

(1) The annual financial statements shall be prepared by 31 March of the following financial year and shall be audited by the financial officer of the ELM or a person appointed by him/her.

(2) 1The annual accounts shall be audited by two auditors who are not members of the AStA. 2 They shall be appointed by the student parliament. 3 Their task is in particular to examine the regularity and efficiency of income and expenditure and to report to the student parliament. 4This report must be submitted by 31 March of the following financial year.

(3) 1The student parliament shall decide on the adoption of the annual financial statements and the discharge of the AStA by a majority of its members. 2 The documents belonging to the resolution in accordance with paragraphs 1 and 2 must be sent to the members of the student parliament with the invitation to the meeting of the student parliament in which they will be discussed.

(4) The student parliament's resolution on the discharge of the AStA must be passed by 30 June and 31 May of the following financial year.

(5) 1After the student parliament has passed its resolution, the resolution and the documents belonging to the resolution must be submitted to the Rectorate of the University of Applied Sciences for Intercultural Theology Hermannsburg. 2The discharge requires the approval of the Rectorate of the University of Applied Sciences of Intercultural Theology Hermannsburg.

(6) The documents required for the annual accounts (receipts, calculations, bank account data, contracts, etc.) are subject to the commercial retention periods.

#### **V. Bank accounts, payment transactions and cash**

##### **§ 18 Bank accounts and cash**

(1) 1ELM/FIT shall maintain a current account on behalf of the student body at a bank or savings bank located in Germany for payment transactions.

(2) It shall be ensured that all payment transactions are made exclusively via the business account.

(3) 1The handling of cash shall be limited to exceptions. 2For cash transactions, a cash office can be maintained. 3The cash balance should not exceed the amount of EUR 100.00. 4 A cash book in the form of a table shall be kept of the income and expenditure of this cash office. 5 The corresponding

receipts are to be numbered (current no./year) and attached to the cash book. 6 As soon as the cash in hand exceeds 100.00 EUR, the excess amount is to be paid immediately into the business account.

(4) The cash desk is to be settled monthly and the cash balance is to be checked.

(5) Monetary value items such as entrance tickets, postage stamps are to be treated like cash and stored securely. § 19 Cash audit

1 Each semester at least one unexpected cash audit must be carried out. 2 The student parliament shall appoint two auditors for this purpose. 3 A record of the examination shall be made and kept together with the financial records.

## **§ 20 Investment**

1 Not required liquidity can be invested at a bank or savings bank based exclusively in Germany to generate interest. 2 Investments may only be made in such forms of investment in which losses in value of the investment are practically impossible.

## **§ 21 Authority to sign for bank accounts**

1. Authorised to sign on behalf of the AStA accounts shall be the AStA Chair and the financial officer.

(2) It must be ensured that the subscription takes place in such a way that in each case two elected representatives sign together (so-called four-eye principle).

(3) A list of the accounts as well as the signature cards for them are to be kept with the cash documents.

## **§ 22 Regulations for account management**

1 The financial officer receives a bank card to obtain bank statements. 2 Account statements must be drawn up at least once a month. 3 The bank statements must be kept in an orderly manner and in accordance with the legal deadlines. VI. general regulations

## **§ 23 Participation in companies under private law**

The participation of the student body in or the establishment of companies under private law is not permitted.

## **§ 24 Accumulation of assets upon dissolution of the student body**

In case of dissolution of the student body or other termination, the assets then existing, in particular financial assets and tangible assets, are transferred to the ELM Foundation.



### **§ 25 Amendments to the financial regulations**

(1) Changes to the financial regulations may only be made by a two-thirds majority of the members of the student parliament present.

(2) 1 Draft amendments to these financial regulations must be sent out with the invitation to the relevant meeting. 2 They shall be accompanied by a recommendation from the budget committee, which shall have previously discussed these amendments.

(3) 1 Changes to the financial regulations require the approval of the Foundation. 2 Changes to the financial regulations must be submitted to the Foundation for this purpose. 3 This submission must include both a justification of the changes themselves and an explanation of their effects on the financial conduct of the student body.

### **§ 26 Commencement date**

These Financial Regulation requires the recommendation of the Conference of Universities of Applied Sciences and the approval of the Foundation and comes into force on the day after its publication by means of a university-wide announcement.