

# UMGSA Electoral Regulations

Date adopted by resolution of the Electoral Tribunal:  
9 January 2025

**MOORES**

Level 1, 5 Burwood Road  
Hawthorn, Vic 3122

Tel: (03) 9843 2100

Fax: (03) 9843 2102

Ref: 232144

**Moores MDP Pty Ltd**

ACN 625 708 689



## TABLE OF CONTENTS

<b>1</b>	<b>PRELIMINARY</b>	<b>1</b>
1.1	Authorising provisions	1
1.2	Interpretation	1
1.3	Definitions	1
1.4	Drawing of lots	2
1.5	Date of AGM	2
<b>2</b>	<b>ELECTIONS GENERALLY</b>	<b>2</b>
2.1	Applicability	2
2.2	Appointment of Returning Officer	2
2.3	Responsibilities and powers of Returning Officer	2
2.4	Deputy and Assistant Returning Officers and election officials	3
2.5	Voters roll	3
2.6	Eligibility to stand in elections	3
2.7	Eligibility to vote in elections	4
2.8	Restricted constituencies	4
2.9	Nomination and election timetable	4
2.10	Notice of elections	5
2.11	Nomination forms	5
2.12	Receipt of nominations	6
2.13	Verification of eligibility	6
2.14	Uncontested positions	6
2.15	Reopening of nominations	6
2.16	Campaign Supporters	6
2.17	Scrutineers	7
2.18	Separate ballot	7
2.19	Ballot papers	7
2.20	List of candidates	7
2.21	Withdrawal of nomination	8
2.22	Voting	8
2.23	Identification of voters	8
2.24	Method of voting	8
2.25	Counting of votes	9
2.26	Order of the count	9
2.27	Method of counting	9

2.28	Informal votes	10
2.29	Close of voting	11
2.30	Declaration of results	11
2.31	Security of election records	11
2.32	Prohibited conduct	11
2.33	Defamation	13
2.34	Saving	13
<b>3</b>	<b>ELECTION MATERIAL AND CANDIDATES FORUM</b>	<b>13</b>
3.1	Candidate statements and photos	13
3.2	Campaigning	14
3.3	Publicity	14
3.4	Publicity in languages other than English	15
3.5	Authorisation of leaflets, posters and banners	15
3.6	Registration of leaflets and posters	15
3.7	Candidates forum	16
<b>4</b>	<b>ELECTION OF GSA BOARD</b>	<b>16</b>
4.1	Applicability	16
4.2	Number of GSA Board members to be elected	16
4.3	Number of women GSA Board members	17
4.4	Eligibility to stand	17
4.5	Method of voting	17
4.6	Method of counting	17
4.7	Casual vacancies	17
<b>5</b>	<b>ELECTION OF REPRESENTATIVE COUNCIL</b>	<b>18</b>
5.1	Applicability	18
5.2	Number of Representative Councillors to be elected	18
5.3	Eligibility to stand	18
5.4	Standing for election for multiple Representative Council positions	18
5.5	Method of voting	18
5.6	Method of counting	18
5.7	Casual vacancies	19
<b>6</b>	<b>ELECTION OF FACULTY COUNCIL</b>	<b>19</b>
6.1	Applicability	19
6.2	Number of Faculty Councillors	19
6.3	Eligibility to stand	19
6.4	Method of voting	19

6.5	Method of counting	19
6.6	Casual vacancies	20
<b>7</b>	<b>ELECTORAL TRIBUNAL</b>	<b>20</b>
<hr/>		
7.1	Applicability	20
7.2	Appointment and powers of Electoral Tribunal	20
7.3	Procedure of Electoral Tribunal	20
7.4	Appeals against decisions of Returning Officer	21
7.5	Reports of prohibited conduct	21
7.6	Appeals against results of elections	23

**1.1 Authorising provisions**

These Electoral Regulations are made by the Electoral Tribunal in accordance with rule 13.6(a) of the Constitution.

**1.2 Interpretation**

- (a) These Electoral Regulations are to be interpreted in the same way as the Constitution.
- (b) A term defined in the Constitution has the same meaning in these Electoral Regulations (unless the context otherwise requires).

**1.3 Definitions**

In these Electoral Regulations, unless the contrary intention appears:

“**AGM**” means annual general meeting.

“**ballot paper**” includes the electronic equivalent of a ballot paper.

“**business day**” means a day that is not a Saturday, Sunday or public holiday in the State of Victoria.

“**Campaign Period**” means the period:

- (a) commencing on the date that nominations for election close in accordance with Regulation 2.9(a)(ii); and
- (b) ceasing when voting for an election closes.

“**Campaign Supporter**” means:

- (a) an individual nominated on a list provided to the Returning Officer pursuant to Regulation 2.16(c); and
- (b) an individual who assists a candidate to promote their campaign for election by:
  - (i) physically distributing or handling leaflets, posters and banners in support of their campaign; and
  - (ii) posting repeatedly or regularly on social media in relation to the campaign, where the posts are original posts, being posts created by the individual (as opposed to reproductions or substantial reproductions of posts created by other individuals, sometimes referred to as “reposts” by social media platforms).

“**Constitution**” means the UMGSA Constitution.

“**days**” means calendar day.

“**election official**” includes the Returning Officer and any Deputy and Assistant Returning Officers.

“**election records**” means all records relating to an election in the possession or under the control of an election official, including:

- (a) ballot papers and voters rolls; and
- (b) records in electronic form.

“**general election**” means the general election of GSA Board members, Representative Councillors and Faculty Councillors prior to the AGM in accordance with rule 12.3 of the Constitution.

“**signed**” includes signing electronically.

“**UMGSA**” and “**Association**” mean University of Melbourne Graduate Student Association Inc.

“**voters roll**” means a roll of currently enrolled graduate students, noting those students’ names and student numbers, obtained from the University by the Returning Officer.

#### **1.4 Drawing of lots**

- (a) Where these Electoral Regulations require the drawing of lots, those lots may be drawn by any method that makes a random selection, including an electronic pseudorandom number generator.
- (b) Candidates may request to view the drawing of the lots for the purpose of Regulation 2.19.

#### **1.5 Date of AGM**

In accordance with rules 6.1(a) and 6.1(b) of the Constitution, the GSA Board must convene an AGM to be held on an Academic Day, within the final four weeks of the first semester.

## **2 ELECTIONS GENERALLY**

---

### **2.1 Applicability**

These Electoral Regulations apply to all UMGSA elections, being:

- (a) GSA Board elections;
- (b) Representative Council elections; and
- (c) Faculty Council elections.

### **2.2 Appointment of Returning Officer**

- (a) The Electoral Tribunal must appoint the Returning Officer for each election in accordance with rule 14 of the Constitution.
- (b) The Returning Officer must not have a conflict of interest.
- (c) The Returning Officer must be appointed at least two weeks before the opening of nominations for an election.
- (d) The Returning Officer must be remunerated by UMGSA as agreed between the Returning Officer and the GSA Board or its delegate.

### **2.3 Responsibilities and powers of Returning Officer**

- (a) The Returning Officer:
  - (i) is responsible for the conduct of each election;
  - (ii) may decide all matters not provided for in the Constitution or these Electoral Regulations; and

- (iii) is answerable only to the Electoral Tribunal.
- (b) The Returning Officer must decide questions of fact on the balance of probabilities.
- (c) Any decision of the Returning Officer may be appealed to the Electoral Tribunal in accordance with rule 13.6(e) of the Constitution and Regulation 7.4.
- (d) UMGSA must provide the facilities, resources and assistance necessary to enable the Returning Officer to carry out the responsibilities set out in these Electoral Regulations.
- (e) The Returning Officer must publish the proposed penalties that will be imposed on candidates in relation to any breach of these Electoral Regulations by any Campaign Supporter or candidate, or groups of Campaign Supporters or candidates, before the election campaign commencement date.
- (f) Despite the publication of proposed penalties under Regulation 2.3(e), the Returning Officer may use their discretion to determine the appropriateness of any penalty with regard to factors including any advantage gained by the breach or the deterrence effect of the penalty.
- (g) The Returning Officer must ensure that all elections are conducted in accordance with all UMGSA policies and procedures, as implemented and amended by the Board from time to time.

#### **2.4 Deputy and Assistant Returning Officers and election officials**

- (a) The Returning Officer may appoint (and remove) Deputy and Assistant Returning Officers and other election officials.
- (b) Election officials other than the Returning Officer:
  - (i) have the duties determined by the Returning Officer;
  - (ii) are subject to the direction of the Returning Officer and the Electoral Tribunal; and
  - (iii) may be remunerated by UMGSA or the Returning Officer.
- (c) The Returning Officer may delegate any responsibilities in accordance with these Electoral Regulations to a Deputy or Assistant Returning Officer.
- (d) Deputy and Assistant Returning Officers and Election Officials must not be candidates in any University election.

#### **2.5 Voters roll**

- (a) The Returning Officer must compile the voters roll for an election:
  - (i) before nominations open; and
  - (ii) at the time nominations close.
- (b) The Returning Officer may subsequently amend the voters roll if satisfied it is incorrect.

#### **2.6 Eligibility to stand in elections**

- (a) Only Members are eligible to stand in elections.
- (b) Members are not eligible to stand in an election unless, at the time nominations close:
  - (i) their name appears in the Register of Members as a current Member of GSA;
  - (ii) their expected graduation date is at least six months after the date of their nomination; and
  - (iii) they meet any other eligibility requirements for the particular office specified in these Electoral Regulations.
- (c) A Member may stand for more than one position.
- (d) Students who are on leave of absence from their course will not be eligible to stand for elections.

## **2.7 Eligibility to vote in elections**

- (a) Subject to Regulation 2.7(b), all graduate students who are enrolled are eligible to vote in elections.
- (b) Graduate students are not eligible to vote unless their name appears in the voters roll at the commencement of an election.

## **2.8 Restricted constituencies**

- (a) In accordance with rule 9.2(b) of the Constitution, the GSA Board may, by Regulation, set additional qualifications and/or eligibility criteria for Representative Councillors who represent particular constituencies.
- (b) The GSA Board has, by Regulation, enacted restricted constituencies for the Faculty Council as set out in Regulation 6.3.

## **2.9 Nomination and election timetable**

- (a) Nominations for election to the GSA Board, Representative Council and Faculty Council:
  - (i) open three weeks before the date of an election; and
  - (ii) close at close of business two weeks before the date of an election.
- (b) Nominations for casual vacancies in the GSA Board close at close of business three business days before the date of an election.
- (c) Any reopened nominations in a general election close at close of business three business days before the date of an election.
- (d) Any reopened nominations in a casual vacancy close at the commencement of an election.
- (e) All UMGSA general elections will be held concurrently.
- (f) UMGSA general elections will be held annually within the first eight weeks of the first semester and must be completed at least two weeks prior to the AGM in accordance with rule 12.3 of the Constitution.

- (g) The exact dates, times and location of polling will be determined by the Electoral Tribunal from time to time.

## **2.10 Notice of elections**

- (a) On the day that nominations open, the Returning Officer must give notice of an election to all graduate students on the voters roll in accordance with rule 16.4 of the Constitution.
- (b) For all elections, the Returning Officer must ensure that an appropriate notice is prepared to call for nominations and announce the elections. The notice must include:
  - (i) a list of all positions to be elected, including Representative Councillor positions as amended by the GSA Board from time to time;
  - (ii) the dates and times nominations open and close;
  - (iii) the dates and times the elections open and close;
  - (iv) how ballot papers may be obtained and lodged;
  - (v) the method(s) of voting; and
  - (vi) anything else the Returning Officer deems appropriate.
- (c) The notice must be published on UMGSA's website.
- (d) For the purposes of Regulation 2.10(b)(i), the Returning Officer must list all GSA Board vacancies including all positions that will expire at the AGM, whether by operation of rule 7.8 or Regulation 4.2(c)(ii).

## **2.11 Nomination forms**

- (a) All nominations must be on the official nomination form approved by the Returning Officer.
- (b) The official nomination form must include the Returning Officer's email address.
- (c) Candidates must provide the following information on the nomination form:
  - (i) the position(s) to which they are seeking election;
  - (ii) their name – as it is to appear on the ballot paper;
  - (iii) their expected graduation date;
  - (iv) their student number;
  - (v) their email address;
  - (vi) their mobile phone number; and
  - (vii) an acknowledgement that the candidate has read these Electoral Regulations.
- (d) Nomination forms must be signed by the candidate.
- (e) The Returning Officer must make nomination forms available on the UMGSA website and from the UMGSA office from the opening of nominations.

**2.12 Receipt of nominations**

- (a) In accordance with rule 12.2(b) of the Constitution, all nominations must be submitted to the Returning Officer in writing.
- (b) Nominations may be submitted to the Returning Officer:
  - (i) by sending a signed copy to the email address given on the nomination form;
  - (ii) by depositing the nomination form in the secure box provided for that purpose at the UMGSA office (if any); or
  - (iii) personally.
- (c) Nominations are only valid if they:
  - (i) are received by the Returning Officer before the close of nominations; and
  - (ii) contain the information specified in Regulation 2.11(c).
- (d) The Returning Officer must promptly acknowledge all nominations received by email.
- (e) The Returning Officer must not disclose the nominations received, except in accordance with Regulation 2.20.

**2.13 Verification of eligibility**

Immediately after the close of nominations, the Returning Officer must verify that each person nominated is eligible to stand in accordance with Regulations 2.6, 4.4, 5.3 and 6.3.

**2.14 Uncontested positions**

If the number of candidates for any position does not exceed the number to be elected, the Returning Officer must declare those candidates provisionally elected as soon as their eligibility has been verified.

**2.15 Reopening of nominations**

- (a) If at the close of nominations there are fewer candidates for a position than the number to be elected, the Returning Officer must reopen nominations for the remaining positions to be elected, for a time deemed suitable by the Returning Officer.
- (b) Regulations 2.9-2.14 apply to the reopening of nominations.

**2.16 Campaign Supporters**

- (a) Each candidate may have up to ten Campaign Supporters.
- (b) Campaign Supporters must:
  - (i) be Members;
  - (ii) comply with all requirements in these Electoral Regulations related to campaigning; and
  - (iii) not engage in any prohibited conduct, including any conduct described in Regulation 2.32.

- (c) A list of Campaign Supporters must be given to the Returning Officer in writing and include:
  - (i) the position(s) for which the candidate is seeking election;
  - (ii) the candidate's name and signature; and
  - (iii) the names of all Campaign Supporters.
- (d) Only nominated Campaign Supporters can campaign on behalf of their respective candidates.

### **2.17 Scrutineers**

- (a) Each candidate may appoint one scrutineer for each position for which they are standing.
- (b) The scrutineer must be a Member.
- (c) The scrutineer must not be a candidate for that position.
- (d) The appointment of a scrutineer must be given to the Returning Officer in writing and include:
  - (i) the position(s) for which the candidate is seeking election;
  - (ii) the candidate's name and signature; and
  - (iii) the scrutineer's name and signature.
- (e) Scrutineers are entitled to:
  - (i) observe the draw for the ballot paper in accordance with Regulation 2.19,
  - (ii) observe the counting of votes in accordance with Regulation 2.25; and
  - (iii) inspect the voters roll prepared in accordance with Regulation 2.5.
- (f) Scrutineers must not touch the ballot box, ballot papers or any other election records.

### **2.18 Separate ballot**

There must be a separate ballot for elections to each of the:

- (a) GSA Board;
- (b) Representative Council; and
- (c) Faculty Council.

### **2.19 Ballot papers**

- (a) The form of ballot papers for each election will be determined by the Returning Officer.
- (b) If the number of candidates exceeds the number to be elected, the Returning Officer must, after verification of eligibility, draw lots to randomise the order of the candidates on each ballot paper for each voter.

### **2.20 List of candidates**

Immediately after verification of eligibility, the Returning Officer must post on UMGSA's website a list of candidates that will appear on the ballot papers.

### **2.21 Withdrawal of nomination**

- (a) A candidate may withdraw their nomination at any time before the result of an election is provisionally declared.
- (b) A candidate may be deemed to have withdrawn their nomination pursuant to Regulation 5.4(d).
- (c) Withdrawals must be given to the Returning Officer in writing and include:
  - (i) the position(s) to which they were seeking election; and
  - (ii) the candidate's name and signature.
- (d) The withdrawal takes effect on its receipt by the Returning Officer.
- (e) If a candidate withdraws, the Returning Officer must proceed as if that Member had never nominated for a position.

### **2.22 Voting**

- (a) In accordance with rule 12.3(c)(i) of the Constitution, all elections must be conducted by secret ballot.
- (b) Voters may only vote once in each election. All votes of a voter who votes, or attempts to vote, more than once are invalid.
- (c) Votes must be cast by the voter personally, and not by another person on their behalf.
- (d) Regulation 2.22(c) does not prevent a voter from requesting another person to provide assistance in physically casting the vote.
- (e) The Returning Officer must use reasonable efforts to promote voter participation.

### **2.23 Identification of voters**

The Returning Officer must ensure that:

- (a) only graduate students whose name appears on the voters roll vote in an election; and
- (b) each voter votes no more than once in an election.

### **2.24 Method of voting**

- (a) Elections must be conducted using optional preferential proportional representation.
- (b) Voters must indicate their order of preference for candidates by placing the number 1 against the name of the candidate of first preference and consecutive higher numbers commencing from the number 2 upwards, against the names of as many other candidates of lower preference in order as they wish (whether or not they choose to allocate a preference to all candidates).
- (c) For the purpose of Regulation 2.24(b):

- (i) a number against the name of a candidate indicates a preference for that candidate ahead of all candidates with higher numbers, and candidates with numbers will be taken as preferences ahead of those with no number against their name;
- (ii) a tick, cross or other identifying mark against the name of a candidate is deemed to be the number 1 provided there is no number 1 or other identifying mark against the name of another candidate; and
- (iii) a tick against the name of one candidate is deemed to be the number 1 provided there is either a cross or no other identifying mark against the name of each of the other candidates.

### **2.25 Counting of votes**

- (a) The Returning Officer must start counting the votes immediately after the close of voting.
- (b) The Returning Officer may adjourn the count from time to time.
- (c) Scrutineers may observe the counting of votes.
- (d) The Returning Officer may, at the Returning Officer's discretion, recount the votes if:
  - (i) requested by a candidate in writing, giving a reasonable reason for the request; or
  - (ii) the Returning Officer decides.

### **2.26 Order of the count**

- (a) Counting will occur in the following order:
  - (i) GSA Board;
  - (ii) Representative Council; and
  - (iii) Faculty Council.
- (b) A Member who is elected as a GSA Board member is deemed to have withdrawn any nomination for a position on the Representative Council or Faculty Council.
- (c) A Member who is elected to the Representative Council is deemed to have withdrawn any nomination for a position on the Faculty Council.

### **2.27 Method of counting**

- (a) Each ballot paper must first be given the value of 1.
- (b) Votes must then be counted in accordance with the following procedure:
  - (i) The value of each ballot paper must be allocated to the continuing candidate to whom the voter has indicated their highest preference.
  - (ii) If a ballot paper:
    - (A) shows an equal highest preference to more than one continuing candidate, or

- (B) does not show a consecutive preference for at least one continuing candidate;

that ballot paper is exhausted and may not be allocated or reallocated to any further candidates.

- (iii) A quota must be calculated by dividing the total value of ballot papers allocated to continuing candidates by one more than the number of positions remaining to be filled.
- (iv) If there are withdrawn candidates who have votes assigned to them, then they are all eliminated simultaneously. Any such ballot papers for withdrawn candidates must then be reallocated to the continuing candidate for which the voter has indicated the highest preference.
- (v) If any continuing candidates are allocated a value in excess of the quota, all such candidates are provisionally elected in order of descending number of votes. Each ballot paper allocated to the candidate who is elected earliest must be given a new value obtained by multiplying its current value by the candidate's transfer value.
- (vi) If no continuing candidate is allocated a value in excess of the quota, the candidate with the lowest value must be eliminated and their ballot papers reallocated to the continuing candidate to whom the voter has indicated the highest preference.
- (c) The procedure in Regulation 2.27(b) must be repeated in order until the number of positions to be filled are filled.
- (d) In this Regulation:
- (i) **"continuing candidate"** means a candidate who has neither been provisionally elected nor eliminated;
- (ii) **"candidate's transfer value"** is the provisionally elected candidate's value, less the quota at that stage of counting, all divided by the elected candidate's value; and
- (iii) **"preference"** means a preference for a continuing candidate.
- (e) For the purpose of this Regulation, all calculations are to be performed to an accuracy of six decimal places or a greater level of accuracy if it is determined appropriate by the Returning Officer.
- (f) If there are two or more candidates with an equal value who are to be eliminated or elected, the candidate who had the higher value at the last stage of counting that their value differed will be deemed to have the higher number of votes. If any candidates have had an equal value at each previous stage of counting, the Returning Officer must determine by lot which of these candidates is deemed to have the higher value.

## 2.28 Informal votes

- (a) Only the Returning Officer may rule a vote informal.
- (b) A vote is only informal when it does not comply with Regulation 2.24 and the voter's intention is not clear to the Returning Officer.

**2.29 Close of voting**

- (a) A vote must not be counted unless it is cast by the voter before the close of voting.
- (b) For the purposes of Regulation 2.29(a), a vote is cast if:
  - (i) the voter has placed the ballot paper in a ballot box;
  - (ii) for postal ballots – the Returning Officer has received the ballot paper; or
  - (iii) for online and other forms of electronic voting – the Returning Officer has received the vote electronically.

**2.30 Declaration of results**

- (a) The Returning Officer must:
  - (i) notify the Electoral Tribunal of the provisional results of each election as soon as they are available; and
  - (ii) post the provisional results of each election on the UMGSA website.
- (b) The Electoral Tribunal must declare the results of each election:
  - (i) if no appeal is received under Regulations 7.4-7.6 – one week after the provisional declaration; or
  - (ii) if an appeal is received under Regulations 7.4-7.6 – following the resolution of that appeal.
- (c) The Returning Officer must:
  - (i) notify the Electoral Tribunal of the results of each election as soon as they are available;
  - (ii) post the results of the elections on the UMGSA website;
  - (iii) notify each candidate of the results; and
  - (iv) request that each successful candidate confirm in writing that they consent to assume the role for which they have been elected.
- (d) If a successful candidate does not provide their consent in writing to the Returning Officer within one month of being requested to do so in accordance with Regulation 2.30(c)(iv) then:
  - (i) they will be deemed to have withdrawn their nomination in accordance with Regulation 2.21; and
  - (ii) their position must be filled by a count back of the votes at that general election.

**2.31 Security of election records**

The Returning Officer must keep all election records secure.

**2.32 Prohibited conduct**

- (a) Any dishonest conduct in an election is prohibited.
- (b) Any conduct intended or likely to mislead or deceive a voter is prohibited.

- (c) Any offer of a bribe or inducement to vote is prohibited.
- (d) Without limiting Regulations 2.32(a) and (b), the following conduct in an election is specifically prohibited:
  - (i) campaigning outside of the Campaign Period;
  - (ii) providing false information in or interfering with any document given to the Returning Officer;
  - (iii) voting or attempting to vote except in accordance with these Electoral Regulations;
  - (iv) interfering with election records;
  - (v) violating the secrecy of a ballot;
  - (vi) interfering with other candidates' publicity;
  - (vii) campaigning, unless the individual is a candidate or a Campaign Supporter;
  - (viii) paying a person to campaign;
  - (ix) offering gifts or money for campaigning activities, including but not limited to any amount of money exchanged in person, social media or other electronic means;
  - (x) utilising funds, resources or facilities from other student associations, including student or staff unions, or related entities for campaigning activities, except for publications or endorsements otherwise in accordance with these Regulations;
  - (xi) aggressive or coercive conduct;
  - (xii) being within three metres of a Member casting their vote without a reasonable excuse after having just campaigned to that Member;
  - (xiii) providing Members with a computer, tablet, mobile or other like device for the purpose of allowing Members to cast their vote (as opposed to allowing Members to use the devices provided by UMGSA);
  - (xiv) if the individual is a GSA Board Member, Representative Councillor or Faculty Councillor:
    - (A) campaigning while performing their duties; or
    - (B) using any UMGSA or University facilities, funds, resources or property available to them by reason of their office to campaign;
  - (xv) using UMGSA or University facilities, funds, resources or property for campaigning activities (including intellectual property) not generally available to all Members;
  - (xvi) damaging UMGSA or University property;
  - (xvii) any form of misconduct under the University's Student Conduct Policy (MPF1324);

- (xviii) any form of misuse of the University's information technology services, equipment and connectivity under the University's Provision and Acceptable Use of IT Policy (MPF1314);
  - (xix) failing to comply with a ruling or direction of the Returning Officer, or a ruling or direction of the Electoral Tribunal; and
  - (xx) interfering with or impeding the conduct of an election.
- (e) Candidates and their Campaign Supporters must not establish, use or maintain any database with University student email addresses.
  - (f) The Returning Officer must direct any person breaching any Regulation to cease doing so and impose a penalty as determined based on the seriousness of the breach within a reasonable time period.
  - (g) The Returning Officer or any Member may report a breach of any Regulation to the Electoral Tribunal in accordance with Regulation 7.5.
  - (h) A candidate may be held responsible for:
    - (i) the conduct of their Campaign Supporters; and
    - (ii) any person who is campaigning on their behalf, even if:
      - (A) the person is not a nominated Campaign Supporter; or
      - (B) the candidate was not aware of the conduct of the person.
  - (i) Ignorance will not be an excuse for any breaches of the Electoral Regulations.

### **2.33 Defamation**

UMGSA does not indemnify any person for defamation in an election.

### **2.34 Saving**

- (a) No act, decision or election is invalid only because it was done, made or held after the time required by the Constitution or these Electoral Regulations.
- (b) The validity of an election is not affected by any defect in the conduct of an election if:
  - (i) an election was conducted substantially in accordance with the Constitution and these Electoral Regulations; and
  - (ii) the defect did not materially affect the result.

## **3 ELECTION MATERIAL AND CANDIDATES FORUM**

---

### **3.1 Candidate statements and photos**

- (a) All written candidate statements and video statements under this clause must be in English.
- (b) Candidates may submit with their nomination form:
  - (i) a candidate statement of up to 200 words;
  - (ii) a video statement of up to two minutes; and

- (iii) a photo of themselves.
- (c) Candidate statements, video statements and photos must be submitted to the Returning Officer.
- (d) Candidate statements, video statements and photos may be submitted to the Returning Officer:
  - (i) by sending a copy to the email address given on the nomination form;
  - (ii) by depositing the candidate statement, a storage device with the video statement and photo in the secure box provided for that purpose (if any) at the UMGSA office; or
  - (iii) personally.
- (e) A candidate may seek leave to submit their candidate statement, video statement or photo other than with their nomination form if they have obtained approval from the Returning Officer.
- (f) The Returning Officer may in their sole discretion:
  - (i) cut or edit candidate statements that are more than 200 words; and
  - (ii) refuse to post or publish a video statement that is longer than two minutes.
- (g) The Returning Officer must:
  - (i) post a candidate's statement, video statement and photo on the UMGSA website before voting opens and until voting closes; and
  - (ii) provide voters with a copy of the candidate statements, video statements and photo before they vote (including via a link to the UMGSA website).

### **3.2 Campaigning**

Candidates may only campaign during the Campaign Period.

### **3.3 Publicity**

- (a) This Regulation applies from the opening of nominations to the close of voting.
- (b) The following publicity is prohibited:
  - (i) leaflets or posters reproduced on paper heavier than 100 gsm;
  - (ii) leaflets or posters reproduced on paper larger than A3 size (297 mm x 420 mm);
  - (iii) leaflets or posters reproduced on gloss paper;
  - (iv) the distribution of leaflets, posters or badges in libraries;
  - (v) multiple sheets of paper that together make up a poster;
  - (vi) chalk other than solid sticks or blocks;
  - (vii) chalking other than on horizontal surfaces that are exposed to the weather or on blackboards;

- (viii) stickers and balloons;
- (ix) paid advertisements in newspapers (including "Farrago"), and on radio, television or the internet;
- (x) the use of performers who are not Members;
- (xi) any banner hung in a position not approved by the Returning Officer or any banner larger than 3 meters horizontally or 2 meters vertically;
- (xii) publicity that does not comply with Regulations 3.4, 3.5 and 3.6; and
- (xiii) publicity in breach of:
  - (A) Regulation 2.33;
  - (B) University legislation or policies, including the Computing and Network Facilities Rules and the Privacy Policy; or
  - (C) Commonwealth or State legislation, including the *Privacy Act 1988* (Cth) and the *Spam Act 2003* (Cth).
- (c) This Regulation does not apply to the Returning Officer.

#### **3.4 Publicity in languages other than English**

- (a) Subject to Regulation 3.4(b), all publicity must be in the English language.
- (b) The Returning Officer may approve publicity that is not in the English language, provided:
  - (i) an English language translation of the material is provided to the Returning Officer together with any material that is not in the English language; and
  - (ii) the translation meets any requirements imposed by the Returning Officer in their sole discretion, which may include a requirement for the material to be translated and certified by a National Accreditation Authority for Translators and Interpreters (NAATI) level three or higher certified translator.

#### **3.5 Authorisation of leaflets, posters and banners**

- (a) All leaflets, posters and banners must be authorised by the candidate or another Member on behalf of the candidate.
- (b) The name and student number of the person authorising the leaflet, poster or banner must appear legibly on it.

#### **3.6 Registration of leaflets and posters**

- (a) Any leaflets or posters, whether hard copy or electronic, must be registered by the Returning Officer before being distributed or displayed.
- (b) The Returning Officer must not register leaflets or posters that do not comply with these Regulations.
- (c) The Returning Officer must keep a register of all leaflets and posters registered by the Returning Officer.

### 3.7 Candidates forum

- (a) The Returning Officer may arrange a forum where Members have an opportunity to hear from and ask questions of candidates.
- (b) The Returning Officer may, in their sole discretion, convene separate candidate forums for any of the GSA Board, Representative Council and Faculty Council.
- (c) If any forum is convened:
  - (i) it must be held between:
    - (A) the close of nominations in accordance with Regulation 2.9(a)(ii); and
    - (B) the commencement of voting;
  - (ii) all candidates seeking election to the relevant body must be invited to attend;
  - (iii) it must be chaired by the Returning Officer; and
  - (iv) each candidate attending may make a speech of no longer than 3 minutes.

## 4 ELECTION OF GSA BOARD

---

### 4.1 Applicability

This Regulation applies to the election of GSA Board members under rule 12.3 of the Constitution.

### 4.2 Number of GSA Board members to be elected

- (a) In accordance with rule 7.5(a) of the Constitution, the GSA Board will consist of eight Members, including four Board Officials and four Ordinary GSA Board members.
- (b) No later than two weeks before the nominations open for each election, the General Secretary (or their delegate) must ask each GSA Board member whose term is not due to expire at the relevant AGM (**Continuing GSA Board member**) in writing whether the GSA Board member intends to continue in office following the relevant AGM.
- (c) For the purpose of Regulation 4.2(b):
  - (i) if a Continuing GSA Board member:
    - (A) confirms in writing that they intend to continue in office following the relevant AGM; or
    - (B) does not respond to the correspondence in Regulation 4.2(b);

their position will remain filled; and
  - (ii) if a Continuing GSA Board member confirms in writing that they do not intend to continue in office following the relevant AGM – that confirmation cannot be withdrawn and their term of office will expire and be filled at the relevant AGM.

#### **4.3 Number of women GSA Board members**

In order to comply with rule 7.5(b) of the Constitution, at each general election of GSA Board members, sufficient women must be elected so that at least 50% of the GSA Board members are women.

#### **4.4 Eligibility to stand**

All Members are eligible to stand in an election of GSA Board members, subject to rule 7.6 of the Constitution and Regulation 2.6.

#### **4.5 Method of voting**

The method of voting in general elections of GSA Board members is as described in Regulation 2.24.

#### **4.6 Method of counting**

- (a) The method of counting in general elections of GSA Board members is as described in Regulation 2.25, unless the election of a candidate would result in a failure to comply with the requirements of Regulation 4.3 and rule 7.5(b) of the Constitution.
- (b) If at any stage of counting:
  - (i) the election of a candidate who is not a woman would result in it not being possible to meet the requirements of Regulation 4.3 and rule 7.5(b) of the Constitution; and
  - (ii) there is at least 1 unelected candidate (whether continuing or eliminated) who is a woman;
 then:
  - (iii) the election of the candidate who is not a woman must not be proceeded with;
  - (iv) all continuing candidates who are not women must be eliminated; and
  - (v) all previously eliminated candidates who are women must be reintroduced into the count as continuing candidates.

#### **4.7 Casual vacancies**

- (a) In order to comply with rule 7.5(b) of the Constitution, a casual vacancy in a GSA Board position must be filled by a woman if the vacancy would result in less than 50% of the GSA Board members being women.
- (b) If a casual vacancy in a GSA Board position is not filled by a count back in accordance with rule 7.12(b)(i) of the Constitution because more than sixty days have passed since a general election, then:
  - (i) the GSA Board must within sixty days appoint a Member to fill the position until the conclusion of the first AGM following their appointment in accordance with rules 7.8(b) and 7.12(b)(ii)(A) of the Constitution; or
  - (ii) if the vacancy results in there being less than five GSA Board members, the GSA Board must call a by-election expressly for the

purpose of electing additional GSA Board members in accordance with rule 7.12(b)(ii)(B) of the Constitution.

## **5 ELECTION OF REPRESENTATIVE COUNCIL**

---

### **5.1 Applicability**

This Regulation applies to the election of Representative Councillors under rule 9.8 of the Constitution.

### **5.2 Number of Representative Councillors to be elected**

In accordance with rule 9.7 of the Constitution, the Representative Council will consist of at least eight and no more than fifteen Representative Councillors, as determined annually by the GSA Board.

### **5.3 Eligibility to stand**

- (a) All Members are eligible to stand at an election of Representative Councillors, subject to:
  - (i) the eligibility criteria in rule 9.2(a) of the Constitution;
  - (ii) any further qualifications or eligibility criteria prescribed by the Board for the constituency that the Member seeks to represent pursuant to rule 9.2(b) of the Constitution; and
  - (iii) Regulation 2.6.
- (b) In accordance with rule 9.2(a)(iii) of the Constitution, a GSA Board member is not eligible to stand for election to the Representative Council.

### **5.4 Standing for election for multiple Representative Council positions**

- (a) A Member may stand for election for multiple positions within the Representative Council.
- (b) In accordance with rule 9.7(e) of the Constitution, a person may only hold one Representative Council position at a time.
- (c) A Member who stands for election for multiple positions within the Representative Council must nominate their order of preferences for each position and provide a copy to the Returning Officer at the time of submitting their nomination.
- (d) If a Member has the highest number of votes for more than one Representative Council position then they will be deemed to have withdrawn their nominations for the least preferred position(s) in accordance with Regulation 2.21.

### **5.5 Method of voting**

The method of voting in general elections of Representative Councillors is as described in Regulation 2.24.

### **5.6 Method of counting**

The method of counting in general elections of Representative Councillors is as described in Regulation 2.25.

## **5.7 Casual vacancies**

- (a) If a position on the Representative Council falls vacant up to and including sixty days after a general election, the position must be filled by a count back of the votes at that general election.
- (b) If a casual vacancy in a Representative Council position is not filled by a count back in accordance with Regulation 5.7(a), then:
  - (i) if the position falls more than sixty days after a general election – the Representative Council must within sixty days appoint a Member to fill the position until the conclusion of the first AGM following their appointment; or
  - (ii) if the vacancy results in there being less than five Representative Council members, the Representative Council must call a by-election expressly for the purpose of electing additional Representative Council members.

## **6 ELECTION OF FACULTY COUNCIL**

---

### **6.1 Applicability**

This Regulation applies to the election of Faculty Councillors under rule 10.4 of the Constitution.

### **6.2 Number of Faculty Councillors**

In accordance with rule 10.2 of the Constitution, the Faculty Council will consist of:

- (a) at least nine and no more than fifteen Faculty Councillors; and
- (b) preferably, at least one Faculty Councillor from each faculty.

### **6.3 Eligibility to stand**

- (a) All Members are eligible to stand at an election of Faculty Councillors, provided that:
  - (i) they meet the requirements of:
    - (A) rule 10.3 of the Constitution; and
    - (B) Regulation 2.6; and
  - (ii) they are enrolled and currently undertaking a course in the relevant faculty.
- (b) In accordance with rule 10.3(c) of the Constitution, GSA Board members and Representative Councillors are not eligible to stand for election to the Faculty Council.

### **6.4 Method of voting**

The method of voting in general elections of Faculty Councillors is as described in Regulation 2.24.

### **6.5 Method of counting**

The method of counting in general elections of Faculty Councillors is as described in Regulation 2.25.

### **6.6 Casual vacancies**

- (a) If a position on the Faculty Council falls vacant up to and including 60 days after a general election, the position must be filled by a count back of the votes at that general election.
- (b) If a casual vacancy in a Faculty Council position is not filled by a count back in accordance with Regulation 6.6(a) then:
  - (i) if the position falls more than 60 days after a general election – the Representative Council must within 60 days appoint a Member to fill the position until the conclusion of the first AGM following their appointment; or
  - (ii) if the vacancy results in there being less than nine Faculty Councillors, the Faculty Council must call a by-election expressly for the purpose of electing additional Faculty Councillors.

## **7 ELECTORAL TRIBUNAL**

---

### **7.1 Applicability**

This Regulation applies to all UMGSA elections.

### **7.2 Appointment and powers of Electoral Tribunal**

- (a) The Electoral Tribunal is appointed in accordance with rule 13.3 of the Constitution.
- (b) The Electoral Tribunal has the powers given in rule 13.6 of the Constitution.

### **7.3 Procedure of Electoral Tribunal**

- (a) The Electoral Tribunal may regulate its own proceedings and must comply with these Electoral Regulations, which it may amend from time to time in accordance with rule 13.6(a) of the Constitution.
- (b) Meetings of the Electoral Tribunal must be conducted in accordance with rule 13.9 of the Constitution.
- (c) Meetings may be held and votes may be cast via the use of technology.
- (d) The Electoral Tribunal must appoint one of its members as Chair, who will be responsible for managing Electoral Tribunal meetings and communicating with the Returning Officer, the GSA Board and UMGSA staff where appropriate.
- (e) A decision of the Electoral Tribunal will only be valid if it is made:
  - (i) at a meeting (whether in person or online) attended by at least two members of the Electoral Tribunal and approved by at least two members of the Electoral Tribunal; or
  - (ii) by circular resolution approved unanimously by all three members of the Electoral Tribunal.

- (f) The Electoral Tribunal must decide questions of fact on the balance of probabilities.
- (g) Decisions of the Electoral Tribunal are final, cannot be reviewed or appealed and are not subject any other UMGSA body.
- (h) The Electoral Tribunal must ensure that all elections are regulated in accordance with all UMGSA policies and procedures, as implemented and amended by the Board from time to time.

#### **7.4 Appeals against decisions of Returning Officer**

- (a) A Member may appeal against a decision of the Returning Officer at any time before the result of an election to which the decision relates is declared by the Electoral Tribunal by contacting the Chair of the Electoral Tribunal.
- (b) If the Chair of the Electoral Tribunal considers that the Returning Officer's decision should be reviewed, they must convene a meeting of the Electoral Tribunal in accordance with rule 13.9 of the Constitution.
- (c) If a meeting of the Electoral Tribunal is convened, it must be held as soon as is practicable and necessary given the urgency of the matter, and in accordance with rule 13.9 of the Constitution.
- (d) An appeal in accordance with this Regulation is by way of rehearing.
- (e) At the meeting the Member appealing must be given an opportunity to present their case.
- (f) The Returning Officer must be given an opportunity to respond.
- (g) The Electoral Tribunal may hear submissions from any other interested person or a person that the Electoral Tribunal believes may assist with its deliberations.
- (h) The Electoral Tribunal must then rule on the matter.
- (i) The Electoral Tribunal may make declaratory rulings in accordance with this Regulation.
- (j) The Electoral Tribunal may not make a ruling in accordance with this Regulation that alters the result of an election that has been declared if the appeal has been brought after the time set in Regulation 7.6(a).
- (k) The Returning Officer may appeal in accordance with this Regulation against their own decision if subsequently satisfied it was wrong and if the decision is not otherwise able to be reversed. Regulation 7.4(f) does not then apply.
- (l) In this Regulation 7.4, "**decision**" includes omission and failure to act.

#### **7.5 Reports of prohibited conduct**

- (a) The Returning Officer or any Member may report a breach of any Regulation to the Chair of the Electoral Tribunal.
- (b) If the Chair of the Electoral Tribunal considers that the breach should be investigated, they must convene a meeting of the Electoral Tribunal in accordance with rule 13.9 of the Constitution.

- (c) Allegations brought against UMGSA staff should be treated seriously and require evidence.
- (d) If a meeting of the Electoral Tribunal is convened, it must be held as soon as is practicable and necessary given the urgency of the matter and in accordance with rule 13.9 of the Constitution.
- (e) At the meeting the person who has reported the breach must be given an opportunity to present their case.
- (f) Any person who has been reported must be given an opportunity to respond.
- (g) The Electoral Tribunal may hear submissions from any other interested person or a person that the Electoral Tribunal believes may assist with its deliberations.
- (h) The Electoral Tribunal may, whether it finds there has been a breach or not, give such directions as it sees fit.
- (i) If the Electoral Tribunal finds that there has been a breach of any Regulation, it may formally reprimand the person reported.
- (j) If the Electoral Tribunal determines that there has been a serious breach or breaches of any Regulation it may disqualify the person reported from standing and/or voting in elections either temporarily or permanently.
- (k) The Electoral Tribunal may, in its sole discretion, determine that an individual has committed a “serious breach” for the purpose of Regulation 7.5(j), including (without limitation) on the grounds that:
  - (i) the individual’s conduct:
    - (A) involves persistent or repeated breaches of the Regulations;
    - (B) has impacted (or could impact) the outcome or integrity of an election;
    - (C) includes making defamatory or abusive statements; or
    - (D) brought (or has the potential to bring) UMGSA into disrepute;
  - (ii) the individual was involved in a breach or breaches, and (following a warning by the Returning Officer):
    - (A) if asked to rectify a breach, failed to rectify that breach within a reasonable time; or
    - (B) allowed a breach to continue; or
    - (C) committed a new breach; or
  - (iii) the individual failed to comply with a direction or ruling of the Electoral Tribunal.
- (l) If a candidate is disqualified under Regulation 7.5(j), the Returning Officer must proceed as if that person had never nominated.

- (m) The Electoral Tribunal may not disqualify a person from standing in an election the result of which has been declared if the report has been made after the time set in Regulation 7.6(a).

## **7.6 Appeals against results of elections**

- (a) A Member may appeal against the result of an election by contacting the Chair of the Electoral Tribunal within 1 week of the provisional declaration of the result.
- (b) A Member may only appeal against the result of an election on the ground that there has been a defect in the conduct of the election that has materially affected the result.
- (c) The Member appealing must notify the Returning Officer in writing of the appeal immediately after they contact the Chair of the Electoral Tribunal.
- (d) The Chair must convene a meeting of the Electoral Tribunal within one week of being contacted and in accordance with rule 13.9 of the Constitution.
- (e) At the meeting the Member appealing must be given an opportunity to present their case.
- (f) The Electoral Tribunal may hear submissions from any interested person or a person that the Electoral Tribunal believes may assist with its deliberations.
- (g) If the Electoral Tribunal is satisfied that there has been a defect in the conduct of the election that has materially affected the result it may order a new election.
- (h) The Electoral Tribunal must decide the timetable for any new election held in accordance with Regulation 7.6(g).