

University of Melbourne Graduate Student Association Incorporated

ELECTION REGULATIONS

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2. Authorising Provisions

These regulations are made by the Electoral Tribunal under rules 8.6(1)(a) and 8.6(1)(g) of the constitution.

3. Interpretation

These regulations are to be interpreted in the same way as the constitution.

4. Additional Definitions

In these regulations, unless the contrary intention appears:

- (a) “AGM” means annual general meeting;
- (b) “ballot paper” includes the electronic equivalent of a ballot paper;
- (c) “constitution” means the GSA constitution;
- (d) “election official” includes the Returning Officer and any Deputy and Assistant Returning Officers;
- (e) “election records” means all records relating to the election in the possession or under the control of an election official, including:
 - (i) ballot papers and voters rolls, and
 - (ii) records in electronic form;
- (f) “general election” means the general election of Councillors under part 3;
- (g) “GSA” means the University of Melbourne Graduate Student Association Incorporated;
- (h) “writing” includes emails and documents sent electronically; and
- (i) a reference to a time means that time precisely and not a second later.

5. Drawing of Lots

Where these 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.

PART 2 – ELECTIONS GENERALLY

6. Applicability

This part applies to all GSA elections.

7. Appointment of Returning Officer

- 7.1 The Electoral Tribunal must appoint the Returning Officer for each election in accordance with rule 8.8 of the constitution.
- 7.2 The Returning Officer must be remunerated by the GSA as agreed between the Returning Officer and the Executive.

8. Responsibilities and Powers of Returning Officer

- 8.1 The Returning Officer:
 - (a) is responsible for the conduct of the election;
 - (b) may decide all matters not provided for in the constitution or these regulations; and
 - (c) is subject only to the Electoral Tribunal.
- 8.2 The Returning Officer must decide questions of fact on the balance of probabilities.
- 8.3 Any decision of the Returning Officer may be appealed to the Electoral Tribunal in accordance with regulation 67.
- 8.4 The GSA must provide the facilities, resources and assistance necessary to enable the Returning Officer to carry out the responsibilities under these regulations.

9. Deputy and Assistant Returning Officers and Election Officials

- 9.1 The Returning Officer may appoint (and remove) Deputy and Assistant Returning Officers and other election officials.
- 9.2 Election officials other than the Returning Officer:
 - (a) have the duties determined by the Returning Officer;

- (b) are subject to the direction of the Returning Officer and the Electoral Tribunal; and
- (c) may be remunerated by the GSA or the Returning Officer.

- 9.3 The Returning Officer may delegate any responsibilities under these regulations to a Deputy or Assistant Returning Officer.
- 9.4 Election officials are not disqualified from voting in elections if otherwise eligible.
- 9.5 Election officials must not be a candidate in the election.

10. Eligibility to Stand and Vote

- 10.1 Under rule 8.2 of the constitution, only members are eligible to stand and vote in elections.
- 10.2 Members are not eligible to stand or vote in an election unless they are on the register of members at the time nominations close.

11. Voters Roll

- 11.1 The Returning Officer must compile the voters roll for the election:
- (a) before nominations open, and
 - (b) at the time nominations close.
- 11.2 The Returning Officer may subsequently amend the voters roll if satisfied it is incorrect, subject to regulation 10.2.

12. Notice of Election

- 12.1 On the day that nominations open the Returning Officer must give notice of the election to all members on the voters roll in accordance with rule 9.1 of the constitution.
- 12.2 The notice of election must include:
- (a) the call for nominations, including:
 - (i) the positions to be elected, and
 - (ii) the date and time of the close of nominations, and the method of nominating; and
 - (b) notice of the date (or dates), time (or times), place (if any) and method of voting.

13. Form of Nominations

- 13.1 All nominations must be on the official nomination form approved by the Returning Officer.

13.2 The official nomination form must include the Returning Officer's email address.

13.3 Candidates must provide the following information on the nomination form:

- (a) the position to be elected,
- (b) their name as it is to appear on the ballot paper,
- (c) their student number,
- (d) their email address, and
- (e) their mobile phone number.

13.4 Nomination forms must be signed by the candidate.

13.5 The Returning Officer must make nomination forms available on the GSA website and from the GSA office from the opening of nominations.

14. Receipt of Nominations

- 14.1 Nominations may be given to the Returning Officer:
- (a) by emailing a signed copy to the email address given on the nomination form;
 - (b) by depositing the nomination form in the secure box provided for that purpose at the GSA office; or
 - (c) personally.
- 14.2 Nominations are only valid if received by the Returning Officer before the close of nominations.
- 14.3 The Returning Officer must promptly acknowledge all nominations sent by email.
- 14.4 The Returning Officer must not disclose the nominations received, except in accordance with regulation 20.

15. Verification of Eligibility

Immediately after the close of nominations, the Returning Officer must verify that each person who has nominated is eligible to stand.

16. 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.

17. Reopening of Nominations

- 17.1 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.
- 17.2 Regulations 12–16 apply to the reopening of nominations.

18. Scrutineers

- 18.1 Each candidate may appoint 1 scrutineer for each position for which they are standing.
- 18.2 The scrutineer must be a member.
- 18.3 The scrutineer must not be a candidate for that position.
- 18.4 The appointment of a scrutineer must:
- (a) be in writing;
 - (b) include:
 - (i) the position to be elected,
 - (ii) the candidate's name,
 - (iii) the candidate's signature,
 - (iv) the scrutineer's name, and
 - (v) the scrutineer's signature; and
 - (c) be given to the Returning Officer (including by email).
- 18.5 Scrutineers are entitled:
- (a) to observe:
 - (i) the draw for the ballot paper under regulation 19, and
 - (ii) the counting of votes under regulation 29; and
 - (b) to inspect the voters roll under regulation 11.
- 18.6 Scrutineers must not touch ballot papers or any other election records.

19. Draw for Ballot Paper

- 19.1 If the number of candidates for any position exceeds the number to be elected, the Returning Officer must draw lots to decide the order of names of candidates on the ballot paper.
- 19.2 Candidates and scrutineers may observe the drawing of lots.

20. List of Candidates

The Returning Officer must post a list of candidates in the order they will appear on the ballot paper on the GSA website immediately after the ballot paper draw.

21. Withdrawal of Nomination

- 21.1 A candidate may withdraw their nomination at any time before the result of the election is provisionally declared.
- 21.2 Withdrawals must:
- (a) be in writing;
 - (b) include:
 - (i) the position to be elected,
 - (ii) the candidate's name, and
 - (iii) the candidate's signature; and
 - (c) be given to the Returning Officer (including by email).
- 21.3 The withdrawal takes effect on its receipt by the Returning Officer.
- 21.4 If a candidate withdraws, the Returning Officer must proceed as if that member had never nominated.

22. Voting

- 22.1 Under rule 8.1 of the constitution, all elections must be conducted by secret ballot.
- 22.2 Voters may only vote once in each election. All votes of a voter who votes or attempts to vote more than once are invalid.
- 22.3 Votes must be cast by the voter personally, and not by another person on their behalf.
- 22.4 Regulation 22.3 does not prevent a voter from requesting another person to provide assistance in physically casting the vote.
- 22.5 The Returning Officer must decide whether the election is to be held by:
- (a) attendance voting,
 - (b) postal voting,
 - (c) online voting, or
 - (d) a combination of (a)–(c).
- 22.6 Without limiting regulation 22.5, attendance voting may be conducted electronically.

23. Identification of Voters

The Returning Officer must ensure that:

- (a) only members on the voters roll vote in the election; and
- (b) each voter only votes once.

24. Method of Voting for Multiple Positions

- 24.1 This regulation applies to elections in which more than 1 position is to be elected in a single ballot, except for the general election of Councillors.
- 24.2 Voters must place a tick or cross against the names of those candidates they wish to vote for.
- 24.3 Voters may vote for as many candidates as there are positions to be elected.
- 24.4 A ballot paper that has more ticks or crosses against the names of candidates than there are positions to be elected is informal, subject to regulation 24.6.
- 24.5 Each tick or cross counts as 1 vote for that candidate, subject to regulation 24.6.
- 24.6 If a ballot paper has both ticks and crosses against the names of candidates, only the ticks are to be counted and the crosses are to be disregarded.
- 24.7 If a voter places numbers instead of ticks or crosses against the names of candidates, those numbers count as 1 vote each for that candidate. If there are more numbers than positions to be elected, only the lowest numbers up to the number of positions to be elected count.
- 24.8 The Returning Officer must declare provisionally elected the number of candidates to be elected who receive the most votes, subject to clause 24.9.
- 24.9 If 2 or more candidates receive the same number of votes, and 1 or some but not all of those candidates are to be elected, the Returning Officer must draw lots to decide which is elected.

25. Method of Voting for Single Positions

- 25.1 This regulation applies to elections in which only 1 position is to be elected in a single ballot.

- 25.2 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 against the names of as many other candidates of lower preference in order as they wish.

- 25.3 For the purposes of regulation 25.1:

- (a) a natural number against the name of a candidate indicates a preference for that candidate ahead of all candidates with higher numbers or no number against their name;
- (b) a vote is formal even if:
 - (i) the lowest number is not 1,
 - (ii) the numbers are not consecutive, and
 - (iii) numbers are repeated;
- (c) a tick against the name of a candidate where there is no number 1 against the name of another candidate is taken to be the number 1; and
- (d) a cross against the name of a candidate where there is no number 1 or tick against the name of another candidate is taken to be the number 1.

26. Method of Counting for Single Positions

- 26.1 In this regulation:

- (a) “absolute majority of votes” means more than half of the total number of live votes;
- (b) “continuing candidate” means a candidate who has not been eliminated;
- (c) “exhausted vote” means a ballot paper that does not show a preference for a continuing candidate;
- (d) “live vote” means a ballot paper that is not an exhausted vote; and
- (e) “vote” means a formal vote, and does include an informal vote.

- 26.2 The Returning Officer must count the first preference votes for each candidate.

- 26.3 If any candidate has an absolute majority of votes, the Returning Officer must declare that candidate provisionally elected.

- 26.4 If no candidate has an absolute majority of votes, the Returning Officer must:
- (a) eliminate the candidate with the fewest number of votes, subject to regulation 26.5;
 - (b) distribute that candidate's live votes to the continuing candidate for which the ballot paper shows the next highest preference; and
 - (c) count the votes for each continuing candidate.
- 26.5 If a candidate is to be eliminated, and 2 or more candidates equally have the fewest number of votes, the Returning Officer must draw lots to decide which to eliminate.
- 26.6 The Returning Officer must repeat the procedure in regulations 26.3 and 26.4 until a candidate is provisionally elected.

27. Informal Votes

- 27.1 Only the Returning Officer may rule a vote informal.
- 27.2 A vote is only informal when it does not comply with regulation 24 or 25 and the voter's intention is not clear.

28. Close of Voting

- 28.1 A vote must not be counted unless it is cast by the voter before the close of voting.
- 28.2 For the purposes of regulation 28.1, a vote is cast if:
- (a) for attendance voting with paper ballot papers – the voter has placed the ballot paper in a ballot box;
 - (b) for postal ballots – the Returning Officer has received the ballot paper; or
 - (c) for online and other forms of electronic voting – the Returning Officer has received the vote electronically.

29. Counting of Votes

- 29.1 The Returning Officer must start counting the votes immediately after the close of voting.
- 29.2 The Returning Officer may adjourn the count from time to time.
- 29.3 Scrutineers may observe the counting of votes.

- 29.4 The Returning Officer may recount the votes if:
- (a) requested by a candidate in writing, giving the reason for the request; or
 - (b) the Returning Officer decides.

30. Declaration of Results

- 30.1 The Returning Officer must:
- (a) post the provisional results of the election on the GSA website; and
 - (b) notify the Electoral Tribunal of the provisional results of the election; as soon as they are available.
- 30.2 Subject to any appeal under regulation 67 or 69 or report under regulation 68, the Electoral Tribunal must declare the results of the election in accordance with rule 8.6(1)(e) of the constitution.
- 30.3 The Returning Officer must:
- (a) post the results of the election on the GSA website; and
 - (b) email the results to each candidate.

31. Security of Election Records

- 31.1 The Returning Officer must keep all election records secure.
- 31.2 The Returning Officer must retain all election records until after the candidates elected at the next election of the same kind have taken office.

32. Prohibited Conduct

- 32.1 Any dishonest conduct in an election is prohibited.
- 32.2 Any conduct intended or likely to mislead or deceive a voter is prohibited.
- 32.3 Without limiting regulations 32.1 and 32.2, the following are specifically prohibited:
- (a) providing false information in or interfering with any document given to the Returning Officer;
 - (b) voting or attempting to vote except in accordance with these regulations;
 - (c) interfering with election records;
 - (d) violating the secrecy of the ballot;
 - (e) in general elections – publicity not in accordance with regulation 42;

- (f) interfering with other candidates' publicity;
- (g) campaigning unless a member;
- (h) paying a person to campaign;
- (i) offering gifts;
- (j) using GSA or University facilities or property (including intellectual property) not generally available to all members;
- (k) damaging GSA or University property;
- (l) failing to comply with a direction of the Returning Officer, or a ruling or direction of the Electoral Tribunal; and
- (m) interfering with or impeding the conduct of the election.

32.4 The Returning Officer may direct any person breaching regulations 32.1–32.3 to cease doing so.

32.5 The Returning Officer or any member may report a breach of regulations 32.1–32.3 to the Electoral Tribunal in accordance with regulation 68.

32.6 In cases of urgency, the Returning Officer may exercise the powers of the Electoral Tribunal under regulations 68.8 and 68.9, subject to regulation 67.

33. Defamation

The GSA does not indemnify any person for defamation in an election.

34. Saving

34.1 No act, decision or election is invalid only because it was done, made or held after the time required by the constitution or these regulations.

34.2 The validity of an election is not affected by any defect in the conduct of the election if:

- (a) the election was conducted substantially in accordance with the constitution and these regulations; and
- (b) the defect did not materially affect the result.

PART 3 – ELECTION OF COUNCILLORS

35. Applicability

This part applies to the general election of Councillors held in accordance with rule 8.3 of the constitution.

36. Number of Councillors to Be Elected

Under rule 8.3 of the constitution:

- (a) in each odd-numbered year 7 Councillors must be elected; and
- (b) in each even-numbered year 8 Councillors must be elected.

37. Number of Women Councillors

37.1 In order to comply with rule 5.1(4) of the constitution, in each general election of Councillors, sufficient women must be elected so that at least 7 Councillors are women, provided enough women nominate.

37.2 For the purposes of these regulations, a woman is any individual who identifies as a woman.

38. Eligibility to Stand and Vote

All members are eligible to stand and vote in the election of Councillors, subject to regulation 10.2.

39. Date of AGM

39.1 Despite regulation 2, this regulation is made by the Council under rule 4.4(2) of the constitution.

39.2 The AGM must be held on the last Friday of Semester 1.

40. Election Timetable

40.1 The Electoral Tribunal must appoint the Returning Officer no later than the Monday of the week 11 weeks before the week of the AGM.

40.2 Nominations open on the Monday of the week 9 weeks before the week of the AGM at 10.00 am.

40.3 Nominations close on the Friday of the week 7 weeks before the week of the AGM at 10.00 am.

40.4 Any reopened nominations close on the Friday of the week 6 weeks before the week of the AGM at 10.00 am.

40.5 Voting opens on the Monday of the week 4 weeks before the week of the AGM at 10.00 am.

40.6 Voting closes on the Friday of the week 2 weeks before the week of the AGM at 10.00 am.

41. Candidate Statements and Photos

41.1 Candidates may submit:

- (a) a statement of up to 200 words, and
 - (b) a photo of themselves,
- to the Returning Officer.

41.2 Candidate statements and photos may be submitted:

- (a) with the nomination, or
- (b) at any time after the close of nominations up until the time set by the Returning Officer.

41.3 The call for nominations under regulation 12.2(a) must also include:

- (a) the substance of regulations 41.1 and 41.2,
- (b) the time by which candidate statements and photos must be submitted, and
- (c) the method of submitting candidate statements and photos.

41.4 The Returning Officer may cut candidate statements that are more than 200 words.

41.5 The Returning Officer must:

- (a) post the candidate statements and photos on the GSA website before voting opens until voting closes; and
- (b) provide voters with a copy of the candidate statements and photos before they vote (which may be via a link to the GSA website).

42. Publicity

42.1 This regulation applies from the opening of nominations to the close of voting.

42.2 The following publicity is prohibited:

- (a) leaflets or posters reproduced on paper heavier than 100 gsm;
- (b) leaflets or posters reproduced on paper larger than A3 size (297 mm x 420 mm);

(c) leaflets or posters reproduced on gloss paper;

(d) the distribution of leaflets, posters or badges in libraries;

(e) multiple sheets of paper that together make up a poster;

(f) chalk other than solid sticks or blocks;

(g) chalking other than on horizontal surfaces that are exposed to the weather or on blackboards;

(h) stickers, balloons, videos and films;

(i) advertisements in newspapers (including "Farrago"), and on radio, television or the internet;

(j) the use of performers who are not members;

(k) any banner hung in a position not approved by the Returning Officer or any banner larger than 3 m horizontally or 2 m vertically;

(l) publicity that does not comply with regulations 43 and 44; and

(m) publicity in breach of:

(i) regulation 32;

(ii) University legislation or policies, including Regulation 8.3.R2 – Computing and Network Facilities Rules and the Privacy Policy; or

(iii) Commonwealth or State legislation, including the *Privacy Act 1988* (Cth) and the *Spam Act 2003* (Cth).

42.3 This regulation does not apply to the Returning Officer.

43. Authorisation of Leaflets, Posters and Banners

43.1 All leaflets, posters and banners must be authorised by the candidate or another member.

43.2 The name and student number of the person authorising the leaflet, poster or banner must appear legibly on it.

44. Registration of Leaflets, Posters and Electronic Publicity

44.1 In this regulation, "electronic publicity" means publicity transmitted over any electronic network, including the internet.

- 44.2 Leaflets must be registered by the Returning Officer before being distributed.
- 44.3 Posters must be registered by the Returning Officer before being displayed.
- 44.4 Electronic publicity must be registered by the Returning Officer before being sent.
- 44.5 The Returning Officer must not register leaflets, posters or items of electronic publicity that do not comply with these regulations.
- 44.6 The Returning Officer must keep a register of all leaflets, posters and electronic publicity registered by the Returning Officer.

45. Candidates Forum

- 45.1 The Returning Officer may arrange a forum where members have an opportunity to hear from and ask questions of candidates.
- 45.2 If there is a forum:
- (a) it must be held in the week before the first week of voting;
 - (b) all candidates must be invited to attend;
 - (c) it must be chaired by the Returning Officer or nominee; and
 - (d) each candidate attending may make a speech of no longer than 3 minutes.

46. Method of Voting

The method of voting is the same as under regulations 25.2 and 25.3.

47. Method of Counting

- 47.1 In this regulation:
- (a) a “continuing candidate” is a candidate who has neither been elected nor eliminated;
 - (b) the “number of votes” for a candidate is the total value of ballot papers allocated to that candidate at a stage of counting; and
 - (c) a “stage of counting” is when all ballot papers have been allocated to continuing candidates.
- 47.2 Each ballot paper must first be given a value of 1.
- 47.3 The value of each ballot paper must be allocated to the continuing candidate for whom it shows the highest preference.

- 47.4 A ballot paper that does not show a valid preference for at least 1 continuing candidate is exhausted and must not be allocated further.
- 47.5 A quota must be calculated at each stage of counting by dividing the total number of votes for continuing candidates by 1 more than the number of positions remaining to be filled and then adding the smallest number the technology being used to count votes is capable of adding.
- 47.6 If at any stage of counting a candidate has a number of votes equal to or greater than the quota, subject to regulation 47.10 the Returning Officer must declare that candidate provisionally elected, and each ballot paper allocated to that candidate must be given a new value obtained by multiplying its current value by that candidate’s transfer value.
- 47.7 In regulation 47.6, the “candidate’s transfer value” is the number of votes for that candidate, less the quota, all divided by the number of votes for that candidate.
- 47.8 If at any stage of counting no candidate has a number of votes equal to or greater than the quota, the candidate with the lowest number of votes must be eliminated. If there are 2 or more candidates with an equal number of votes and no candidate has a lower number of votes at any earlier stage of the counting, the Returning Officer must draw lots to decide which of these candidates is to be eliminated.
- 47.9 The procedure in regulations 47.3–47.8 must be repeated in order until the number of positions to be filled is filled.
- 47.10 If at any stage of counting:
- (a) the election of a candidate who is not a woman would result in it not being possible to meet the requirement of regulation 37; and
 - (b) there is at least 1 unelected candidate (whether continuing or eliminated) who is a woman;
- then:
- (c) the election of the candidate who is not a woman must not be proceeded with;
 - (d) all continuing candidates who are not women must be eliminated; and

- (e) all previously eliminated candidates who are women must be reintroduced into the count as continuing candidates.

48. Casual Vacancies

- 48.1 In order to comply with rule 5.1(4) of the constitution, a casual vacancy in a Councillor position must be filled by a woman if there would otherwise be fewer than 7 Councillors who are women, provided there is a candidate who is a woman.
- 48.2 If a casual vacancy in a Councillor position is not filled by a count back in accordance with rule 8.4(2)(a) of the constitution:
 - (a) the Council must within 60 days elect a member to fill the position until the next general election in accordance with rule 8.4(2)(b) of the constitution;
 - (b) the Returning Officer must decide the timetable for the election; and
 - (c) a by-election for the position must be held in conjunction with the next general election in accordance with rule 8.4(3) of the constitution.

49. Transitional

- 49.1 This regulation applies to the general election of Councillors in 2015 in accordance with rule 12.1(6) of the constitution.
- 49.2 Despite regulation 36, 15 Councillors must be elected.
- 49.3 The 7 Councillors who receive the most votes have a term of office expiring at the end of the 2017 AGM.
- 49.4 The other 8 Councillors have a term of office expiring at the end of the 2016 AGM.

PART 4 – ELECTION OF OFFICE BEARERS AND EXECUTIVE

50. Applicability

This part applies to the election of office bearers and general members of the Executive held in accordance with parts 6 and 7 of the constitution.

51. Eligibility to Stand and Vote

Only Councillors are eligible to stand and vote in the election of office bearers and general members of the Executive.

52. Date of Council Meeting

- 52.1 The General Secretary must convene a Council meeting to be held within 2 weeks of the AGM in accordance with rule 7.8(1) of the constitution (in this part, “the Council meeting”).
- 52.2 If the General Secretary fails to convene the Council meeting, any Councillor may do so.

53. Election Timetable

- 53.1 Nominations open at the time notice is given of the Council meeting.
- 53.2 Nominations close at 5.00 pm the day before the Council meeting in accordance with rule 7.3(2) of the constitution.
- 53.3 Any reopened nominations close at the time announced by the Returning Officer at the Council meeting.
- 53.4 Voting opens at the time announced by the Returning Officer at the Council meeting.
- 53.5 Voting closes at the time announced by the Returning Officer at the Council meeting.

54. Associate Office Bearers

- 54.1 Despite regulation 2, this regulation is made by the Council under rule 7.1(2) of the constitution.
- 54.2 If at the Council meeting no Councillor nominates to fill an office bearer position, the Council may at that meeting or a subsequent meeting appoint any member to fill that position as an associate office bearer.

PART 5 – ELECTION OF COMMITTEE MEMBERS

55. Applicability

This part applies to the election of members of GSA committees other than the Executive.

56. Eligibility to Stand

- 56.1 Only members are eligible to stand for election as members of GSA committees.
- 56.2 Regulation 56.1 does not prevent a committee from co-opting non-members as members of the committee in accordance with rule 5.16(2) of the constitution.

57. Eligibility to Vote

The regulation establishing the committee under rule 5.16(1) of the constitution must provide whether the members of the committee are to be elected:

- (a) by members in conjunction with the general election; or
- (b) by the Council.

58. Election Timetable

- 58.1 If the members of a committee are to be elected in conjunction with the general election, regulation 40 and the other provisions of part 3 apply.
- 58.2 If the members of a committee are to be elected by the Council, the Returning Officer must decide the timetable for the election.

PART 6 – ELECTION OF UNIVERSITY COUNCIL FELLOW

59. Applicability

This part applies to the election of a graduate student to be appointed as a University Council Fellow delegated to the GSA by the University Secretary in accordance with University Council Standing Resolution 1.1.9.

60. Election

- 60.1 The candidate for appointment by the University Council must be elected at an election held every even-numbered year in conjunction with the general election.
- 60.2 All graduate students are eligible to stand and vote in the election.
- 60.3 Parts 1–3 and 8 otherwise apply to the election in so far as they are applicable and with any necessary modifications decided by the Returning Officer.

61. Transitional

Despite regulation 60.1, an election under this part must be held in 2015 in conjunction with the general election.

PART 7 – ELECTION OF DIRECTOR OF MU STUDENT UNION LIMITED

62. Applicability

This part applies to the election of a graduate student as a director of the MU Student Union Limited delegated to the GSA by the University Secretary under rule 9.5 of the MU Student Union Limited constitution.

63. Election

- 63.1 The director must be elected at an election held in October of every even-numbered year.
- 63.2 The result of the election must be declared before 1 November.
- 63.3 All graduate students are eligible to stand and vote in the election.
- 63.4 Parts 1–3 and 8 otherwise apply to the election in so far as they are applicable and with any necessary modifications decided by the Returning Officer.

PART 8 – ELECTORAL TRIBUNAL

64. Applicability

This part applies to all GSA elections.

65. Appointment and Powers of Electoral Tribunal

- 65.1 The Electoral Tribunal is appointed in accordance with rule 8.5 of the constitution.
- 65.2 The Electoral Tribunal has the powers given in rule 8.6 of the constitution.

66. Procedure of Electoral Tribunal

- 66.1 The Electoral Tribunal may regulate its own proceedings, subject to this regulation.
- 66.2 Meetings of the Electoral Tribunal must be conducted in accordance with rule 8.7 of the constitution.
- 66.3 Meetings may be held at more than 1 place, provided that the technology used enables each person attending the meeting at all places the meeting is held to communicate clearly and simultaneously with every other such person.
- 66.4 The Electoral Tribunal must appoint 1 of its members as Chair.

66.5 Decisions of the Electoral Tribunal may only be made by at least 2 members of the Electoral Tribunal.

66.6 The Electoral Tribunal must decide questions of fact on the balance of probabilities.

66.7 Where in the view of the Electoral Tribunal it is unnecessary that a hearing be held, the Tribunal may without meeting give a direction or ruling by unanimous resolution in writing.

66.8 Decisions of the Electoral Tribunal are not subject to the Disputes Tribunal or any other GSA body.

67. Appeals against Decisions of Returning Officer

67.1 A member may appeal against a decision of the Returning Officer by contacting the Chair of the Electoral Tribunal.

67.2 If the Chair considers that the Returning Officer's decision should be reviewed, they must convene a meeting of the Electoral Tribunal.

67.3 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.

67.4 An appeal under this regulation is by way of rehearing.

67.5 At the meeting the member appealing must be given an opportunity to present their case.

67.6 The Returning Officer must be given an opportunity to respond.

67.7 The Electoral Tribunal may hear submissions from any other interested person.

67.8 The Electoral Tribunal must then rule on the matter.

67.9 The Electoral Tribunal may make declaratory rulings under this regulation.

67.10 The Electoral Tribunal may not make any ruling under 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 69.1.

67.11 The Returning Officer may appeal under this regulation against their own decision if subsequently satisfied it was wrong and if the decision is not otherwise able to be reversed. Regulation 67.6 does not then apply.

67.12 In this regulation, "decision" includes omission and failure to act.

68. Reports of Prohibited Conduct

68.1 The Returning Officer or any member may report a breach of regulation 32 to the Chair of the Electoral Tribunal.

68.2 If the Chair considers that the breach should be investigated, they must convene a meeting of the Electoral Tribunal.

68.3 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.

68.4 At the meeting the person who has reported the breach must be given an opportunity to present their case.

68.5 Any person who has been reported must be given an opportunity to respond.

68.6 The Electoral Tribunal may hear submissions from any other interested person.

68.7 The Electoral Tribunal may, whether it finds there has been a breach or not, give such directions as it sees fit.

68.8 If the Electoral Tribunal finds that there has been a breach it may formally reprimand the person reported.

68.9 If the Electoral Tribunal finds that there has been a serious breach it may disqualify the person reported from:

- (a) standing, or
- (b) voting, or
- (c) either standing or voting,

in:

- (d) that election, or
- (e) that election and a specified number of future elections, or
- (f) all elections.

- 68.10 For the purpose of regulation 68.9 and without limiting “serious breach”, a breach of regulations 32.3(a)–32.3(d) or failure to comply with a direction or ruling of the Electoral Tribunal is automatically a serious breach.
- 68.11 If a candidate is disqualified, the Returning Officer must proceed as if that person had never nominated.
- 68.12 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 69.1.

69. Appeals against Results of Elections

- 69.1 A member may appeal against the result of an election by contacting the Chair of the Electoral Tribunal within 1 week of the declaration of the result.
- 69.2 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.
- 69.3 The member appealing must notify the Returning Officer in writing of the appeal immediately they contact the Chair of the Electoral Tribunal.
- 69.4 The Chair must convene a meeting of the Electoral Tribunal within one week of being contacted.
- 69.5 At the meeting the member appealing must be given an opportunity to present their case.
- 69.6 The Electoral Tribunal may hear submissions from any interested person.
- 69.7 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.
- 69.8 The Electoral Tribunal must decide the timetable for any new election under regulation 69.7.