

UMGSA Electoral Regulations

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1.1 Authorising provisions

These Electoral Regulations are made by the Electoral Tribunal in accordance with rule 13.5(a) of the Constitution.

1.2 Interpretation

These Electoral Regulations are to be interpreted in the same way as the Constitution.

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;

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

(a) commencing on the date that nominations for election close in accordance with Regulation 2.8(a)(ii); and

(b) ceasing when voting for an election closes.

“**Campaign Supporter**” means an individual nominated on a list provided to the Returning Officer pursuant to Regulation 2.15(c);

“**Constitution**” means the UMGSA Constitution;

“**days**” means business days;

“**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 and, Representative Councillors and Faculty Council members after the Annual General Meeting in accordance with rule 3 of the Constitution.

“**GSA Board**” means the body having management of the business of the Association;

“**Member**” means a Member of the Association;

“**signed**” includes signing electronically;

“**UMGSA**” means University of Melbourne Graduate Student Association Inc;

“**University**” means the University of Melbourne (ABN: 84 002 705 224);

“**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; and

“writing” may be transmitted by post, email, facsimile or any other means of electronic transmission.

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 2.18.

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

This Regulation applies 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 13.5(e) of the Constitution.

- (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 the Electoral Regulations by any campaigner or candidate, or groups of campaigners or candidates, before the election campaign commencement date.
- (f) Despite the publication of proposed penalties under 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.

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, subject to Regulation 10.2.

2.6 Eligibility to stand and vote

- (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; and
 - (ii) their expected graduation date is at least six months after the date of their nomination.
- (c) All graduate students who are enrolled are eligible to vote in elections.

- (d) Graduate students are not eligible to vote unless their name appears in the voters roll at the commencement of an election.
- (e) A Member may stand for more than one position.
- (f) Students who are on leave of absence from their course will not be eligible to stand for elections.

2.7 Restricted constituencies

- (a) In accordance with rule 9.7(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.

2.8 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 one day before the date of an election.
- (c) Any reopened nominations in a general election close at close of 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 12.2 of the Constitution.
- (g) The exact dates, times and location of polling will be determined by the Electoral Tribunal from time to time.

2.9 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.

2.10 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.

2.11 Receipt of nominations

- (a) In accordance with rule 12.1(c) 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 2.10(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 2.19.

2.12 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 and 5.3.

2.13 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.

2.14 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 2.6–0 apply to the reopening of nominations.

2.15 Campaign Supporters

- (a) Each candidate may nominate up to ten Campaign Supporters.
- (b) Only nominated Campaign Supporters can campaign on behalf of their respective candidates.
- (c) Campaign Supporters must:
 - (i) be Members;
 - (ii) comply with all Regulations related to campaigning; and
 - (iii) not engage in any prohibited conduct including any conduct described in Regulation 2.31.
- (d) 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 the Campaign Supporters.

2.16 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 1.1,
 - (ii) observe the counting of votes in accordance with Regulation 2.29; and
 - (iii) inspect the voters roll in accordance with Regulation 2.5.
- (f) Scrutineers must not touch the ballot box, ballot papers or any other election records.

2.17 Separate ballot

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

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

2.18 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, use reasonable endeavours to randomise the order of the candidates on each ballot paper for each voter.

2.19 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.

2.20 Withdrawal of nomination

- (a) A candidate may withdraw their nomination at any time before the result of an election is provisionally declared.
- (b) 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.
- (c) The withdrawal takes effect on its receipt by the Returning Officer.
- (d) If a candidate withdraws, the Returning Officer must proceed as if that Member had never nominated for a position.

2.21 Voting

- (a) In accordance with rule 12.2(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 2.21(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.

2.22 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.

2.23 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 2.23(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.

2.24 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.

2.25 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.

2.26 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 2.26(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.

2.27 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 2.23 or 2.24 and the voter’s intention is not clear to the Returning Officer.

2.28 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 2.28(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.

2.29 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 2.29(c)(iv) then:
 - (i) they will be deemed to have withdrawn their nomination in accordance with Regulation 2.20; and
 - (ii) their position must be filled by a count back of the votes at that general election.

2.30 Security of election records

The Returning Officer must keep all election records secure.

2.31 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) Without limiting Regulations 2.31(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 Council member:
 - (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) failing to comply with a ruling or direction of the Returning Officer, or a ruling or direction of the Electoral Tribunal; and
- (xviii) interfering with or impeding the conduct of an election.
- (d) 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.
- (e) The Returning Officer or any Member may report a breach of any Regulation to the Electoral Tribunal in accordance with Regulation 7.5.
- (f) 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 Campaign Supporter; or
 - (B) the candidate was not aware of the conduct of the person.
- (g) Ignorance will not be an excuse for any breaches of the Electoral Regulations.

2.32 Defamation

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

2.33 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) 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.
- (b) Candidate statements, video statements and photos must be submitted to the Returning Officer.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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 3.3 and 3.4; and
 - (xiii) publicity in breach of:
 - (A) Regulation 2.32;
 - (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 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.

3.5 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.

3.6 Candidates forum

- (a) The Returning Officer may arrange a forum where Members have an opportunity to hear from and ask questions of candidates.
- (b) If there is a forum:
 - (i) it must be held in the week before the first week of voting;
 - (ii) all candidates 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 in accordance with rule 12.2 of the Constitution.

4.2 Number of GSA Board members to be elected

In accordance with rule 7.7 of the Constitution, the GSA Board will consist of eight Members, including four Board Officials and four Ordinary GSA Board members:

4.3 Number of women GSA Board members

- (a) In order to comply with rule 7.7(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.
- (b) For the purposes of these Electoral Regulations, “woman” as defined in rule 1.5 of the Constitution, means a person who identifies as a woman.

4.4 Eligibility to stand

All Members are eligible to stand in an election of GSA Board members, subject to rule 7.8 of the Constitution.

4.5 Eligibility to vote

All graduate students are eligible to vote at an election of GSA Board members, subject to Regulation 2.6.

4.6 Method of counting

- (a) The method of counting for GSA Board members is as described in Regulation 2.24 unless the election of a candidate would result in a failure to comply with the requirements of Regulation 4.3 and rule 7.7 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 7.7 of the Constitution; and
 - (ii) there is at least 1 unelected candidate (whether continuing or eliminated) who is a woman, then:
 - (A) the election of the candidate who is not a woman must not be proceeded with;
 - (B) all continuing candidates who are not women must be eliminated; and
 - (C) 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 7.7(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 7.14(a)(i) of the Constitution then:
 - (i) if the position falls more than 60 days after a general election – the GSA Board must within 60 days appoint a Member to fill the position until the conclusion of the first AGM following their election in accordance with rules 7.10 and 7.14(a)(ii) 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.

5 ELECTION OF REPRESENTATIVE COUNCIL

5.1 Applicability

This Regulation applies to the election of Representative Councillors in accordance with rule 9.8 of the Constitution.

5.2 Number of Representative Councillors to be elected

In accordance with rule 9.6 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 9.7(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 9.7(b) of the Constitution; and

- (iii) Regulation 2.6
- (b) In accordance with rule 9.7(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 positions

- (a) A Member may stand for election for multiple positions within the Representative Council.
- (b) In accordance with rule 9.6(c) 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 2.20.

5.5 Eligibility to vote

All graduate students are eligible to vote at an election of Representative Councillors, subject to Regulation 2.6.

5.6 Method of voting

The method of voting for Representative Councillors is as described in Regulation 2.23.

5.7 Method of counting

The method of counting for GSA Board members is as described in Regulation 2.24.

5.8 Casual vacancies

- (a) If a position on the Representative 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 Representative Council position is not filled by a count back in accordance with Regulation 5.8(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 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 Council members in accordance with rule 10 of the Constitution.

6.2 Number of Faculty Council members

In accordance with rule 10(c) of the Constitution, the Faculty Council will consist of two members from each faculty.

6.3 Eligibility to stand and vote

- (a) Only those Members who are enrolled and currently undertaking a course in a particular faculty may stand to represent that faculty, subject to regulation 2.6.
- (b) GSA Board members and Representative Councillors are not eligible to stand for election to the Faculty Council.
- (c) All graduate students may vote in accordance with rule 10(d) of the Constitution, subject to regulation 2.6.

6.4 Method of voting

The method of voting for Faculty Council members is as described in Regulation 2.23.

6.5 Method of counting

The method of counting for Faculty Council members is as described in Regulation 2.24.

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 Council members, the Faculty Council must call a by-election expressly for the purpose of electing additional Faculty Council members.

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 13.5 of the Constitution.

7.3 Procedure of Electoral Tribunal

- (a) The Electoral Tribunal may regulate its own proceedings and must comply with this Regulation, which it may amend from time to time in accordance with rule 13.5(a) of the Constitution.
- (b) Meetings of the Electoral Tribunal must be conducted in accordance with rule 13.6 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 to the Disputes Tribunal or any other UMGSA body.

7.4 Appeals against decisions of Returning Officer

- (a) A Member may appeal against a decision of the Returning Officer by contacting the Chair of the Electoral Tribunal.
- (b) If the Chair considers that the Returning Officer's decision should be reviewed, they must convene a meeting of the Electoral Tribunal in accordance with rule 13.6 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 13.6 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, “**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 considers that the breach should be investigated, they must convene a meeting of the Electoral Tribunal in accordance with rule 13.6 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 13.6 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 it may formally reprimand the person reported.
- (j) If the Electoral Tribunal finds that there has been a serious breach it may disqualify the person reported from standing and/or voting in elections either temporarily or permanently.
- (k) For the purpose of Regulation 7.5(i), failure to comply with a direction or ruling of the Electoral Tribunal is automatically a serious breach.
- (l) If a candidate is disqualified, 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 13.6 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).