



# **ELECTION REGULATIONS**

**THE LA TROBE UNIVERSITY GUILD**

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## LA TROBE UNIVERSITY GUILD ELECTION REGULATIONS

### 1. INTRODUCTION

The Constitution of the Guild under clause 4 sets out among other things who shall be eligible for election to the Guild Board (the Board) and for what period of time. It also stipulates in clause 9 that the election shall be conducted "in accordance with rules made by the Guild Board". The Election Regulations set out below are those rules and are intended to be observed in conducting the annual Board election.

### 2. COMPOSITION OF GUILD BOARD

Clause 4.1 of the Constitution stipulates the composition of the Board. In part it shall consist of-

"eight subscribing members of the Guild who shall be enrolled students of the University elected by subscribing members of the Guild."

### 3. ELECTORATE

Clause 4.1 (f) of the Constitution stipulates that the Board "shall be elected by the subscribing members of the Guild". Clause 3(1) states that:

"All members of the University may be eligible to apply for subscribing membership of the Guild."

"Members of the University" for the purpose of this Regulation means the enrolled students of the University; the staff employed at all campuses of the University whether or not the University is the employer; members of the La Trobe University Alumni Association; and non-student and non-staff members of the Sports Clubs of the University."

### 4. RETURNING OFFICER

The Chief Executive Officer of the Guild or his/her nominee shall be the Returning Officer for all Guild elections and shall discharge his/her duties in accordance with the Election Regulations and the Constitution.

### 5. NOMINATIONS

5.1 Only enrolled students of the University who are also subscribing members of the Guild shall be eligible to nominate for election.

5.2 Notices calling for nominations for the annual Guild election shall be placed on the official noticeboard at least ten academic days before the close of nominations and shall be available on the same day from:

- Guild Office, Union Building, Bundoora Campus;
- Student Services Centre, Upper Western Agora, Bundoora Campus;
- Wodonga Students Association, Hanger Building, Albury/Wodonga Campus;
- Bendigo Students Association, BSA Office, Bendigo Campus;
- Shepparton Students Association, Shepparton Campus; and
- Mildura Students Association, Mildura Campus.

Nominations shall close by the third Wednesday in April of each year.

- 5.3 The notice calling for nominations shall include the following information:
- a) There shall be four vacancies for the four retiring Board members. The period of office shall be two years.
  - b) An affirmative action quota of 50% for women candidates shall apply to all multi-member elections to the Guild Board.
  - c) In the event that affirmative action is not met the Returning Officer will conduct a count back from the point in which the breach occurred. In the event insufficient nominations are received nominations will be reopened.
  - d) If a casual vacancy occurs within 6 months of an election and is not able to be filled by co-option then the by-election shall be held in conjunction with the annual election as per 5.3(c).
  - e) The first four elected shall hold office for two years. If a casual vacancy is to be filled, the fifth placegetter shall be deemed elected. The period of office shall be one year. If, for example, there are two casual vacancies, the fifth and sixth placegetters shall be deemed elected and so on.
  - f) Nominations need to be supported by four subscribing members of the Guild, together with the nominee's acceptance in writing.
  - g) The names of nominees must be in block letters and must be accompanied by their student number and Guild Membership number.
  - h) Completed nomination forms and optional policy statements of not more than 200 words must be reach the Returning Officer or his/her Personal Assistant. by 5:00 pm on the day nominations close. Nominations may be posted, faxed or handed personally to the Returning Officer or his/her Personal Assistant.
- 5.4 The number of casual vacancies to be filled as per regulation 5.3(c) shall not be altered after the close of nominations. If the number of casual vacancies alters between the opening of nominations and the closing of nominations then this information must be displayed on the Guild's official noticeboard.
- 5.5 A candidate nominated may, by written notice addressed to the Returning Officer, withdraw consent to the nomination at any time up to three days after the close of nominations.

## 6 VOTING

- 6.1 The annual election shall be conducted by postal ballot and shall be concluded by the third Thursday in May of each year.
- 6.2 Ballot papers will be posted to all subscribing members of the Guild in late April of each year:
- 6.3. Each voter shall either post or deliver to the Returning Officer, Guild Office, Union Building, Bundoora Campus in a sealed envelope containing the ballot paper and declaration form, which must be received by the close of voting at 5:00 pm on the third Thursday in May of each year.

## 7. BALLOT PAPERS

- 7.1 Each ballot paper shall show the family name (or the preferred version thereof) followed by the preferred name of each candidate as indicated at nomination.
- 7.2 The ballot paper may not be varied after the distribution of ballot papers.
- 7.3 Candidates for election may opt to be grouped on the ballot paper. This shall be done through these candidates presenting a list indicating the order in which they wish to be grouped and signed by the candidates in that group. To be completed before the close of nominations.
- 7.4 Ordering of candidates on the ballot paper shall be determined by lot. In this draw groups of candidates (as defined in 7.3) shall have equal status with candidates who are not grouped. The positioning of ungrouped candidates on the ballot paper are to appear after the grouped candidates.
- 7.5 A candidate or group of candidates may apply in writing at any time before the close of nominations to have their name or names set out on the ballot paper under the name of the ticket. The application must be signed by all candidates wishing to be included under the ticket name.
- 7.6 The name of the ticket must be no longer than five words, the last of which must be the word 'Ticket'.
- 7.7 The name of the ticket must not be misleading or deceptive.
- 7.8 The Returning Officer may refuse to accept a ticket name if, in his or her opinion, it is so similar to a ticket name already received that it is likely to cause confusion to the voter.
- 7.9 Any subscribing member may observe the draw under 7.4.
- 7.10 All candidates, at the time of nomination, shall be notified of the time and place of the draw. This will normally occur as soon as possible after the close of nominations.

## 8. PUBLICITY

- 8.1 The Returning Officer shall publish, through the student newspaper, photographs of all candidates together with their policy statements. These statements shall be included for distribution by post to subscribing members of the Guild along with ballot papers.
- 8.2 Candidates' policy statements shall be printed by the Guild as a handbill for distribution during the election period.
- 8.3 The only advertising that a candidate or group of candidates may produce and distribute is as follows. Each candidate shall be eligible for two reams or the equivalent of one ream of recycled A4 paper and printing thereof for advertising purposes and three square metres of banner material and the appropriate quantity of paint, while each group of candidates shall be eligible for three reams or the

equivalent of two reams of recycled A4 paper and printing thereof for advertising purposes and six square metres of banner material and the appropriate quantity of paint. To be obtained through the offices listed in clause 6.2. No guarantee of delivery of completed printing can be provided if two working days notice is not given.

- 8.4 The use of Web-sites and badges displaying the tickets or candidates name is not considered publicity material, but their use is subject to approval by the Returning Officer prior to opening at the poll. The above items shall be at the candidates or tickets own expense.
- 8.5 The Returning Officer may allow up to \$20 per ticket for the costs of websites, badges, etc. The Returning Officer may request of candidates such documentation deemed necessary to satisfy the provisions of this clause.
- 8.6 The Returning Officer shall have distributed two posters; one calling for nominations and the other publicising the election.
- 8.7 All electoral advertising material, including how to vote cards, shall be authorised and registered with the Returning Officer before publication and distribution. Candidates must provide the Returning Officer with final artwork and details of the quantities to be printed.
- 8.8 If any advertising material is distributed which has not been authorised and registered with the Returning Officer, the Returning Officer shall be empowered to confiscate or arrange for the removal of such advertising material and/or disqualify the candidate/s.

## 9. PRACTICES FORBIDDEN

- 9.1 No candidate, individual, club or society in connection with the election may -
  - a) display any posters or notices in or around the Guild except on the noticeboards or concrete walls;
  - b) use any public address system for campaign purposes;
  - c) interfere with the publicity of any other candidate;
  - d) interfere with any ballot paper, ballot box or electoral roll;
  - e) harass or coerce any person voting or wishing to vote;
  - f) refuse to comply with any direction of the Returning Officer;
  - g) generally impede the conduct of the election;
  - h) produce or disseminate information of a racist, sexist, agist, or homophobic nature;
  - i) utilise leaflets or posters not reproduced on recycled paper;
  - j) utilise leaflets or posters on paper larger than A3;
  - k) utilise stickers;

- l) invite onto campus persons who are not students of La Trobe University for the purposes of campaigning at the election;
- m) utilise paint and/or other such permanent or long lasting materials on the bricks, concrete or glass of the University, however the use of chalkings is allowable but they must be cleaned off within one week of the result of the election being declared;
- n) produce or disseminate information that refers to another candidate or ticket standing for election or existing Board member without the written consent of that candidate or members of the ticket or existing Board member.

- 9.2 If the Returning Officer is satisfied that any candidate or individual has infringed or has connived at the infringement of the practices forbidden he/she may disqualify the candidate or take such action as he/she deems appropriate.
- 9.3 Under no circumstances shall candidates, groups or individuals associated in any way with any candidate indulge in give-aways or bribes on campus during polling. If the Returning Officer is satisfied beyond reasonable doubt that such activities are occurring, the Returning Officer must disqualify the offending candidate/s.
- 9.4 Only subscribing members of the Guild may participate in campaigning activities or otherwise engage in electioneering behaviour.
- 9.5 Any Club or Society wishing to be associated with and support a candidate/group must show the minutes of the meeting at which that Club or Societies members gave their consent. These minutes must be shown to the Returning Officer prior to any publication of support, including the submission of ticket names. This support must be within the guidelines specified in section 9, otherwise material will be considered as 'election material' and therefore subject to clause 8.3 of these regulations.

## 10. CONTROVERTED ELECTIONS

- 10.1 After the result of the election has been declared, any candidate may dispute the result or the conducting of the election by an objection lodged in writing to the Returning Officer within three days of the declaration of the result of the election.
- 10.2 After investigating the matter, the Returning Officer may -
- a) disqualify the candidate;
  - b) order a new election;
  - c) disqualify the candidate in consequence of a new election being ordered;
  - d) dismiss the matter; and
  - e) take such other action as he/she deems appropriate.
- 10.3 The Returning Officer's decision shall be final.

## 11. COUNTING

- 11.1 Counting shall commence as soon as possible after the close of voting. The Returning Officer and any persons deputised by him/her shall count the votes.
- 11.2 Each candidate may nominate in writing one subscribing member of the Guild, so long as they themselves are not a candidate, to act as a scrutineer.
- 11.3 The Returning Officer shall have authority to exclude any person from the place of counting.
- 11.4 Within three academic days of the declaration of the poll, votes and/or tally figures of any candidate shall be recounted once if request is made by any candidate.
- 11.5 The Returning Officer shall declare the result of the election as soon as counting is completed.

## 12. METHOD OF VOTING AND COUNTING OF VOTES

- 12.1 Voting and counting of votes shall be by the Hare or optional quota preferential method as per the Proportional Representation Manual published in 1977 by the Proportional Representation Society of Australia.
- 12.2
  - a) Each ticket will five days after the close of nominations lodge a schedule, signed by each candidate listed on the ticket, for how preferences will be directed for all ballot papers marked with a number one in the box for that ticket. This will be called a "Preference Schedule".
  - b) Copies of all preference schedules lodged according to 12.2(a) will be displayed on the official noticeboard.
- 12.3 The Returning Officer will ensure that ballot papers that have the number one in the box "above-the-line" or "to the left of the line" for a ticket will have their preferences directed according to the preference sheet lodged by the candidates on that group.
- 12.4 Voters may by voting "below-the-line" or "to the right of the line" number on the ballot paper the candidate/s of their choice. First, second, third and subsequent preferences can be made up to the number of candidates standing for election.
- 12.5 A ballot paper will be accepted as formal if it has a preference mark in one, and only one, of the squares printed in the ticket voting section of a ballot paper i.e. above the line. A preference mark is defined as a figure 1, a tick or a cross.
- 12.6 The Returning Officer shall be the final judge in determining the validity of a ballot paper.

## 13. ELECTION OF PRESIDENT, DEPUTY PRESIDENT, OFFICE BEARERS AND THE CO-OPTION OF GUILD BOARD MEMBERS

- 13.1 The elections for the position of President, Deputy President, Office Bearers and co-option of Guild Board Members shall be carried out by the Hare or optional quota preferential method as per the Proportional Representation Manual published in 1977 by the Proportional Representation Society of Australia. All elections and co-options shall be conducted by secret ballot. In the event of a tie, the candidate's second preferences shall assume full value. In the event of a further tie, the Guild

Board shall decide the matter.

13.2 For the purposes of affirmative action the election of the positions of President, Deputy President and Chairs of committees will be treated as multi-member ballots.

13.3 In the event that affirmative action is not met 5.3(b) will apply.

#### 14. GENERAL

These regulations may be altered by the Guild Board by a simple majority at any time except during the period between the calling for nominations and the declaration of the poll so long as any alteration does not contravene the Guild regulations.

#### 15. PEMSO ELECTIONS

The PEMSO Elections shall be held at the same time as the Guild Board Elections.

15.1 PEMSO members may nominate for all three PEMSO positions but may only be elected to fill one position.

15.2 PEMSO positions shall be decided in a pre-determined order of President, followed by Lounge Convenor, followed by Activities Convenor.

15.3 If a person is elected to fill a PEMSO position and is a candidate for another PEMSO position or positions, the Returning Officer shall exclude the person from the election of the other position or positions and distribute any votes cast for that person to the next preference.

15.4 Nominations for the PEMSO annual election shall be issued at the same time as the annual Guild Board Elections where ten Executive Committee Members shall be elected in accordance with the PEMSO Terms of Reference. Only PEMSO members will be eligible for election and may vote in the PEMSO election. The election shall be held over two consecutive days and shall conclude on the third Thursday in May at 5:00pm.

#### 16. ISA ELECTIONS

16.1 Nominations for the ISA annual election shall be issued at the same time as the annual Guild Board Elections where ten Executive Committee Members shall be elected in accordance with the ISA Terms of Reference. Only ISA members will be eligible for election and may vote in the ISA election. The election shall be held over two consecutive days and shall conclude on the third Thursday in May at 5:00pm.

16.2 The election shall be conducted by the have or optional quota preferential method as per the Proportional Representational Manual in 1977 by the Proportional Representational Society of Australia.

Amended:

1 March 1989	15 March 1995	17 July 2001
9 August 1989	2 December 1996	19 February 2002
20 March 1991	19 March 1997	15 January 2003
11 September 1991	12 June 1998	31 May 2005
11 December 1991	26 May 1999	20 September 2005
27 May 1992	26 July 2000	19 February 2007
29 September 1993	18 December 2000	