

## La Trobe University Student Council Election Regulations

Elections of the La Trobe University Student Council must be conducted in accordance with election procedures determined by the Pro Vice-Chancellor (Student Experience and Employability) and outlined in these Election Regulations.

These Election Regulations were approved by the Pro Vice-Chancellor (Student Experience and Employability) on 14 March 2025.

### 1. Returning Officer

- 1.1. An independent Returning Officer will be appointed by the University.
- 1.2. Subject to these regulations, the Returning Officer may decide all matters relating to the procedure for the conduct of the election.
- 1.3. A decision of the Returning Officer relating to an election, including a decision relating to the eligibility of a candidate or a voter, the conduct of the election or the result of an election, is final.
- 1.4. The Returning Officer has the following powers in relation to any conduct or complaint about the election or an election campaign:
  - a. to make inquiries about the conduct or complaint as they consider appropriate in the circumstances; and/or
  - b. to dismiss the matter or complaint (in whole or in part); and/or
- 1.5. The Returning Officer has the power to do one or more of the following things if the matter or complaint is substantiated (whether in whole or part) and depending on what is reasonable in the circumstances:
  - a. issue a written or verbal warning to a candidate or other election participant;
  - b. prohibit a person or group of persons from campaigning on behalf of a candidate or place restrictions on their campaigning;
  - c. report a person or group to the appropriate area of the University;
  - d. disqualify a candidate from the election if that candidate commits a serious breach or repeated breaches of the University's regulations, policies and/or procedures; or
  - e. void an election.

### 2. Eligibility

- 2.1. **Eligibility for nominating:** A student must meet eligibility criteria to nominate, be a member of the Student Council, and/or retain their role as a member at any time in their term. Nominees for election, and elected representatives, must meet the following eligibility criteria:
  - a. have not been found to have breached or be in breach of La Trobe's Student Charter, Student Behaviours Policy or Student Academic Misconduct Policy (these LTU policies are available online at: <https://policies.latrobe.edu.au/>)
  - b. must have at least twelve (12) months remaining to complete their course of study
  - c. have satisfactory Academic Standing
  - d. not a full-time employee of the University or any of its controlled entities
  - e. never declared bankrupt
  - f. not been found guilty of committing a crime
  - g. no criminal charges (charged or pending)
  - h. are not currently, and have not been in the past two (2) years, an officer bearer, elected representative, councillor, director, executive member and/or committee/subcommittee member of another student organisation
  - i. have attended an information session prior to nominating for election.
- 2.2. **Eligibility for voting in an election:** All currently enrolled students at La Trobe University are eligible to vote in the Student Council election.

### 3. Notice of election and call for nominations

- 3.1. The Returning Officer must give notice of the election and call for nominations of candidates by

emailing all persons eligible to vote and nominate as a candidate in the election.

- 3.2. The email must be sent to the University email address of the intended recipients and state the closing date and time of nominations, dates and times for voting, and provide access to information explaining how to nominate and how to vote.

## 4. Nominations

- 4.1. A student who is eligible for nomination as a candidate for election to the Student Council may nominate themselves by filling in the form required for that purpose by the Returning Officer and by giving that form to the Returning Officer within the time set for the submission of such nominations by the Returning Officer.
- 4.2. The Returning Officer must promptly acknowledge all nominations received via email.
- 4.3. The Returning Officer must reject any nominations that do not comply with these Regulations.
- 4.4. The University will work with the Returning Officer to check the University records to ensure that all candidates are eligible to nominate.
- 4.5. Candidates may at any time before the first day of voting withdraw their nomination by contacting the Returning Officer, who must then proceed as if the nomination had not been made.
- 4.6. Nominations received after the published closing time and date will not be accepted under any circumstances.
- 4.7. **Sufficiency of nominations:** If the number of nominations does not exceed the number of members to be elected (16), the Returning Officer can declare all candidates elected as soon as their eligibility has been verified and nominations have closed. The University can extend the nominations period at its discretion.

## 5. Campaigning

- 5.1. Candidates must not behave in any way that may be found to breach the University's Student Charter, Student Behaviours Policy or Student Academic Misconduct Policy, or any other relevant University policies and procedures (LTU policies are available online at: <https://policies.latrobe.edu.au/>).
- 5.2. Candidates must act honestly and with integrity when campaigning for votes.
- 5.3. Candidates must ensure that their campaign and any physical or online campaign material is accurate, not misleading and not defamatory to any individual, organisation or entity, including the University.
- 5.4. Consistent with free and fair elections, the University will not provide election campaign assistance to candidates.
- 5.5. The University will not support or endorse any candidates but may share information about individual candidates on the University website and/or social media channels to raise awareness about the election and the Student Council.
- 5.6. Candidates may use social media or other online platforms to promote their candidacy. However, candidates should be mindful that these platforms can be accessed by a much broader audience than the University's student body.
- 5.7. No person may publish material that is sexist, homophobic, transphobic, racist, ableist or similarly offensive.
- 5.8. Candidates must not use the money or any in-kind support of any other person or any organisation or other entity to support in any way the candidate's election campaign.

## 6. Prohibited Conduct

- 6.1. Any conduct that may be found to breach the University's Student Charter, Student Behaviours Policy, Student Academic Misconduct Policy, Privacy Policy or any other relevant University policies and procedures (LTU policies are available online at: <https://policies.latrobe.edu.au/>).
- 6.2. Bribing voters to vote for you; for example, offering gifts or prizes to people who vote for you.
- 6.3. Any personal attacks or misleading campaigning, including spreading misinformation or making false allegations about another candidate, individual or organisation.
- 6.4. Statements guaranteeing certain outcomes as a result of your election; for example, "Vote for me and I will get rid of student fees!"

- 6.5. Spending in excess of A\$2,000 on an election campaign. Candidates will be obliged to provide all receipts to the returning officer and/or Pro Vice-Chancellor (Student Experience and Employability) upon request.

## **7. Consequences for breaching these Regulations**

- 7.1. Any candidates found to have breached these Regulations, University policies or be behaving in a way that the Returning Officer or University finds to be contrary to the spirit of the election, will be issued with a formal written warning.
- 7.2. If there is a second breach of these Regulations and/or University policies, the Returning Officer and the University reserves the right to remove a candidate from the election process.
- 7.3. The Returning Officer and the University reserves the right to remove candidates from the election process at any time at their own discretion, including for first breaches of these Regulations and/or University policies.
- 7.4. If the behaviour of any candidates and/or voters during the election falls short of the standards of conduct expected by the University, as outlined in but not limited to the Student Charter, Student Behaviours Policy and Student Academic Misconduct Policy, the University may address the behaviour in line with the Student Conduct Management Policy and any other relevant University policies and procedures (LTU policies are available online at: <https://policies.latrobe.edu.au/>).
- 7.5. Potential breaches are to be reported to the Deputy Director, Integrity Office via email at [student.conduct@latrobe.edu.au](mailto:student.conduct@latrobe.edu.au)

## **8. Method for conduct of elections**

- 8.1. Elections must be conducted via an independent electronic voting platform, with voting accessible to all eligible students, and which ensures the secrecy of the vote cast by the voter.
- 8.2. Ballot papers will be electronic.
- 8.3. The order of the candidates on the ballot must be determined by randomisation through the electronic voting platform or, if necessary, through a random drawing of lots by the Returning Officer.

## **9. Voting and counting of votes**

- 9.1. Each eligible voter in the election is only entitled to one vote.
- 9.2. A voter must complete and submit their ballot as instructed by the electronic voting system.
- 9.3. Votes are to be counted in accordance with the principles of first-past-the-post, with voters indicating their vote by marking the box of one or more candidates up to the number of positions available.
- 9.4. Votes will be automatically counted by the online voting software provider used to conduct the election. The candidate with the highest total votes will be elected first and candidates will be continued to be elected one at a time until the number of positions available have been filled. This is subject to the application of quotas which commence at such time electing a candidate would prevent meeting the quota requirements outlined in section 9.5 and 9.6. In the event two or more candidates receive an equal number of votes, these candidates will have their names drawn by lot to determine the order of election.
- 9.5. **Application of quotas:** The following representative quotas are to be applied after votes have been counted if sufficient nominations have been received:
  - a. two (2) students enrolled in either an undergraduate or postgraduate degree, studying in a Rural, Regional and/or Remote (RRR) location
  - b. four (4) students enrolled in an undergraduate degree across the 10 Schools
  - c. one (1) student enrolled in a postgraduate degree (i.e., a degree conducted by coursework that is not a higher degree by research)
  - d. one (1) student enrolled in a higher degree by research
  - e. two (2) enrolled international student (as defined in the Education Services for Overseas Students Act 2000)
  - f. two (2) students enrolled in an online course of study
  - g. one (1) student enrolled in a program of study to represent Aboriginal and Torres Strait Islander students

- h. one (1) student enrolled in a program of study to represent students with a disability
  - i. one (1) student enrolled in a program of study to represent students residing on campus at Living @ La Trobe
  - j. one (1) President of a Student Club.
- 9.6.** A student may be a representative of one or more quota categories (e.g., an international or online student may be a RRR student or representative of a cohort within a School).

## **10. Declaration of results**

- 10.1.** The Returning Officer must notify the University of the provisional results.
- 10.2.** Once ratified by the University, the Returning Officer must declare the results of the election by notifying each candidate of the results.
- 10.3.** The University must publish the results of the election on the University website.

## **11. Disputing elections**

- 11.1.** The validity of an election can only be disputed by means of a petition to the Pro Vice-Chancellor (Student Experience and Employability). A petition must:
- a. be a written document in the English language
  - b. set out the facts relied on to dispute the election
  - c. set out the decision sought to resolve the dispute
  - d. be signed by the petitioner before two witnesses
  - e. be sent, via email, to the Pro Vice-Chancellor (Student Experience and Employability) within 14 days of the declaration of the results of the election in dispute.
- 11.2.** An election may only be disputed by an eligible candidate for the election in dispute, or an eligible voter at the election in dispute.
- 11.3.** A person who wishes to dispute an election may do so on one or more of the following grounds:
- a. there was a defect or irregularity in the conduct of the election which in turn had a material effect on the election result
  - b. a person who was elected should not have been due to not meeting the eligibility criteria.
- 11.4.** The Pro Vice-Chancellor (Student Experience and Employability) must consider a petition which complies with the above requirements.
- 11.5.** In considering a petition, Pro Vice-Chancellor (Student Experience and Employability):
- a. must act fairly and according to the substantial merits of the petition
  - b. is bound by the rules of natural justice
  - c. is not bound by the rules of evidence or any practices or procedures applicable to courts of record
  - d. must act with as little formality and technicality as the requirements of these Regulations permit
  - e. may determine the matter solely on the basis of the petition and any written submissions received from any respondent.
- 11.6.** The Pro Vice-Chancellor (Student Experience and Employability) may decide to:
- a. Dismiss a petition
  - b. Uphold a petition in whole or in part
  - c. Declare an election void, wherein a re-election must be held as soon as reasonably possible
  - d. Declare a particular candidate not to have been elected, on the grounds of a petition
  - e. Call for a recounting of votes where relevant.
- 11.7.** A decision of the Pro Vice-Chancellor (Student Experience and Employability) is final.