



**THE AUSTRALIAN NATIONAL UNIVERSITY  
STUDENTS' ASSOCIATION INCORPORATED**

## **REGULATIONS**

LAST UPDATED:

ANUSA ORDINARY GENERAL MEETING 1, 2026

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# **STANDING ORDERS**

## **1. GENERAL**

### **1.1 Nature and Purpose of these Regulations**

- 1.1.1 These Regulations are made under the Constitution of the Australian National University Students' Association to govern the conduct of all meetings of the Association required under the Constitution, except where it is provided that they are totally or partially non-applicable to a particular meeting.
- 1.1.2 Any Regulations or Policies inconsistent with these Standing Orders are of no effect to the extent of the inconsistency during a meeting.
- 1.1.3 Subject to 1.1.4, these Standing Orders, except for standing orders 1.4.1, 1.4.2, 4.3, 6.2 and 6.6, will not apply to meetings of the ANUSA Executive.
- 1.1.4 A meeting of the ANUSA Executive may by resolution during that meeting, apply those Standing Orders which are not applicable in accordance with 1.1.3, in whole or in part for the remainder of the meeting.
- 1.1.5 The purpose of these Regulations are:
  - (a) to provide for the proper and orderly running of ANUSA meetings;
  - (b) to support better decision-making;
  - (c) to foster more efficient and effective use of time at meetings;
  - (d) to enable and support proper democratic debate; and
  - (e) to foster courteous and kindly debate and prevent conduct within a meeting that impedes a meeting or subjects anyone present at a meeting to improper behaviour.

### **1.2 Quorum**

- 1.2.1 The presiding member must ensure that a quorum is present before declaring a meeting open.
- 1.2.2 Subject to section 1.2.1, a meeting must commence promptly at the time set out on the official notice of the meeting.
- 1.2.3 If quorum is not reached within 30 minutes of the time set for a meeting, then the meeting lapses and all business is stood over to a subsequent meeting.
- 1.2.4 If quorum is lost before the close of a meeting and is not regained within five (5) minutes then all outstanding business is stood over to the next meeting with the exception of:
  - (a) The filling of casual vacancies
  - (b) Elections
  - (c) Receipt of reports
  - (d) Presentation of and acceptance of audited financial documents.

### **1.3 Agenda**

- 1.3.1 Where practicable, the agenda of a meeting must be prepared such that it is consistent with the following, unless otherwise determined by a resolution of the meeting.
- 1.3.2 The agenda must be followed in the order in which it is set out, unless otherwise determined by a resolution of the meeting:
  - (a) Schedule 1 for SRC and other meetings
  - (b) Schedule 2 for EDC
- 1.3.3 Subject to quorum being present the meeting must continue until all business on the agenda is disposed of unless otherwise determined by a resolution of the meeting.

### **1.4 Conduct at Meetings**

- 1.4.1 Speakers may only address the meeting when called on to do so by the Chair.
- 1.4.2 Subject to these Regulations, speakers must be heard in silence and may only be interrupted by the Chair.
- 1.4.3 All business of a meeting must be by way of motions and amendments, except when:
  - (a) Reports are being considered; and
  - (b) The meeting resolves itself into a committee of the whole.
- 1.4.4 Upon the opening of every Ordinary General Meeting, Annual General Meeting or Special General Meeting of the Association, the Chair must give a verbal explanation of general meeting procedure for the benefit of all members. The Chair of any other meeting of the Association may give this statement at that meeting, if the Chair considers appropriate. Any such statement must include, as a minimum, explanation of the following:
  - (a) Conduct required by members; and

- (b) Procedures concerning motions and amendments; and
  - (c) Rights of speakers and members, including moving points of order; and
  - (d) The appropriate manner of addressing the Chair and other members.
- 1.4.5 Upon the opening of any meeting, the Chair, or another member at the Chair's request, must deliver an Acknowledgement of Country.
- 1.4.6 The following shall constitute a breach of these Standing Orders and misconduct in a meeting of the Association:
- (a) engaging in defamation
  - (b) engaging in discriminatory conduct or speech or vilification
  - (c) improperly disclosing confidential or private information
  - (d) engaging in personal attacks, harassment, abuse, insults, demeaning or aggressive conduct or speech against any person present at a meeting
  - (e) otherwise engaging in improper conduct harmful or that may be harmful to the health or safety of any person present at the meeting
  - (f) engaging in disruptive behaviour in a meeting
  - (g) failing to declare a conflict of interest and participating in decision making while conflicted
  - (h) misleading a meeting of the Association
  - (i) failing to leave a meeting of the Association after the chair of the meeting has properly directed a person to do so under clause 4.3.2 or 4.3.3.

## **1.5 Members Unable to Attend Meetings (Proxies)**

- 1.5.1 Members of the SRC or the EDC who are unable to attend a meeting may delegate their moving, seconding and voting rights to any other ordinary member of the Association in the form of a written proxy.
- 1.5.2 The proxy must:
- (a) Be for not longer than the duration of the meeting; and
  - (b) Specify in order the member or members to whom the proxy is made; and
  - (c) Specify any conditions attached to the proxy; and
  - (d) Be signed by the Council member; and
  - (e) State the date and time the proxy was made; and
  - (f) Not be altered once signed.
- 1.5.3 The proxy must be sent to the member convening the particular meeting for which the proxy is made, who must take all reasonable steps to verify the proxy before being delivered to the presiding member.
- 1.5.4 If the member subsequently attends the meeting, the proxy lapses while the member is present
- 1.5.5 Voting by proxy at General Meetings or meetings of any Department or a committee of the Association is not permitted.

## **2. MOTIONS AND AMENDMENTS**

### **2.1 General**

- 2.1.1 All motions and amendments, other than procedural motions, must be submitted in writing to the member convening or, if submitted during the meeting, to the member presiding.
- 2.1.2 All motions and amendments must have a mover and a seconder.
- 2.1.3 Motions and amendments may be seconded pro forma.
- 2.1.4 A motion or amendment may be altered by the mover subject to leave of the meeting.
- 2.1.5 Movers and seconders may reserve or waive their speaking rights.
- 2.1.6 Motions and amendments may be withdrawn by the mover subject to the right of any other member to take up these rights.
- 2.1.7 A member may speak only once to a motion or amendment unless they are the mover exercising their right of reply.
- 2.1.8 Motions and amendments will lapse if in want of a mover and seconder who are present in person-however any other member may take up these rights.
- 2.1.9 No member may speak to any motion or amendment after it has been put to the vote.
- 2.1.10 The Chair must make reasonable efforts to equally divide the speaking list between speakers for and against a motion.

- 2.1.11 However, if no further members wish to speak for one side of a motion, the Chair may give the call to any speaker, regardless of their stance.
- 2.1.12 Subject to a procedural for further speakers passed by a simple majority, the Chair shall immediately put the question, subject only to the mover exercising their right of reply, if:
  - (a) two (2) speakers have spoken on the same side of a motion or amendment and there are no speakers on the other side, or
  - (b) three (3) speakers have spoken for and three (3) speakers have spoken against a motion or amendment.

## **2.2 Motions**

- 2.2.1 All movers of motions, other than amendments or procedural motions, may exercise a right of reply.
- 2.2.2 The right of reply may be exercised immediately before the motion is put or before any one amendment is put, but may only be exercised once.

## **2.3 Amendments**

- 2.3.1 Amendments must be relevant to the motion.
- 2.3.2 Amendments must not, in the view of the presiding member, be in direct negation of the substance of the motion.
- 2.3.3 Multiple amendments to a motion must be considered in the order determined by the presiding member.
- 2.3.4 Amendments may only be debated and voted on one at a time - however further amendments may be foreshadowed.

## **2.4 Foreshadowed Motions**

- 2.4.1 Where more than 1 motion deals with a particular issue, they may be considered together.
- 2.4.2 Voting must be conducted on each motion in the order in which they were moved, until either a motion is carried, in which case the remaining motions lapse, or until all the motions are defeated.

## **3. PROCEDURAL MOTIONS**

### **3.1 Unless otherwise specified, all procedural motions:**

- 3.1.1 Must be put without amendment, adjournment or debate;
- 3.1.2 May not interrupt a speech; and
- 3.1.3 Require a simple majority in order to be carried.

### **3.2 The Gag**

- 3.2.1 A member who has not already participated in the debate may move "That the speaker no longer be heard".
- 3.2.2 This motion may interrupt a speech.
- 3.2.3 This motion requires a two-thirds majority in order to be carried.

### **3.3 Closure**

- 3.3.1 A member who has not already participated in the debate may move "That the question now be put".
- 3.3.2 This motion may interrupt a speech.
- 3.3.3 If this motion is carried, the motion or amendment under consideration must be immediately put to the vote, subject only to the right of reply.
- 3.3.4 This motion requires a two-thirds majority in order to be carried.

### **3.4 Adjournment of Debate or Meeting**

- 3.4.1 A member who has not already participated in the debate may move "That the debate or meeting be adjourned".
- 3.4.2 This motion must specify when the debate or meeting is to be resumed.
- 3.4.3 The time for the resumption of the debate or meeting must not inhibit the ability of present members to attend and vote.
- 3.4.4 This motion may only be amended as to time, date and place.

### **3.5 Rearrange the Order of Business**

- 3.5.1 With the exception of Agenda Items 1 and 2, a member may move "That this meeting consider an item before all remaining business".
- 3.5.2 This motion must specify which item of business is to be moved earlier.
- 3.5.3 With the exception of Agenda Items 1 and 2, a member who has not already participated in the debate may move "That this meeting proceed to the next business".

### **3.6 The Previous Question**

- 3.6.1 Moving the Previous Question is not permitted under these rules.

### **3.7 That the Question Lie on the Table**

- 3.7.1 A member who has not already participated in the debate may move "That the question (or communication) lie on the table".
- 3.7.2 If this motion is moved and carried on an amendment, the original question is also laid on the table.
- 3.7.3 There can be a subsequent motion at the same meeting "That the question be taken from the table".

### **3.8 Motion to Debate in Camera**

- 3.8.1 The motion must relate to one or more specific items in the agenda.
- 3.8.2 This motion requires a  $\frac{3}{4}$  (three quarters) majority in order to be carried. If the motion is carried, members who are not voting members must vacate the meeting for the duration of the items specified in the motion.
- 3.8.3 Standing Order 3.8.2 is subject to ANUSA Constitution sections 14(10) and 15(9) which restrict discussion of confidential items to members of the SRC or the EDC, as the case requires.

### **3.9 Extend Speaking Times**

- 3.9.1 A member may move "That the speaker's time be extended".
- 3.9.2 This motion may interrupt a speech.

### **3.10 Speaker wishing to speak multiple times during debate**

- 3.10.1 A member may move that "The speaker be permitted to speak again to this item."

### **3.11 Question**

- 3.11.1 A member may ask a question seeking greater clarity or information relating to the current agenda item, including of a person presenting a report.
- 3.11.2 Questions must:
  - (a) Be only related to genuine clarification and shall not be used to advance an argument;
  - (b) Be concisely stated in 30 seconds or less;
  - (c) Not interrupt a speech;
  - (d) Not raise substantially the same issue(s) as a question which has already been asked during the meeting; and
  - (e) State to whom the question is being asked.
- 3.11.3 The Chair may rule a question incompatible with these Standing Orders invalid.
- 3.11.4 Subject to a procedural motion increasing the number of questions passed by a simple majority there may only be a maximum of four (4) such questions per item.
- 3.11.5 Only the person to whom the question is directed shall answer a question, unless:
  - (a) They defer the question to a particular member;
  - (b) The Chair, by discretion, accepts an alternative response from another member;
  - (c) Where a question is directed to a group of members, the Chair shall have discretion as to who is best placed to answer the question
- 3.11.6 A member asked a question on a report may take the question on notice if they wish to seek further information related to the question before responding. In that case, the member's response may be provided at the next scheduled meeting or in writing.
- 3.11.7 If the member to whom the question is directed is absent from the meeting, the question shall automatically be taken on notice.
- 3.11.8 Follow-up questions are not to be treated differently from any other question and shall count towards the limit in Standing Order 3.11.4.

## **4. SECTION PROCEDURE**

### **4.1 Points of Order**

- 4.1.1 A member may at any time move points of order in regard to any irregularity in the proceedings, or interpretation of the Constitution or Regulations.
- 4.1.2 A member may at the end of a speech make a point of clarification over factual inaccuracies made by the previous speaker.
- 4.1.3 A member claiming to have been misrepresented may at any time, not interrupting another speaker, make a point of explanation. Such explanation must be confined to the alleged misrepresentation and must not introduce argument or new matter.
- 4.1.4 Any point of order, point of clarification, or point of explanation must be clearly and concisely stated.
- 4.1.5 The Chair has the discretion to rule any of these points out of order and speakers may be named.

### **4.2 Dissent**

- 4.2.1 Where the presiding member has made a ruling or interpretation, a motion may be made that the Chair's

ruling be dissented from. In such case:

- (a) The presiding member must vacate the Chair and nominate a replacement, this nomination not being subject to dissent; and
- (b) The mover of the motion of dissent must speak to the motion; and
- (c) The Chair from whose ruling was dissented may reply; and
- (d) This motion must be put without amendment, adjournment or further debate in the following form: "That the Chair's ruling be upheld".

4.2.2 This motion requires a three-fifths vote against in order to be defeated.

4.2.3 Where this motion is carried, the Chair's ruling stands.

4.2.4 Where this motion is defeated, no ruling stands.

4.2.5 The original presiding member must be restored to the Chair immediately after the vote of dissent is declared, subject to a resolution of the meeting.

### **4.3 Naming Procedure**

4.3.1 The Chair must be heard in silence and without interruption, and may name any person in breach of these Standing Orders.

4.3.2 Where any person is named 3 times during the same meeting, that person must not be recognised by the Chair and must leave the meeting and the Chair may have the person removed from the meeting, may suspend proceedings until the person leaves, or may adjourn the meeting.

4.3.3 The Chair may have a person immediately removed from the meeting for breach of 1.4.5 (a), (b), (c), (d) (e), or (g). Any decision to immediately remove a member under this clause 4.3.3 may be invalidated by a simple majority. The Chair may also suspend a meeting until the person leaves or adjourn a meeting if the person has refused to leave.

## **5. TIME LIMITS**

### **5.1 Time**

5.1.1 The following time limits apply to all speakers, unless otherwise determined by the meeting:

- (a) Speaker delivering a report, mover of a motion - 3 minutes
- (b) Seconder, all other speakers, right of reply - 2 minutes
- (c) Movers of and speakers to procedural motions, responses to questions - 1 minute
- (d) Questions, points of order, points of clarification, points of explanation - 30 seconds

## **6. MISCELLANEOUS**

### **6.1 Role of the Chair and the Chair Wishing to Debate**

6.1.1 The role of the Chair during meetings is to uphold these Standing Orders and to foster the purposes set out in Standing Order 1.1.5.

6.1.2 The Chair must be impartial and neutral in chairing the meeting and apply these Standing Orders to ensure that debate is orderly, respectful of all participants, and, subject to these Standing Orders fosters expression of a diversity of views on matters then under consideration by the meeting.

6.1.3 If the Chair wishes to take part in the debate on any question, the Chair must nominate a replacement who will chair the meeting for the duration of that particular debate and any vote, this nomination not being subject to dissent.

6.1.4 The Chair automatically resumes the chair when the matter of debate in which they participated under standing order 6.1.3 is concluded.

### **6.2 Discrimination and Vilification**

6.2.1 During meetings governed by these rules it is the responsibility of the Chair to protect members and students from any type of discrimination or vilification, whether based on gender, race, sexuality, or any other protected attribute.

### **6.3 Suspension of Standing Orders**

6.3.1 These Standing Orders may be departed from with the unanimous consent of the meeting where a member "seeks leave of the meeting"; or

6.3.2 A member may move "That so much of Standing Orders be suspended as would prevent"

6.3.3 This motion may be debated.

6.3.4 This motion requires a two-thirds majority in order to be carried.

6.3.5 A motion to suspend all of Standing Orders must not be considered.

#### **6.4 Meetings Held in Committee**

6.4.1 A meeting, by resolution carried by a two-thirds majority, may resolve itself into a "Committee of the whole".

6.4.2 If this motion is carried, the result is as follows:

- (a) Members may speak more than once; and
- (b) Substantive motions and amendments may not be moved; and
- (c) Procedural motions and amendments require only a mover; and
- (d) Time limits do not apply; and
- (e) No minutes are kept; and
- (f) The Chair may engage in the debate; and
- (g) All other Standing Orders still apply.

6.4.3 The Chair reserves the right to resume full Standing Orders at any time while in committee.

#### **6.5 Further Rules**

6.5.1 If any matter is not dealt with in these Standing Orders, the rules governing debate in the House of Representatives of the Commonwealth of Australia apply.

#### **6.6 Validity Given Departure from Standing Orders**

6.6.1 Subject to the Constitution and Regulations, any decision made by a validly-constituted meeting is not void by reason only of a departure from these Standing Orders which was not detected until after the decision had been made.

### **SCHEDULE 1 - ORDER OF AGENDA**

ITEM 1: MEETING OPENS, CHAIR OR MEMBER DELIVERS ACKNOWLEDGEMENT

OF COUNTRY, APOLOGIES AND DECLARATIONS OF CONFLICTS OF INTEREST

ITEM 2: MINUTES FROM THE PREVIOUS MEETING INCLUDING MATTERS ARISING

ITEM 3: REPORTS AND MATTERS ARISING

ITEM 4: ELECTIONS (IF REQUIRED)

ITEM 5: ITEMS FOR RESOLUTION

ITEM 6: ITEMS FOR DISCUSSION

ITEM 7: NOTICES OF MOTIONS

ITEM 8: OTHER BUSINESS

ITEM 9: DATE OF NEXT MEETING AND CLOSE

### **SCHEDULE 2 – EDUCATION COUNCIL ORDER OF AGENDA**

ITEM 1: MEETING OPENS, CHAIR OR MEMBER DELIVERS ACKNOWLEDGEMENT

OF COUNTRY, APOLOGIES AND DECLARATIONS OF CONFLICTS OF INTEREST

ITEM 2: MINUTES FROM THE PREVIOUS MEETING INCLUDING MATTERS ARISING

ITEM 3: QUESTIONS ARISING FROM REPORTS

ITEM 4: ITEMS FOR DISCUSSION

ITEM 5: ITEMS FOR RESOLUTION

ITEM 6: OTHER BUSINESS

ITEM 7: DATE OF NEXT MEETING AND CLOSE

## **FINANCE REGULATIONS**

### **1. GENERAL**

#### **1.1 Application**

- 1.1.1 These Regulations are the Finance Regulations of the ANU Students' Association.
- 1.1.2 These Regulations are formed in accordance with the Constitution.

#### **1.2 Definition**

- 1.2.1 In these Regulations, unless the contrary intention appears, all terms defined in the constitution have the meaning given there.

#### **1.3 Spending of Reserve Capital**

- 1.3.1 The Association must maintain a reserve fund of not less than \$500,000. The fund, excepting any interest generated, may only be accessed in situations of the Association's insolvency, such as insolvency, voluntary administration or receivership and with the approval of a two-thirds majority of a general meeting. This section is entrenched under the Constitution.
- 1.3.2 An actual insolvency figure must be prepared as part of the annual audit of the Association.

### **2. ETHICAL FINANCES**

#### **2.1 Ethical Procurement**

- 2.1.1 The Association may maintain policy specifying that, for ethical reasons, funds, goods and services may not be procured or accepted from specified people or bodies.
- 2.1.2 All invested capital must, to the best knowledge of trustees, be invested ethically. In determining whether a repository is ethical, the Trustees shall have regard to:
  - (a) the repository's safety record, corporate governance and accountability, environmental sustainability and equal opportunity policies;
  - (b) any involvement in the exploitation of workers, repressive regimes, and products harmful to humans; and
  - (c) any other criteria determined relevant by a meeting of the Association.

#### **2.2 Conflict of Interest**

- 2.2.1 Officers of the Association must comply with section 22A of the Constitution.
- 2.2.2 Further to section 22A, officers of the Association must not participate in the making of financial decisions in respect of which, although not constituting a material personal interest, they may reasonably be considered to have a real or perceived conflict of interest.
- 2.2.3 If an Officer of the Association is involved in the making of a financial decision in respect of which they may reasonably be considered to have a real or perceived conflict of interest then they must inform the General Secretary of that conflict of interest in writing.
- 2.2.4 The General Secretary must inform the SRC of any reported conflict of interest at the first SRC meeting after the General Secretary is informed of that conflict of interest.

### **3 PAYMENTS TO MEMBERS OF THE ANUSA EXECUTIVE**

#### **3.1 OVERVIEW**

- 3.1.1 Sections 22(8) and 22(20) of the Constitution provide that no payment may be made to a member except as reasonable payment for services rendered to the Association or for reimbursement of reasonable expenses. This Regulation is made under the Constitution to provide for reasonable payment to members of the ANUSA Executive (the Executive) for services rendered to the Association and reimbursement of expenses.
- 3.1.2 Subject to this Regulation, and subject to the availability and allocation of funding, members of the ANUSA Executive may be paid a stipend and provided with other entitlements specified in this Regulation.

#### **3.2 STIPENDS**

- 3.2.1 While holding office under the Constitution, the members of the Executive of the Association are offered a stipend for the work that they carry out in recognition of their services to the Association and its members.
- 3.2.2 The Executive are under no obligation to accept stipends, and may claim less than the maximum stipend provided for in this regulation.
- 3.2.3 Continued payment of stipend is subject to the terms of this regulation and the requirements of the Constitution

and subject to continuing service to ANUSA in continuing proper performance of the responsibilities of office.

### 3.3 STIPEND RATE

- 3.3.1 The stipend for the President for the year 1 December 2016 to 30 November 2017, assuming the President is available and engaged in work of the Association during normal working hours and ceremonial functions and organisational meetings as required, is \$44,500 (subject to continuation in office during that period).
- 3.3.2 The stipend amount for the President has been determined on the basis of ensuring access and equity and to promote responsibility and accountability. The current ANUSA experience of the duties normally required of the President assumes that the President will prioritise the duties of their ANUSA office over other commitments, including study. The amount is also based on the resolution adopted under the ANUSA Constitution by a general meeting of ANUSA which considered the question of remuneration of executives dated 26 May 2016, and accordingly reflects the decision of members of ANUSA as to the appropriate level of such remuneration. **Note:** Clause 3.3.10 deals with the situation where an office holder may be subject to limitations on allowable hours of service to ANUSA due to being an international student. ANUSA office is open to all ANU students on a non-discriminatory basis irrespective of residency status.
- 3.3.3 It is not a requirement of office that the President devote the envisaged degree of commitment to their role. Where the President's other commitments make this envisaged level of commitment impracticable, this should be reflected in a re-allocation of proportional amounts among the other Executive, who would take on a greater share of the work of the Executive. **Note:** see further clause 3.3.9 and 3.3.10.
- 3.3.4 The stipend for the Vice-President, shall be for a maximum of 70% (estimated average of 24.5 hours per week) of the President's stipend.
- 3.3.5 The stipend for the Treasurer shall be for a maximum of 40% (estimated average of 14 hours per week) of the President's stipend.
- 3.3.6 The stipend for the Clubs Officer shall be for a maximum of 40% (estimated average of 14 hours per week) of the President's stipend.
- 3.3.7 The stipend for the Education Officer shall be for a maximum of 40% (estimated average of 14 hours per week) of the President's stipend.
- 3.3.8 The stipend for the General Secretary shall be for a maximum of 40% (estimated average of 14 hours per week) of the President's stipend.
- 3.3.8.1 The stipend for the Welfare Officer shall be for a maximum of 40% (estimated average of 14 hours per week) of the President's stipend.
- 3.3.9 It is not a requirement for any members of the Executive to be engaged for particular hours in providing service to ANUSA. If a member of the Executive is unable to contribute at the level anticipated in the allocations set out above, the Executive, with the agreement of six of the seven members may determine in writing an appropriate proportional allocation reflecting the level of contribution each member is able to make and reallocate proportions between members, without increasing the overall budget allocated to remuneration of members of the Executive as a whole.
- 3.3.10 ANUSA recognises that the *Migration Act 1958* (Cth) limits the number of hours an International Student is permitted to work during study periods. No member of the Executive who is an International Student will be required by this Regulation to devote more hours to service as an ANUSA Executive that may result in contravention of any relevant requirements of the *Migration Act 1958* (Cth) or any equivalent laws or regulations.
- 3.3.11 Any changes to proportional allocations are to be noted by the SRC at its next scheduled meeting.
- 3.3.12 The total amount allocated for remuneration (Stipend and Superannuation) based on the 2017 default amount

is \$180,779 (subject to CPI increase as established by 3.3.15). Reimbursement of expenses incurred in accordance with clause 3.8 are not subject to this limit.

- 3.3.13 If an increase in to the total budget (default amount)) is proposed (excluding an increase in the Executive referred to in clause 3.9 and CPI increases under 3.3.15), any such increase must be approved by the SRC. Approval by the SRC will be a resolution passed by seventy percent (70%) of Representatives present and voting.
- 3.3.14 The stipend will increase on 1 December each year in accordance with movements in the Consumer Price Index (CPI – all groups) as at September each year for the previous 12 month period (e.g. Sept. Qtr. 2016 to Sept. Qtr. 2017).
- 3.3.15 If an increase in excess of the movement in the Consumer Price Index (CPI – all groups) is proposed, any such increase must be approved by the SRC. Approval by the SRC will be a resolution passed by seventy percent (70%) of Representatives present and voting.

### **3.4 WITHHOLDING THE STIPEND**

- 3.4.1 The ANUSA Executive may by a decision of five of the seven members present at a meeting decide to reduce, suspend or withhold payment of the stipend in its entirety or for a specified period or by a specified amount for a member of the Executive if in the opinion of the Executive the member is failing to adequately perform the duties of their office. The Executive must counsel the member and provide them with a reasonable opportunity to remedy the identified shortcomings in performance before reducing, suspending or withholding the stipend in whole or in part (refer to section 50 of the *Associations Incorporations Act 1991 (ACT)*).

### **3.5 STIPEND PAYMENTS**

- 3.5.1 The fortnightly stipend will be calculated by dividing the applicable annual amount by 26.083.
- 3.5.2 Taxation instalments, at the correct rate will be deducted from the fortnightly payments, as required by taxation law.

#### ***Superannuation***

- 3.5.3 The Association will, at least quarterly, make a superannuation contribution at the applicable rate required by superannuation law to a complying superannuation fund of the Executive member's choice. Contributions must be able to be made by electronic funds transfer.

#### ***Payment Period***

- 3.5.4 For administrative convenience, an Executive member's stipend will be paid fortnightly on the Thursday immediately following the payment period by electronic funds transfer.
- 3.5.5 The Payment Period runs for a fortnight period from a Thursday (week 1) to a Wednesday (week 2).

#### ***Additional Remuneration***

- 3.5.6 If the President is absent on leave or ANUSA business for a period greater than five working days and the Vice President is required, in writing to undertake the role of the President they will be paid at the full time rate for the period that they undertake the President's duties.
- 3.5.7 If the Vice President is replacing the President during a period of absence and the Education Officer is required, in writing to undertake the role of the Vice President they will be paid the rate applicable to the role for the period that they undertake the Vice President's duties.

### **3.6 WORK ARRANGEMENTS**

- 3.6.1 Working arrangements will be subject to mutual agreement between the Executive member and the President,

and should be sufficiently flexible to allow for an appropriate balance between the demands of their duties, studies and private life.

3.6.2 At the commencement of their term of office the Executive members will meet and agree with the President:

- (a) Working arrangements as per clause 3.6.1 above,
- (b) Role and responsibilities as per clause 10 of the ANUSA Constitution, and
- (c) Individual personal development requirements to enable proper performance of office.

3.6.3 Subject to the Constitution and Regulations, Executive members are subject to any ANUSA Policy stated to apply to them and to the following ANUSA Policies in respect of their role as a member of the ANUSA Executive:

- (a) Acceptable use of Information Infrastructure
- (b) Association Media Policy
- (c) Bullying
- (d) Code of Conduct
- (e) Conflict of Interest
- (f) Discrimination
- (g) Domestic Violence
- (h) Grievance Management
- (i) Review of Decisions
- (j) Sexual Harassment and Harassment
- (k) Under-performance and misconduct
- (l) Work Health and Safety

### **3.7 ABSENCE FROM DUTIES**

#### ***Leave of absence***

3.7.1 Executive members are entitled to absent themselves from their duties with the Association for a total of 20 normal working days absence (pro-rata according to the proportions in regulations 3.3.1 – 3.3.8) per annum, with the approval of the President, or the Executive in the case of the President.

3.7.2 Executive members are required to take leave of absence during the period 25 December to 1 January for days not prescribed as public holidays (including any substituted days) falling during that period. An Executive member may elect not to be paid for those days.

#### ***Personal and Compassionate Absence***

3.7.3 Executive members are entitled to be absent for an additional 20 normal working days (pro-rata) per annum for personal illness, bereavement or for care of immediate family or member of the member's household, essential religious or cultural purposes; wellbeing or compassionate grounds.

3.7.4 For the purposes of regulation 3.7.3 immediate family means spouse, de facto partner, child, parent, grandparent, grandchild, sibling, or a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner.

#### ***Additional Leave of absence***

3.7.5 Executive members may take additional leave of absence during which period the member will not be entitled to payment of stipend, with the approval of the President, or in the case of the President with the agreement of the Executive. Such additional absence is discretionary.

#### ***Normal Days of service***

3.7.6 Normal days of service for Executive members are days which are not public holidays or weekends and which are not during the ANU Christmas closedown.

### **3.8 TRAVEL AND OTHER EXPENSES**

3.8.1 The Association will meet reasonable travelling or other expenses incurred by Executive members when travelling on Association business, or purchasing material for the Association, subject to production of receipts for any expenditure incurred.

3.8.2 All travel is to be approved advance by the President, or the Executive in the case of the President.

3.8.3 Travel will be administered in accordance with the Associations' Travel Policy.

### **3.9 CHANGES TO THE EXECUTIVE**

3.9.1 Where it is decided, in accordance with the provisions of the ANUSA Constitution that the composition of the Executive is to be changed, the Executive must, by consensus determine the number of hours to be worked by the additional role and any changes in the allocation of responsibilities and functions.

3.9.2 Where an Executive role is duplicated the allocation of hours among Executive members undertaking the role are to be, as far as possible equitable noting an individual's work, study and personal requirements.

3.9.3 All changes to hourly allocations, roles or responsibilities are to be noted by the SRC at its next scheduled meeting.

### **3.10 EXPECTATIONS AND RESPONSIBILITIES**

3.10.1 It is an expectation while continuing in office that all members of the ANUSA Executive are carrying out the responsibilities of office in a responsible, and effective manner and with professionalism. This expectation is a continuing requirement for eligibility for payment of stipend.

#### **THE RESPONSIBILITIES OF THE PRESIDENT**

3.10.1 The President is responsible under this Regulation for ensuring all members of the Executive properly and effectively perform the duties of their office.

3.10.2 Pursuant to clause 3.10.1 the President may counsel a member of the Executive where the member is failing to adequately fulfil the duties of their office, including meeting the expectations of this regulation.

3.10.3 If a dispute arises concerning adequacy of performance or if there is continued poor performance or non-performance after counselling, the President may refer the matter to the Executive for decision in accordance with this Regulation including under clause 3.4.1 (Withholding the Stipend) or 3.3.10 (proportional allocations) and in accordance with section 10 of the Constitution.

3.10.4 In the case of the President, the Executive as a whole may carry out the counselling function.

### **3.11 PERSONAL DEVELOPMENT**

3.11.1 At the beginning of their term of office each member of the Executive will meet with the President to ensure there is a clear understanding by the Executive member of their role and responsibilities.

3.11.2 The President and the Executive member will also identify and agree expectations and development goals for the coming year that reflect:

- key accountabilities and goals (expectations) for the period.
- key skills and attributes necessary to achieve success in their role and,
- identify and agree development actions to assist the person achieve personal excellence and maximise their contribution to the Association.

3.11.3 These discussions will be summarised using the Statement of Expectations form contained in the Associations *Career and Professional Development Policy*.

3.11.4 At regular periods the President and the Executive member will meet to review progress and achievement. These review discussions are an opportunity to provide feedback, support, direction and encouragement in relation to the progress and achievement of expectations and any agreed development plan.

## **4. PAYMENT TO DEPARTMENT OFFICERS**

### **4.1 Overview**

4.1.1 Section 17(8) of the Constitution provides that no payment may be made except as reasonable payment for services rendered to the Association. This Regulation is made to provide for reasonable payment to Department Officers for services rendered to the Association. This regulation recognises the quasiautonomous role of Departments and facilitates the autonomy of Department operation, subject to the Constitution of the Association.

4.1.2 Subject to this Regulation, and subject to the availability and allocation of funding, a Department Officer may be paid a stipend as an elected Representative of the Association and member of the Student Representative Council under the ANUSA Constitution, which role includes the proper discharge of their responsibilities as Departmental Officer

4.1.3 Subject to this Regulation, and subject to the availability and allocation of funding, a Department Officer or Department member may be paid a discretionary honoraria.

#### **4.2 Stipend**

4.2.1 The Department Officer is responsible for the effective and efficient operation of their Department and for meeting the core responsibilities of the Department Officer. In fulfilling their role, they may delegate some of their functions to a deputy or other members of the Department (the "delegate"). In recognition of their contribution to the Department, the delegate may be paid part of a stipend that would otherwise be paid to the Department Officer.

4.2.2 An amount allocated to an individual as stipend shall be paid in tranches (no more frequently than monthly) in arrears. It is a condition of payment of the stipend that the Department Officer is effectively fulfilling the duties of Department Officer.

#### **4.3 Honoraria**

4.3.1 Payment of any honoraria is discretionary and depends on the decision of the Department or collective as to whether honorarium will be paid.

4.3.2 Honoraria may only be paid in recognition of voluntary service to the student body through a Department or collective (over and above any basic duties of an office). Voluntary service does not give rise to an entitlement to an honorarium.

4.3.3 Honoraria may be paid to a Department Officer, or to other members of the Department who have made a contribution to the Department, which in the opinion of the Department warrants an honorary payment in accordance with this Regulation.

#### **4.4 Administration**

4.4.1 Each department shall receive an equal total allocation of honoraria and stipends.

4.4.2 In 2023, this amount shall be a total of \$25,000 for each department. The total amount will be increased each year in line with the Consumer Price Index (CPI – all groups).

(a) Where the DSA has co-officers, the maximum is \$35,000.

4.4.3 The Department Officer shall be allocated 80% of the total pool. A higher percentage cannot be allocated to the Department Officer out of the total pool. The Department collective may choose to reallocate a portion of this funding to a collective member or members other than the Department Officer by a vote passed by sixty-six per cent (66%) of the Department collective.

(a) Where the DSA has co-officers, the officers receive 86% of the total pool.

4.4.4 Each Department's pool for non-Department Officer honoraria and stipends shall be no less than \$5000. The Department collective shall choose to allocate this funding to non-Department Officer honoraria by a vote passed by fifty per cent (50%) of the Department collective.

4.4.5 The allocations outlined in 4.4.3 and 4.4.4 shall be presented to each Department's collective at the first meeting of the calendar year.

4.4.6 If a Department has Co-Officers, the Department Officer stipend shall be equally split between them.

4.4.7 Should a Co-Officer commence part way through another Co-Officers term, both officers shall each be paid on a pro-rata basis from the date on which they commenced. The division of Department Officer stipend may be adjusted by agreement of both Co-Officers and by a vote passed by fifty per cent (50%) of the Department collective.

4.4.8 Payments made to Department Officers shall be made commencing in the first pay period after a Department Officer is elected.

4.4.9 If a Department Officer considers they are unable to fulfil the core responsibilities of the Department Officer they should draw this to the attention of their Department so that responsibilities can be delegated as envisaged in Regulation 4.2.1.

4.4.10 Processes for payment of any honoraria will be in accordance with the Association's Payment of Stipends and Honoraria policy.

4.4.11 Where during the year, a Department Officer ceases to perform the role, they are entitled to pro-rata

payment of the stipend to the date they ceased to perform the function.

4.4.12 Where during the year, a Department Officer ceases to perform the role, they are entitled to pro-rata payment of the stipend to the date they ceased to perform the function.

#### **4.5 Withholding Stipend**

4.5.1 It is a requirement of payment of stipend that the stipend recipient is fulfilling the core responsibilities of the Departmental Officer or of the work delegated to them.

4.5.2 The core responsibilities of the Departmental Officer are:

- (a) Duties set out in section 11(3) of the Constitution
- (b) Duties set out in section 11(5) of the Constitution
- (c) Duties set out in section 26(14) of the Constitution
- (d) To attend any induction training set as mandatory by the ANUSA President
- (e) Ensure proper financial records are maintained by the Department and provide financial information, financial documents and financial reports relating to the operation of the Department in a timely manner on request from the ANUSA Treasurer;
- (f) Ensure that expenditure of funds of the Department is compliant with SSAF requirements and any funding agreement to which ANUSA is subject; and
- (g) such other duties as are reasonably determined from time to time by their Department and set out in the Department Constitution.

4.5.3 The ANUSA Executive may (on recommendation of the Department concerned and following a meeting of the Department members where a motion to withhold or suspend payment from a Departmental Officer was passed by seventy per cent (70%) of those present and voting) suspend or withhold payment of the stipend or part of the stipend for a specified period to a Department Officer if, in the opinion of the Executive, the Officer is failing to adequately perform the duties core responsibilities of their office.

4.5.4 Before withholding or suspending payment of stipend, the Executive must be satisfied that the Department concerned has counselled the Officer and provided the Officer with a reasonable opportunity to remedy the identified shortcomings in performance before suspending or withholding the stipend (pursuance to section 50 of the Act).

4.5.5 A Department may refer the question of withholding stipend to the ANUSA Executive for decision, if the Department considers this to be in the best interests of the Department, in which case the ANUSA Executive may decide the matter.

4.5.6 Payment of a stipend is not intended to imply or create an employment relationship with a recipient. Office holders of Departments remain responsible under the ANUSA Constitution and the provisions of their Department Constitution, for the performance of their office.

### **5. PAYMENTS TO ACADEMIC REPRESENTATIVES AND THE PARENTS AND CARERS OFFICER**

#### **5.1 STIPEND AMOUNTS**

5.1.1 For term commencing on 1 December 2023, the Academic Representatives in section 9 (10) of the Constitution shall each be paid a stipend of \$7,500 annually, pro-rated if a representative serves less than a year.

5.1.2 For the term commencing on 1 December 2023, the Parents and Carers Officer in section 9(11) of the Constitution shall be paid a stipend of \$15,000 annually, pro-rated if the officer serves less than a year.

#### **5.2 OTHER ARRANGEMENTS**

5.2.1 In all other respects, payments to the Academic Representatives and the Parents and Carers Officer shall be governed (*mutatis mutandis*) by the Regulations that govern stipends paid to members of the Executive (including CPI adjustments from the term commencing on 1 December 2024).

**Note:** the phrase *mutatis mutandis* in this context means with necessary adjustments to give effect to Regulations 5.1 and 5.2.

### **6. PAYMENTS TO STUDENT CONTRACTORS**

#### **6.1 OVERVIEW**

6.1.1 Section 17(8) of the Constitution provides that no payment may be made to a member except as reasonable

payment for services rendered to the Association. This Regulation is made to provide for reasonable payment to contractors who are members for services rendered to the Association.

- 6.1.2 Subject to this Regulation, and subject to the availability and allocation of funding, and execution of a contract, contractors may be paid for services rendered subject to the provisions of this regulation.

## **6.2 PAYMENTS**

- 6.2.1 Payment will only be made to a contractor who holds a current Australian Business Number (ABN).
- 6.2.2 The amount of payment to a contractor is based on the expected outcomes expressed in the contract between the parties and as agreed by the ANUSA Executive.
- 6.2.3 Payment will only be made if a contract has been entered into and there is a legal obligation for the payment based on the terms of the contract.

## **6.3 PROGRESS PAYMENTS**

- 6.3.1 Progress payments will only be made where such payments have been provided for in the contract between the parties and at such rate(s) as specified in the contract and on production of an invoice as agreed between the parties.

## **6.4 TRAVEL AND OTHER EXPENSES**

- 6.4.1 The Association will meet reasonable travelling or other expenses incurred by a contractor when travelling on Association business, or purchasing material for the Association, subject to production of receipts for any expenditure incurred and the agreed contractual terms.
- 6.4.2 All travel and expenditure are to be approved in advance by the President or their nominee.
- 6.4.3 Travel will be administered in accordance with the Associations' Travel Policy.

# **7. PAYMENTS TO ELECTED OFFICIALS AND ORDINARY MEMBERS**

## **7.1 Overview**

- 7.1.1 Section 17(8) of the Constitution provides that no payment may be made to a member except as reasonable payment for services rendered to the Association. This Regulation is made to provide for reasonable payment to an ordinary member or elected officials not otherwise covered in the Payment Regulations for services rendered to the Association.
- 7.1.2 Subject to this Regulation, and subject to the availability and allocation of funding, ordinary members or elected officials not otherwise covered in the Payment regulations may be paid a discretionary honoraria.

## **7.2 HONORARIA**

- 7.2.1 Payment of any honoraria is discretionary and depends on the decision of the SRC as to whether honorarium will be paid.
- 7.2.2 Honoraria may only be paid in recognition of voluntary service to the student body (over and above any basic duties of an office or role description). Voluntary service does not give rise to an entitlement to an honorarium.
- 7.2.3 Honoraria may be paid to an ordinary member or elected official not otherwise covered in the Payment Regulations, who has made a contribution to the student body, which in the opinion of the SRC warrants an honorary payment in accordance with this regulation.

## **7.3 ADMINISTRATION**

- 7.3.1 The total amount available which may be allocated is to be set by the budget of the Association passed at the first General Meeting held in the first Teaching Period of the Academic Year. No more than half of the budgeted amount for honoraria may be allocated within the first Semester. Unallocated funds from the first Semester may be allocated in the second Semester.
- 7.3.2 The ANUSA General Secretary will open nominations to receive an honoraria at the first SRC of Teaching Period 2 and 4. Nominations will remain open for two (2) weeks.
- 7.3.3 An ordinary member or elected official not otherwise covered in the Payment Regulations may be nominated or self-nominate to receive an honoraria.
- 7.3.4 The total amount an individual can be nominated or self-nominate for cannot exceed \$1,000.
- 7.3.5 Nominations received will be reviewed by a committee (the Committee) comprising the ANUSA President (or nominee), ANUSA Treasurer, a Department Officer, a College Representative, and a General Representative.
- 7.3.6 In reviewing nominations, the Committee has the discretion to recommend either full, part or none of the nominated honoraria amount.
- 7.3.7 If a Committee member has been nominated or has nominated someone else, they will abstain from the discussion regarding that nomination.

- 7.3.8 The Committee will make recommendations for honoraria to be allocated to be decided at the final SRC of Teaching Period 2 and 4. Decision by the SRC will be a resolution passed by 70% of the members of the SRC present and voting.
- 7.3.9 Successful nominees must provide their bank account details to the ANUSA Treasurer within ten (10) teaching days on being notified about their honorarium.

## CLUBS REGULATIONS

### Definitions

In this Regulation, the following definitions apply:

In this Regulation "Club" means an affiliated Club of ANUSA, or a student group applying for affiliation, which is yet to be affiliated, as the case requires.

"Club spaces" include physical and online or digital spaces or communication facilities used by club members or a facility (whether physical or digital) in which a club event is to be held, and to individual contact between club members where there is a connection with the club.

"Discriminatory" means discrimination on the basis of any attribute protected in the Discrimination Act 1991 (ACT). For the purposes of this definition, anti-imperialism and anti-war activism is not a form of discrimination.

"Protected attribute" has the same meaning as in the Discrimination Act 1991 (ACT).

"Prohibited conduct" means racist, sexist, homophobic, transphobic or other discriminatory conduct or speech and includes:

- . promotion or advocacy of racist, sexist, homophobic or transphobic or discriminatory ideas
- . advocating changing law or government or university policy to enable such prohibited conduct;
- . permitting or failing to prevent the use of club spaces or communications for advocacy, ideas or conduct described in paragraphs (a) and (b);
- . providing a platform to an individual or group to engage in such conduct or speech; or
- . failure of the club to respond adequately to an allegation or incident of such conduct or speech related to the club or directed to any member or person present in a club space.

A reference to racist, sexist, homophobic, transphobic or other discriminatory conduct includes:

- . conduct or speech that is harmful or derogatory in relation to group having protected attribute or
- . would be of a defamatory nature if it were directed against an individual instead of a group having a protected attribute,
- . or which advocates the superiority or preferencing of or the exclusion or segregation of an or group possessing a protected attribute,

but does not include criticism of or protest against a government, commercial or non-commercial entity which may have an association with a group possessing a protected attribute if that criticism or protest has a reasonable basis.

A club shall not be considered to engage in prohibited conduct merely because it is established or conducted to foster cultural, linguistic or social activities associated with a particular ethnic, cultural, national, social or other group having a protected attribute, so long as the club's membership and activities are open to all students without discrimination.

### **Part 1. Clubs Committee**

1. There shall be a Clubs Committee made up of the Clubs Officer, Ordinary Committee Members appointed by the Clubs Officer, and other officers or staff of the Association as appointed by the Clubs Officer or the ANUSA Executive.
2. Membership of the committee is open to all ANU students.

3. The purpose of the Clubs Committee is to contribute to the ongoing development and growth of the ANUSA Clubs program, namely by:
  1. assisting with reform and development of rules governing clubs;
  2. managing initiatives to foster collaboration; and
  3. running training or other events to foster development among club leaders.
4. Ordinary Committee Members shall be appointed at the discretion of the Clubs Officer.
  1. The appointment shall be made after soliciting applications from the clubs' community broadly.
  2. The number of Ordinary Committee Members shall be at the discretion of the Clubs Officer.
  3. The Clubs Officer shall be responsible for ensuring that appointed members reflect the diversity of the student body wherever possible.
  4. The Clubs Officer may, at their discretion, title the role of Ordinary Committee Member with a different title.
  5. Ordinary Committee Members may be dismissed by a  $\frac{3}{4}$  majority vote of the ANUSA Executive, except the Clubs Officer, after providing the member with an opportunity to respond to the reasons for the proposed dismissal.
5. The terms of all Committee members run from appointment to November 30th unless otherwise provided.
6. The Clubs Officer shall chair the Clubs Committee.
7. The Clubs Committee may elect or appoint a member as its secretary or to other positions as the Committee sees fit, so long as the person agrees to serve in that role.
8. The Clubs Officer shall be responsible for overseeing the affairs of the Clubs Committee.
9. Meetings of the Clubs Committee must take place no less than once per teaching period.
10. Meetings of the Clubs Committee may be attended by any currently enrolled ANU student.
11. Quorum for the Clubs Committee is half of the committee members appointed as provided in regulation 3.
12. Notice of meetings of the Clubs Committee must be given at least two business days in advance and must be circulated to all committee members.
13. Minutes of Clubs Committee meetings must be made available to all ANU students.

## **Part 2: Affiliation**

### **4. General**

1. Without diminishing regulation 17.6 Compliance with Law and Community Standards, this Regulation as a whole must be applied:
  1. without discrimination against any club or its members; and
  2. equitably as between clubs.
2. Affiliation is the process by which a student group becomes affiliated with ANUSA pursuant to the ANUSA Constitution and becomes an affiliate Club of ANUSA.
3. A student group may submit an affiliation request to the Clubs Officer.

4. The Clubs Officer must review any affiliation request received and affiliate the student group as an affiliated Club of ANUSA if, in the Clubs Officer's reasonable opinion, the student group satisfies the requirements of affiliation under this Regulation.
5. The Clubs Officer may delegate part or whole of the process of affiliation or re-affiliation under this Regulation to a staff member or a student with written approval of the ANUSA Executive.

## 5. Approving affiliation

1. The Clubs Officer must approach all affiliation requests in good faith and without bias.
2. The Clubs Officer must inform the applicant for affiliation and the ANUSA Executive of the outcome of an affiliation request.
  1. Wherever possible, the Clubs Officer shall inform the student group of the outcome within 30 academic days of receiving the application in proper form.
3. If the Clubs Officer rejects an application, it must inform the applicant for affiliation why it has failed the application process.
  1. A student group may resubmit its request for affiliation if it addresses issues identified by the Clubs Officer.
4. The Clubs Officer must collate a list of Clubs that have been affiliated since the last ANUSA Student Representative Council (SRC) and present this list at each ANUSA SRC as an agenda item.
  1. Any decision to affiliate or not affiliate made by the Clubs Officer may be overturned by a  $\frac{2}{3}$  majority of the ANUSA SRC on the grounds that the Clubs Officer has misapplied the requirements of this regulation.
5. The result of the ratification vote at the SRC shall be communicated to the Club in a reasonable timeframe

## 6. Support for Affiliation

1. The Clubs Officer must produce resources to assist clubs to meet the requirements for affiliation.

## 7. Eligibility Requirements for Affiliation

1. To be affiliated a club must satisfy the following requirements.
  2. **Constitutional criteria**
    1. The club must have a written constitution adopted at a meeting of members of the club prior to the application for affiliation.
    2. The club's constitution must be published and accessible to all ANU students.
    3. A club's constitution must:
      1. ensure any currently enrolled student of ANU is entitled to join the club, unless specifically exempted
      2. provide that a majority of its members, at all times, are currently enrolled students of ANU and, if the club has non-student members, ensure that any non-students do not having voting rights in the club;
      3. ensure that only currently enrolled student members of the club directly elect the officers and governing committee of the club;

4. ensure that only currently enrolled students of ANU may be elected or serve as officers or on the governing committee of the club;
  5. ensure that only currently enrolled students of ANU may vote in any meeting of the club
  6. provide power to its executive committee, individuals appointed by the committee, or another organ of the club, to deal with complaints related to the club
  7. provide for a fair election and dismissal process;
  8. provide for an Annual General Meeting to be held annually open to all members of the club;
  9. provide a process by which members of the club may change their constitution;
  10. have an Acknowledgement of Country in either the text of the Constitution or its formatting;
  11. include the following provision: "The Club is affiliated to the ANU Students' Association and anything in this Constitution which is inconsistent with the ANU Students' Association Clubs Regulations and Policies is null and void to the extent of that inconsistency.";
  12. include the following provision "The Club must fulfil its obligations under the Association's Clubs Regulations and Policies.";
  13. include the following non-profit clause: "The assets and income of the Club/Society shall be used only for the promotion of the Club/Society's objectives and no portion may be paid or transferred directly or indirectly to members of the club/society except as:
    1. (a) bona-fide remuneration for services rendered by a member to the Club/Society, excluding service as an Executive or committee member of a Club and excluding assistance by a member with the usual voluntary activities of a club (such as helping with or organising or managing a club meeting, activity or event).
    2. (b) repayment of expenses validly incurred by a member on behalf of the Club/Society."; and
  4. Include the following disaffiliation or dissolution clause: "On dissolution, disaffiliation or failure to re-affiliate by the end of the first teaching period, any net assets, property, funds or money shall not be distributed among the members but shall become the property of ANU Students Association and be given or transferred to the ANU Students' Association; except for funds sourced by means other than grants from ANUSA in the current and previous calendar year. Such other funds must be donated to a not-for-profit association with objects similar to those of the club, or to ANUSA."
3. The constitutional requirements for affiliation are met if the club uses a model constitution provided by ANUSA, if such a model constitution is provided.

#### **4. Financial criteria**

1. The club must submit a recent bank statement.
2. The bank account must be only for the use of the club;
3. The bank account must be registered under the club's name; and, the address for the bank account must be ANUSA's address.

4. The club must have an ABN registered under the club's name.
5. The bank account must be a two-to-sign or similar account with exactly three club executive members (trustees) authorised to operate the account.
6. A re-affiliating club (other than a club not receiving SSAF funds) must provide a statement to ANUSA that all its expenditure of SSAF funds has been SSAF compliant.;
7. The club must otherwise satisfy the Clubs Officer that it is properly financially managed.

#### **5. Membership**

1. The club must have at least 15 members who are currently enrolled students of ANU.
2. No club may charge any ANU student more than 20 dollars for membership unless the Clubs Officer approves an exemption to this cap. Clubs that charge for membership must have equity membership options in line with the equity ticketing policy in this regulation.

#### **6. Compliance with Law and Community Standards**

1. No club may be affiliated if its purpose, or behaviour core to its purpose, involves prohibited conduct.
2. No club may be affiliated if its purpose is contrary to Australian Law.
3. The SRC may from time to time adopt an ANUSA Clubs Code of Conduct as a policy of the Association.
4. No club may be affiliated unless the committee members for the time-being have signed a copy of the ANUSA Clubs Code of Conduct, affirming they have read the Code and agree to uphold that code on behalf of themselves and for the Club.

#### **7. Inaugural General Meeting**

1. The club must hold an inaugural general meeting where the club is established by resolution of the attendees.
2. At this meeting, the club must become operational according to their constitution, including by electing office-bearers.
3. Minutes must be taken of this meeting recording the resolutions passed and attendees names and student ID numbers.

#### **8. Unique and Distinctive Purpose**

1. The club must have a purpose that is distinct and unique from other currently operating affiliated Clubs;

#### **9. Taxation**

1. The club must report annually to ANUSA during reaffiliation on their Income Tax status;
2. The Club must have complied with its obligations under tax law, seeking taxation advice if necessary:

#### **10. Exemptions to Affiliation Criteria**

1. A club is exempt from fulfilling the Financial criteria if the purpose of their club makes them ineligible for funding under the SSAF rules and the Club does not receive funding from ANUSA.

2. The Clubs Officer may exempt a club from the constitutional requirement that membership is open to all ANU students if:
  1. the purpose of their club makes them ineligible for funding under the SSAF rules; and
  2. the exclusion of any student or category of students from membership of the club is reasonable and necessary for the club to fulfil its purpose.
3. A club is exempt from the constitutional requirement that membership be open to all ANU students, if they are otherwise exempted by the Clubs Officer.

## **8. Continued Affiliation**

1. There shall be a process for re-affiliation of Clubs.
  1. Clubs need to re-affiliate no later than 14 months after their last affiliation in order to continue their affiliation.
  2. If a Club has been affiliated within the previous 24 months and has failed to apply for re-affiliation, they may use the re-affiliation process rather than a new affiliation process.
2. Re-affiliation shall be administered by the Clubs Officer, their delegate who shall determine if the club still meets the requirements to affiliate.
3. The Clubs Officer will provide advice to Clubs on the re-affiliation process annually, and whenever these processes change.
4. Clubs must at least satisfy the eligibility requirements in order to regain re-affiliation and must be operating reasonably in accordance with their constitution and other governing rules; and have provided satisfactory financial documents to ANUSA in regard to any funding granted by ANUSA to the Club.
  1. The Clubs Officer shall have the authority to approve or refuse Club re-affiliations.
  2. Refusal must be on the grounds that a club has failed to meet the requirements of this regulation, or if they do not meet the requirements set out in the re-affiliation process.
5. As a condition of re-affiliation with ANUSA, a club must ensure that at least one member of its executive has completed an ANUSA facilitated Gender-Based Violence disclosure training within 12 months prior to submitting its re-affiliation application.
6. If the Clubs Officer refuses to re-affiliate a Club, the Clubs Officer must notify the Club of this decision within a reasonable timeframe and provide feedback on how the Club can successfully apply for re-affiliation.
  1. If a Club fails to be re-affiliated, then the Club ceases to become an affiliated Club. This Club shall be treated as an unaffiliated Club in any future affiliation applications.
7. If the Clubs Officer refuses to re-affiliate a Club, this decision may be overturned by an SRC resolution passed with  $\frac{2}{3}$  majority vote, on the grounds that the Clubs Officer has misapplied the requirements of this policy.

## **9. Provisional Affiliation**

1. The ANUSA Executive may extend provisional affiliation to any student group applying for affiliation, which is likely to be able to meet the requirements for affiliation.
2. The terms and benefits of a Club's provisional affiliation must be passed by simple majority at an ANUSA Executive meeting and agreed to by the Club's executive in writing in order to take effect.

3. Subject to any conditions imposed by the ANUSA Executive, a provisionally affiliated club shall have access to the same benefits as a Club which is fully affiliated for the period of the teaching period they are provisionally affiliated for.
4. Clubs that are offered provisional affiliation are expected to fully affiliate by the end of the teaching period in which they've provisionally affiliated for unless prior approval was given by the ANUSA Clubs Officer. If clubs that are offered provisional affiliation do not gain full affiliation within the term of provisional affiliation, provisionally affiliated clubs will lose access to benefits under regulation 19.3.

## **0. Disaffiliation**

1. The Clubs Officer may disaffiliate a Club if:
  1. it breaches any of the eligibility requirements in this policy; or
  2. The Clubs Officer reasonably concludes that the Club has ceased to be in operation.
2. If the Club is disaffiliated by the Clubs Officer, it shall be disaffiliated immediately.
3. On application by the Club, this decision may be overturned by the ANUSA Executive on the basis that grounds for disaffiliation did not exist.
4. A Club will be automatically disaffiliated if it winds up or dissolves of its own accord.

## **Part 3: Funding**

### **1. Eligibility for grants**

1. Compliance with SSAF and policy. To be eligible for a grant, a club and its expenditure must comply with this regulation.
  1. All funds received under this policy must be spent in compliance with the Student Services and Amenities Fee (SSAF) rules.
  2. All funds granted under this regulation must be spent only for the purposes that the grant was approved.
  3. Each club is responsible for ensuring it is familiar with and complies with SSAF rules and this policy.
  4. A Club which is non-compliant with SSAF regulations or this regulation must return funds to ANUSA if directed to do so and may be subject to disciplinary action.
  5. The Clubs Officer may deny access to funding under this policy to a Club which is subject to disciplinary action, or which has failed to provide proper financial documents when required by ANUSA, or if the Clubs Officer has reasonable grounds to believe that the funds may not be spent in a manner compliant with this Regulation.
  6. The Clubs Officer may deny funding to a Club which cannot satisfy the Clubs Officer that it is properly financially managed.
  7. The Clubs Officer may deny funding if the purpose or intended expenditure of the grant is deemed to be harmful to ANU students or discriminatory in any manner.

### **2. SSAF Rules**

1. This clause describes government requirements about SSAF funding. Note that this Regulation places additional constraints on use of SSAF funding by clubs.

2. SSAF rules prohibit SSAF funds being spent for political purposes as described below. SSAF rules provide a list of allowed expenditures. SSAF funds must only be used for those purposes and must not be used for political purposes.
3. SSAF funds must not be spent to promote any political party.
4. SSAF funds must not be spent to promote the election of any person to a federal, state or local government body.
5. The government requires that SSAF funds can only be spent for the following purposes:
  1. Providing food or [non-alcoholic] drink to students on a campus of the higher education provider; [NOTE: ANU prohibits use of SSAF funds for purchase of alcohol]
  2. supporting a sporting or other recreational activity by students;
  3. supporting the administration of a club most of whose members are students;
  4. caring for children of students;
  5. providing legal services to students;
  6. promoting the health or welfare of students;
  7. helping students secure accommodation;
  8. helping students obtain employment or advice on careers;
  9. helping students with their financial affairs;
  10. helping students obtain insurance against personal accidents;
  11. supporting debating by students;
  12. providing libraries and reading rooms (other than those provided for academic purposes) for students;
  13. supporting an artistic activity by students;
  14. supporting the production and dissemination to students of media whose content is provided by students;
  15. helping students develop skills for study, by means other than undertaking courses of study in which they are enrolled;
  16. advising on matters arising under the higher education provider's rules (however described);
  17. advocating students' interests in matters arising under the higher education provider's rules (however described);
  18. giving students information to help them in their orientation; and
  19. helping meet the specific needs of overseas students relating to their welfare, accommodation and employment.
3. **Club eligibility.** To be eligible for a grant a club must be:
  1. An affiliated club or,
  2. A provisionally affiliated club if the terms of its provisional affiliation permit it to receive a grant.

4. **Event eligibility.** To receive funding, an event must meet these requirements:

1. Have an Acknowledgement and/or Welcome to Country
2. Be publicly and effectively advertised to ANU students
3. Be compliant with relevant law
4. Not be held during the summer break, with the exception of Orientation Week
5. Not be held on the same day as another event which the club has already applied for a grant for, unless otherwise specified
6. Not be exclusively or primarily for the Club's Executive
7. Be primarily attended by and be for the benefit of students
8. Be open to all currently enrolled ANU students
9. An event may be restricted to club members only if non-members have a reasonable chance to become members at or before the event
10. Have appropriate equity ticketing, where events are ticketed
11. The grant application for an event must be submitted as soon as practicable, and by no later than 11:59PM on the Monday following the end of the examination period of the term in which the event was held
12. If a club cannot submit their grant by this date due to extenuating circumstances, the club may make a written request to the Clubs Officer for an exemption to the funding deadline.
13. Not engage in any racist, misogynistic, homophobic, transphobic or otherwise discriminatory activities.
14. All advertising for any event where using a grant is intended may be required to include a logo from ANUSA, as provided by the Clubs Officer.

5. **Sponsorship eligibility.** To be eligible for Sponsored Pool funding, clubs must:

1. Satisfy all general eligibility requirements
2. Satisfy sponsor-specific funding criteria; and
3. Provide evidence of compliance with sponsorship requirements.

2. **Prohibited expenditure.** The following expenses are not eligible for funding:

1. Donations, sponsorships, scholarships, or similar.
2. Alcohol, tobacco, or similar.
3. Cash, vouchers, forms of currency, or any other form of payment.
4. The payment of debts, or overdrafts of the Club's bank account.
5. Affiliation fees to another organisation, unless they deliver a vital and competitive service, such as a Costco membership.
6. Honoraria, stipends, or similar.
  1. Except for the proper and reasonable remuneration of ANU Students for the provision of artistic performances, where they are integral to an event.

7. Items which will become the personal property of Club members, except Club-branded merchandise.
8. Any expenditure that does not provide benefit for students.
9. Any expenditure for an unlawful purpose.
10. Any other expenditure that is not compatible with Student Services and Amenities Fee (SSAF) criteria.
11. This list applies to both SSAF-funded Grants and Sponsored Pool Grants.

### **3. Funding limits**

1. No Club may receive more SSAF-funded Grants than the Funding Limit during any financial year.
2. The Funding Limit is divided evenly across Semester 1 and Semester 2, such that no more than half of the annual Funding Limit may be spent in a single semester.
3. Sponsored Pool funding shall be additional to the Funding Limit.
4. Sponsored Pool funding shall not reduce or otherwise impact the calculated SSAF-based Funding Limit.
5. Total Sponsored Pool funding available will be determined by available external sponsorship
6. The Funding Limit for a club is calculated using the following formula:

Funding Limit = Total SSAF budget available for clubs during a year divided by the number of affiliated clubs at the beginning of the third week of the first semester of a year plus the Percentage Limit

The Percentage Limit = X%, with  $X \leq 3$ .

4. The ANUSA Executive will set the percentage limit for any given year.
5. If requests for funding from clubs during a year exceed the total funding available for Clubs during that year, the Clubs Officer, to promote equitable access to funding, may place a percentage reduction on the total funding available under various grant categories or may reduce the Funding Limit.
6. The ANUSA Executive may from time to time adopt an ANUSA Clubs Yearly Strategic Spending Guideline which will outline ANUSA's financial vision for clubs as a published document released alongside the funding limits.

### **7. Grants**

1. A grant is applied for through a form as designated by the Clubs Officer. All requirements outlined in that form must be met to receive funding.
2. There shall be 2 classifications of grant funding sources:
  1. SSAF-funded Grants: Grants funded by ANUSA by the Student Services and Amenities Fee.
  2. Sponsored Pool Grants: Grants funded through external sponsorship, administered by ANUSA, that provide supplementary financial support to affiliated clubs.
  3. Grants in the below table shall be considered SSAF-funded unless otherwise noted.
3. There shall be 2 categories of grants:
  1. Event Grants: deals mainly with expenditure related to a specific event of a club.

2. Operational Grants: deals mainly with expenditure (other than for events) to support the smooth running of a club.
4. Grant approval and payment
  1. All grants are subject to the discretion of the Clubs Officer, and grants that are deemed unreasonable, unnecessary, or risky may be declined.
  2. The Clubs Officer may refuse or partially fund a grant to promote equity in grant access between clubs.
  3. Grants within the Event Grants category shall be decided retrospectively, with the exception of the Travel Events Grant which will be decided prospectively unless the Clubs Officer approves an exemption
  4. Grants within the Operational Grants category shall be decided prospectively
  5. All grants shall be paid retrospectively.
    1. The Clubs Officer may approve a grant to be paid prospectively if a club provides evidence that retrospective payment would place an undue burden on a Club or the Club's Executive.
  6. All grants shall be paid by a transfer of the grant funds to the bank account of the relevant Club.
  7. The break-even funding limit for an event shall be calculated as follows:

Break-Even Funding Limit for Event = Expenditure on the Event less other revenue raised for the event

5. **Eligible grants.** The table below outlines the grants available to Clubs, how they are calculated and eligibility conditions and funding limits. Where more than one test of maximum amount cap is provided the cap for a grant is the lowest of the caps provided. To be eligible for funding a proposed grant must also be SSAF compliant.
6. The Clubs Officer, where applicable and reasonable, should make efforts to consult with autonomous departments of the Association to contribute to the needs of marginalised students and build inclusive social life at the Association.
7. If a Club applies for a grant from ANUSA it must disclose to ANUSA any external funding it has received from another entity for that activity or project, and the Club will not be entitled to funding from ANUSA to the extent it has already received such other funding.
8. The ANUSA Clubs Officer will from time to time publish a Clubs Handover Checklist providing Clubs with guidance on handover responsibilities to be completed by outgoing and incoming Clubs Executives.

#### Event Grants

Name of grant	What can the grant be used for?	Calculation of grant	Maximum amount cap
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<p>Ordinary Events Grant</p>	<p>Expenses related to an event held by a club.</p>	<p>Up to 8 dollars per student attending the event up to the break-even funding limit for the event.</p>	<p>\$4000 per grant.</p> <p>One grant per event.</p> <p>Limited to the Funding Limit.</p>
<p>Special Annual Event Grant</p>	<p>Expenses related to one special annual event held by a club.</p>	<p>Up to 12 dollars per student attending the event up to break-even funding limit for the event.</p>	<p>May only be granted once a year.</p> <p>Limited by the Funding Limit.</p>
<p>Travel Events Grant</p>	<p>Travel expenses for club activities of demonstrable benefit to the Club so as to justify the expenditure.</p> <p>This grant is approved prospectively and requires clubs to demonstrate a greater spend than the bounds of Ordinary Event Grants.</p>	<p>Up to 50% of all reasonable travel expenses to an event. ANUSA will be covering the travel expense.</p> <p>If prospective approval was not sought, only an Ordinary Events Grant subsidy will be provided.</p>	<p>\$4000 per year.</p> <p>Limited to the Funding Limit.</p>
<p>Joint Event Grant</p>	<p>Expenses related to an event held by two or more clubs in collaboration.</p>	<p>8 dollars per student attending the event up to the break-even funding limit for the event.</p> <p>Expenses will be distributed evenly between the two or more clubs in collaboration</p>	<p>\$4000 per grant.</p> <p>One grant per event. Not eligible for Ordinary Events Grant.</p> <p>Limited to the Funding Limit.</p>
<p>Inclusive Events grant</p>	<p>The cost of a Welcome to Country.</p> <p>Costs of subsidising equity tickets for an event.</p> <p>Other costs associated with making an</p>	<p>At the discretion of the Clubs Officer.</p>	<p>At the discretion of the Clubs Officer.</p> <p>Limited to the Funding Limit.</p> <p>This grant can be</p>

	event more inclusive or accessible.		applied for alongside any other grant.
Sponsored Event Enhancement Grant	Additional funding to enhance events that meet Sponsor criteria	Up to \$5 per student attending the event	\$1000 per grant. One grant per event.  Limited to the Sponsored Pool availability.

### Operational Grants

Name of grant	What can the grant be used for?	Calculation of grant	Maximum amount cap
Ordinary Operational Grant	Additional funding that is necessary for the operation of the club, except where the club is not properly financially managed.	Discretionary.	\$300  Limited to the Funding Limit.
Capital expenditure Grant	Any assets or ongoing services for the Club's activities.	Up to 100% of purchase price.	\$1000 per grant.  \$1000 per year subject to the Funding Limit.
Merchandise grant	Merchandise to be sold or distributed by the club.	Up to 50% of purchase price.	\$1000 per grant.  \$1000 per year subject to the Funding Limit.
Club Startup Grant	N/A - this grant does not require any specific purchase linked. Only clubs which have newly affiliated in an academic year can apply for this grant.	\$200 if their current liquid reserves are under \$500.	\$200 if the club is newly established during the year.
Club Handover Grant	Clubs that complete the ANUSA provided Clubs Handover Checklist may get access to this pool of funds to facilitate a strong handover.	\$50 for clubs that completed the ANUSA Clubs Handover Checklist that will be acquitted during reaffiliation	\$50 for clubs that completed the ANUSA Clubs Handover Checklist

In-Kind Sponsorship Grant	Provision of goods or services by a sponsor to support a club's activities, which do not involve direct monetary transfer.	The value of the in-kind contribution as determined by the sponsor and verified by the Clubs Officer.	The fair market value of the in-kind contribution.  Limited to the Sponsored Pool availability.
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## 8. Equity provisions

1. Any ticketed event with a cost associated must have Equity ticketing available. There must be equity ticketing for:
  1. Indigenous students; and
  2. Low-income students.
2. Equity tickets for Indigenous students must be:
  1. free of charge
  2. made available to Indigenous students before the general population; and
  3. widely advertised that Indigenous students have access to the event free of charge.
3. Equity tickets for low-income students must be:
  1. free of charge
  2. made available to low-income students alongside the general population; and
  3. widely advertised that low-income students have access to the event free of charge.
4. Any event without equity ticketing is not eligible for funding.
5. Clubs with cost associated membership must have Equity membership available. There must be equity membership for:
  1. Indigenous Students; and
  2. Low-income students.
6. Equity membership for Indigenous, and low-income students must be made free of charge;
7. Eligibility for the aforementioned groups is self-identified.

## 9. Auditing

1. The Association (ANUSA) may at any time conduct audits of a Club which has received any funding from ANUSA.
2. An auditor or other appropriately qualified professional may be appointed by the ANUSA Executive to undertake an audit of a club.
3. A club can be audited at any time, except for week 12 of any semester and any examination periods.
4. Upon a club being notified of an audit, it has two weeks to comply. The ANUSA Executive may choose to extend this period on request from the club.

5. If a club fails to comply within two weeks, the Club becomes ineligible for funding. Further reprimands and penalties may also be applied.
6. A club must supply the following information during an audit:
  1. A detailed summary of the Club's financial records provided in a spreadsheet. This must record:
    1. Any income and expenditure for each event that the Club has conducted for the period being audited,
    2. Any other financial transactions that the club has undertaken for the period being audited,
    3. The opening and closing balance of the Club's bank account for the period being audited,
    4. The current balance of the Club's bank account,
    5. Detailed bank statements for the period being audited,
    6. Any other information or records reasonably requested by the Association, or the auditor or other professional appointed by ANUSA.
  2. A record of the Club's assets in a spreadsheet. This must record the following information for each asset:
    1. Name and description of the asset,
    2. Date of the asset's purchase,
    3. Where the asset is being stored,
    4. If being stored by a person, the following information of that person: Name, student number, email address, and preferred contact number.
  3. A record of the club's membership.
  4. Any receipts or proof of payments for any financial transactions that the Club has undertaken, that the Club has not already supplied to the Association in the process of applying for a grant.

#### **Part 4: Reprimands and Penalties**

**0. Delegation.** The Clubs Officer may delegate duties under this Reprimands and Penalties part of this regulation, to a staff member or to another member of the ANUSA Executive as they see fit. The Clubs Officer, or their delegated authorities, should consistently consider, wherever possible, seeking relevant legal and constitutional advice on issues arising from this regulation

**1. Scope.** This regulation deals with misconduct and potential misconduct by a Club, as an organisation, and only indirectly with misconduct by individual members of a Club. While Clubs are encouraged to seek the assistance of ANUSA where misbehaviour by individual members of the club arises, the Club's executive is primarily responsible for ensuring it deals with any misbehaviour by its members connected with the club and that its spaces are safe and appropriate spaces for its members. In particular, Club Executive members are responsible for ensuring that their spaces are free of any conduct that would constitute student misconduct under ANU Student Discipline rules or prohibited conduct or breach the ANUSA Clubs Code of Conduct.

#### **2. Preemptive measures**

1. Before implementing any penalties, the Clubs Officer may implement any of the following measures, where doing so would assist in fostering safety, well-being and proper conduct of a club:
  1. Conversation with the relevant executive;
  2. Mediation between the parties involved;
  3. Additional training;
  4. A written warning;
  5. Any other restorative justice measures that are fit for the situation.

## **2A. Serious Misconduct**

2A.1 The Clubs Officer must investigate any allegation that an affiliated club has engaged in prohibited conduct, providing the club with an opportunity to be heard and observing procedural fairness.

2A.2 The Clubs Officer must investigate any allegation that a club's executive, a member of a club executive or of a club has breached the ANUSA Club Code of Conduct, providing the club with an opportunity to be heard.

2A.3 The club and club executive must cooperate with the investigation and provide the Clubs Officer with any document or information the Clubs Officer requests to enable a proper inquiry into the allegation.

2A.4 Notwithstanding anything else in this Regulation, if the Club Officer is satisfied that:

- a. a Club has engaged in prohibited conduct; or
- b. a Club, its executive or a member of its executive have breached the ANUSA Clubs Code of Conduct, the Clubs Officer may:
  - a. may place conditions on the club, with which the club must comply;
  - b. limit services and facilities normally available to a club from ANUSA;
  - c. require the Club the refund to ANUSA part or all of any funding received by the Club in the previous 12 months from ANUSA;
  - d. disaffiliate the Club;
  - e. refuse to affiliate or re-affiliate the Club; or
  - f. impose two or more of the above outcomes on the Club.

2A.5 If the Clubs Officer considers it appropriate, the Clubs Officer may suspend a club's affiliation and access to services or facilities or impose other interim measures pending investigation of an allegation against a club under clause 32A.1 or 32A.2.

## **3. Communications and Timelines for Conveying Decisions**

1. Other than action suspending a Club during an investigation, the Clubs Officer must take all reasonable measures to give a club at least five business days notice in writing before commencing any action.
2. In this notice, the Clubs Officer must offer to meet with the club executive and/or provide them written reasons for the decision before implementing any action.
3. All communication must direct clubs to access this Regulation and inform them that there is an appeals process.

4. Any decided action cannot be commenced until at least five business days after it has been communicated to a club.
5. The club must be given a reasonable opportunity to respond before the Clubs Officer proceeds to make a decision.
6. The Clubs Officer shall maintain clear and written communication with the club that is being considered under the Reprimands and Penalties Policy.

#### **4. Use of Actions**

##### **1. Additional Situations Warranting Action**

###### **1. The following situations may result in disciplinary action against a Club:**

1. Where the Clubs has, whether intentionally or otherwise, violated any relevant ANUSA regulations, policies, or constitutional clauses;
2. Where the club has, whether intentionally or otherwise, damaged or significantly risked damage to the Association's legal, financial, or status;
3. Where the Club has, whether intentionally or otherwise, failed to properly deal with an allegation of violation of applicable policies of the Association by an office holder of the Club;
4. Where the Club has failed, whether intentionally or otherwise, to protect its members from harmful or inappropriate misconduct by another member of the club, or where it has otherwise failed to deal adequately with such misconduct.

###### **2. In deciding whether to initiate disciplinary action against a Club relevant considerations include:**

1. The severity of any such violation; and
2. The severity of any impact upon a third party, including but not limited to: individuals, other Clubs, and/or the Association.

###### **3. The Clubs Officer must have evidence in order to proceed with an action.**

##### **2. Proportionality of Penalty**

1. Any penalty under this policy must be deemed proportional by the Clubs Officer to the seriousness of the violation giving rise to the penalty, with consideration of any mitigating or aggravating factors affecting the situation

#### **5. In addition to measures set out in clause 32A, any one or more of the following penalties may be imposed on Club under this Part 4: Reprimands and Penalties.**

##### **1. Financial Penalties**

###### **1. The following penalties may be imposed by the Clubs Officer:**

2. A monetary fine to be levied out of future grant money requested by the Club at a rate to be determined by the Executive.
3. The Clubs Officer has no power to compel a club to pay more money than they are able with the funds and property owned by the Club itself.
4. The Clubs Officer may additionally consider (where applicable) the following when deciding which action(s) to take:

1. The ability of the Club to pay such a penalty from its own resources;

2. The ability of the Club to continue operating after the penalty is levied;
3. The ability of the Club to recover any funds lost through the violation; and
4. The direct and causal relevance of the penalty to be levied to the violation.

## 2. Variance of Privileges

1. The Clubs Officer may vary, to whatever extent they consider necessary, the privileges attached to, and associated with, affiliation, including, but not limited to:
  1. Assistance from resources of the Association
  2. Free venue hire
  3. Free equipment hire
  4. Financial grants
  5. Any other privilege granted to Clubs generally, or customarily specific to a Club
2. The Clubs Officer may additionally consider (where applicable) the following when considering what action(s) to take:
  1. The relevance of the privilege to be varied to the violation;
  2. The proportionality of the action(s) to the violation;
  3. The risk associated with the abuse of the privilege(s) in question,
  4. Whether the action(s) may act in an onerous or oppressive fashion upon the Club; and
  5. Whether the Club's conduct would be a cause for disaffiliation, but the Clubs Officer believes that it is reasonable to expect the behaviour will be remedied by the application of this Part 4: Reprimands and Penalties.

## 3. Disaffiliation

1. The Clubs Officer may disaffiliate a Club in accordance with this regulation.
2. The following are causes for the Clubs Officer to disaffiliate a Club, irrespective of whether the conduct involved was intentional or otherwise:
  1. Where a Club has failed to fulfil the requirements laid out in Part 2: Affiliation;
  2. Where a Club has engaged in discriminatory behaviour;
  3. Where a Club has dissolved or wound up in accordance with its own constitution;
  4. Where a Club has breached provisions in their constitution, or the Constitution or Regulations of the Association; and
  5. Where a Club has acted, either deliberately or recklessly, to cause some egregious harm to any section of the ANU community, or any individual member of the Club;
  6. Where a Club has failed to respond adequately to misconduct by one of its members connected with their membership of the club, including any sexual harassment, racist, homophobic or discriminatory conduct.

**6. Appeals.** These appeals can be used to dispute any decisions made under Part 4: Reprimands and Penalties. Other than measures implemented under clause 32A.5, implementation of any decision is suspended during the appeal process.

1. Appeal to the ANUSA Executive

1. On receiving notice from a Club desiring to appeal the Clubs Officer's decision, the ANUSA Executive must consider the grounds provided and weigh them against the original decision.
2. The ANUSA Executive may make such enquiries and request such documents as it considers appropriate to assist it in deciding the appeal.
3. If the Executive is satisfied that the grounds raised by the Club are sufficient that the decision should not have been made, then it must reverse or amend the decision as it considers appropriate.

2. Appeal to the ANUSA Disputes Committee

1. If the Club remains unsatisfied with the Executive's decision, or any variance upon that decision, the Club may appeal in writing to the ANUSA Disputes Committee which shall deal with the matter as if it was the original decision maker under this Regulation.

**Part 5: Transparency Measures**

7. Within 2 weeks of holding a general meeting, the club must post the following documentation to publicly available website:

1. Details of the General Meeting consisting of:

1. The agenda of the General Meeting;
2. Minutes of the General Meeting;
3. Meeting attendance list of the meeting evidencing quorum for the General Meeting;

2. Constitution of the Club;

3. Copies of the reports of the;

1. President;
2. Treasurer;
3. And any other reports presented during the General Meeting;

4. If the General Meeting was an Annual General Meeting, providing a financial statement from the previous AGM to the current AGM and an asset list/statutory declaration detailing ANUSA funded items and bank statements showing the opening and closing balances of the period;

5. Contact details of the elected club Executive;

6. Sponsorship Declaration Form; and

7. Provide the ANUSA Clubs Officer with links where these documents have been posted.

**Part 6: Duties of Club Committee Members and External Sponsorships**

**38. Duties of Clubs Committee Members**

1. In respect of administration of their Club, Club Committee members, individually and collectively, have

the same kind of responsibilities in respect of their Club that members of the ANUSA Executive have in respect of ANUSA.

Note: See good governance provisions in section 10(1B) and 22A of the ANUSA Constitution and duties of Clubs committee members in the ANUSA Clubs Code of Conduct.

### **39. Duties of Clubs Committee Members**

1. Clubs and club committee members are expected to maintain high ethical standards in relation to acceptance of any external sponsorship, and the primary consideration a Club must consider before accepting such sponsorship is that the potential sponsorship is of benefit or potential benefit to the members of the club and students more generally.
2. Sponsorship contracts must include the following terms and conditions:
  1. The amount of funding the Club will receive from the sponsor and the due date for receipt of the funding.
  2. A detailed description of the sponsor benefits which the sponsor will receive.
  3. The full names of key personnel executing the contract.
  4. A dispute settlement provision to deal with any disagreement between the parties regarding the contract.
  5. Mutual termination provisions, including the right to terminate the contract where continued association with the sponsor may, or is likely to, cause damage to the Club's reputation.
3. Clubs may not offer sponsors use of resources exclusive to ANUSA clubs, including the following:
  1. Free university room bookings, or the making of bookings on behalf of the external organisation;
  2. personal details of members; or
  3. personnel or other presence at ANUSA-organised events, including Market Day.
4. For avoidance of doubt, nothing in this clause prevents a Club from booking a university venue for an event at which a sponsor or external organisation is present, provided that the event is substantively organised, managed, and promoted by the Club, and forms part of its regular student-facing programming and is otherwise compliant with these Regulations.
5. Clubs must not make bookings for events primarily organised by an external body, where the Club's role is nominal or solely to facilitate access to free venues.
6. Club committee members must not request, accept or receive personal benefits arising directly or indirectly from a sponsorship contract or the relationship with the sponsoring organisation other than those available through the sponsorship relationship to all ordinary club members on the same terms. Examples of improper benefit to a committee member include but are not limited to any monetary benefit, any in-kind benefit or any offer of employment or other relationship with the sponsor that is of benefit to the committee member.

# **ELECTION REGULATIONS**

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- chedule A - Ascertaining Result of Poll**  
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## 1. GENERAL

### 1.1 Overview

- 1.1.1 These Regulations are the Election Regulations of the Australian National University Students' Association Incorporated.
- 1.1.2 These Regulations are formed in accordance with section 28 of the Constitution to govern the conduct of elections and Referenda required under the Constitution.
- 1.1.3 All terms used in these Regulations have the meaning given in the Constitution, unless the contrary intention appears.
- 1.1.4 Unless these Regulations provide otherwise, any dispute arising during an election or Referendum of the Association is to be decided by the Returning Officer, whose decision will be final.
- 1.1.5 Unless the Constitution provides otherwise, any member of the Association elected under the Constitution or these Regulations holds office for 12 months commencing on 1 December in the year of their election.
- 1.1.6 Despite section 1.1.5, if a person is elected to fill a casual vacancy in an office, that person must serve so much of the term of that office as remains unexpired.
- 1.1.7 Only members of the Association are eligible to vote for, or stand for election to, a representative position within the Association.
- 1.1.8 Only members of the Association of the University are eligible to vote in a Referendum of the Association.
- 1.1.9 If these Regulations are amended after nominations for any position have opened, or a Referendum has been initiated in accordance with the Constitution, that election or Referendum must be conducted as if such amendment had not occurred.
- 1.1.10 A person disqualified by the Act from serving in a position elected under these Regulations is not eligible to stand for election to that position. (**Note:** See section 63 and following of the Associations Incorporation Act 1991 (ACT))

### 1.2 Electoral Systems

- 1.2.1 If the Constitution or these Regulations requires one or more positions to be filled by an election of the Association, the election is to be conducted according to Schedule A of these Regulations.
- 1.2.2 Section 1.2.1 does not apply to an election that these Regulations require to be conducted by show of hands.
- 1.2.3 In the case of electing Delegates to the National Union of Students National Conference, the Constitution, Regulations and By-Laws of the National Union of Students must be followed.

### 1.3 Counting of Votes

- 1.3.1 The Returning Officer must, as soon as is practicable after the close of polling, arrange for the counting of votes to commence.
- 1.3.2 Where applicable, each candidate in an election may appoint up to 5 scrutineers (who may be students and who may be candidates) to attend the counting of votes. No candidate may attend the counting of votes for the election for which they are standing and no candidate may appoint themselves as a scrutineer.
- 1.3.3 For the purposes of 1.3.2, the Returning Officer or their nominee may admit other members of the Association to attend the counting of votes at their discretion.
- 1.3.4 In the case of a Referendum, and where applicable, each member of the SRC may nominate up to 5 scrutineers (who may be students) to attend the counting of votes.
- 1.3.5 The Returning Officer or their nominee must determine whether or not each vote is valid in accordance with these Regulations.
- 1.3.6 Votes may be recounted at the discretion of the Returning Officer or their nominee. In determining whether to exercise their discretion to order a recount, the Returning Officer or their nominee should consider:
  - (a) any requests made by candidates or scrutineers for a recount;
  - (b) the likelihood that a recount would result in a different outcome; and
  - (c) any costs associated with ordering the recount.
- 1.3.7 A record of all votes cast in an election or Referendum, valid and informal, must be securely retained by the Returning Officer for a period of 12 months after the election or Referendum in which they are cast.
- 1.3.8 As soon as practicable after the counting of votes in an election has been finalised, the Returning Officer or their nominee must publish the full results of the vote count, including preference allocations.

## 2. ANNUAL ELECTIONS

### 2.1 General

- 2.1.1 The Annual Elections of the Association must be conducted over four consecutive Teaching Days from a period beginning in week 8 and ending in week 11 of the Second Semester. This must include at least 75 hours of online polling.

- 2.1.2 The Returning Officer shall be appointed by the Vice-Chancellor on the advice of the SRC. The SRC may choose to advise the Vice-Chancellor to appoint a Deputy Returning Officer, who upon written request from the Returning Officer, shall assume all powers and responsibilities of that position.
- 2.1.3 The Returning Officer shall interpret these regulations for the purposes of the annual election.
- 2.1.4 The Returning Officer and Deputy Returning Officer must not:
- (a) have been eligible to vote in an Election of the Association; or
  - (b) have been an Officer of the Association;
- in the current Academic Year.
- 2.1.5 An independent person and/or body is to be engaged to conduct the Annual Elections, and no persons who:
- (a) have been eligible to vote in an Election of the Association; or
  - (b) have been an Officer of the Association,
- in the current Academic Year may be involved in their conduct.
- 2.1.6 The elections must be conducted using an optional preferential system and in accordance with this Constitution and the Regulations.
- 2.1.7 The positions to be filled at the Annual Elections are:
- (a) those listed under Schedule 1 to the Constitution;
  - (b) delegates to the National Union of Students' National Conference; and
  - (c) the positions of University Council Member.
- 2.1.8 A member is only entitled to stand for election to a College Representative position of a College if they are enrolled in an undergraduate or postgraduate program in that College.
- 2.1.9 Subject to 2.1.9A to 2.1.9C, a student is entitled to vote for a College Representative position if they are enrolled in an undergraduate or a postgraduate program in that College.
- 2.1.9A Only an Undergraduate Student is entitled to vote in the election of an Undergraduate Student College Coursework Representative or in the election of the Undergraduate Coursework Officer.
- 2.1.9B Only a Postgraduate Coursework Student is entitled to vote in the election of a Postgraduate Student Coursework College Representative or in the election of the Postgraduate Coursework Officer.
- 2.1.9C Only a student enrolled in a higher degree research program is entitled to vote in the election of a Postgraduate Student College Higher Degree by Research (HDR) Representative or in the election of the HDR Officer.
- 2.1.9D An existing ANU student who has been admitted to, applied for a program, or provides a statutory declaration of their intent to apply by no later than November 30 immediately following the election for the program is entitled to stand for election for positions for which a student enrolled in that program are eligible to stand.
- 2.1.9E A student elected based on eligibility set out in 2.1.9D must make good faith efforts to secure enrolment in the program for which they were elected and cease to hold office if they have not been admitted to the program in respect of which they were elected by 31 December following the election.
- 2.1.10 The Returning Officer's report must be tabled by the President at the first Ordinary General Meeting after the elections.
- 2.1.10A The Returning Officer's report must contain the full results of the vote count.
- 2.1.11 The General Meeting may
- (a) declare the poll; or
  - (b) in the event of allegations of irregularities, refer the Report to the Disputes Committee for resolution.
- 2.1.12 If the General Meeting fails to consider the Report, or fails to act under section 2.1.11, then the Disputes Committee shall deal with the Report as if it had been referred to the Committee under 2.1.11(b).

## 2.2 Call for Nominations

- 2.2.1 The Returning Officer must call for nominations at least 4 weeks before the commencement of polling, and nominations must remain open for at least 2 weeks.
- 2.2.1A The Returning Officer must issue notice of when the call for nominations will occur at least 2 weeks before the call for nominations.
- 2.2.2 The period of ticket registration must end two days before the end of the period during which nominations can be accepted.
- 2.2.3 The call for nominations must state:
- (a) the positions to be contested;
  - (b) the eligibility criteria for members wishing to stand;
  - (c) details of how nominations may be lodged;
  - (d) the date of the close of nominations;
  - (e) the date of the close of ticket registration; and

(f) the days, times and places of polling.

2.2.4 The call for nominations must be prominently displayed:

- (a) on the Students' Association website;
- (b) on the front door of the Association's office; and
- (c) via any other relevant social media account maintained by the Association, at the discretion of the Returning Officer.

2.2.5 The Returning Officer must arrange for an information booklet or equivalent resource containing an overview of:

- (a) the election process;
- (b) the positions to be contested;
- (c) the rights and obligations of candidates and students; and
- (d) the process by which individuals may lodge complaints around potential breaches of the Constitution or these Regulations.

2.2.6 The Returning Officer must ensure reasonable efforts are made to communicate this material to all ordinary members of the Association before the call for nominations is made under section 2.2.1.

2.2.7 The Returning Officer must arrange for an Expression of Interest (EOI) Form which gives all ordinary members the opportunity to indicate their interest in running for office on ANUSA on a ticket.

2.2.8 Responses to the EOI Form are to be made available after the release of the EOI Form to any ANUSA member who:

- (a) Places a written request to the Returning Officer or their delegate; and
- (b) Expresses that they intend to or are contemplating convening a ticket to contest the ANUSA Annual Election.

2.2.9 Reasonable efforts must be made by the General Secretary to make the form available for completion by all ordinary members at least 21 days prior to the notice of the Call for Nominations.

### 2.3 Nominations

2.3.1 Nominations for any position contested at the Annual Elections must:

- (a) be signed by two ordinary members of the Association (in addition to the nominee);
- (b) contain a signed undertaking by the nominee that they will act in the position if elected; and
- (c) contain a signed undertaking by the nominee that they will abide by these Regulations.

2.3.2 A nominee may indicate on their nomination form:

- (a) if they are running as a candidate endorsed by a registered ticket; or
- (b) if they wish to run as an Independent.

2.3.3 Where a nominee indicates on their nomination form that they are running as a candidate endorsed by a registered ticket, the Returning Officer or their nominee shall verify the endorsement only if:

- (a) at least one of the nominators is a signatory to the application to register the ticket name; or
- (b) the Returning Officer or their nominee receives notice of the endorsement from a signatory to the application to register the ticket name.

2.3.4 Nominees must provide their full name on their nomination form. If a nominee wishes for an alternative name to be recorded on the ballot, they may specify their 'Preferred Name' on their nomination form. The Returning Officer must record the 'Preferred Name' on the ballot if it is a commonly accepted variation of the candidate's name, or a truncation of that name, or an alternative form of that name, or an alternative name by which the candidate is commonly known.

2.3.5 Nominations must be collected in a locked ballot box, to be positioned by the Returning Officer at a venue easily accessible to nominees between the hours of 10am and 4pm throughout the period nominations remain open.

2.3.6 No nomination may be accepted unless it is submitted during the period that nominations remain open.

2.3.6A No nomination of a candidate for election to a position may be accepted where either of the nominators listed on that nomination under section 2.3.1(a) has nominated more candidates for election to that position than there are vacancies to be filled.

2.3.7 No nomination of a candidate for election to a position may be accepted where:

- (a) the candidate is verified as endorsed by a registered ticket under section 2.3.3; and
- (b) there are more candidates for election to that position verified as endorsed by that registered ticket than there are vacancies to be filled.

2.3.8 At the close of nominations, the Returning Officer or their nominee must, in the presence of at least two independent witnesses (who may be students), open the ballot box and determine the validity of the nominations.

- 2.3.8A A candidate may appoint one person (who may be a student, but who must not be a candidate) to observe the Returning Officer or their nominee determining the validity of the nominations under sections 2.3.8 and 2.3.8C.
- 2.3.8B Where the Returning Officer or their nominee determines that a nomination that is submitted during the period that nominations remain open is not valid under section 2.3.7 the Returning Officer or their nominee must:
- (a) make a reasonable attempt to contact the candidate to inform her/him that the nomination is invalid; and
  - (b) inform the candidate that the invalidity may be remedied and the nomination may be resubmitted to the Returning Officer or their nominee at any time up until 2 Working days after the date of the close of nominations.
- 2.3.8C Where a nomination is resubmitted in accordance with section 2.3.8B:
- (a) the nomination must name the same candidate as the original nomination, but it may name one or more different nominations; and
  - (c) the Returning Officer must determine the validity of the nomination.
- 2.3.8D At the close of nominations the Returning Officer or their nominee must make a reasonable attempt to contact each candidate for whom a valid nomination is received under section 2.3.8 to confirm their nomination.
- 2.3.9 A nominee can withdraw their nomination at any time up until two Teaching Days before the polls open for the Annual Elections.
- 2.3.10 As soon as practicable after nominations close, the Returning Officer or their nominee shall post a list of nominated candidates for all positions on the ANUSA website and shall send this list via email to all students and post to any other relevant social media pages considered necessary.
- 2.3.11 If the number of candidates nominated for any position is equal to the number required to be elected, an election for that position is not required.
- 2.3.12 If the number of candidates nominated for any position is below the number required to be elected, an election for that position is not required, and any unfilled position is to be considered a casual vacancy, and must be filled in accordance with section 4 of the Election Regulations.
- 2.3.13 If the number of candidates nominated for any position is greater than the number required to be elected, the Returning Officer must conduct an election for that position.
- 2.3.14 All nominations, valid and invalid, must be kept by the Returning Officer in a secure place until after the poll is declared.

## 2.4 Ballot

- 2.4.1 The Returning Officer must arrange for the preparation of the ballot according to these regulations.
- 2.4.2 Candidates' names must be annotated on the ballot as follows:
- (a) except where section 2.4.5(c) applies, if a candidate has indicated on their nomination form that they are running as a candidate endorsed by a registered ticket and the Returning Officer or their nominee has verified this endorsement in accordance with section 2.3.3, that ticket name must appear on the ballot in brackets next to or beneath the name of the candidate;
  - (b) if (a) does not apply, "Group Unspecified" must appear in brackets next to or beneath the name of the candidate.
- 2.4.3 Except as provided for in section 2.4.5, the position of candidates shall appear randomly on each ballot.
- 2.4.4 A candidate may appoint one person (who may be a student) to observe the Returning Officer or their nominee determining the position of candidates on the ballot as under section 2.4.3.
- 2.4.5 The ballot for the election of General Representatives to the SRC:
- (a) must group candidates according to the ticket or party to which they are aligned, and group together all "Group Unspecified" candidates in a single group titled "Not Grouped";
  - (b) must display these groups in a random order;
  - (c) must list the registered ticket name at the top of each group endorsed by each registered ticket;
  - (d) must list candidates within these groups in a random order.
- 2.4.6 The ballot for all positions must contain the following words or an appropriate variation of the following words as determined by the Returning Officer: "Write the number 1 in the box beside the candidate of your first choice."
- 2.4.7 For elections where 3 or more candidates have nominated, the words indicated in section 2.4.6 must be succeeded on the ballot by the following words or an appropriate variation of the following words as determined by the Returning Officer: "You may then show as many further preferences as you wish by writing numbers from 2 onwards in the boxes beside the candidates of your choice."

## 2.5 Group Ticket Voting (GTV)

- 2.5.1 For the election of General Representatives, College Representatives, and delegates to the National Union of Students voters must have a choice to vote either 'above-the-line' or 'below-the-line', whereby preferences may either be expressed between tickets ('above-the-line') or between individual candidates ('below-the-line') in line with 2.4. The order of tickets shall be randomized.

- 2.5.2 For each election in 2.5.1, each registered ticket may submit an order of preference for all candidates in the ticket in the order they wish preferences to be distributed.
- (a) Tickets must submit this order of preferences to the Returning Officer by the close of candidate nominations.
  - (b) If any ticket does not submit an order of preferences, the order of preferences will be determined randomly when the ballot is drawn.
  - (c) For any position, tickets may only direct preferences for that position to candidates running under the ticket name for that same position.
  - (d) The Returning Officer shall publish the order of preferences on the Association's website before the opening of the polls.
- 2.5.3 Before applying Schedule A, the Returning Officer must translate each above-the-line ballot into a candidate preference order by following the registered ticket preference order.
- (a) If a ticket is fully exhausted and the elector has expressed a subsequent ticket preference, the Returning Officer must continue numbering the next ticket's candidates, in order, until no further preferences are expressed.
  - (b) Where no candidate or ticket preferences remain, the ballot is taken to be exhausted.
- 2.5.4 Once translated under 2.5.4, above-the-line ballots shall be treated identically to ballots marked with individual candidate preferences for the purposes of Schedule A.

## 2.6 Polling Procedure

- 2.6.1 On each of the four Teaching Days upon which the Annual Elections are held, at least 5 hours of polling must be conducted in the Kambri precinct. The Returning Officer or their nominee must ensure procedures are in place to enable ordinary members of the Association to cast their vote in the Kambri precinct at these times.
- 2.6.2 The Returning Officer must ensure that procedures are in place to:
- (a) limit each ordinary member of the Association to voting no more than once;
  - (b) only voting for a position for which they are entitled to vote; and
  - (c) ensure that the way in which any voter casts their vote is not revealed, either when that member votes or at any later stage, including by ensuring that information capable of identifying a voter is decoupled from their ballot and stored in a way that preserves anonymity.
- 2.6.3 The Returning Officer or their nominee must prepare a list of ordinary members of the Association eligible to vote at the Annual Elections. The list will indicate in which election each member is entitled to vote.
- (a) The list of ordinary members eligible to vote for the position of Indigenous Officer will be provided to the Returning Officer by the Tjabal Indigenous Higher Education Centre.
  - (b) Where the position of any other Department Officer is contested, eligibility must be determined in accordance with section 7.3.
- 2.6.4 The Returning Officer must ensure that procedures are in place to allow students to opt-out of an election campaign. This may include, at the discretion of the Returning Officer, the dissemination of easily-recognisable badges or lanyards (the "opt-out item") available to all students from the time nominations close and throughout the duration election.
- 2.6.5 The Returning Officer must ensure that procedures are in place to allow students to make a declaration vote in circumstances where they claim they are eligible to vote in an election for which they do not automatically receive the relevant ballot.

## 2.7 Casting of Votes

- 2.7.1 When casting a ballot, the voter must indicate the order of their preference by placing the numeral 1 against the name of the candidate of their first choice, 2 against the name of the candidate of their second choice, 3 against the name of the candidate of their third choice and so on, in an unbroken sequence of numbers against the names of candidates.
- 2.7.2 A ballot will not be valid if:
- (a) the voter has not indicated their preferences for at least 1 candidate;
  - (b) the voter has indicated their first preference for 2 or more candidates; or
  - (c) in the opinion of the Returning Officer or their nominee, the ballot has been modified or in any other way manipulated after it was cast.
- 2.7.3 Preferences will be counted while the voter's preferences are indicated in an unbroken sequence.

## 2.8 Registration of ticket names

- 2.8.1 The Returning Officer or their nominee must maintain a Register of Ticket Names for each year's Annual Elections.
- 2.8.2 Between the day on which nominations open and the day on which ticket registration closes, 5 or more ordinary members of the Association may apply to the Returning Officer or their nominee for registration of a ticket name.
- 2.8.3 No person is entitled to apply to the Returning Officer or their nominee for registration of a ticket name under

section 2.8.2 if that person was a signatory to an application to register a ticket name for another ticket already entered in the register.

- 2.8.4 The Returning Officer or their nominee must deal with each application for registration of a ticket name in order of receipt, or on which application has a greater claim to the name if two names are similar such as under 2.8.5(iii); if 2 or more applications are received at the same time, the Returning Officer or their nominee shall determine the order in which they are dealt with by lot.
- 2.8.5 The Returning Officer or their nominee must enter a ticket name in the Register of Ticket Names if:
- (a) the proposed ticket name:
    - (i) is not more than 90 characters long (including spaces);
    - (ii) is not the same as the name of another registered ticket name;
    - (iii) is not so nearly the same as the name of another registered ticket name that it is likely to be confused or mistaken for that name; and
    - (iv) does not include the word "independent"; and
    - (v) is not the same as another ticket name that was registered in, and nominated candidates for, the previous year's election
    - (vi) Subject to these regulations, for the purpose of 2.8.5(a)(v), if at least four nominators from the previous year's election give consent to the re-registration of the proposed ticket name, that ticket shall be permitted to register that name.
  - (b) is, in the opinion of the Returning Officer or their nominee, not obscene, defamatory, sexist, racist, homophobic or otherwise discriminatory; and the application for registration of the ticket name is signed by at least 5 ordinary members of the Association who have not been signatories to the application for registration of another registered ticket name; and
  - (c) the application is received between the day on which nominations open and the day on which ticket registration closes or is an application to which section 2.8.9 applies.
- 2.8.6 The Returning Officer or their nominee must reject an application to register a ticket name in the Register of Ticket Names if the application does not satisfy section 2.8.5.
- 2.8.7 Where an application to register a ticket name is rejected only because the proposed name is the same as the name of another registered ticket name or so nearly the same as the name of another registered ticket name that it is likely to be confused or mistaken for that name, one or more of the applicants to register the rejected name may apply to the Returning Officer or their nominee for a review of the decision to register the registered ticket, at any time up until 2 Working days after the date of the close of nominations.
- 2.8.8 Where the Returning Officer or their nominee receives a request under section 2.8.7, the Returning Officer or their nominee must cancel the registration of the already registered ticket name and must register the previously rejected ticket name if, in their opinion, the applicants for the rejected ticket name have a greater claim to the name.
- 2.8.9 Where the Returning Officer or their nominee rejects an application to register a ticket name or cancels the registration of a ticket name, the Returning Officer or their nominee shall permit the applicants to reapply to register a ticket name at any time up until 2 Working Days after the date of the close of ticket name registration.

## 2.9 Electoral Publications

- 2.9.1 An Electoral Publication is any material used by a candidate or ticket in campaigning for election, including online and hardcopy materials, and including but not limited to how-to-vote cards, policy statements, flyers, websites and Facebook pages.
- 2.9.2 Electoral Publications:
- (a) must be published by or with the permission of a candidate;
  - (b) must not constitute an electoral offence; and
  - (c) must not, in the opinion of the Returning Officer, contain material which is defamatory, sexist, racist, homophobic or otherwise discriminatory;
  - (d) must be put up in a manner that is easily removable (use of glue is not permitted); and
  - (e) must be removed by candidates and tickets within five teaching days of the end of the election
- 2.9.3 Material of any candidate and/or ticket must not, in the opinion of the Returning Officer, significantly resemble in style or appearance the material of any other contesting candidate or ticket.
- 2.9.4 If an Electoral Publication violates 2.9.2, the Returning Officer must direct that the Electoral Publication be removed from public display.
- 2.9.5 It is an offence to not comply with a direction of the Returning Officer in 2.9.4.
- 2.9.6 Each ticket running for election in the annual ANUSA elections will be provided with 300 photocopy points.

## 2.10 Limits on Campaign-Related Expenditure

- 2.10.1 The limits on campaign expenditure by a ticket must not exceed the amount set out in the Annual Election Expenditure Schedule to be released by Probity Officers on or before the opening of nominations.

- 2.10.2 The Election Expenditure Schedule shall be updated by the Probity Team in accordance with the formula:  $\text{cap} = \text{min} + (\text{max} - \text{min}) * (\ln x / \ln y)$  rounded to the nearest whole dollar, where:
- (a) Max shall be the total limit on campaign expenditure for a ticket
  - (b) One individual may count for multiple positions where the positions are such that those positions could be simultaneously held such that:
    - (i) x shall be the total number of positions being run for on a ticket between 1 (one) and y; and
    - (ii) y shall be the total number of positions that could be contested by a ticket in that particular election year.
  - (c) Min and max shall be values designated by the Probity team in line with the year-on-year CPI and changes to number of contestable positions, or other factors affecting the cost of campaigning. Any change to these values shall not create a significant change to the funding limit, except in cases of significant change to number of contestable positions, and may be disallowed by SRC.
- 2.10.3 The forms of expenditure that are covered by the limits on campaign expenditure set out in these provisions include:
- (a) banners;
  - (b) merchandise;
  - (c) clothing and costumes;
  - (d) advertising Material;
  - (e) animals, both in terms of procurement and upkeep; and
  - (f) other expenditure deemed by the Probity team to be covered.
- 2.10.4 The forms of expenditure that are specifically excluded from counting to the limits on campaign expenditure set out in these provisions include:
- (a) The time associated with campaigning;
  - (b) The time associated with policy and platform development, 'policy' here is used in the generic sense, not as defined in the Constitution; and
  - (c) Other expenditure deemed by the Probity team not to be covered.
- 2.10.5 It is a breach of the Regulations to falsify evidence of campaign-related expenditure.

## 2.11 Disclosure Requirements

- 2.11.1 Upon nomination, each ticket convener and independent candidate must complete and lodge with the Returning Officer or their nominee a statement of intention identifying anticipated sources of campaign funding. This statement must include all financial and non-financial contributions to the campaign. Non-financial contributions include but are not limited to the use of printing facilities, paper, paint, glue, T-shirts, advertising including online advertising, and other sundry items.
- 2.11.2 At 9am on the first day polls are open, and before 12pm on the day following the close of polls, and as otherwise directed by Probity Officers, the ticket convener or independent candidate will lodge with the Probity Officer a signed statement including:
- (a) completed expenditure to date;
  - (b) copies of receipts and/or tax invoices corresponding to the items, services, materials and any other campaign-related expenditure which together account for the completed expenditure to date; and
  - (c) where items, services or materials are acquired for less than market value, evidence of the market value of each such item, service, or material; and
  - (d) an itemised list of all financial and non-financial contributions to the campaign, including but not limited to printing facilities, paper, paint, glue, T shirts, advertising including online advertising, and other sundry items.
- 2.11.3 All items, services or materials attributable to the campaign must be at the candidate's or ticket's own expense, except where those items, materials or services are provided by:
- (a) the Australian National University; or
  - (b) the Australian National University Students' Association.
- 2.11.4 Any ordinary member of the Association may request information in relation to the campaign expenditure of any candidate or ticket that is disclosed under 2.11.1 or 2.11.2. The Probity Officer(s) must provide such information as soon as reasonably practicable.

## 2.12 Probity Officer

- 2.12.1 Three or more Probity Officer(s) shall be elected at the first SRC of the second teaching period.
- (a) Candidates for the position of Probity Officer must receive two-thirds of the vote in order to be elected.
  - (b) No member of the Association who will be contesting a position at the next Annual Elections may nominate for the position of Probity Officer.
  - (c) If, subsequent to their election under 2.12.1, a Probity Officer nominates for any position under Schedule 1 to this Constitution, for a position of delegate to the National Union of Students' National Conference, or for the position of University Council Member at any time, they are taken to have resigned from their position as Probity Officer immediately on tendering their nomination.

- 2.12.2 The Probity Officer(s) will sign a declaration of conflict of interest upon the close of nominations.
- 2.12.3 Conflicts of interest that may be declared include, but are not limited to, the following:
- (a) membership of a political party, registered with the Australian Electoral Commission in any Australian State or Territory;
  - (b) membership of any Political Club or Society; and
  - (c) contesting, being elected to or otherwise holding, at any time any office or position in ANUSA
- 2.12.4 All declarations of conflict of interest will be made publicly available in the minutes of the SRC meeting in which the Probity Officers are elected, and on the ANUSA website.
- 2.12.5 The Probity Officers shall have powers of investigation and inquiry for the purposes of:
- (a) determining whether any disclosures relating to campaign financing are complete and accurate in accordance with section 2.11;
  - (b) responding to complaints made under these Regulations; and
  - (c) ascertaining whether a breach of these Regulations has occurred.
- 2.12.6 Candidates and/or members of their campaign team must cooperate with the Probity Officers in the exercise of their powers under 2.12.5.
- 2.12.7 For the purposes of 2.12.6, any person who campaigns for or on behalf of a candidate and/or registered ticket is considered to be a member of a campaign team.
- 2.12.8 A failure to provide a satisfactory response to any inquiry, investigation or request made by a Probity Officer in the exercise of their powers under 2.12.5 shall be deemed to give rise to a reasonable belief on the part of the Probity Officers that there has been a breach of the Constitution or Regulations for the purposes of 2.12.9.
- 2.12.9 If the Probity Officers reasonably believe that a candidate has committed an Electoral Offence or in any other way breached the Constitution or these Regulations, they may refer the matter to the Returning Officer and recommend that the Returning Officer takes certain action under section 3.2.3.
- 2.12.10 Where the Probity Officers make a finding under 2.12.9, they may inform the candidate of their finding and the recommendation made to the Returning Officer, and give the candidate an opportunity to rectify the breach.
- 2.12.11 All decisions made by the Probity Officer(s) must be made by simple majority.
- 2.12.12 The Probity Officer(s) shall:
- (a) prepare a report attaching candidates' statements of spending and detailing a summary of the difference between anticipated and actual expenditure for each candidate and ticket. This report must be presented to the General Secretary within seven (7) days from the date of the close of polling; and
  - (b) prepare a report detailing the conduct of elections, complaints received, and actions taken, and any disputes arising. This report must be presented to the General Secretary within two (2) weeks from the date of the close of polling.
- 2.12.13 The Probity Officers are Officers of the Association for the purposes of the Constitution and Regulations.
- 2.12.14 The SRC, following the election of the Probity Officers, and before the call for nominations, may resolve to allocate an amount for honorarium to the Officers.
- (a) Honorarium will be paid subject to the requirements of clause 2.12.12 being met.
  - (b) The President, or their delegate in the case the President is contesting the election or otherwise conflicted, in consultation with the Returning Officer:
    - (i) shall determine the split of the honorarium between the Probity Officers to reflect the individual's contribution throughout the election period up to a maximum of \$500 to an individual officer.
    - (ii) may resolve to not allocate an amount to a Probity Officer, if in the opinion of the President or their delegate and the Returning Officer, the honorarium is not necessary in recognition of their efforts.

## 2.13 Withdrawals

- 2.13.1 A candidate may withdraw from their candidacy at any time in writing by informing the Returning Officer or Probity Officers.
- 2.13.2 If a candidate withdraws before the voting period, that candidate's name will be removed from the ballot and the funding cap of any ticket that candidate belonged to decreases accordingly.
- 2.13.3 If a candidate withdraws during the voting period or after the voting period but before the declaration of results, their name remains on the ballot. Ballots for the election of the positions that candidate was running for shall be counted as normal, except the withdrawn candidate shall be excluded and votes for that candidate shall be redistributed before any other step is taken. In the case that a candidate withdraws after the votes for the position they are running for are counted but before the declaration of results, the votes for the position they were running for will be recounted in this way.
- 2.13.4 Any attempt to withdraw a candidacy after the declaration of results will lead to a casual vacancy under the Constitution.

## 3. ELECTORAL OFFENCES

### 3.1 Electoral Offences

- 3.1.1 It is an offence to place on any notice board an election notice larger than A3 size.

- 3.1.2 It is an offence to publish any material that contains untrue statements or misrepresentations likely to mislead a voter in the casting of their vote.
- 3.1.2A It is an offence to remove from any place any Electoral Publication. No offence is committed by:
- (a) a person removing a reasonable quantity of the publication for their own or another's information;
  - (b) a member of the group in whose name or on whose behalf the publication is posted;
  - (c) a person authorised by a member of the group in whose name or on whose behalf the publication is posted; or
  - (d) a person who has the right to control the entrance to the place where the publication lies or that person's agent.
- 3.1.2B It is an offence to cover an electoral publication with the electoral publication of another candidate or ticket.
- 3.1.2C It is an offence to affix an electoral publication to any building, structure or surface so that it is difficult to remove (e.g. using glue) or to write an electoral publication directly onto any building, structure or surface.
- 3.1.3 It is an offence to actively canvass votes within the areas specified in Schedule B to these Regulations.
- 3.1.3A For the purposes of 3.1.3, 'actively canvassing votes' includes:
- (a) engaging, communicating with or involving any other occupants of the space beyond the concerned ticket or candidate/s;
  - (b) playing music or making sound which is clearly audible to other occupants of the space and which promotes the ticket or candidate/s; and
  - (c) otherwise occupying the space for the purposes of content production in a way which amounts to harassment of or a significant disturbance to other occupants including by excessively overcrowding the space with persons or other objects.
- 3.1.3B For the purposes of 3.1.3, 'actively canvassing votes' does not include:
- (a) taking photographs or filming social media and video content where such content production does not promote the relevant ticket or candidates/s for the inducement of votes to any other occupants of the space in any way; and
  - (b) putting up posters; and
  - (c) wearing attire related to the election.
- 3.1.3C It is an offence to attempt to ascertain the way a person votes. For the purposes of this section, it is an offence to attempt to watch how a person casts their vote while they are voting.
- 3.1.4 It is an offence to cast or attempt to cast a vote to which the person is not entitled.
- 3.1.5 It is an offence to offer gifts, bribes, money, food, drink, or any other enticement, or to otherwise exert undue influence, over electoral officials or voters at any time. For the purposes of this section, animals are not an enticement to vote.
- 3.1.6 It is an offence for an individual who is not currently a student of the university to campaign for a candidate in the election. For the purposes of this section, it is an offence for candidates and members of their campaign team to not carry their student cards while campaigning.
- 3.1.6A It is an offence to attempt to bribe people by offering them employment in the Association or positions within the Association that would otherwise be decided in line with the Constitution, Regulations and policies of the Association. For the purposes of this section, it is also an offence to:
- (a) accept a bribe of this nature;
  - (b) offer to use your influence to increase the likelihood of employment; and
  - (c) deceive other candidates by pretending to make this offer.
- 3.1.7 It is an offence to engage in negative discrimination, harassment or intimidation. This includes any repeat unwanted contact to incite somebody to vote, or any other coercive conduct, either online or in person.
- 3.1.8 It is an offence to actively canvass votes from a person displaying the opt-out item in accordance with section 2.6.4, provided the opt-out item is easily observable by candidates and members of their campaign team.
- 3.1.9 It is an offence to incite any other person to commit any of the Electoral Offences detailed in this section.
- 3.1.10 If a candidate or a member of their campaign team behaves in a way that violates the Constitution, Regulations, or any governance policies of the Association, the Returning Officer may deem that behaviour to constitute an Electoral Offence.
- 3.1.11 It is an offence to campaign outside of the Campaign Period.
- 3.2.11A For the purposes of 3.1.11, the Campaign Period means the period starting when the Returning Officer issues the notice of the call for nominations under Regulation 2.2.1A and ending at the close of voting.
- 3.2.11B For the purposes of 3.1.11, to campaign includes any of the following acts or the inducement of those following acts by another person by a member of ANUSA who intends to run for office: publicly announcing an intention of any person to stand for office, publicly announcing the purported name of any ticket or grouping for an ANUSA election, canvassing for votes for an office to be filled at an ANUSA election, and publishing or distributing Electoral Publication.
- 3.2.11C For the purposes of 3.1.11, 'campaigning' does not include the taking of photographs, filming of videos or production of other social media content to be released after the notice of the call for nominations so long as it

is compliant with all applicable clauses of these regulations.

### **3.2 Action by the Returning Officer During an Election of the Association**

- 3.2.1 The Returning Officer must undertake a thorough investigation into any matter referred to it during an Election of the Association under the Constitution, Regulations or Policy.
- 3.2.2 The possible commission of an electoral offence is taken to be referred to the Returning Officer if:
- (a) it is referred to the Returning Officer by the Probity Officers;
  - (b) an allegation of that offence is made in writing addressed to the Returning Officer by any member of the Association; or
  - (c) the Returning Officer of their own motion decides that an electoral offence may have been committed.
- 3.2.2 A Where a matter is referred to the Returning Officer under section 3.2.2(a), the Returning Officer must consider any information provided by and recommendation made by the Probity Officers under section 2.12.9. For the purposes of this section, a recommendation by Probity Officers is not binding on the Returning Officer and does not limit their discretion under section 3.2.3.
- 3.2.3 In response to any matter referred to the Returning Officer under 3.2.2, the Returning Officer may:
- (a) do nothing;
  - (b) issue a warning;
  - (c) impose a fine;
  - (d) impose a campaign ban on one or more candidates, prohibiting them from actively canvassing votes online and/or in person for the time period specified;
  - (e) disqualify a candidate and direct that any votes for that candidate flow according to ballot preferences;
  - (f) require that a specified Electoral Publication or other campaign material be taken down or otherwise removed from public display;
  - (g) revoke membership rights, but only with the consent of the Executive of the Association; or
  - (h) impose any other such penalty, or any combination of penalties, as they see fit.

For the purposes of this section, any fine or other penalty imposed by the Returning Officer should be proportionate to the seriousness of the offence committed. Any fine imposed must not exceed \$100 for each offender.

- 3.2.4 Any member with a fine outstanding to the Association is to have their membership privileges suspended, and may not hold any Representative position within the Association.
- 3.2.5 If, after thoroughly investigating the conduct of an election, the Returning Officer accepts that there has been a breach of the Constitution or these Regulations that undermines the legitimacy of the election, then the Returning Officer may, at their discretion:
- (a) affirm the result and declare the poll; or
  - (b) declare the poll null and void and order a new election.
- 3.2.6 In determining whether a candidate or ticket has breached the provisions of section 2.10, the Returning Officer may take into account factors including, but not limited to, the presence or absence of intent on the part of the impugned individual(s), the extent of any breach, and the extent to which the breach had the potential to undermine the integrity of the electoral process. Any willful breach of section 2.10 is to be considered a serious breach.

### **3.3 Force Majeure**

- 3.3.1 If Force Majeure prevents or hinders the implementation of a provision of the Election Regulations the Returning Officer may issue directions waiving the requirements of that provision to the extent and for the period that its performance is affected by Force Majeure, subject to those directions providing alternative measures which promote the purposes of that provision.
- 3.3.2 Alternative measures set out in a direction made under Regulation 3.3.1 must be such as to, in the opinion of the Returning Officer:
- (a) promote a free and fair election;
  - (b) promote the right and accessibility for every member of the Association to stand for office or vote in the election;
  - (c) adhere to the spirit of these Regulations; and
  - (d) depart as little as practicable from the provisions of these Regulations affected by Force Majeure.
- 3.3.3 For the purposes of this clause, Force Majeure includes any closure of any part of the University or the ANUSA offices on the grounds or health or safety or other events of the kind mentioned in this provision, and any event which prevents, impedes, or makes impossible, impracticable, unlawful or unsafe the performance or continued performance of a provision of these Regulations; including any natural or health disaster, civil unrest, riot, fire, flood, storm, explosion, terrorist or other attack, unavailability of essential services, any event involving serious injury, illness or harm to any person in connection with performance of the a provision of these Regulations, denial of access to any facility, resource, or location necessary for the performance of a provision of these Regulations.

## **4. CASUAL VACANCIES**

### **4.1 President**

4.1.1 If a vacancy occurs in the position of President:

- (a) the Vice President must become interim President and has all the powers and responsibilities of that office;
- (b) the Education Officer must become the interim Vice President who has all the powers and responsibilities of the Vice President until the position of President has been filled, at which point the Vice President resumes all powers and responsibilities;
- (c) the General Secretary must call for nominations to fill the vacancy within two (2) Teaching Days of the vacancy occurring; and
- (d) the General Secretary must convene a meeting of the SRC within seven (7) Teaching Days of the vacancy occurring, at which:
  - (i) any ordinary member of the Association may nominate to fill the vacancy; and
  - (ii) the SRC must elect one of the nominees to fill the position in accordance with the Regulations.

### **4.2 University Council Member**

4.2.1 If a vacancy occurs in the position of University Council Member:

- (a) the General Secretary must call for nominations to fill the vacancy within two (2) Teaching Days of the vacancy occurring; and
- (b) the General Secretary must appoint a Returning Officer to convene an election for the position of University Council Member as if it were an Annual Election for that position.

4.2.2 For the purposes of this section 4.2, the following sections of the Election Regulations do not apply as they would at an Annual Election:

- (a) section 2.1.2;
- (b) section 2.1.7;
- (c) section 2.1.8;
- (d) section 2.4.5;
- (e) section 2.4.7; and
- (f) sections 2.6.3(a), (b) and (c).

### **4.3 Other Executive**

4.3.1 If a vacancy occurs in any other Executive position listed in Schedule 1:

- (a) the President must appoint, in consultation with the remaining Executive, an interim holder of the vacant office, as the case requires, and that appointee has all the powers and responsibilities of that office;
- (b) the General Secretary must call for nominations to fill the vacancy within two (2) Teaching Days of the vacancy occurring; and
- (c) the General Secretary must convene a meeting of the SRC within seven (7) Teaching Days of the vacancy occurring, at which:
  - (i) any ordinary member of the Association may nominate to fill the vacancy; and
  - (ii) the SRC must elect one of the nominees to fill the position in accordance with the Regulations.

### **4.4 General Representative**

4.4.1 If a vacancy occurs in a position of General Representative to the SRC and the General Representative was elected as a member of a particular party or group, that party or group may appoint an ordinary member of the Association to fill the vacancy.

4.4.2 Otherwise:

- (a) the SRC may co-opt an ordinary member of the Association to be an interim General Representative until the next Ordinary or Annual General Meeting of the Association;
- (b) whoever convenes the next Ordinary General Meeting or Annual General Meeting of the Association in accordance with this Constitution must include on the agenda a call for nominations to fill the vacancy; and
- (c) at that general meeting any ordinary member of the Association may nominate to fill the vacancy in accordance with the Regulations.

### **4.5 College Representative**

4.5.1 If a vacancy occurs in a position of College Representative, the President, after consulting with the EDC in person or in writing, must nominate an ordinary member of the Association enrolled in the relevant College

and a university program qualifying the member to be elected to that vacancy to fill the vacancy as soon as practicably possible.

- 4.5.2 The President may, upon consultation in person or in writing with the relevant College Representative or, if unavailable, the EDC, co-opt an ordinary member of the Association enrolled in the relevant College and a university program qualifying to member to be elected to that vacancy to be an interim College Representative until the next Education Council meeting of the Association or until the vacancy is filled in accordance to 4.5.1.
- 4.5.3 If the vacancy in a position of College Representative is not filled before the next Education Council meeting of the Association, then:
- (a) whoever convenes the next Education Council meeting of the Association in accordance with the Constitution must include on the agenda a call for nominations to fill the vacancy; and
  - (b) at that Education Council meeting any ordinary member of the Association enrolled in the relevant College and a university program qualifying the member to be elected to that vacancy may nominate to fill the vacancy in accordance with the Regulations.

#### **4.6 Departmental Officers**

- 4.6.1 If a vacancy occurs in a position of Departmental Officer:
- (a) the President must appoint, in consultation with the relevant Department, an interim Women's Officer, Queer\* Officer, Environment Officer, Indigenous Officer, Disabilities Officer, International Students' Officer or BIPOC Officer as the case requires, and that appointee has all the powers and responsibilities of that office;
  - (b) the General Secretary must call for nominations to fill the vacancy within two (2) Teaching Days of the vacancy occurring; and
  - (c) the General Secretary or their nominee must convene a meeting of the Department within seven (7) Teaching Days of the vacancy occurring, at which:
    - (i) any ordinary member of the Department may nominate, in accordance with the Constitution and the Regulations, to fill the vacancy;
    - (ii) the Department must choose one of the nominees to fill the position in accordance with the Regulations; and
    - (iii) the SRC must then ratify this appointment at its next meeting.
- 4.6.2 If the vacancy occurs in the position of Disabilities Officer, the call for nominations made under 4.5.1(b) must be posted at Access and Inclusion, and the Chifley Disabilities Resource room.

#### **4.6A HDR, Postgraduate Coursework and Undergraduate Officers**

- 4.6A.1 If a vacancy occurs in a position of HDR, Postgraduate Coursework or Undergraduate Officers, the President, after consulting with the EDC in person or in writing, must nominate an ordinary member of the Association enrolled in a program qualifying the member to stand for that position, to fill the vacancy as soon as practicable.
- 4.6A.2 The President may, upon consultation in person or in writing with the EDC, co-opt an ordinary member of the Association enrolled in a program qualifying the member to stand for the position, to be an interim Officer until the next Education Council meeting of the Association or until the vacancy is filled in accordance with 4.6A.1
- 4.6A.3 If the vacancy is not filled before the next Education Council meeting of the Association, then:
- (a) whoever convenes the next Education Council meeting of the Association in accordance with this Constitution must include on the agenda a call for nominations to fill the vacancy; and
  - (b) at that Education Council meeting any ordinary member of the Association enrolled in a program qualifying the member to stand for that position may nominate to fill the vacancy in accordance with the Regulations.
- 4.6A.4 For the avoidance of doubt, Regulations 2.1.9D and 2.1.9E do not apply to the filling of a casual vacancy.

#### **4.7 Any Other**

- 4.7.1 If a vacancy occurs in any other position required to be elected under this Constitution, either by the SRC acting in accordance with this Constitution or at a general meeting of the Association, the SRC must elect an ordinary member of the Association to fill the vacancy.

### **5. ELECTION OF REPRESENTATIVES AT GENERAL MEETINGS**

#### **5.1 General**

- 5.1.1 The election of a Representative (or Representatives) at a general meeting, provided for under the Constitution, must be conducted in a fashion consistent with section 10 of the Constitution.
- 5.1.2 If this Constitution, or the SRC acting in accordance with this Constitution, requires a Representative to be elected at a general meeting of the Association:
- (a) the agenda of the general meeting must include a call for nominations for that position;
  - (b) the general meeting must elect a Returning Officer in accordance with these Regulations; and
  - (c) the Returning Officer must receive nominations and, if required, conduct a ballot using the optional

preferential system in accordance with these Regulations.

- 5.1.3 The electoral system to be used in such an election, and the method of counting votes, is detailed in section 1 of these Regulations.

## 5.2 Call for Nominations

- 5.2.1 Any member of the Association who, in accordance with the Constitution, convenes a general meeting of the Association, must include a call for nominations for any position to be filled at that general meeting on all notices advertising that meeting.

## 5.3 Conduct of the Election

- 5.3.1 Those ordinary members of the Association present in person must elect one of their number to act in the position of Returning Officer by a first past the post election conducted by show of hands.
- 5.3.2 If more than 1 person nominates for the position of Returning Officer, the candidate with the second largest number of votes is to act as Deputy Returning Officer, otherwise another ordinary member of the Association must be elected to that position by show of hands.
- 5.3.3 No person may act as Returning Officer or Deputy Returning Officer if they have a direct interest in the result of the election.
- 5.3.4 The Returning Officer must, in the presence of the Deputy Returning Officer, receive nominations from any ordinary member of the Association eligible to stand for election who wishes to nominate.
- 5.3.5 If the number of nominations exceeds the number of positions to be filled, the Returning Officer must, in the presence of the Deputy Returning Officer, issue a signed voting paper to each ordinary member of the Association who is present in person.
- 5.3.6 Under the supervision of the Returning Officer and the Deputy Returning Officer, each voting paper must be placed in a locked ballot box by the ordinary member of the Association exercising that vote.
- 5.3.7 The Returning Officer must ensure that procedures are in place to:
- (a) limit each ordinary member of the Association to voting once; and
  - (b) ensure that the way in which any voter marks their voting paper is not revealed, either when that member votes or at any later stage.
- 5.3.8 The voter must indicate the order of their preference on the voting paper by writing the numeral 1 against the name of the candidate of their first choice, 2 against the name of the candidate of their second choice, 3 against the name of the candidate of their third choice and so on, in an unbroken sequence of numbers against the names of candidates.
- 5.3.9 A vote will not be valid unless the voter indicates their preferences for at least 1 candidate.
- 5.3.10 Preferences will be counted while the voter's preferences are indicated in an unbroken sequence.

## 6. ELECTION OF REPRESENTATIVES AT SRC MEETINGS

### 6.1 General

- 6.1.1 The election of a Representative (or Representatives) at a meeting of the SRC, provided for by the SRC in accordance with the Constitution, must be conducted in a fashion consistent with the resolution of the SRC establishing such a position (or positions).
- 6.1.2 The electoral system to be used in such an election, and the method of counting votes, is detailed in section 1 of these Regulations.

### 6.2 Call for Nominations

- 6.2.1 Any member of the Association who, in accordance with the Constitution, convenes a meeting of the SRC, must include a call for nominations for any position to be filled at that meeting on all notices advertising that meeting.

### 6.3 Conduct of the Election

- 6.3.1 Those members of the SRC present in person must elect an ordinary member of the Association to act in the position of Returning Officer by a first past the post election conducted by show of hands.
- 6.3.2 If more than 1 person nominates for the position of Returning Officer, the candidate with the second largest number of votes is to act as Deputy Returning Officer, otherwise another ordinary member of the Association must be elected to that position by a show of hands.
- 6.3.3 No person may act as Returning Officer or Deputy Returning Officer if they have a direct interest in the result of the election.
- 6.3.4 The Returning Officer must, in the presence of the Deputy Returning Officer, receive nominations from any person who is eligible to stand for election in accordance with the relevant SRC resolution(s), and who wishes to nominate.
- 6.3.5 If the number of nominations exceeds the number of positions to be filled, the Returning Officer must, in the presence of the Deputy Returning Officer, issue a signed voting paper to each member of the SRC who is present in person.
- 6.3.6 Under the supervision of the Returning Officer and the Deputy Returning Officer, each voting paper must be

placed in a ballot box by the member of the SRC exercising that vote.

- 6.3.7 The Returning Officer must ensure that procedures are in place to:
- (a) limit each member of the SRC to voting once; and
  - (b) ensure that the way in which any voter marks their voting paper is not revealed, either when that member votes or at any later stage.
- 6.3.8 The voter must indicate the order of their preferences on the voting paper by writing the numeral 1 against the name of the candidate of their first choice, 2 against the name of the candidate of their second choice, 3 against the name of the candidate of their third choice and so on, in an unbroken sequence of numbers against the names of candidates.
- 6.3.9 A vote will not be valid unless the voter indicates their preferences for at least 1 candidate.
- 6.3.10 Preferences will be counted while the voter's preferences are indicated in an unbroken sequence.

## **7. ELECTION OF DEPARTMENT OFFICERS AT THE GENERAL ELECTION**

- 7.1 The following provisions shall apply to the election of a Department Officer if notice is not received of a departmental election under s 7A
- 7.1.1 If notice is received under s 7A, the Returning Officer shall not call for, or accept, nominations for that position.
- 7.2 **Eligibility to vote or nominate during the general election**
- 7.2.1 Subject to regulation 7.3 (as regards nomination), in respect of an election for a Departmental Officer as part of the ANUSA General Election under this Regulation 7, to the position of:
- (a) Environment Officer – any member of the Association may vote or nominate.
  - (b) Disabilities Officer – only members of the Association with disability may vote or nominate.
  - (c) Indigenous Officer – only indigenous members of the Association may vote or nominate.
  - (d) International Students Officer – only international student members of the Association may vote or nominate and associate members of the International Students' Department may nominate in elections. Other electoral participations of associate members are to be decided according to the rules of the International Students' Department.
  - (e) Queer\* Officer – only gay, lesbian, bisexual, transgender, intersex or queer identifying members of the Association may vote, and only those who openly identify may nominate.
  - (f) Women Officer - only members of the Association who self-identify as a woman or woman-aligned, have experience gendered oppression as a result of being perceived as a woman, or identify as transgender or gender diverse and find the services of the Women's Department useful may vote or nominate. This provision is to be read as subject to any stipulations by the Womens Department Constitution as to who may vote and nominate for the Officer.
  - (g) BIPOC Officer – only those members of the Association who self-identify as Black, Indigenous or People of Colour may vote or nominate. This includes but is not limited to members of the Association who come from a minority ethnocultural background, are white-passing, are biracial, are Aboriginal and/or Torres Strait Islander, and/or have been marked or marginalised by white supremacy.
- 7.3 **Active member requirements**
- 7.3.1 The Returning Officer may only accept a nomination for the position of BIPOC, Disabilities, Indigenous, Women's, Queer\* Officer, if the nominee is an active member of the Department they are nominating for.
- 7.3.2 An active member of a Department means:
- (a) a member who has attended three meetings of that Department in that Academic year, with the exception of Disabilities where the requirement is two meetings; or
  - (b) a member who, although they do not satisfy regulation 7.3.2(a), are recognised as an active member by a majority vote of the members of the Department concerned who are themselves active members as provided under regulation 7.3.2(a), at a regularly constituted meeting of the Department, taking into account apologies and evidence of exceptional circumstances (sickness, exchange, work commitments, timetable clash, mid-year commencement, etc.).
- 7.3.3 The active member requirement does not apply where there is only one nominee for the position of Officer of that Department.
- 7.4 **Electoral voting procedure**
- 7.4.1 Except where eligibility is determined in accordance with sections 2.6.3(a), where the position of an autonomous Department Officer is contested, the ballot must contain an opt-in tick box that requires students to confirm they identify as a member of the relevant Department.
- 7.4.2 Except where regulation 7.4.3 applies, the General Secretary must determine the wording of the opt-in tick box on the advice of the relevant Department.
- 7.4.3 For the purposes of regulation 7.4.1, the opt-in tick box for the Queer\* Officer election will read: "I identify as gay, lesbian, bisexual, transgender or gender-diverse, intersex, queer\* or outside of a heteronormative sexuality, sex or gender identity."
- 7.4.4 Votes for the election of a Department Officer under regulation 7.3.1 will only be counted if the tick box has been checked.

## 7.5 Electoral disputes

- 7.5.1 The decision made under 7.3.2(b) may be contested by way of appeal to the ANUSA Disputes Committee who will consider the circumstances surrounding non-attendance and evidence of apologies for non-attendance. The committee will make a recommendation to the Returning Officer, whose decision is final.
- 7.5.2 Where a dispute does not concern attendance requirements:
- (a) the Returning Officer will have the final say in relevant disputes concerning the Environment, International Students, Queer\*, Women's, BIPOC and Disabilities Departments.
  - (b) the Tjabal Indigenous Higher Education Centre will have the final say in relevant disputes concerning the Indigenous Department.

## 7A DEPARTMENTAL ANNUAL ELECTION OF DEPARTMENT OFFICERS

### 7A.1 Notice of Departmental Election

- 7A.1.1 Except for the Environment Department which is not eligible to use this regulation 7A, where a Department Officer or their delegate gives notice under this section that the Department has determined that it will conduct a departmental election as their annual election, the election shall be held according to the provisions in this regulation 7A and not the provisions of regulation 7.
- 7A.1.2 Notice under 7A.1.1 may be given in writing to the General Secretary or their delegate at least 5 days before the call for nominations for the general election.
- 7A.1.3 The notice must include a copy of the minutes from a quorate meeting of the Department membership showing that the meeting agreed by majority vote that the election of the Department's next officer should be a departmental election.
- 7A.1.4 The minutes provided to the General Secretary may be redacted so as to protect privacy and autonomy of the Department and its members provided that the General Secretary is able to ascertain if the requirements of sub-regulation 7A.1.3 were met.
- 7A.1.5 Notice under regulation 7A 1.1 may be given to the General Secretary by a department on a standing basis with effect for future elections of the Departmental Officer where the motion passed by the Department states that the notice is given on a standing basis. A standing notice is subject to revocation by a motion of the Department provided to the General Secretary in the same way as the original notice. A standing notice may not be revoked during any period beginning five days before the call for nominations for an ANUSA General Election and ending on 1 December following that election.

### 7A.2 Appointment of Returning Officer for a Departmental Election

- 7A.2.1 A meeting of the department membership shall appoint an eligible member of ANUSA as a Returning Officer for the Departmental Election.
- 7A.2.2 A member of ANUSA is eligible for appointment as a Returning Officer for a Departmental Election if they are not standing for election in the Departmental election and declare that they have no conflicts of interest in respect of the election.
- 7A.2.3 The Returning Officer must not contest the election and must otherwise not be conflicted in running the election, and must resign the position of Returning Officer if they wish to contest the election or are otherwise conflicted. Once the General Secretary has accepted the nominated Returning Officer, the Returning Officer cannot contest the election in the period in which they held the position of Returning Officer, even if they resign from the position.
- 7A.2.4 The Department Officer must inform the General Secretary of the appointed Returning Officer for the election of the next Department Officer as soon as practicable after the Returning Officer's appointment.

### 7A.3 Requirements for a Departmental Election

- 7A.3.1 The Returning Officer for a Departmental Election must ensure the election meets the requirements of a free and fair election, including ensuring that the Department undertakes reasonable efforts through communication mediums likely to reach students who are eligible to vote in the election to enable them to be made aware of the election and their entitlement to vote in it.
- 7A.3.2 A Departmental Election must be conducted by ballot.
- 7A.3.3 Subject to this Election Regulation, and the ANUSA Constitution, the Department must conduct the election according to its own rules, which have been approved by majority vote at a regularly constituted meeting of the Department membership and made available to members prior to the election.
- 7A.3.4 The Department Officer must provide a copy of the rules referred to in regulation 7A.3.1 to the General Secretary.
- 7A.3.5 Subject to regulation 7.4.1, any student meeting the requirements of regulation 7.2.1 shall be eligible to vote in the Departmental Election for the Department to which they belong.
- 7A.3.6 Only a member of the Association who meets the "active member" requirement as defined in regulation 7.3.2 shall be eligible to stand for election as Departmental Officer.
- 7A.3.7 If only one person nominates for the position of Department Officer, the active member requirement does not apply, any member of the Association eligible to vote in the Departmental election may nominate.
- 7A.3.8 Subject to regulation 7A.3.9, only members of the Association who meet the relevant requirements for eligibility for voting in a Departmental election set out in regulation 7.2.1 may vote in a Departmental Election for that Department.

7A.3.9 A Department must ensure that undergraduate and postgraduate students have equivalent rights to vote and stand for office within the Department.

7A.3.10 The election must be completed at least 10 days before the elected officer would take office.

7A.3.11 The Returning Officer must notify the General Secretary in writing of the result of the election within one week of the declaration of the result.

7A.3.12 For the avoidance of doubt, conduct that constitutes an electoral offence as defined in regulation 3.1, constitutes an electoral offence in relation to a Departmental Regulation.

7A.3.13 Where the Returning Officer for a Departmental Election receives an allegation of commission of an electoral offence in respect of the Departmental Election, the Returning Officer may deal with the matter in accordance with the provisions of Regulation 3.2.

#### **7A.4 Appeal to the General Secretary**

7A.4.1 A member of the Department may appeal to the General Secretary on the grounds that the election is not free and fair, or has not met the requirements of this Regulation or is in breach of the rules adopted by the Department for the conduct of the election.

7A.4.2 The General Secretary shall consider the appeal and may invalidate the election if the General Secretary determines that the irregularities in the Departmental Election are such as to significantly affect its free and fair character.

7A.4.3 If a Departmental Election is invalidated a new election shall be called under the casual vacancy provisions of this Regulation.

7A.4.4 A decision under section 7A.4.3 to invalidate an election is reviewable by the Disputes Committee.

7A.4.5 Departments may make their own rules for the resolution of disputes arising in internal elections. Any party to a dispute may escalate that dispute to the ANUSA General Secretary or to the ANUSA Disputes Committee.

## **8. REFERENDA**

### **8.1 General**

8.1.1 A Referendum must be conducted in accordance with the Constitution and these Regulations.

8.1.2 The method of counting votes cast in a Referendum is detailed in section 1.3 of these Regulations.

### **8.2 Conducting a Referendum**

8.2.1 A Referendum must be conducted in accordance with the polling procedure under section 8.5.

8.2.2 A person appointed by the Vice-Chancellor, must act as Returning Officer for a Referendum.

8.2.3 An independent person or body is to be engaged to conduct a Referendum, and no student enrolled at the University may be involved in its administration.

8.2.4 The Returning Officer must prepare a report that details:

- (a) the result of the Referendum;
- (b) the number of valid votes that were cast both for and against the proposition;
- (c) any allegations of breaches of this Constitution, or the Regulations, that may have occurred;
- (d) any abnormalities that the Returning Officer observed during the Referendum; and
- (e) any other information that the Returning Officer believes may assist the Association.

8.2.5 The Returning Officer's report must be tabled by the President at the first Ordinary General Meeting after the Referendum.

8.2.6 The General Meeting may:

- (a) declare the poll; or
- (b) in the event of allegations of irregularities refer the Report to the Disputes Committee for resolution.

8.2.7 If the General Meeting fails to consider the Report, or fail to act under section 8.2.6 then the Disputes Committee shall deal with the Report as if it had been referred to the Committee under 8.2.6 (b).

### **8.3 Effect of a Referendum**

8.3.1 Any proposition that is carried by a simple majority of those ordinary members who cast a valid vote in a Referendum is binding on the Association.

8.3.2 However, at least 10% of ordinary members of the Association must cast a valid vote in a Referendum for it to have any effect.

### **8.4 Form of the Question and Electoral System to be Used**

8.4.1 The Returning Officer must arrange for the preparation of voting papers for the Referendum, where the question to be posed in a Referendum may be either

- (a) a question seeking a yes/no answer; or
- (b) a question presenting a range of options.

- 8.4.2 If a Referendum question is seeking a yes/no answer, the Returning Officer or their nominee must arrange to count the number of yes and no votes, and subject to section 8.6 has the discretion to rule any vote as formal if the voter's intention is clear.
- 8.4.3 If a Referendum presents a range of options:
- (a) the election is to be conducted according to Schedule A of these Regulations, with each option treated as if it were a candidate;
  - (b) the option to vote for "None of the options presented" must be included;
  - (c) the voting paper must contain the words "write the number 1 in the box beside the option of your first choice"; and
  - (d) for referenda where 3 or more options are presented, the words indicated in (c) above must be succeeded by the words "You may then show as many further preferences as you wish by writing numbers from 2 onwards in the boxes beside the options of your choice".

## 8.5 Polling Procedure

- 8.5.1 On each of the days upon which polling in a Referendum is held, at least 3 hours of polling must be conducted in the Kambri precinct. Such polling may be held concurrently with polling for the Annual Election.
- 8.5.2 Further polling may be conducted at locations on campus to be determined by the Returning Officer- however no polling may take place at any Hall of Residence or Affiliated College.
- 8.5.3 The Returning Officer or their nominee must ensure that procedures are in place to:
- (a) limit each ordinary member of the Association to voting no more than once; and
  - (b) ensure that the way in which any voter marks their voting paper is not revealed, either when that member votes or at any later stage.
- 8.5.4 The Returning Officer or their nominee must prepare a list of ordinary members of the Association eligible to vote at the Referendum.
- 8.5.5 Where an ordinary member of the Association applies in person to vote at a polling place, and the member's name is included on the list of members prepared under section 8.5.4, the Returning Officer or their nominee must subject to section 8.5.3(a) provide to the member a ballot paper for the Referendum.
- 8.5.6 Where a person claiming to be an ordinary member of the Association applies in person to vote at a polling place, and the person's name is not included on the list of members prepared under section 8.5.4, the Returning Officer or their nominee must provide to the person a declaration vote envelope and a ballot paper for the Referendum, with the ballot paper bearing the word "declaration".
- 8.5.7 Where an ordinary member of the Association is issued a ballot papers under section 8.5.6, the member shall mark their ballot papers with a yes or no or where a Referendum presents a range of options in accordance with section 8.2.3, enclose the ballot papers in the declaration vote envelope provided, sign the declaration on the envelope, and return the envelope to the Returning Officer or their nominee who issued the ballot papers to the member.
- 8.5.8 Where the Returning Officer or their nominee receives a declaration vote envelope containing ballot papers under section 8.5.7, the Returning Officer or their nominee must after the close of the poll determine subject to section 8.5.3(a) whether the member is entitled to vote at the elections and:
- (a) if the declaration is signed and they decide the member is entitled to vote, the envelope is to be opened in such a way as to ensure that the way in which the voter marked their ballot paper is not revealed and the ballot paper therein must be included in the count of votes; or
  - (b) if the declaration is unsigned or they decide the member is not entitled to vote, the declaration envelope must be set aside unopened.

## 8.6 Formality of votes

- 8.6.1 For a Referendum described at 8.4.1(b) a ballot paper will not be valid if:
- (a) the voter has not indicated their preferences for at least 1 option; or
  - (b) the voter has indicated their first preference for 2 or more options.
- 8.6.2 For any Referendum a ballot paper will not be valid if, in the opinion of the Returning Officer or their nominee, the ballot has been modified or in any other way manipulated after it was cast.

# SCHEDULE A – ASCERTAINING RESULT OF POLL

## 1. PRELIMINARY INTERPRETATION

(1) In this Schedule, unless the contrary intention appears—

"Ballot " means a ballot that is valid by virtue of the Electoral Regulations;

"Continuing candidate" means a candidate, other than a successful candidate, an excluded candidate or a

candidate who died before polling day;

"Count" means an allotment of votes under subclause 3 (1) or 6 (3), or paragraph 9 (2) (c);

"Count votes", in relation to a candidate, is the number of votes calculated as follows:

$$B \times TV$$

where—

- B is the number of ballot papers to be dealt with at a count that record the next available preference for the candidate;
- TV is the transfer value of those ballots; calculated to six decimal places without rounding;

"Excluded candidate" means a candidate excluded under clause 8;

"Next available preference" means the next highest preference recorded for a continuing candidate on a ballot;

"Quota" means:

- a. Where one candidate is to be elected - the quota, in relation to a count, calculated as follows:

$$\frac{TVA}{\text{----} + 1} \\ 2$$

Where TVA is the sum of the total votes allotted to the continuing candidates at the count, any fraction being disregarded;

- b. Where two or more candidates are to be elected - the quota, in relation to the election, calculated as follows:

$$\frac{B}{\text{----} + 1} + 0.000001; \text{ where}$$

- B is the number of ballots for the election minus the number of exhausted ballots at that count; and
- N is the number of positions to be filled at the election; calculated to 6 decimal places without rounding.
- The quota will have to be recalculated at every count

"Successful candidate" means a candidate who is successful by virtue of clause 3, 4, 6 or 9;

"Surplus", in relation to a successful candidate, means the candidate's total votes less the quota, where the resulting number of votes is 0.000001 or greater;

"Total votes", in relation to a candidate, means the sum of all votes allotted to the candidate;

"Transfer value", in relation to a ballot, is—

- a. In relation to the allotment of votes from the surplus of a successful candidate—in the case of ballots that specify a next available preference, subject to subclause (2), the value calculated as follows:

$$\frac{S}{\text{---}} \text{ where}$$

CP

- S is the surplus; and

- CP is the number of ballots counted for the candidate at the count at which they became successful and which specify a next available preference; or
- b. In relation to the allotment of votes under paragraph 9 (2) (c)—
    - i. In the case of ballots in respect of which votes were allotted to the excluded candidate under clause 3—1; or
    - ii. In the case of ballots in respect of which count votes were allotted to the excluded candidate under subclause 6 (3) or paragraph 9 (2) (c)—the transfer value of the ballots when counted for the purpose of that allotment.
- (2) Where, but for this subclause, the transfer value of a ballot calculated in accordance with paragraph (a) of the definition of "transfer value" would be greater than the transfer value of the ballots when counted for the successful candidate, the transfer value of that ballot is the last- mentioned transfer value.
  - (3) For the purposes of this Schedule, where 2 or more candidates are to be elected, all vote values are to be calculated to 6 decimal places, without rounding.

## 2. DISREGARDING PREFERENCES

- (1) This clause applies where effect is to be given to preferences indicated in candidate squares on a ballot by virtue of section 2.7.3 of the Electoral Regulations.
- (2) Where the same number is marked in 2 or more candidate squares on a ballot, those numbers and any greater number shall be disregarded in determining the elector's preferences.
- (3) Where a number is missing from the series of consecutive whole numbers marked in the candidate squares on a ballot, the missing number and any greater number shall be disregarded in determining the elector's preferences.

## 3. GENERAL FIRST PREFERENCES

- (1) For each ballot recording a first preference for a continuing candidate, 1 vote shall be allotted to the candidate.
- (2) For the purposes of subclause (1), a ballot on which a first preference for a candidate who died before polling day is recorded shall be taken to record a first preference for the candidate for whom the next available preference is recorded.
- (3) After the allotment of votes under subclause (1), each continuing candidate's total votes shall be calculated and, if the votes equal or exceed the quota, the candidate is successful. Scrutiny to cease 4.

## 4. SCRUTINY TO CEASE

- (1) If, after a calculation under subclause 3 (3), 6 (4) or 9 (2) (d), the number of successful candidates is equal to the number of positions to be filled, the scrutiny shall cease.
- (2) If, after a calculation under subclause 3 (3) or 6 (4) or after all the ballots counted for an excluded candidate have been dealt with under clause 9—
  - a. The number of continuing candidates is equal to the number of positions remaining to be filled plus one; and
  - b. No successful candidate has a surplus not already dealt with under clause 6; the candidate with the fewest votes shall be excluded and each of the remaining continuing candidates is successful and the scrutiny shall cease.
- (3) If a candidate is excluded under subclause 4 (2), the ballots counted to him or her shall not be distributed further.
- (4) If a candidate is to be excluded under subclause 4 (2), and 2 or more continuing candidates each have the same total votes, being fewer total votes than any other continuing candidate and—
  - a. 1 of those candidates had fewer total votes than any other of those candidates at the last count at which those candidates had unequal votes—that candidate; or

- b. There is no count at which those candidates had unequal total votes—the candidate who, of those candidates, is determined by the Returning Officer by lot to be the candidate to be excluded; shall be excluded.

#### 5. SCRUTINY TO CONTINUE

If the scrutiny has not ceased in accordance with clause 4 and—

- a. 1 or more successful candidates have a surplus not already dealt with under clause 6—subject to clause 4, each surplus shall be dealt with in accordance with clause 6; or
- b. There are no successful candidates with such a surplus—1 continuing candidate shall be excluded in accordance with clause 8 and the ballots counted for him or her shall be dealt with in accordance with clause 9.

#### 6. SURPLUS VOTES

- (1) Subject to clause 7, this clause applies in relation to the surplus of a successful candidate.
- (2) Each ballot counted for the purpose of allotting votes to the successful candidate at the count at which the candidate became successful shall be dealt with as follows:
  - a. If it does not specify a next available preference—it shall be set aside as finally dealt with for the purposes of this Part;
  - b. If it specifies a next available preference—it shall be grouped according to the candidate for whom that preference is recorded.
- (3) The count votes for each continuing candidate shall be determined and allotted to him or her.
- (4) After the allotment under subclause (3), the continuing candidates' total votes shall be calculated and, if the total votes of a candidate equal or exceed the quota, the candidate is successful.

#### 7. MORE THAN 1 SURPLUS

- (1) In this clause—
  - a. A reference to a successful candidate shall be read as a reference to a successful candidate with a surplus not already dealt with under clause 6; and
  - b. A reference to the earliest count shall be read as a reference to the earliest count at which a successful candidate obtained a quota.
- (2) Where there are 2 or more successful candidates, the surplus of the relevant candidate shall be dealt with in accordance with clause 6.
- (3) For the purposes of subclause (2)—
  - a. If only 1 successful candidate obtained a quota at the earliest count—that candidate is the relevant candidate;
  - b. If 2 or more successful candidates obtained a quota at the earliest count—the candidate who, of those candidates, has the largest surplus is the relevant candidate; or
  - c. If 2 or more successful candidates (in this paragraph called "contemporary candidates") who obtained a quota at the earliest count have the same surplus, being a surplus larger than that of any other candidate who obtained a quota at that count and—
    - i. 1 of the contemporary candidates had more total votes than any other contemporary candidate at the last count at which all the contemporary candidates had unequal total votes—that candidate; or
    - ii. There is no count at which all the contemporary candidates had unequal total votes—the contemporary candidate who is determined by the Returning Officer by lot to be the relevant candidate; is the relevant candidate.

#### 8. EXCLUSION OF CANDIDATES

- (1) Where clause 5 requires a candidate to be excluded, the candidate with the least total votes shall be excluded.
- (2) Where 2 or more candidates each have the same total votes, being fewer total votes than any other candidate and—
  - a. 1 of those candidates had fewer total votes than any other of those candidates at the last count at which all those candidates had unequal votes—that candidate; or
  - b. There is no count at which all those candidates had unequal total votes—the candidate who, of those candidates, is determined by the Returning Officer by lot to be the candidate to be excluded; shall be excluded.

#### 9. VOTES OF EXCLUDED CANDIDATES

- (1) Where a candidate is excluded in accordance with clause 8, the ballots counted for the candidate shall be sorted into groups according to their transfer values when counted for him or her.
- (2) Subject to subclause (3), each group under subclause (1) shall be dealt with as follows:
  - c. If a ballot in the group does not specify a next available preference—it shall be set aside as finally dealt with for the purposes of this Part;
  - d. If a ballot in the group specifies a next available preference—it shall be grouped according to the candidate for whom that preference is recorded;
  - e. Each continuing candidate's count votes shall be determined and allotted to him or her;
  - f. Continuing candidates' total votes shall be calculated and, if the votes of any of those candidates equal or exceed the quota, the candidate is successful.
- (3) The groups referred to in subclause (1) shall be dealt with under subclause (2) starting with the group with the highest transfer value and, subject to subclause 4 (1), continuing in descending order until all the groups have been dealt with.

#### 10. SETTING ASIDE BALLOTS

Where, after a calculation under subclause 3 (3) or 6 (4) or paragraph 9 (2) (d), the total votes of a candidate who became successful on that calculation equal the quota, the ballots counted for that candidate shall be set aside for the purposes of this Part.

#### **SCHEDULE B – EXCLUSION ZONES**

Section 3.1.3 provides that it is an offence to actively canvass votes within the areas specified in Schedule B to these Regulations.

For the avoidance of doubt, the following areas are 'exclusion zones':

1. Kambri Precinct (bound by North Road (non-inclusive), Tangney road (non-inclusive), Joplin lane, and Kingsley Street)
2. The Copland precinct, including the ramp and stairway to Kingsley Street;
3. Inside residential halls, and a 15-metre radius around associated entrances;
4. The small footpath next to University Avenue between the Copland Courtyard and Kambri;
5. The Tjabal Centre;
6. Inside ANU libraries, and associated walkways;
7. Inside ANU rooms where lectures, tutorials, labs, or other teaching takes place, including online spaces;
8. Inside any autonomous department space; and
9. Inside David Cocking Sport and Recreation Centre

In addition, no campaigning other than putting up posters may take place inside any other building on the ANU campus.

The custodians of a space may determine if and how posters are put up.

Campaigners are permitted to campaign in all other areas.

For the avoidance of doubt, the Returning Officer or their nominee will clarify exclusion zones before the beginning of the Campaign Period. This include but is not limited to a map of exclusion zones.

The Returning Officer or their nominee may temporarily suspend an area so debates or other informative events may be held.

## **FREEDOM OF REPRESENTATIVES REGULATION**

1. This Regulation is binding on the Association and the SRC, subject to the Constitution. Any policy provision or act that is inconsistent with this Regulation shall be void to the extent of the inconsistency.
2. No act or policy shall be valid, to the extent of the inconsistency, that purports to limit the reasonable ability of representatives to:
  - a. Advocate for students within the scope in their elected role.
  - b. Discuss and disclose non-confidential matters in public fora.
  - c. Discuss and disclose non-confidential matters with student and mainstream media.
  - d. Engage in public debate and discussion about the Association.
  - e. Make full and frank reports to organs of the Association to which representatives are required to report.
3. For the purposes of this regulation, representative means:
  - a. Representatives of the Association as defined in Schedule 1 of the Constitution.
  - b. Delegates to the NUS or any other body who are elected through elections held by or for the Association.
  - c. Members of the Clubs Council Executive.
  - d. Other unpaid elected student volunteers of the Association.
4. Notwithstanding the other provisions of this regulation, this regulation does not apply in any way that:
  - a. Impinges on the power solely invested in the President to speak on behalf of the Association. However, it does protect the ability of representatives to publicly voice their views and opinions about the Association in line with section 2.
  - b. Restricts the ability of the Association to make information confidential where doing so is necessary and proper.
  - c. Restricts the ability of Departments to protect their autonomy.
  - d. Inhibits the ability of the Association to prohibit representatives from engaging in;
    - i. Hate speech,
    - ii. Bullying behaviour,
    - iii. Speech that any reasonable person would conclude is damaging to the Association, and
    - iv. Defamation.

## **COMMITTEE REGULATIONS**

### **Part 1: General**

#### **1. Committees**

- (1) These Regulations are the Committee Regulations of the Australian National University Students' Association Incorporated.
- (2) These Regulations are formed in accordance with section 28 of the Constitution to govern the conduct and operation of Committees of the Association.
- (3) All terms used in these Regulations have the meaning given in the Constitution, unless the contrary intention appears.

#### **2. Committees**

- (1) ANUSA has the committees established by or under the ANUSA Constitution or this Regulation from time to time, including the Academic Management Committee, the Education Committee, and, the Parents and Carers Committee.

#### **3. Membership of committees**

- (1) Unless otherwise stated, all members of ANUSA are entitled to enrol and serve in any ANUSA committee by writing to the ANUSA Officer responsible for the committee.
- (2) Only members of ANUSA who have responsibilities as parents or carers are entitled to enrol in the Parents and Carers Committee.
- (3) A student may submit their resignation from a committee by writing to the officer responsible for the committee, and may also re-enrol in the committee following such a resignation.
- (4) The members of the Academic Management Committee are the ANUSA President, Vice President, Education Officer, General Secretary, the Undergraduate Coursework Officer, the Postgraduate Coursework Officer and the Higher Degree Research Officer.

#### **4. Responsibilities of Committee Members**

- (1) All committee members participating in a meeting of an ANUSA committee are officers of the Association for the purposes of participation in that meeting and in respect of their conduct as a committee member.
- (2) At the beginning of every meeting of a committee, the chair of the committee shall remind the committee members of their responsibilities in decision making including declaring and properly managing conflicts of interest, good faith pursuit of the functions of the committee and ensuring any expenditure of funds is proper.

#### **5. Responsibilities of Committees**

- (1) A committee has, collectively, the good governance responsibilities equivalent to those of the ANUSA Executive, in respect of the operation of the committee.
- (2) The chair of a committee meeting must, and any member of a committee may, report any concerns regarding the proper operation of a committee to the ANUSA President.

#### **6. Responsible Officers**

- (1) The Education Officer is responsible for the Education Committee and the Academic Management Committee.
- (2) The Parents and Carers Officer is responsible for the Parents and Carers Committee.

#### **7. Role of the Officer**

- (1) With exception of the Academic Management Committee, the Officer responsible for a committee must:
  - (a) except where absent, chair meetings of the committee,

- (b) manage the administrative affairs of the committee, including maintaining a historical and current list of members enrolled in the committee;
- (c) arrange for the election of Co-convenors from time to time as required to support the work of the committee;
- (d) promote and seek active participation in the committee from a diverse range of students;
- (e) report to each ordinary meeting of the committee on their actions since the last meeting;
- (f) submit a report to each SRC meeting detailing recent activities of the committee, together with the income and expenditure of the Committee to date;
- (g) convene an meeting of the committee at least three (3) times in every Teaching Period;
- (h) convene the committee within seven (7) Teaching Days of being presented with a petition signed by ten (10) members of the Committee; and
- (i) is responsible for ensuring their committee and its members comply with Regulations 4 and 5 of this Regulation.

## **8. Policy Proposals**

- (1) The Officer responsible for a committee is bound to present policy proposals from their committee to the next meeting of the SRC, which may then choose to ratify or reject the proposed policy.

## **9. Co-convenor**

- (1) A committee may elect up to three (3) co-convenors.
- (2) The Co-convenors must:
  - (a) provide general assistance to the Officer of their committee in regard of the management, convening, and record-keeping of the committee; and
  - (b) provide assistance requested by the Officer of the committee in carrying out the work of the committee.

## **10. Meetings**

- (1) The person convening the meeting of a committee must provide at least three (3) teaching days' notice of the meeting. As relevant, notice should be posted on the website of the Association, and on the social media page of the Association and the committee.
- (2) A committee must keep proper minutes of its meetings including:
  - (a) Date and time of the meeting
  - (b) First and last names of all attending;
  - (c) Any apologies received;
  - (c) A record of all resolutions adopted by the meeting including movers and seconders of the resolution;
  - (e) A record of key information relied on by the committee in reaching a resolution
  - (f) A record of all reports presented to the meeting
  - (g) A record of management of conflict of interests
- (3) Minutes of a committee (except for confidential matters) shall be published to all students on the ANUSA web pages as soon as practicable after the meeting concerned.
- (4) Minutes must not include any unlawful material (e.g. defamatory or discriminatory material).
- (5) Resolutions of a committee at any meeting may be carried by a simple majority of those present and voting.
- (6) Proxies may not be used in respect of a committee meeting.
- (7) The quorum of a committee is five (5) members, or such higher number as decided by the committee from time to time.

## **11. Finance**

- (1) The Association will allocate separate minimum budget lines of \$2,000 for the activities of the Environment Committee and the Parents and Carers Committee each year.
- (2) As soon as practicable each financial year, each responsible officer must submit a budget that has been approved by a committee meeting for its planned operations for the year to the ANUSA Treasurer.

## **Part 2: Academic Management Committee**

### **12. Functions**

- (1) The functions of Academic Management Committee are to assist in developing and maintaining strategic direction in ANUSA's education policy.

### **13. Meetings**

- (1) The Academic Management Committee shall meet once per month during the Teaching Period.
  - (2) When scheduling meetings of the Academic Management Committee, the Education Officer should have regard to the schedule for EDC meetings.
- ### **12. Role of the Officer**
- (1) The Education Officer, except where absent, must chair meetings of the committee.
  - (2) The Education Officer must report to each meeting of the EDC with an update detailing recent activities of the committee.

## **Part 3: Education Committee**

### **14. Governance**

- (1) The Education Committee is governed under Section 19 "Education Committee" of the ANUSA Constitution which overrides any provision of this Regulation, to the extent of any inconsistency.

## **Part 4: Parents and Carers Committee**

### **15. Functions**

- (1) The functions of the Parents and Carers Committee are:
  - (a) to provide support to the work of the Parents and Carers Officer;
  - (b) to provide a forum for consultation and action in regard of the needs of students who are parents or carers;
  - (c) to prepare policy proposals for consideration of the SRC for the welfare of students with responsibilities as parents or carers.

## **DISPUTE AND MISCONDUCT PROCEDURES REGULATION**

### **Part 1: Purpose**

1. This Regulation constitutes the Dispute and Misconduct Procedures of the Australian National University Students' Association Incorporated.
2. This Regulation is made in accordance with section 28 and of the Constitution.
3. Unless the context requires otherwise, all terms used in this Regulation have the meaning given in the Constitution.
4. This Regulation should be read together with section 20 of the Constitution "Disputes Committee", which sets out the powers and responsibilities of the Disputes Committee.
5. This Regulation gives effect to requirements of the Associations Incorporation Act 1991 (ACT) in respect of procedures for handling disputes and allegations of misconduct involving members.

### **Part 2: Scope of this Regulation**

6. Subject to section 20 of the Constitution, any dispute between members of the Association or between a member and the Association regarding matters arising under the Constitution, Regulations or policies of the Association or any allegation of misconduct under the Constitution, Regulations and policies may be dealt with in accordance with these procedures.
7. This Regulation does not prevent:
  - a) the chair of a meeting dealing with misbehaviour or making rulings during a meeting of the Association in accordance with applicable Standing Orders;
  - b) a Returning Officer or Probity Officer dealing with alleged misconduct during an election in accordance with the Election Regulations;
  - c) the General Secretary interpreting the Constitution, Regulations or Policies in accordance with section 3 of the Constitution;
  - d) a Department of the Association choosing to create and use formal or informal dispute resolution procedures to resolve internal disputes between members of that Department, although any dispute between members may still be dealt with by this Regulation and the Disputes Committee may act as an appeals process for a Department's internal process;
  - e) the application of any other processes provided for in the Constitution or Regulations of the Association; or
  - f) the Association seeking to resolve a dispute amicably in consultation with a person lodging a dispute, where informal resolution is practicable and agreed to by that person.
8. Misconduct includes:
  - a) any breach of the Constitution, Regulations or policies of the Association;
  - b) any breach of a Code of Conduct, whether adopted as a Policy or a Regulation of the Association;
  - c) any conduct defined as misconduct under the Constitution, Regulation or policies; or
  - d) any conduct that is harmful to the Association or its members, that the Disputes Committee is satisfied amounts to misconduct.

### **Part 3: Process for initiating a Dispute or Allegation of Misconduct**

9. A member may lodge a dispute or an allegation of misconduct by writing to [sa.disputes@anu.edu.au](mailto:sa.disputes@anu.edu.au), [sa.admin@anu.edu.au](mailto:sa.admin@anu.edu.au), or any alternative email address notified by ANUSA, from time to time, on its website.
10. The dispute or allegation of misconduct should set out the matters that are in dispute, or the alleged misconduct, and provide any supporting evidence the member wishes to be considered in dealing with the matter.

11. For avoidance of doubt, a member lodging an allegation of misconduct does not have to be a person adversely affected by the misconduct.

#### **Part 4: Interim measures in relation to allegations involving serious misconduct**

12. If the ANUSA General Secretary (or their delegate in the case of a conflict of interest) believes that an allegation of misconduct under this Regulation is of such a nature that suspension or other interim measures should be considered, the General Secretary may suspend the person's access to ANUSA, performance of their role, or impose such other exclusions as they consider necessary, while the alleged misconduct is considered by the Disputes Committee.
13. Such interim measures may only limit the person's actions, powers or access while the alleged misconduct is considered in accordance with this Regulation.
14. Without limiting the factors that the General Secretary may consider as relevant to a decision under regulation 12, allegations of fraud, misappropriation of resources, bullying, sexual harassment, discriminatory conduct, or a risk to health and safety of any person, may all be circumstances in which respect of which measures under regulation 12 are appropriate.
15. Without deciding the merits of an allegation of misconduct, and without prejudice to any final decision the Disputes Committee may make, the Disputes Committee may amend or revoke interim measures made under regulation 12, on request from a person subject to interim measures, if the Disputes Committee concludes that:
  - a) the interim measures were not reasonably necessary to protect the well-being or reputation of the Association, to protect its members from potential risk, or to protect any person affected or potentially affected by the alleged misconduct or the situation; or
  - b) that such protection can be achieved by less onerous interim measures; or
  - c) that the material supporting the alleged misconduct is manifestly insufficient to support the imposition of interim measures.

#### **Part 5: Rights of a complainant or person subject to an allegation of misconduct**

16. A person lodging a dispute or a person subject to an allegation of misconduct has the following rights:
  - a) to appoint a person to represent them and act on their behalf in relation to the matter;
  - b) in respect of a person responding to an allegation of misconduct, to be provided with the alleged grounds of the misconduct and sufficient information and a reasonable time to be able to respond to the allegation;
  - c) to be notified in writing of the decision made, together with reasons for the decision; and
  - d) to have a decision made in a reasonable time, allowing for the complexity of the matter and compliance with this regulation and procedural fairness.

**NB:** See section 65B and 65C of the Associations Incorporation Act 1991 (ACT).

#### **Part 6: Findings and Sanctions for Misconduct**

17. Following proper consideration of an allegation of misconduct, in accordance with section 20 of the Constitution and this Regulation, the Disputes Committee shall determine whether the misconduct occurred.
18. If the Disputes Committee determines that the misconduct did not occur, it shall dismiss the matter and make findings accordingly.
19. If the Disputes Committee determines that the misconduct did occur, pursuant to section 20(7) of the Constitution, it may impose any one or more of the following outcomes:
  - a) no outcome if the Committee determines that the misconduct is trivial;
  - b) a formal warning;

- c) a formal reprimand;
- d) a fine of no more than \$1000 (CPI adjusted annually from 1 January 2026);
- e) remedial measures, steps or training the person is required to undertake;
- f) exclusion from part of or all ANUSA spaces permanently or for such period as the Committee considers appropriate;
- g) impose such conditions as the Committee considers appropriate in respect of the person's future participation in the Association;
- h) suspend or bar the person from holding or acting in an elected or unelected ANUSA office for a stated period not exceeding four months;
- i) if the person is in receipt of stipend and performance of their office is suspended, suspend payment of the stipend for the period for which they are suspended;
- j) subject to section 7(3) of the Constitution, remove the person as a member of the Association; or
- k) if the person is an Officer of the Association, but not a Representative, remove the person from an elected or unelected ANUSA office in which the person is serving, in which event their office becomes vacant (subject to any appeal).

### ***Removal of a Representative from Office***

20. If a Representative of the Association is referred to the Disputes Committee for potential removal from office under section 9(16)-(19) of the Constitution, the Disputes Committee shall consider the potential removal in the same manner as all other allegations of misconduct and the Disputes Committee shall have the same powers under this Regulation.
21. In considering potential removal of a Representative of the Association which has been referred to the Disputes Committee under section 9(16)-(19) of the Constitution, if the Disputes Committee:
- a) finds that the Representative's behaviour meets the conditions of subsection 9(15) of the Constitution, the Disputes Committee must, in addition to any penalty under regulation 19 of this Regulation, decide to remove the person from the ANUSA office in which the person is serving, in which event their office becomes vacant
  - b) makes a finding of misconduct for a Representative, but considers that misconduct does not meet the conditions of 9(15), they may impose such penalty as they deem appropriate as set out in regulation 19 of this Regulation but may not remove the Representative from office; or
  - c) decides that the misconduct did not occur or determines that the misconduct is trivial, it may dismiss the matter and make findings accordingly.
22. In considering potential misconduct by a Representative of the Association which has been referred to the Disputes Committee by any means other than referral under section 9(16)-(19) of the Constitution, if the Disputes Committee:
- a) finds that the Representative's behaviour meets the conditions of Constitution subsections 9(15)(a) or (b), the Disputes Committee may, in addition to any penalty under regulation 19 of this Regulation, decide to remove the person from the ANUSA office in which the person is serving, in which event their office becomes vacant;
  - b) makes a finding of misconduct for a Representative, but considers that misconduct does not meet the conditions of 9(15)(a) or (b), they may impose such penalty as they deem appropriate as set out in regulation 19 of this Regulation but may not remove the Representative from office.
  - c) decides that the misconduct did not occur or determines that the misconduct is trivial, it may dismiss the matter and make findings accordingly.
23. If, under regulation 22(a), the Disputes Committee decides on the removal of the Representative, other than a Department Officer, from their ANUSA office, the General

Secretary must report this decision to the next meeting of the SRC, in accordance with the decision published by the Disputes Committee for that purpose.

24. If, under regulation 22(a), the Disputes Committee removes a Department Officer, this removal must be reported to the next meeting of that Department in accordance with the decision published by the Disputes Committee for that purpose.

### **Part 7: Mutual Exclusivity between Disputes and Disciplinary Processes**

25. A person lodging a dispute must not be required to respond to an allegation of misconduct relating to any allegation of misconduct that is related to the issues in the complaint, while the dispute is being determined.
26. While an issue of alleged misconduct is being decided, a complaint cannot be lodged about issues being dealt with by the misconduct process.

### **Part 8: Principles for Deciding a Dispute**

27. Subject to law, a dispute shall be decided on the basis of the Constitution, the Regulations and policies of the Association.

### **Part 9: Additional Responsibilities and Powers of Persons considering a dispute or allegation of misconduct**

28. The Disputes Committee dealing with a matter shall make a decision within a reasonable timeframe taking into account the complexity of the matter and shall keep the ANUSA General Secretary and parties to the matter reasonably informed of its progress and when any decision reached in the matter.
29. In dealing with a matter referred to them, the Disputes Committee has the following additional powers:
- a) to request the Association or any Officer of the Association to suspend action pending resolution of a dispute affected by that action;
  - b) to make such enquiries as the Committee consider appropriate to inform themselves in relation to the matter;
  - c) to request the Association to provide any documents in its possession that may be relevant to the enquiry in accordance with Constitution provision 20(8);
  - d) to seek additional information and evidence from a complainant or respondent or any other person that may be able to assist a proper resolution of the matter.

### **Part 10: Protection from Victimisation**

30. It is a serious breach of this Regulation and constitutes misconduct for anyone to victimise a person lodging a dispute or bringing an allegation of misconduct under this Regulation.
31. Any person who suspects that an individual has been victimised may lodge an allegation of misconduct on that ground in accordance with this Regulation.

### **Part 11: Protection from Frivolous or Vexatious Matters**

32. If the Disputes Committee determines that a dispute or allegation of misconduct submitted to them is frivolous or vexatious it may dismiss the matter and shall notify the ANUSA General Secretary accordingly.

### **Part 12: Record Keeping and Confidentiality**

33. Subject to proper enquiry into a dispute or alleged misconduct and this Regulation, any matter dealt with under this Regulation shall be kept confidential except for publication of decisions of the Disputes Committee required by Constitution provision 20(16) and subject to provisions 44 and 45 of this Regulation.
34. The Disputes Committee shall keep proper records of their decision making and materials considered during decision making and at the conclusion of decision making provide or store

those records on a secure server as advised by the ANUSA General Secretary and in accordance with Constitution provision 20(16), which record shall be available to serving members of the Disputes Committee and the ANUSA General Secretary.

35. Persons serving on the Disputes Committee may, under conditions of confidentiality, consult previous decisions made by the Disputes Committee, to inform their understanding of decision making and previous outcomes imposed.

### **Part 13: Appeals Panel of the Disputes Committee**

36. If the Disputes Committee has four or more members elected to it, the Disputes Committee must allocate the decision of a dispute or allegation of misconduct at first instance to one or two of its members, in order that at least three other members may be available, should it be required, to consider any appeal.
37. If the Disputes Committee has less than four members elected to it, the Disputes Committee may only establish an appeals panel if the number of members on the appeals panel can constitute a simple majority of the whole Disputes Committee and should allocate the decision in the first instance accordingly.
38. The number of members on an appeals panel must be equal to or greater than a simple majority of members of the Disputes Committee.
39. A committee member who has decided a matter at first instance cannot be involved in deciding an appeal.
40. Any member of the Association affected by a decision of the Disputes Committee and any member lodging a dispute or an allegation of misconduct may appeal the matter to an appeals panel of the Disputes Committee within fourteen days of receiving the decision by writing to [sa.disputes@anu.edu.edu](mailto:sa.disputes@anu.edu.edu).
41. The appeal shall set out the grounds on which the appeal is made but may not introduce new evidence not provided to the original decision makers.
42. The appeals panel shall consider the matter on its merits as if it were the original decision maker under this Regulation.
43. The decision of the appeals panel shall be final.
44. Until a decision is made on any appeal, implementation of outcomes of the complaint or allegations of misconduct shall be suspended, except for any interim measures, which will remain in effect.

**NB:** *This provision gives effect to sections 65B(3)(e) and 65C(3)(d) of the Associations Incorporation Act 1991 (ACT)*

### **Part 14: Publication and Register of Decisions**

45. In giving effect to section 20(16) of the Constitution, noting that the purpose of the Constitution is to govern the affairs of the Association and is not intended to have long lasting effects on members after they cease being members, noting that persons who submit a dispute or face allegations of misconduct are entitled to be given reasons for any decision, and noting also the importance of democratic transparency, the Disputes Committee shall:
- a) publish its full decision:
    - i) to the person lodging a dispute or an allegation of misconduct,
    - ii) to the person subject of the decision; and
    - iii) to the General Secretary
- , which full decision shall be marked confidential unless the Disputes Committee determines otherwise.

46. The Disputes Committee may, if it considers it appropriate for purposes of transparency, publish a summary or so much of its findings and decision as a public record of the Association as it considers appropriate and request that the General Secretary provide that summary decision to the SRC.

## **POSTGRADUATE AND RESEARCH NETWORK REGULATIONS**

### **Part 1: General**

#### **1) Introduction**

- a) These Regulations are the Postgraduate and Research Network Regulations of the Australian National University Students' Association Incorporated.
- b) These Regulations are formed in accordance with sections 18(3) and 28 of the Constitution to govern the conduct and operation of the Postgraduate and Research Network of the Association.
- c) All terms used in these Regulations have the meaning given in the Constitution, unless the contrary intention appears.
- d) For the avoidance of doubt, the definition of Postgraduate Students includes both postgraduate coursework students and those enrolled in a higher degree research program.

#### **2) Objects**

- a) The objects of the Postgraduate and Research Network are:
  - i) to advocate for the interests of Postgraduate Students with regard to their welfare and education; and
  - ii) to foster student life and community among Postgraduate Students.

#### **3) Membership**

- a) Membership of the Postgraduate and Research Network includes all ANUSA members who are Postgraduate Students.
- b) For the avoidance of doubt, the definition Postgraduate Students include both postgraduate coursework students and those enrolled in a higher degree research program.

### **Part 2: Operational Structure**

#### **4) HDR and Postgraduate Coursework Officer**

- a) The HDR Officer and the Postgraduate Coursework Officer are joint heads of the Postgraduate and Research Network.
- b) The HDR Officer and the Postgraduate Coursework Officer are responsible for:
  - i) assisting in the conduct of the election of the Board Chair and Secretary;
  - ii) assisting in the selection of the members of the remaining Network Board members;
  - iii) providing assistance and advice, as necessary, in the day-to-day running of the Network;
  - iv) advocating within ANUSA and to the University on matters raised by those within the Network; and
  - v) reporting on the actions of the Postgraduate and Research Network to each meeting of the SRC.

#### **5) Postgraduate and Research Network Board**

- a) The Board governs the operations and manages the affairs of the Postgraduate and Research Network.
- b) The Board is comprised of the following positions:
  - i) Board Chair
  - ii) Secretary
  - iii) Postgraduate Coursework Advocacy Officer
  - iv) HDR Advocacy Officer

- v) Postgraduate Coursework Community Officer
- vi) HDR Community Officer
- vii) Postgraduate Coursework Officer
- viii) HDR Officer
- c) The Board Chair and Secretary are elected through an internal election of the Network, in accordance with the relevant provisions of the Election Regulations.
- d) All other board positions will be filled by a selection process run by the Board Chair, Secretary, Postgraduate Coursework Officer, and HDR Officer.
- e) Only members who are eligible to fill the position of Postgraduate Coursework Officer are eligible to be Postgraduate Coursework Advocacy Officer or Postgraduate Coursework Community Officer.
- f) Only members who are eligible to fill the position of HDR Officer are eligible to be the HDR Advocacy Officer or HDR Community Officer.

#### **6) Duties of Board Members**

- a) All Board members are officers of the Association.
- b) Board members have responsibilities to uphold the ANUSA Constitution, Regulations, including this one, and Policies.
- c) The Board has, collectively, the good governance responsibilities equivalent to those of the ANUSA Executive, in respect of the operation of the Network.
- d) The Postgraduate Coursework Officer, HDR Officer, and all Board members must report any concerns regarding the proper operation of the Network to the ANUSA President.

#### **7) Role of the Board**

- a) The role of the Board, collectively, shall be to pursue the Objects as detailed in subsection 2 by:
  - i) Coordinating social events for Postgraduate Students;
  - ii) Engaging Postgraduate Students in the Network and its social activities and events;
  - iii) Creating community among Postgraduate Students; and
  - iv) Advocating, alongside the Postgraduate Coursework Officer and HDR Officer, for the interests of Postgraduate Students within ANUSA and to the University.
- b) Within the furthering of the Network's Objects, the Board may pursue actions other than those in subsection 7(a) if the Board decides that they are of value to or demanded by, Postgraduate Students.

#### **8) Board Chair**

- a) The role of the Board Chair shall be to
  - i) except where absent, chair meetings of the committee;
  - ii) manage the administrative affairs of the committee;
  - iii) alongside the Postgraduate Coursework Officer and HDR Officer, arrange for the selection of the remaining board members;
  - iv) promote and seek active participation in the committee from a diverse range of students;
  - v) report to each ordinary meeting of the committee on their actions since the last meeting;
  - vi) submit a report detailing recent activities of the Network, together with the income and expenditure of the Network, to the Postgraduate Coursework

Officer and HDR Officer, which is to be presented to each meeting of the SRC by them:

- vii) schedule sufficient meetings of the committee during teaching periods; and
- viii) convene the Network Board within seven (7) Teaching Days of being presented with a petition signed by four (4) board members.

#### **9) Secretary**

- a) The role of the Secretary shall be to:
  - i) provide notice for the meetings of the Board;
  - ii) keep minutes at Board meetings and make them available to members of the Network;
  - iii) maintain records of the Network; and
  - iv) advertise and help publicise the Network to the ANU community.

#### **10) Advocacy Officers**

- a) The role of the Advocacy Officers shall be to:
  - i) Be available to receive feedback from students regarding their education and welfare;
  - ii) Work closely with the Postgraduate Coursework Officer and HDR Officer to present concerns related to Postgraduate students;
  - iii) Represent such concerns to any other relevant Representative of ANUSA (such as the Education Officer or Welfare Officer); and
  - iv) Advise ANUSA on advocacy or provisions that I could take in order to improve Postgraduate students' representation in its advocacy or engagement with its services.

#### **11) Community Officers**

- a) The role of the Community Officers shall be to:
  - i) Organise and run Network events throughout the year;
  - ii) Organise events during O-week and Bush week; and
  - iii) Seek to create recurring events to promote the social life and community among Postgraduates.

#### **12) Removal of Board Members**

- a) A Network Board member may be removed:
  - i) by a resolution of the Disputes Committee; or
  - ii) by a 2/3rds vote of all members of the Network Board. If not all current Board Members are present at the meeting, then the vote will be held by circular vote of the Board.
- b) A Board member that has been removed under 10(a)(ii) may appeal to the Disputes Committee that they have neither:
  - i) wilfully acted in a fashion contrary to the ANUSA Constitution, the ANUSA Regulations, including this one, or an applicable ANUSA policy; nor
  - ii) manifestly failed to fulfil their obligations under the Constitution and these Regulations.
- c) If the Disputes Committee finds that the removal of the Board member was for neither reason in 10(b), they must overturn the decision and reinstate the Board member.
- d) If no appeal is lodged, after a minimum of seven (7) days after their removal, or immediately following a decision of the Disputes Committee to uphold their

removal, the casual vacancy should be filled with the same procedures for their appointment in section 5 of this Regulation.

- e) If the Board Chair is removed, the Secretary will, if required, act as Board Chair while an election is conducted.

### **Part 3: Meetings**

#### **13) Board Meetings**

- a) The Board must meet once per month during teaching periods.
- b) Quorum for a Board meeting is 50% of the current Board members plus one member.
- c) The Board Chair shall chair meetings, unless absent in which, case the Secretary, or any other member as resolved by a majority of those present, shall chair.
- d) The Board Chair will determine the date, time and place of a meeting, in consultation with the Board. The Secretary must provide written notice to all members of the Board of the date, time and place of the meeting not less than five teaching days before the scheduled start time of the meeting.
- e) A resolution of the Board shall pass only if more than 50% of Board members present and voting are in favour.
- f) The Postgraduate Coursework Officer and HDR Officer may attend Board meetings as observers. For the avoidance of doubt, they do not have a vote but may make recommendations to the meeting.

#### **14) General Meetings**

- a) The Network should have one general meeting open to all members in each semester of each year;
- b) The general meeting in Semester 2 is to function as the Annual General Meeting of the Network;
- c) The AGM must be held at least seven (7) teaching days after the close of voting in the ANUSA Annual Elections;
- d) Quorum for general meetings is 15 members;
- e) At all general meetings,
  - i) the Board Chair must present a report on the activities of the Network, including a full list of its expenditure;
  - ii) the Postgraduate Coursework Officer and HDR Officer must present a joint report on their activities;
  - iii) any member may submit discussion items (with at least 48 hours' notice) to discuss matters relevant to Postgraduate students.

#### **15) Annual General Meetings**

- a) The Network Board Chair and Secretary, who take office from 1 December in the year of their election and are in office until 1 December in the year following their election, must be elected at each AGM;
- b) Any member of the Network may nominate, and nominations must be opened within two (2) teaching days of the close of voting in the ANUSA Annual Elections;
- c) Nominations for Board Chair and Secretary close at the beginning of the AGM;
- d) The Returning Officer for the election of Board Chair is, by default, one of the Postgraduate Coursework Officer or HDR Officer, however if both are conflicted, an undergraduate Representative of ANUSA may assume this role;

- e) The principles and procedures of section 7A.3 of the Election Regulations should also be applied to the elections of the Board Chair and Secretary, however if there is any inconsistency, this Regulation overrides the Election Regulations to the extent of any inconsistency.

#### **Part 4: Finance**

##### **16) Budget**

- (1) The Association will allocate separate a minimum budget line of \$2,000 for the activities of the Postgraduate and Research Network each year.
- (2) As soon as practicable each financial year, the Board Chair must submit a budget that has been approved by a Network Board meeting for its planned operations for the year to the ANUSA Treasurer.

#### **Part 5: Transitional Provisions**

- 17) This Regulation does not come into effect until 1 December 2025.
- 18) Noting Regulation (17):
  - a) the 2026 Board Chair and Secretary cannot be elected at the 2025 AGM as required by these regulations;
  - b) instead, as soon as is practical after 1 December 2025, an Inaugural General Meeting should be held to elect the 2026 Board Chair and Secretary.
- 19) The General Secretary may delete Regulations (17)-(19) following the election of a 2026 Network Board Chair.