

General election updates

In-person campaigning:

In-person campaigning during COVID-19 will not be outright banned, but there will be restrictions placed upon campaigning in order to keep both candidates and students safe.

The most important restriction is that you must obey the ACT's Public Health Directions (<https://www.covid19.act.gov.au/what-you-can-do/act-public-health-directions>) and the ANU's health directions. This includes maintaining a distance of 1.5m (or one person per 4 square metres) from people that you're campaigning to. It is your responsibility to stay up to date on any changes to the Public Health Directions in the lead-up to election week.

Masks are also compulsory for in-person campaigning. We also strongly recommend using hand sanitiser or hand washing frequently during campaigning.

Not only are these restrictions important for safety, but breaching these could also constitute an electoral offence under s 3.1.11 of the Election Regulations.

Any changes to election offences will be flagged in advance and publicised on the ANUSA elections webpage (<https://anusa.com.au/about/elections/>).

Maintaining this distance will make handing out election materials difficult. We recommend that if you intend to hand out election materials, you either communicate them electronically to interested parties, or have a pile of flyers that people can pick up by themselves.

If you are unable to purchase safety equipment yourself, ANUSA can provide financial assistance for individuals who are struggling financially.

Force majeure updates

The Returning Officer has the power to issue directions waiving the requirements of Election Regulation provisions where force majeure prevents or hinders the implementation of those provisions. This is to the extent and for the period that the performance of those provisions are hindered by force majeure, subject to the directions providing alternative measures which promote the purposes of that provision. The following sections have been altered under this power.

Call for nominations:

Original section:

2.2.4 The call for nominations must be prominently displayed:

- (a) on the front door of the Association offices;
- (b) on at least one notice board relevant to each Academic College;
- (c) on at least one notice board at both the School of Music and the School of Art;
- (d) on at least one notice board in the Union Building or equivalent space;
- (e) on at least one notice board in each of the Tjabal Indigenous Higher Education Centre, the Access and Inclusion Office and the Chifley Disabilities Resource room;
- (f) on the Students' Association website; and
- (g) via any other relevant social media account maintained by the Association, at the discretion of the General Secretary.

Updated section (approved by the RO on 16/07/2020):

2.2.4 The call for nominations must be prominently displayed when campus is open to all staff and students:

- (h) on the front door of the Association offices;
- (i) on at least one notice board relevant to each Academic College;
- (j) on at least one notice board at both the School of Music and the School of Art;
- (k) on at least one notice board in the Union Building or equivalent space;
- (l) on at least one notice board in each of the Tjabal Indigenous Higher Education Centre, the Access and Inclusion Office and the Chifley Disabilities Resource room;
- (m) on the Access and Inclusion Facebook page and/or the Disabilities Student Association's Facebook page;
- (n) on the Students' Association website; and
- (o) via any other relevant social media account maintained by the Association, at the discretion of the General Secretary.

If campus or the ANUSA office does not re-open before nominations close, there is no requirement to display the call for nominations at the relevant physical places.

Ballot box:

Original section:

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.

Updated section (approved by the RO on 16/07/2020):

2.3.5 Nominations must be sent by email to the address nominated by the Returning Officer. This email box must be accessible by nominated ANUSA staff members. The nominated staff members must confirm the time that the nomination was received by email acknowledgment back to the nominee. Nomination by email will be accepted if it is received during the period nominations remain open.

Vote count:

Original section:

"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."

Updated section (approved by the RO on 20/08/2020):

"1.3.2 Where applicable, each **ticket** in an election may appoint up to 2 scrutineers (who may be students and who may be candidates) only one of whom can be in the election location at any time to attend the counting of votes. Ungrouped candidates may appoint 1 scrutineer. Scrutineers may attend only during the time in the election counting where there is a candidate (ticket or ungrouped) that they are scrutineering for running for the position for which the count is being undertaken. No candidate may attend the counting of votes for the election when the position they are running for is being counted."

Decision:

Introduction

This direction is made under the Force Majeure clause of the ANUSA Election regulations.

Clause 33 states:

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 a provision of these Regulations, denial of access

Issue

Due to COVID-19 requirements at the University it is essential that the election count is held in a manner that ensures compliance with the requirements for social distancing of 1.5 metres between each persona and for the limit of persons in the room in which the count is held not to be breached.

The Copland Lecture Theatre will be used for the election.

In order to accommodate the individuals who must be in the room to undertake the count and have sufficient scrutineering to ensure a safe and transparent election a variation to the rule is required.

Those who need to be present at the election are:

- ANUSA current President
- ANUSA current General Secretary
- 2 ANUSA staff
- Returning Officer
- 4 Probity team
- ANU Observer
- Woroni observer

(11)

At most for an election (General representative) there are the following candidates:

Brighter Together ANUSA (14)

FIGHT THE LIBERALS! (4)

Forward (1)

Go the Distance with ANUSA (3)

Proud! of our ANUSA (7)

Refocus Your ANUSA (6)

Ungrouped (1)

You! For ANUSA (12)

Regulation 1.3 states:

"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."

If each candidate took up this option there would be 240 (48x5) scrutineers and over 250 individuals eligible to be in the room.

The total number would exceed the capacity of the Copeland Lecture Theatre given the restrictions under COVID-19.

It is therefore essential to alter the regulation to achieve a safe election that complies with the current environment.

Decision

Due to COVID-19 requirements clause 1.3.2 is replaced by:

"1.3.2 Where applicable, each **ticket** in an election may appoint up to 2 scrutineers (who may be students and who may be candidates) only one of whom can be in the election location at any time to attend the counting of votes. Ungrouped candidates may appoint 1 scrutineer. Scrutineers may attend only during the time in the election counting where there is a candidate (ticket or ungrouped) that they are scrutineering for running for the position for which the count is being undertaken. No candidate may attend the counting of votes for the election when the position they are running for is being counted."