



GM 1 Minutes

Tuesday, 3 May 2016 Union Court

Appendix A: GM1 Agenda, including reports and other reference material

Item 1: Meeting Opens and Apologies

Meeting opens: 4:20pm

Apologies received from: Lauren Brain, Maddison Perkins, Arlene Mendoza, Jackson Carey, Emma Henke, Harry Feng

Item 2: Minutes from the Previous Meeting

Motion: That the minutes from OGM1 be accepted.

Moved: Cameron

Seconded: Eben

Status: Passed

Item 3: Reports

3.1 Second Report of the Electoral Reform Working Group (following consultation) (S. Duncan)

3.2 First Report of the Electoral Reform Working Group (14 April 2016) (S. Duncan)

- Discussing proposed amendments to electoral regulations
- I ran on this platform for the elections
- These changes reflect a cultural shift at the university, corrects oversight in previous documents and moves online consistent with the era we live in
- 14th April a report was released, 2 weeks of consultation, and received reports, Facebook comments, phone calls and responses to Woroni's article.
- Main concerns
 - Data hosting
 - Anonymity
 - Electronic polling - whether there would be a physical presence
 - Quota system
 - Role of returning officer
- Working group responded to these concerns
- Tom: is this awesome
 - We will let history decide

Motion: That both Reports of the Electoral Reform Working Group be accepted.

Moved: Ebony
Seconded: James

Item 4: Discussion Items/Motions on Notice

Motion: That the Association repeal the existing Election Regulations and adopt the Regulations set out in Appendix A as the Election Regulations of the Association.

Moved: Raqeeb Bhuyan
Seconded: Tom Kesina

Raqeeb (mover)

- Electronic voting is good – UC introduced it and went from hundreds to thousands of votes; PARSA and residential colleges have also seen increased turnout
 - Voting booth a lot more accessible; no longer on campus, 9-5; now anywhere, anytime
 - Cheaper – and avoids going through ACT Elections; more responsible use of SSAF
- Changes to Union Court campaigning:
 - Exclusion zone in thoroughfare and in Copland; encouraging students to campaign in the amphitheater
 - Avoids number one problem of voters feeling heckled/harassed; avoids reputational damage
 - If voter is interested in finding out about candidates, they can go down to amphitheater
 - Allows for more creative campaigning; still need online and physical presence; advantage is accessibility because no pressure to be in Union Court all the time campaigning
- Changes to Regulations
 - Changes reflect reality of elections as they are in practice; campaigning already online, but regs are silent as to ‘online publications’
 - Probity no longer financial oversight, but prime investigatory body for complaints
 - Probity acts as first point of call, deliberate and mediate, then recommend to RO who has more powers of enforcement

Tom (second)

- Regulations are a hodgepodge of horrific amalgamation of crapiness – these regulations represent a streamlining for coherence
- Opt-out items
- Exclusion zones
- Culture change – encouraging campaigning in a way accessible to all students, not just those who avoid Union Court
- ANUSA Elections have the capacity to be so much better – these regs ensure they are accessible for 15% of voters that choose to engage each year
- Section 7 re-written for departments – now readable!
- 3.1.3 and 3.1.9 relate to opt-out items and exclusion zones
- I commend these regulations

Speakers to the Motion:

- Eben: reform working group has worked hard to iron out issues in regs
 - Allows us to be more agile, respond to existing problems, extend voting outside normal hours, to include people who live off campus or work during the day
 - They also allow flexibility that if online voting doesn't work, we can still work the system
 - UC might not be the best option b/c they had online elections and then elected Liberal Board

- Ben Creelman: requirement that 3 or more probity officers be elected
 - Seems fine but this used to just be 1
 - Regs as they stand were incredibly confusing; now no longer so
 - Incredibly large exclusion zone, but if that's the will of the Association, then so be it
 - I worry that campaigning will move towards particular schools and in particular, law

- James: very supportive of proposed changes; particularly to exclusion zones – cultural change in the way campaigning is conducted
 - Changes culture from candidate aiming to get voter over the line, to a merits-based discussion b/c there's no way that candidate can get voter over line if they act in a way that is off-putting or unsettling
 - Size of exclusion zone changes the culture for the better so that interactions b/w candidates and voters is centred around the merits of policy and candidacy
 - Improve standing of Association in eyes of ANU students

- Raqeeb (Right of Reply): the exclusion zones were a compromise b/w all-out ban and nothing at all
 - If people want to campaign elsewhere, we leave it up to students to accept or reject this
 - If students feel like they are being harassed in law building or elsewhere, expanded disputes process and information will combat this issues
 - We have space to be responsive in this sense – new disputes system can react
 - If it doesn't work, we can resolve immediate concerns and vote to reform again after the election
 - Enticement by ANUSA to provide election information, running BBQ and encourage people to visit Union Court

Amendment: To amend section 2.10.4 of the Election Regulations to correct cross-references. The amended section will read: “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.”

Moved: Raqeeb Bhuyan

Seconded: Tom Kesina

Amendment: To amend section 2.12.5(a) of the Election Regulations to correct cross-references. The amended section will read: “determining whether any disclosures relating to campaign financing are complete and accurate in accordance with section 2.11;”.

Moved: Raqeeb Bhuyan

Seconded: Tom Kesina

Amendment: To amend section 4.5.2 of the Election Regulations to read: "... and at Access and Inclusion".

Moved: Raqeeb Bhuyan

Seconded: Tom Kesina

Amendment: "That all gendered references in the Regulations be replaced with gender neutral pronouns".

Moved: Eleanor

Seconded: Louise Stockton

Status of Primary Motion: Passed unanimously

Item 5: Election of Financial Review Committee members

Up to three (3) members of the Financial Review Committee must be elected in accordance with section 31(7) of the Constitution. Nominations were received from the following people:

1. Natasha Tioukavkin
2. Ebony Hoiberg
3. Carys Atkinson

Per section 31(7), the appointment of members of the Association to the Financial Review Committee is to be made by a two-thirds majority of those present and voting at a meeting of the first General Meeting of the second term of each Academic year.

Each candidate received over 2/3 support as required.

Status: All elected.

Item 6: Other Business

- None
-

Item 7: Meeting Close

The next General Meeting of the ANU Students' Association is the Annual General Meeting, notice for which will be given in due course.

Meeting Close: 4:57pm

APPENDIX A



AGENDA – GENERAL MEETING (GM) 2016

Tuesday, 3 May 2016

4pm, Haydon Allen Lecture Theatre (“The Tank”)

Item 1: Meeting Opens and Apologies

1.1 Acknowledgement of Country

1.2 Apologies

Item 2: Minutes from the Previous Meeting

Item 3: Reports

3.1 Second Report of the Electoral Reform Working Group (following consultation) (S. Duncan) [Reference A]

3.2 First Report of the Electoral Reform Working Group (14 April 2016) (S. Duncan) [Reference B]

Item 4: Discussion Items/Motions on Notice [Reference C]

4.1 Motion: “That the Association repeal the existing Election Regulations and adopt the Regulations set out in Appendix A as the Election Regulations of the Association.”

Item 5: Elections

5.1 Election of Financial Review Committee members [Reference D]

Item 6: Other Business

Item 7: Meeting Close

There is to be an Annual General Meeting of the Association, the date for which is yet to be determined.

Expected Close of Meeting: 6pm

Released: 26 April 2016 by Sam Duncan

SECOND REPORT OF THE ELECTORAL REFORM WORKING GROUP (FOLLOWING CONSULTATION)

Summary

The first report of the Electoral Reform Working Group, including initial draft amendments, was put out to student consultation on 14 April ahead of the vote on 3 May. A copy of that report is set out below at Reference B to this agenda.

During the consultation phase, the Working Group consulted broadly with the SRC, with Department Officers, and on ANU Stalkerspace. Formal responses to our initial draft amendments were received from five people, and many more comments were made on Facebook and in response to a Woroni article on the proposals by Miguel Galsim. Feedback has been broadly in support of all changes, though major concerns and subsequent amendments are set out below.

Security and Anonymity

The principle concern raised was with respect to the security and anonymity of online voting. It should be noted that the existing Election Regulations do not dictate the mechanisms by which anonymous and secure voting is to take place. The Regulations merely require the Returning Officer to guarantee systems are in place to ensure 'best practice' conduct.

The amended regulations take a similar approach – they maintain these 'best practice' obligations on the Returning Officer and extend them to accommodate for online voting. This ensures the online platform we choose meets 'best practice' as a minimum requirement, this year and in the years ahead.

Data Hosting

An additional concern was raised with respect to data hosting. Again, the Regulations are broad enough to require 'best practice', which may in theory require the online platform to host data in Australia. To avoid any doubt, Sam has included in the tender to go out to suitable online platforms requirement that data be hosted in Australia. The winning platform should meet that criteria. This should pacify concerns about data security and privacy.

Electronic Polling Booth

The first draft amendments put out to consultation included a requirement that the Returning Officer make available electronic polling booths in Union Court for "no more than two days during the election" (section 2.5.1). This was designed to discourage campaigning in the Union Court precinct other than over two days of the election.

Concerns were raised that this unduly limited the capacity of students to interact with candidates, and that concerns over campaign culture were already mitigated by other amendments, including increased penalties, exclusion zones and opt-out mechanisms. One submission suggested amending this section to read "On each of the four academic days upon which the Annual Elections are held..." (section 2.5.1). In practice, this means the Returning Officer must provide electronic polling booths in Union Court for at least 20 hours across the four days during which online polling is open.

The Working Group agreed to accept this amendment.

Dynamic Quota system

One submission noted confusion over the proposed wording of Schedule A to introduce a new dynamic quota system. The relevant section of the Regulations was amended to clarify and avoid any uncertainty.

Returning Officer

It is unlikely that a full-time member of the ANUSA staff will be in a position to act as Returning Officer for the 2016 Annual Election, as anticipated. Sam will approach Dale or Roxanne – both of whom have extensive experience managing elections – for assistance.

Conclusion

This process has been a highly deliberative, consultative exercise in reform. Special thanks to the following members of the Working Group for their initial insights and ongoing drafting support:

Tom Kesina, Raqeeb Bhuyan, Zac Rayson, Karan Dhamija, Elsie Adamo, Eben Leifer, Sukanya Ananth, Lauren Brain, Michael Turvey, James Connolly.

Many thanks to those who have written in, called up or otherwise flagged issues and concerns throughout the amendment process. Particular thanks to the ANUSA Executive and members of the SRC, as well as our in-house legal advisors for their comments and contributions.

Sam Duncan**General Secretary**

On behalf of the Electoral Reform Working Group of the ANU Students' Association

REPORT OF THE ELECTORAL REFORM WORKING GROUP

Consultation and call for submissions in relation
to proposed reforms to the Election Regulations

14 April 2016

“Like many, I’ve felt uncomfortable during election week in the past – uncomfortable with the relentless campaigning, especially when I’m just walking through union court on my way to class. That’s why I’m so pleased with our new restrictions on campaigning in union court, making it a happier and safer space for everyone. Stronger and clearer regulations for running tickets and a reworking of the role of Probity Officers and the Returning Officer will help us to create a positive culture of ANUSA elections into the future. Reductions of campaign budgets for big tickets will help to make ANUSA more accessible, as will online elections. This is a serious attempt to tackle the biggest issues around ANUSA elections, and I urge your support to make it happen.”

- Zac Rayson, General Representative (2016)

ANUSA is the peak representative body for undergraduate students at the ANU. It provides funding to clubs and societies, it manages the Brian Kenyon Student Space, it advocates for students on all university committees, and it provides essential support services that many students rely on every day – from legal assistance to emergency grants and budgeting support. However, the 2015 ANUSA elections reflected poorly on the Association and caused significant and unnecessary anguish to candidates and students alike.

The Electoral Reform Working Group was formed in late February to address the issues arising out of the 2015 ANUSA election, and implement changes to the Election Regulations to ensure the 2016 election is safer, more inclusive and more accessible for undergraduate students.

The Working Group received submissions from students across the university, including past and present ANUSA representatives, members of various campus political groups and clubs and societies, and others who have looked at the elections and thought “we can do better”. Following a period of preliminary consultation, the Working Group agreed that the Election Regulations should ultimately seek to balance the ability of candidates to engage with voters while protecting people from harassment and intimidation.

In particular, the Working Group recognised that the following values that should be reflected in our election system:

1. Elections should be safe.
2. Elections should be non-intrusive and non-aggressive.
3. Elections should be inclusive – anyone should feel confident running, either by themselves, or as part of a ticket.
4. Elections should be accessible.

5. Elections should promote the image of the Association and not leave a bad taste or otherwise damage the reputation of the Association.
6. There is value in candidates being in Union Court so voters can grill them, but students should be able to opt-out of the campaign.

The Working Group looked closely at the current Election Regulations and the electoral system they create. It identified the following key issues as central questions for reform:

1. Whether to trial a 'hybrid' online election, whereby there are no paper ballots (i.e. all voting is done online) but campaigning in Union Court is permitted two days during election week, with tablets set up in the Union Building for students to vote after meeting candidates in person.
2. Which online content host can provide a suitable platform for hosting our online election, noting the requirement to have different different ballots for different students.
3. How to ensure all ballots are secure (one vote per student) and secret (decoupled from student IDs).
4. How to design a dispute system, e.g. with a team of 5 elected probity officers who receive complaints and make a recommendation to the Returning Officer, who has the final say.
5. Whether to introduce an opt-out system for students who don't want to engage with campaigners (e.g. a lanyard system).
6. Whether to permit or prohibit 'umbrella tickets' under which multiple gen rep tickets may be formed.
7. How to ensure all students receive adequate information about elections, positions and campaign guidelines (i.e. by requiring incumbent ANUSA reps to hold information forums and share their insights into the role and the Association before calls for nomination close).

The Working Group approached the task of reform with reference to these key issues. It redrafted the Election Regulations to accommodate the consensuses that arose in relation to these questions. The proposed reforms are set out below, together with explanatory statements and a mark-up of the proposed Regulations against the current Regulations for ease of comparison.

The Working Group now seeks input from ordinary members of the Association on the reform proposals set out below. It welcomes criticisms, concerns and suggestions for improvement. These will be considered by the Working Group and adopted before the final proposals are put to a vote at OGM2 on Tuesday, 3 May (Week 10).

All provisions governing ANUSA elections are contained in the Election Regulations, which may be amended by 2/3 majority vote at a General Meeting pursuant to section 8(4)(c) Constitution.

If you would like to comment on the proposed reforms, or if you would like any further information, please email sa.gensec@anu.edu.au.

Sam Duncan
General Secretary

On behalf of the Electoral Reform Working Group of the ANU Students' Association

Explanatory Statements of Proposed Reforms

The following pages provide an overview of key structural reforms to the way elections will be conducted, and an overview of specific changes to the Regulations and their corresponding rationales.

1. Online Voting

The most significant reform proposed by the Working Group is the reworking of the Regulations to accommodate for online voting. The Working Group unanimously supported a move to an online election system, whereby paper ballots are no longer used and all votes are instead cast online. However, there was a general consensus in favour of retaining certain aspects of the 'Union Court experience', where voters still have an opportunity to meet with candidates in the Union Court precinct and cast their vote in the Union Building. The Working Group ultimately proposes that polling be conducted entirely online, but with ANUSA to provide tablets/computers for students to vote in the Union Building over a maximum of two days during the election week.

The Working Group received a number of submissions in relation to online voting. Key concerns, conclusions and deliberations are set out below:

- Having online voting broadens the scope for voting and engagement – see PARSA increase in voter engagement since its move to online elections
- Online elections significantly improve accessibility, particularly for those students who cannot be physically present at Union Court.
- Online voting is compliant with the requirements of the NUS Electoral Regulations.
- Which platform?
 - Election Buddy
 - UK MSL (Membership Solutions)
 - Apollo
 - Consensus in favour of MSL – the company that hosts elections for most Students' Associations in the UK. MSL is capable of hosting the complex variety of electoral systems we require, as well as providing the requisite security features and ballot anonymity.
- Concern: online voting benefits people with big social media presence
 - But this is balanced out by increased voter turnout and engagement, and improved accessibility of elections
 - Consensus in favour of online voting
- A hybrid online system such as that proposed balances the interests of students and candidates.
- The cost of running an online election is significantly less than a traditional paper ballot election. The 2015 election cost \$25,000 – a substantial portion of the ANUSA budget. The savings from this line item can offset other costs or improve the efficiency and scope of service delivery by the Association.

2. Dispute Mechanisms

The proposed reforms clarify the roles of Probity Officers and Returning Officers. They confirm what has become the norm in practice – that Returning Officers delegate significant responsibility to Probity to regulate the conduct of the elections, while retaining final discretion to take action

under the Regulations. These amendments formalise the existing process, but also extend the reach of regulators.

Election campaigns are already substantially run online, however existing provisions do not adequately cover online conduct. By extending the Regulations to cover the online sphere and the period before election week officially begins, these reforms will go a long way to curing the anguish many candidates and students faced during the 2015 election, when allegations of online intimidation were seen to be beyond the reach of the Returning Officer.

By preserving the role of Returning Officer as final arbiter in all electoral disputes, the Regulations avoid situations where Probity Officers (ordinary students) are accused of bias and attempt to unduly influence the outcome of the election by issuing bans or penalties. Only the RO can take enforcement action, and must only do so after thoroughly investigating the matter referred to them.

The Working Group anticipates that the 2016 Returning Officer will be a permanent ANUSA staff member, such as one of the two qualified solicitors, or the Office Manager. Having a RO who knows the Association and has its best interests at heart is vital to ensuring the culture of elections reflects the values of the Association and its members.

3. Dynamic Quota System

The changes to the way quota is calculated are designed to make the counting procedure more equitable, such that votes are redistributed wherever fair to do so.

Currently the quota in the election of General Representatives is counted at the start by dividing the total number of ballots by $15 + 1$. The quota then stays constant even if a big number of ballots are exhausted in subsequent counts because, for example, there are 50+ candidates on the ballot a lot of voters only issue a few preferences. In practice, this means only a few candidates reach quota, leaving about 9-10 people who are then elected once all other candidates eventually fall out of the race. However, some of the candidate who are excluded under the current system might have just missed out, and might be more competitive if the excess votes of those who have more than enough votes (and hence should have been elected earlier in the count) are redistributed.

Under the proposed Dynamic Quota system, the quota is recalculated at every count and discounts the new exhausted ballots. This is the way the quota system works for the election of NUS delegate, and is common at other universities. For example, if quota was at 115, and 500 ballots are exhausted over a series of counts, the quota will fall every time a candidate is elected, and the excess votes for that candidate are reassigned according to preferences. Those candidates who get elected were always going to be elected and the excess ballots they had before which were not being used are now redistributed. This means students' votes count every time.

4. Overview or all amendments and corresponding rationales

The table below sets out key changes to the Regulations proposed by the Working Group. Changes to formatting, spelling, grammar, punctuation cross-references or basic expression are excluded.

All sections numbers in the left-hand column are the new section numbers of the Regulations as amended.

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|--|---|
| 1.1.2 | Merging sections 1.1.2 and 1.2.1 | Avoid overlap, improve clarity |
| 1.1.3 | Amending expression | Consistency |
| 1.1.4 | Merging sections 1.1.4 and 1.1.5 and improve expression | Clarity |
| 1.1.5 | Amending expression | Change all gendered pronouns throughout to be gender non-specific |
| 1.3.2 | Inserting “Where applicable...” | To allow for scrutineers where the method of voting makes scrutineering possible – i.e. if online voting makes scrutineering redundant, the Returning Officer (RO) need not allow for scrutineers |
| 1.3.6 | Inserting “In determining whether to exercise their discretion...” | To clarify the considerations the RO must have before exercising discretion to order a recount. To provide candidates with a formal mechanism for requesting a recount and to give guidance to the RO to consider the cost and potential futility of any recount. |
| 1.3.7 | Merging sections 1.4.7 and 1.4.8 | Avoid overlap, improve clarity |
| 2.1 | Delete former section 2.1.1 | Avoid overlap with section 1.2.1 |
| 2.1.1 | Amend polling details | To mandate that elections be conducted over 4 academic days, with a minimum of 75 hours of online polling. This ensures that students can vote online over this period and that online voting cannot be shut off to prevent people from voting other than in person at Union Court during the relevant times. |
| 2.1 | Delete former section 2.1.3 | Delete the concept of a by-election, which is currently only relevant to filling a casual vacancy in the position of President where the vacancy occurs before 1 June. This has not occurred in previous years, so this reform ensures the Regulations accord with precedent. |
| 2.1.2 | Insert “on the advice of the SRC” | Clarify how the VC is to select a RO |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|-----------------|--|---|
| 2.1 | Delete former section 2.1.8 (Treasurer requirements) | To remove the requirement that candidates for Treasurer complete BUSN1001 and BUSN1002. These requirements were seen to unnecessarily restrict the eligibility of otherwise capable people to run for the position (who e.g. have professional experience in the field). The Working Group concluded there was no rational justification for restricting eligibility for Treasurer and no other Executive positions, particularly in light of the existence of a full-time professional Finance Officer and yearly auditors. Treasurers should instead be required to undergo mandatory training on election. |
| 2.2.4 | Clarify notice requirements for calls for nomination | To update and future-proof these notice, and ensure that students receive notice online and around campus. |
| 2.2.5 | Insert "The General Secretary must prepare an information booklet..." | To ensure all students receive proper information about the elections, the positions to be contested, their rights and obligations under the Regulations and where to go if they have any issues. This was identified as a fundamentally important issue requiring reform. |
| 2.3.4 | Insert "Nominees must provide their full name on their nomination form..." | To address the problem highlighted by ACT Elections in their 2015 report. To ensure students who are commonly known by a name other than their official name according to ANU enrollment data are able to run for election under their preferred name. |
| 2.3.7D 2.3.8 | Insert "At the close of nominations..." | To ensure candidates are contacted regarding their nomination and given 2 days to withdraw from that point. This will avoid situations where a candidate claims their nomination has been forged by somebody else, giving time to withdraw false nominations so their name does not appear on the ballot. |
| 2.4 | Change expression from "ballot paper" to "ballot" every time | To ensure the Regulations are capable of giving effect to an online election. |
| 2.4.6 2.4.7 | Insert "or an appropriate variation..." | To give to RO scope to update wording for online elections, as required |
| 2.5.1 | Amend timing of polling in Union Court | To require only 2 days of physical polling in the Union Court precinct (as opposed to 4), recognising that online polling will remain open for the full 4 days but that the RO need not provide tablets (e.g.) in the Union Building throughout the entire election. This achieves the Working Group's ultimate aim of balancing the ability of candidates to engage with voters |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|---|---|
| | | while protecting people from harassment and intimidation. |
| 2.5 | Delete “additional 8 hours of polling at locations to be determined...” | Remove the requirement that physical polling also be facilitated at e.g. the School of Art, recognising that online polling will be available for the entire week. |
| 2.5.2 | Insert “including by ensuring that information capable of identifying a voter...” | To ensure that the online voting platform employed by the RO to conduct the election must be capable of decoupling ballots and IDs to protect anonymity. This was a fundamental concern of many students around online voting and the Working Group is confident this provision will ensure the RO can only select a platform that adequately protects voter anonymity. |
| 2.5.3(b) | Delete reference to disabilities card, deal with provisions concerning eligibility to vote for department officers in section 7 | Disabilities card no longer exists. 2016 Department Officers have co-drafted a new section dealing with eligibility to vote for department officers – see section 7. |
| 2.5.5 | Revise provisions relating to declaration votes | To require the RO to select an online voting platform that accommodates for ‘declaration votes’. This is important where, for example a student is studying in CASS but their ANU enrollment data does not accurately reflect this. The student would not be invited to vote in the CASS College Representative election, despite being eligible to do so. This provision mandates that the online voting platform provide a mechanism whereby students can claim eligibility to vote in an election, cast their vote, and have their eligibility determined after the fact. Their vote would only be counted if their eligibility was confirmed by the RO. |
| 2.5.4 | Insert ‘opt-out’ provision | To ensure a mechanism exists to provide students with an opportunity to ‘opt-out’ of the election campaign. Together with section 3.1.9, this section makes it an offence to actively canvass a person for votes where that person is wearing an ‘opt-out item’ (to be determined by the RO – lanyard, badge, e.g.). |
| 2.6.2 | Amend expression | To ensure these provisions are relevant to online voting |
| 2.8.1 | Amend definition of electoral publications | To ensure all material – including both online and physical material – are captured by the provisions regulating electoral publications. This means all Facebook posts, tweets, etc. are regulated by the provisions around electoral publication offences, ensuring |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|--|---|
| | | students are protected from harassment or incorrect or misleading claims in the online sphere. |
| 2.8 | Delete concept of Registrar of Publications | With an expanded definition of 'electoral publication', the Working Group concluded it would be overly burdensome to candidates and the Registrar of Publications to register all Facebook posts as well as traditional hardcopy materials. Instead, candidates will no longer need to register material, but will be held accountable for any material subject to a complaint and deemed to constitute an electoral offence. |
| 2.8.2(c) | Insert "or otherwise discriminatory..." | To expand the scope for the RO to rule publications out of order. |
| 2.8.4 | Amend expression | Expand power of RO to order that material be taken down from public display, including requiring that online and hardcopy materials be retracted. |
| 2.9.2 | Amend limitations on campaign expenditure to introduce tiered campaign limits | To level the playing field between Independents and candidates running as part of a ticket. To decrease the amount of money tickets can spend to increase accessibility for students who don't have the capacity to spend \$1,900 on an election (the current cap for a full ticket under the existing Regulations). To ensure tickets are not incentivized to split into separate tickets of 10 people, thereby circumventing caps. |
| 2.10.1 | Insert "advertising including online advertising..." | To ensure that Facebook advertisements funded by groups other than the ticket/candidate are captured as a reportable non-financial expense counting towards the ticket/candidate's expenditure. |
| 2.10.2 | Insert "Where items, services or materials are acquired for less than market value, evidence of the market value of each such item, service, or material..." | To require tickets/candidates to report the equivalent market value of things donated or otherwise acquired through special deal or discount. This market value will not be counted towards a ticket's expenditure – the amount recorded as expended will be the amount actually spent. For example, where tickets receive substantial discounts or support in kind (like free printing, campaign management services or design services) from other groups, the market value of these goods or services must be recorded. This will ensure transparency and accountability, such that voters are aware of the true financial value of a ticket's campaign. |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|---|--|
| 2.10.4 | Insert provision regarding disclosure | To enable ordinary members to request information pertaining to a candidate or ticket's anticipated and actual expenditure throughout the campaign and mandating that Probity Officers respond as soon as practicable. |
| 2.11.1 | Insert provisions concerning Probity Officers running for election | To mandate that Probity Officers cannot nominate for election to a position on ANUSA, and that as soon as they nominate, they cease to be a Probity Officer. This was identified as a glaring oversight of the existing Regulations. |
| 2.11.4 | Amend publication requirements | To better publicise conflicts of interest declared by Probity Officers |
| 2.11.5 | Amend powers and responsibilities of Probity Officers | To expand the power of probity to investigate electoral offences, not just breaches of campaign expenditure limits. |
| 2.11.9 | Insert provision re: power of referral | To empower Probity Officers to investigate complaints or other matters, to make a finding and a recommendation to the RO to take certain enforcement actions. |
| 2.11.10 | Insert provision re: interim communication with candidate | To empower Probity Officers to issue an interim advice to candidates confirming the finding and recommendation, and giving candidates an opportunity to rectify the alleged breach. No advice of the Probity Officers is binding on candidates – only RO has the power to take enforcement actions. |
| 2.11.12 | Insert "Prepare a report detailing the conduct of elections, complaints received, and actions taken, and any disputes arising..." | To mandate that Probity Officers must prepare a report on disputes handled, not just on campaign finances (as currently required). Probity will have 2 weeks to finalise this second report. |
| 3.1.3 | Amend to read "within the areas specified in Schedule B..." Delete other references to exclusion zone. | To clarify and extend the areas in which candidates may not actively canvas votes at any time. This includes the Union Building and BKSS (as under the existing regs), and extends the prohibited zones to the Union Court and University avenue thoroughfares and the Manning Clarke and Copland Precinct. See the map in Schedule B for more specific information. |
| 3.1.4 | Insert provision | To prohibit candidates from actively seeking to find out the way a person casts their vote. This will stop people standing over others' shoulders to coerce them to vote in a particular way, or just to see how they vote. |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|---|--|
| 3.1.6 | Insert “at any time...” | This prohibits the use of food, music or other forms of enticement (other than animals!) at all during the election week or beforehand. Only ANUSA can provide music, food and refreshments at any time form the time nominations open, with the onus on ANUSA to provide impartial information about the elections and disputes process, etc. This prevents “vote for me” parties where candidates offer ‘inducements’ in exchange for votes. This would constitute an electoral offence. |
| 3.1.7 | Clarifying expression | To clarify that non-candidates must also carry student cards and that it is an offence not to do so (currently ambiguous) |
| 3.1.8 | Clarify and expand definition of intimidation, etc. | In response to ACT Elections’ critique of this provision, the wording is expanded to capture behaviour including ‘repeat, unwanted contact’ and any other forms of intimidatory or harassing communication, online or in person. |
| 3.1.9 | Insert provision | As above. |
| 3.1.11 | Insert provision | To empower the RO to declare an action to be an Electoral Offence where it would otherwise be missed on technicality, but still violates to ‘spirit’ and intendment of the Constitution or the Regulations. |
| 3.2.2(a) | Insert “It is referred to the Returning Officer by the Probity Officers...” | Formalising the disputes process outlined above (from Probity for investigation to RO for enforcement) |
| 3.2.2A | Insert provision | To mandate that the RO consider the Probity Officers’ finding and recommendation, while maintaining the discretion of the RO to take any action they see fit. |
| 3.2.3 | Amend provision | To expand and clarify the enforcement actions the RO can take on finding of a breach. (d) allows them to make an indefinite campaign ban (up from the current 3 hour cap) to recognise gross breaches of the regulations. (d) also extends the ban to the online sphere, prohibiting online campaigning during a ban. (e) allows the RO to disqualify a candidate, and require that any preferences for that candidate flow to the next preferred candidate as if that candidate’s name had not been on the ballot. This significantly increases the RO’s power and acts as a much needed disincentive to abuses of the Regulations. |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|---------|---|--|
| | | (f) formalises that the RO can require that certain campaign materials be taken down from public display. |
| 3.2.6 | Insert provision | To direct the RO to consider certain factors in determining which action (if any) to take in response to a breach. |
| 4.1.1 | Remove references to by-law | As above |
| 4.2.1 | Insert reference to Education Officer | Because section dealing with casual vacancy in position of Ed Officer was a duplication of this section. Amendment avoids unnecessary overlap. |
| 4.5.2 | Amended | On the advice of the current Disabilities Officer |
| 7.1 | Overhaul of provisions dealing with election of Department Officers | <p>Currently there is no clear structure in the section, making it unclear what goes where or what requirements you have to fulfill.</p> <p>In current version, there are clauses that are unnecessarily repeated for several Departments where they could be combined into one clause (e.g. active member requirement)</p> <p>In proposed version, clauses have been categorised & combined into four sections to make it clear:</p> <ol style="list-style-type: none"> 1) eligibility to vote or nominate, 2) active member requirements, 3) electoral voting procedure & 4) electoral disputes. <p>In current version, the Environment Department is not mentioned at all In proposed version, the Environment Department has been added into all the pertinent clauses.</p> <p>In current version, there is no way of ascertaining eligibility to vote for autonomous Department elections where eligibility isn't determined by enrolment data - except for Queer* Department</p> <p>In proposed version, the Queer* Department clause around ticking a box to confirm you identify has been expanded to include any contested autonomous Department election where eligibility to vote isn't determined by ANU enrollment data (as it does for the Women's & Indigenous Departments)</p> |

| SECTION | PROPOSED AMENDMENT | RATIONALE |
|----------------|--|--|
| Schedule | Amend to read: "B is the number of ballots for the election minus number of exhausted ballots at that count" | To create a new 'Dynamic Quota' electoral system in line with that used for the election of NUS delegates. More information set out below. |

DISCUSSION ITEMS / MOTIONS ON NOTICE

Motion 1: That the Association repeal the existing Election Regulations and adopt the Regulations set out in Appendix A as the Election Regulations of the Association.

Moved: Raqeeb Bhuyan
Seconded: Tom Kesina

Reference D

ELECTION OF FINANCIAL REVIEW COMMITTEE MEMBERS

Up to three (3) members of the Financial Review Committee must be elected at the upcoming ANUSA General Meeting in accordance with section 31(7) of the Constitution. Nominations were received from the following people by 5pm, Tuesday 26 April:

4. Natasha Tioukavkin

1 SECTION 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 21 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 representative 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 undergraduate students of the University (including non-award students) are eligible to vote for, or stand for election to, a representative position within the Association.
- 1.1.8 Only undergraduate students of the University (including non-award students) 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.

1.2 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 the Schedule attached to 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.

2 SECTION 2: ANNUAL ELECTIONS

2.1 General

- 2.1.1 The Annual Elections of the Association must be conducted over four consecutive academic days, and 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 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.

- 2.1.3 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.
- 2.1.4 The elections must be conducted using an optional preferential system and in accordance with this Constitution and the Regulations.
- 2.1.5 The positions to be filled at the Annual Elections are those listed under Schedule 1 to the Constitution.
- 2.1.6 A member is only entitled to stand for election to a College Representative position of a College if they are enrolled in that College.
- 2.1.7 A student is entitled to vote for a College Representative position of a College if they are enrolled in that College.
- 2.1.8 The Returning Officer's report must be tabled by the President at the first Ordinary General Meeting after the elections.
- 2.1.9 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.
- 2.1.10 If the General Meeting fails to consider the Report, or fails to act under section 2.1.9, then the Disputes Committee shall deal with the Report as if it had been referred to the Committee under 2.1.9(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.
- 2.2.2 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; and

- (b) The eligibility criteria for members wishing to stand; and
- (c) Details of how nominations may be lodged; and
- (d) The date of the close of nominations; and
- (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 front door of the Association offices; and
- (b) On at least one notice board relevant to each Academic College; and
- (c) On at least one notice board at both the School of Music and the School of Art; and
- (d) On at least one notice board in the Union Building or equivalent space; and
- (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; and
- (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.

2.2.5 The General Secretary must prepare 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.

The General Secretary must make reasonable efforts to communicate this material to all ordinary members of the Association before the call for nominations is made under section 2.2.1.

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); and
- (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 wishes 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.

2.3.6B 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.
- 2.3.7 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.
- 2.3.7A 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 2.3.7 and 2.3.7C.
- 2.3.7B 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.
 - (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.
- 2.3.7C Where a nomination is resubmitted in accordance with section 2.3.7B:
- (c) The nomination must name the same candidate as the original nomination, but it may name one or more different nominations
 - (d) The Returning Officer must determine the validity of the nomination.
- 2.3.7D 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 2.3.7 to confirm their nomination.
- 2.3.8 A nominee can withdraw their nomination at any time up until two Working Days after the date the Returning Officer confirms the nomination under section 2.3.7D.
- 2.3.9 The Returning Officer or their nominee must, as soon as is practicable after the close of nominations, prominently display a list of nominations for all positions on the front door of the Association offices and at other locations on campus.
- 2.3.10 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.

- 2.3.11 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 3 of the Election Regulations.
- 2.3.12 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.
- 2.3.13 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.
- 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; or
 - (b) If a candidate has indicated on their nomination form that they wish to run as an Independent, the word "Independent" must appear on the ballot in brackets next to or beneath the name of the candidate; or
 - (c) If (a) and (b) do 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 on the ballot must be determined by the drawing of lots by the Returning Officer or their nominee.
- 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 "Independent" and "Group Unspecified" candidates in a single group titled "Not Grouped"; and
 - (b) Must display these groups in an order determined by the drawing of lots by the Returning Officer or their nominee; and

- (c) Must list the registered ticket name at the top of each group endorsed by each registered ticket; and
- (d) Must list candidates within these groups:
 - (i) In the order requested by that group, if that request is received in writing by the Returning Officer or their nominee before the date of the drawing of lots; or
 - (ii) If no order is requested, in an order determined by the drawing of lots by the Returning Officer or their nominee in accordance with section 2.4.3; and
- (e) Must display the group entitled "Not Grouped" to the right of the groups endorsed by each registered ticket; and
- (f) Must list candidates within the group entitled "Not Grouped" in an order determined by the drawing of lots by the Returning Officer or their nominee in accordance with section 2.4.3.

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 Polling Procedure

2.5.1 On no more than two of the four academic days upon which the Annual Elections are held, at least 5 hours of polling must be conducted in the Union Court 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 Union Court precinct at these times.

2.5.2 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; and

- (b) 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.

2.5.3 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) The list of ordinary members eligible to vote for the position of Women's Officer will be ascertained according to ANU enrollment data.
- (c) Where the position of any other Department Officer is contested, eligibility must be determined in accordance with section 7.3.

2.5.4 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.

2.5.5 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.

2.6 Casting of Votes

2.6.1 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.

2.6.2 A ballot will not be valid if:

- (a) The voter has not indicated their preferences for at least 1 candidate; or
- (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.

2.6.3 Preferences will be counted while the voter's preferences are indicated in an unbroken sequence.

2.7 Registration of ticket names

2.7.1 The Returning Officer or their nominee must maintain a Register of Ticket Names for each year's Annual Elections.

2.7.2 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.

2.7.3 No person is entitled to apply to the Returning Officer or their nominee for registration of a ticket name under section 2.7.2 if that person was a signatory to an application to register a ticket name for another ticket already entered in the register.

2.7.4 The Returning Officer or their nominee must deal with each application for registration of a ticket name in order of receipt; 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.

2.7.5 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;

(iv) does not include the word "independent"; and

(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 2.7.9 applies.

2.7.6 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 2.7.5.

- 2.7.7 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.
- 2.7.8 Where the Returning Officer or their nominee receives a request under section 2.7.7, 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.
- 2.7.9 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.

2.8 Electoral Publications

- 2.8.1 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.
- 2.8.2 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.
- 2.8.3 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.
- 2.8.4 If an Electoral Publication violates 2.8.2, the Returning Officer must direct that the Electoral Publication be removed from public display.
- 2.8.5 It is an offence not comply with a direction of the Returning Officer in 2.8.4.
- 2.8.6 Each independent candidate running for election in the annual ANUSA elections will be provided with 100 photocopy points.
- 2.8.7 Each ticket running for election in the annual ANUSA elections will be provided with 300 photocopy points.

2.9 Limits on Campaign-Related Expenditure

- 2.9.1 The campaign-related expenditure of an independent candidate must not exceed \$150.
- 2.9.2 The maximum campaign-related expenditure of a registered ticket shall be determined as follows:
- For the first 10 positions which the registered ticket is contesting: \$50 per candidate;
- For all positions thereafter: \$25 per candidate.
- For example, if a registered ticket is contesting 15 positions, the maximum campaign-related expenditure of that ticket is \$625 (being 10 x \$50 plus 5 x \$25).
- 2.9.3 It is a breach of the Regulations to falsify evidence of campaign-related expenditure.

2.10 Disclosure Requirements

- 2.10.1 Upon nomination, each ticket convener and independent candidate must complete and lodge with the Returning Officer or his or her 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.
- 2.10.2 At 9am on each of the days that the election polls are open, the ticket convener or independent candidate will lodge with the Probit 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.
- 2.10.3 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.

2.10.4 Any ordinary member of the Association may request information in relation to the campaign expenditure of any candidate or ticket that is disclosed under 2.10.1 or 2.10.2. The Probity Officer(s) must provide such information as soon as reasonably practicable.

2.11 Probity Officer

2.11.1 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 2.11.1, a Probity Officer nominates for any position under Schedule 1 to this Constitution at any time, they are taken to have resigned from their position as Probity Officer immediately on tendering their nomination.

2.11.2 The Probity Officer(s) will sign a declaration of conflict of interest upon the close of nominations.

2.11.3 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 or the ANU Union Board.

2.11.4 All declarations of conflict of interest will be made publically available in the minutes of the SRC meeting in which the Probity Officers are elected, and on the ANUSA website.

2.11.5 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 2.10;
- (b) responding to complaints made under these Regulations; and
- (c) ascertaining whether a breach of these Regulations has occurred.

- 2.11.6 Candidates and/or members of their campaign team must cooperate with the Probity Officers in the exercise of their powers under 2.11.5.
- 2.11.7 For the purposes of 2.11.6, 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.
- 2.11.8 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 2.11.5 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 2.11.9.
- 2.11.9 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.
- 2.11.10 Where the Probity Officers make a finding under 2.11.9, 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.
- 2.11.11 All decisions made by the Probity Officer(s) must be made by simple majority.
- 2.11.12 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.

3 SECTION 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; or

- (b) A member of the group in whose name or on whose behalf the publication is posted; or
- (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.

- 3.1.3 It is an offence to actively canvass votes within the areas specified in Schedule B to these Regulations.
- 3.1.4 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.
- 3.1.5 It is an offence to cast or attempt to cast a vote to which the person is not entitled.
- 3.1.6 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.
- 3.1.7 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.
- 3.1.8 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.
- 3.1.9 It is an offence to actively canvass votes from a person displaying the opt-out item in accordance with section 2.5.4, provided the opt-out item is easily observable by candidates and members of their campaign team.
- 3.1.10 It is an offence to incite any other person to commit any of the Electoral Offences detailed in this section.
- 3.1.11 If, in the opinion of the Returning Officer, a candidate or a member of their campaign team behaves in a way that violates the spirit of the Constitution or these Regulations, the Returning Officer may deem that behaviour to constitute an Electoral Offence.

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; or
- (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.

3.2.2A 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 2.11.9. 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 7.2.2, 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; 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 2.9, 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 2.9 is to be considered a serious breach.

4 SECTION 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; and
- (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; and
- (c) The General Secretary must call for nominations to fill the vacancy within 2 academic days of the vacancy occurring; and
- (d) The General Secretary must convene a meeting of the SRC within 7 academic 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 Other Executive

4.2.1 If a vacancy occurs in the position of Vice President, General Secretary, Treasurer, Education Officer or Social Officer:

- (a) The President must appoint, in consultation with the remaining Executive, an interim Vice President, interim General Secretary, interim Treasurer, interim Education Officer or interim Social Officer, as the case requires, and that appointee has all the powers and responsibilities of that office; and
- (b) The General Secretary must call for nominations to fill the vacancy within 2 academic days of the vacancy occurring; and
- (c) The General Secretary must convene a meeting of the SRC within 7 academic 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.

4.3 General Representative

4.3.1 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.

4.3.2 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; and
- (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.

4.4 College Representative

4.4.1 If a vacancy occurs in a position of College Representative, the President, after consulting with the CRC, must nominate an ordinary member of the Association enrolled in the relevant College to fill the vacancy.

4.5 Departmental Officers

4.5.1 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 or International Students' Officer, as the case requires, and that appointee has all the powers and responsibilities of that office; and
- (b) The General Secretary must call for nominations to fill the vacancy within 2 academic days of the vacancy occurring; and
- (c) The General Secretary or his or her nominee must convene a meeting of the Department within 7 academic 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; and
 - (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.

4.5.2 If the vacancy occurs in the position of Disabilities Officer, the call for nominations made under 4.5.1(b) must be posted on the Association door, and at the Disabilities Services Unit, and the Chifley Disabilities Resource room.

4.6 Any Other

4.6.1 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 SECTION 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; and
- (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 SECTION 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 SECTION 7: ELECTION OF DEPARTMENT OFFICERS

7.1 Eligibility to vote or nominate

- 7.1.1 In respect to the position of:
- (a) Environment Officer - any undergraduate student may vote or nominate.
 - (b) Disabilities Officer - only students with disability may vote or nominate.
 - (c) Indigenous Officer - only indigenous students may vote or nominate.
 - (d) International Students Officer - only international students may vote or nominate.
 - (e) Queer* Officer - only gay, lesbian, bisexual, transgender, intersex or queer identifying students may vote, and only those who openly identify may nominate.
 - (f) Women's Officer - only people identifying as women shall vote or nominate.

7.2 Active member requirements

- 7.2.1 For the returning officer to accept a nomination for the position of Environment, Disabilities, Indigenous, Women's, or Queer* Officer, the nominee must be an active member of the Department they are nominating for.
- 7.2.2 An active member of a Department is defined as 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.
- 7.2.3 The active member requirement does not apply to a Department where there is only one nominee for the position of Officer of that Department.

7.3 Electoral voting procedure

- 7.3.1 Except where eligibility is determined in accordance with sections 2.5.3(a) and 2.5.3(b), 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.
- 7.3.2 Except where section 7.3.3 applies, the General Secretary must determine the wording of the opt-in tick box on the advice of the relevant Department.
- 7.3.3 For the purposes of section 7.3.1, 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."
- 7.3.4 Votes for the election of a Department Officer under section 7.3.1 will only be counted if the tick box has been checked.

7.4 Electoral disputes

- 7.4.1 In a case where a candidate does not satisfy the active member requirement, the Department may vote to allow the candidate to run to represent them, taking into account apologies and evidence of exceptional circumstances (sickness, exchange, work commitments, timetable clash, mid-year commencement, etc.). Only active members of the Department may partake in this vote.
- 7.4.2 The decision made under 7.4.1 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.
- 7.4.3 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* and Women's Departments.

- (b) The Access & Inclusion unit will have the final say in relevant disputes concerning the Disabilities Department.
- (c) The Tjabal Indigenous Higher Education Centre will have the final say in relevant disputes concerning the Indigenous Department.

8 SECTION 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.
- 8.2.2 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 Undergraduate student enrolled at the University may be involved in its conduct.
- 8.2.4 The Returning Officer must prepare a report that details:
 - (a) The result of the Referendum; and
 - (b) The number of valid votes that were cast both for and against the proposition; and
 - (c) Any allegations of breaches of this Constitution, or the Regulations, that may have occurred; and
 - (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 6.5 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 the Schedule attached to these Regulations, with each option treated as if it were a candidate; and

(b) The option to vote for "None of the options presented" must be included; and

(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 Union Court precinct.

- 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 In order to cast a valid vote, an ordinary member of the Association must be present in person at the polling place.
- 8.5.4 Ballot papers for the Referendum must be printed or otherwise marked with a security device, to be determined by the Returning Officer or their nominee.
- 8.5.5 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.
- 8.5.6 The Returning Officer or their nominee must prepare a list of ordinary members of the Association eligible to vote at the Referendum.
- 8.5.7 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 8.3.5, the Returning Officer or their nominee must subject to section 8.5.5(a) provide to the member a ballot paper for the Referendum.
- 8.5.8 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 8.3.5, 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".
- 8.5.9 Where an ordinary member of the Association is issued a ballot papers under section 8.5.8, 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.
- 8.5.10 Where the Returning Officer or their nominee receives a declaration vote envelope containing ballot papers under section 8.5.9, the Returning Officer or their nominee must after the close of the poll determine subject to section 8.5.5(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:

SCHEDULE - 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 ballots for the election minus number of exhausted ballots at that count; and
- 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:

$$TVA$$

$$----- + 1$$

$$2$$

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:

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

- B is the number of ballots for the election; and
- N is the number of positions to be filled at the election; calculated to 6 decimal places without rounding;

"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:

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

- S is the surplus; and
- CP is the number of ballots counted for the candidate at the count at which he or she 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 2.6.3 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. 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

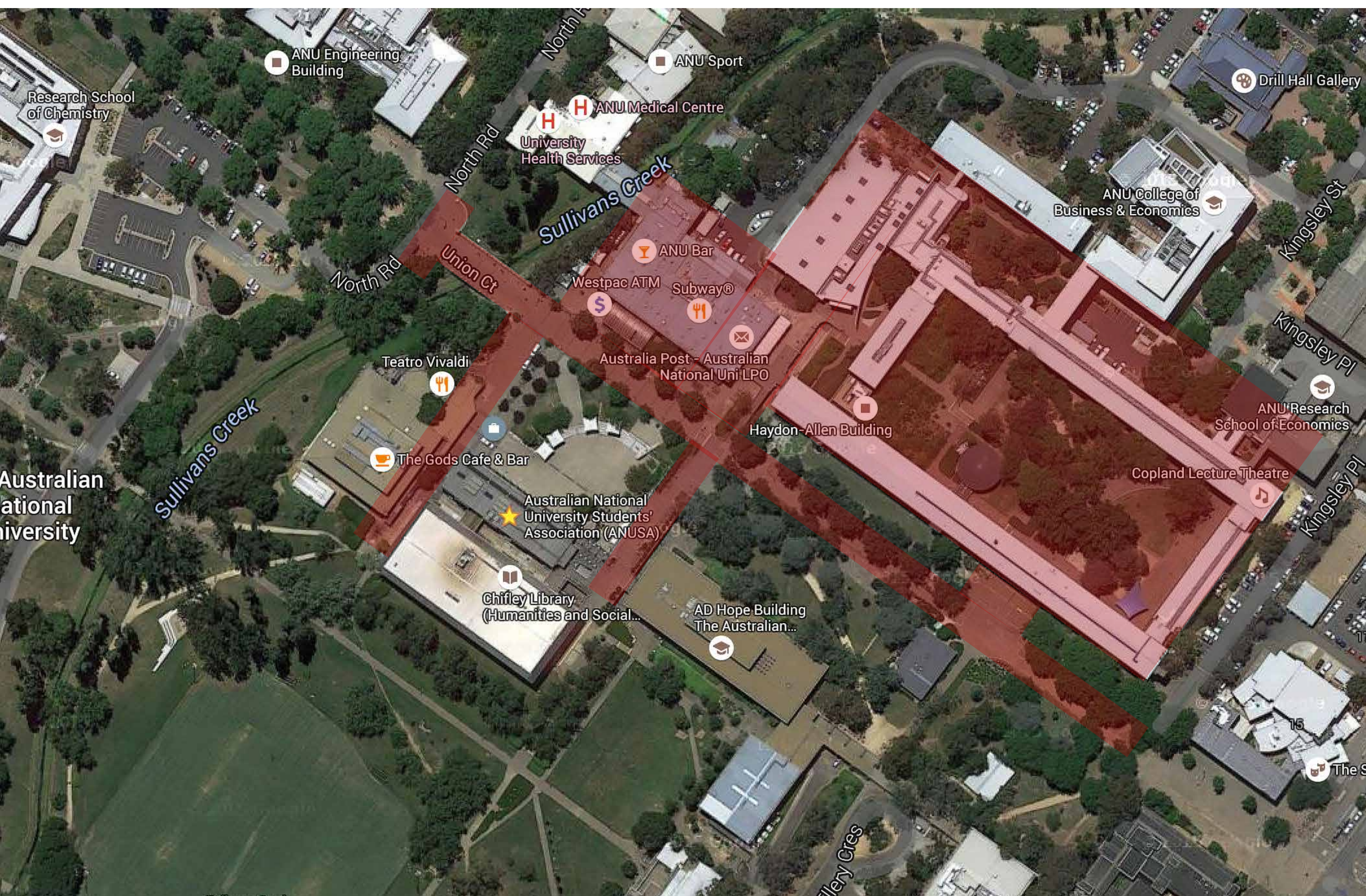
- (1) Where clause 5 requires a candidate to be excluded, the candidate with the least total votes shall be excluded.
- (2) Where 2 or more candidates each have the same total votes, being fewer total votes than any other candidate and—
 - a. 1 of those candidates had fewer total votes than any other 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.



ANU Engineering Building

ANU Sport

Research School of Chemistry

ANU Medical Centre
University Health Services

Drill Hall Gallery

ANU College of Business & Economics

North Rd
Union Ct

Sullivan's Creek

ANU Bar

Westpac ATM
Subway®

Australia Post - Australian National Uni LPO

Haydon-Allen Building

ANU Research School of Economics

Teatro Vivaldi

The Gods Cafe & Bar

Australian National University Students' Association (ANUSA)

Copland Lecture Theatre

Australian National University

Sullivan's Creek

Chifley Library (Humanities and Social...)

AD Hope Building
The Australian...

Kingsley Pl

15

The S

Gallery Cres