

VICTORIA UNIVERSITY STUDENT UNION INC.

2021 Election Regulations

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1.0 The Returning Officer Appointment/Duties

1.1 The Returning Officer is to be appointed by the Student Union Board no less than six (6) academic weeks prior to the first day of the ballot.

1.2 The Returning Officer may appoint Assistant Returning Officer/s and Poll Clerks who will have such powers as delegated by the Returning Officer.

1.3 The Returning Officer is responsible for the conduct of the election in accordance with these regulations.

1.4 Assistant Returning Officers and Poll Clerks are responsible to the Returning Officer for the conduct of voting and the observance of these regulations.

1.5 The Returning Officer shall be responsible for ensuring that:

1.5.1 The opening and closing of nominations is advertised;

1.5.2 The opening and closing of ticket registration is advertised;

1.5.3 The fact of the election is advertised;

1.5.4 Campaign material is approved;

1.5.5 The opening and closing times and locations of polling booths is advertised;

1.5.6 Ballot papers are produced in accordance with section 4.10 and section 9 of these regulations only after withdrawals have been finalised in accordance with 3.19 - 3.20;

1.5.7 The elections are conducted in compliance with these regulations, the Victoria University Student Union Constitution and the Disciplinary Regulations;

1.5.8 Assistant Returning Officers and Poll Clerks are conversant with their duties;

1.5.9 A copy of the electoral roll is obtained and maintained for each polling booth;

1.5.10 Any other duties as required by these regulations.

2.0 Publicity/Notification

2.1 The Returning Officer will publish an election document that shall consist of:

2.1.1 An explanation of the positions being contested;

2.1.2 An explanation of the structure of VUSU;

2.1.3 An explanation of the voting system;

2.1.4 An explanation of the rules governing the conduct of elections;

2.1.5 Polling places and times;

2.1.6 Policy statements as submitted by candidates and tickets no later than the time appointed as the close of nominations;

2.1.7 The Returning Officer shall allow candidates to lay-out their own material provided it is completed by a date and time nominated by the Returning Officer.

2.2 Policy statements shall be:

2.2.1 No longer than three hundred (300) words in length for individual candidates.

2.2.2 No longer than eight hundred (800) words in length for registered tickets.

2.2.3 Submitted by means to be determined by the Returning Officer, and included as part of the nomination form and any advertising relating to

nominations.

2.3 The Returning Officer may, subject to these regulations, adopt other means of publicising the elections including electronic means such as Internet, Email and Social Media.

3.0 Nominations

3.1 The date of the opening of nominations shall be advertised for a period of no less than seven (7) Calendar days.

3.2 Advertising shall take place on all Victoria University campuses.

3.3 Advertising of opening of nominations shall include:

3.3.1 A list of positions which are:

3.3.1.1 Executive Office Holders:

- (a) President;
- (b) General Secretary;
- (d) Vice – President Welfare;
- (e) Vice – President Activities;
- (f) Vice - President Education.

3.3.1.2 Non-Executive Office Holders:

- (a) Women's Officer(s);
- (b) Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual Officer (LGBTQIA Officer(s));
- (c) Cultural Diversity Officer(s);
- (d) Digital Media Officer(s);
- (e) Accessibility Officer(s);
- (f) Indigenous Officer(s);

(g) VUSUteer Coordinator(s);

(h) any other position as per the Constitution;

3.3.1.3 Other Positions:

(a) Seven (7) National Union of Students (NUS)
Delegates.

3.3.2 Information regarding the availability of nomination forms;

3.3.3 Requirements for policy statements to be submitted to the Election
Publication;

3.3.4 The time for closing of nominations;

3.3.5 Locations for lodgement of nominations;

3.3.6 The availability of ticket registration forms;

3.3.7 The availability of these regulations;

3.4 Nominations shall be open for a period of no less than ten (10) academic
days.

3.5 The nomination of a candidate shall be made in writing by students on an
official nomination and must include:

(a) Full name;

(b) Address;

(c) Email address;

(d) Student number;

(e) Position sought;

(f) Ticket name (if applicable);

(g) Names and signatures of 20 students as nominators.

3.5.1 If two (2) candidates wish to nominate together to share an
office-bearer position in accordance with clause 43 of the Constitution:

(a) Their nomination must be on separate forms and treated

as separate nominations;

(b) A sharing of position must be signed by both candidates which outlines the sharing of responsibilities, voting rights and duties and any other applicable conditions as laid out in schedule 1.

3.6 Candidates may only nominate once, with the exclusion of the nomination for NUS Delegates.

3.6.1 Candidates may only nominate for one (1) position per nomination form.

3.7 Students nominating for:

3.7.1 Women's Officer must identify as a woman;

3.7.2 LGBTQIA+ Officer must identify as Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and/or Asexual or as a member of the LGBTQIA+ community;

a) excluding allies

3.7.3 The Cultural Diversity Officer must identify as ethnically or linguistically diverse;

3.7.4 Indigenous Officers must identify as Aboriginal or Torres Strait Islander;

3.7.5 The Accessibility Officer must identify as having a disability or is a carer for someone who identifies as having a disability.

3.8 Nominations shall be made to the Returning Officer.

3.9 Nominations shall be kept in a secure container.

3.10 No nomination shall be accepted after the appointed time for closing

nominations.

3.11 All nominations shall be confidential until the close of nominations and may not be inspected without the express permission of the Returning Officer or their delegate.

3.12 The Returning Officer shall check the University records to ensure that all nominations received are genuine and in compliance with these regulations.

3.13 The Returning Officer may reject nominations that are not made in compliance with these regulations.

3.14 Nominations shall close no less than fourteen (14) and no more than twenty-one (21) calendar days before the commencement of polling.

3.15 Following the close of nominations, the Returning Officer shall ensure that a provisional list of candidates is publicly displayed.

3.16 Once University records have been checked, the Returning Officer shall ensure that a final list of candidates is publicly displayed as soon as possible but no more than five (5) academic days after the closing of nominations.

3.17 If the number of candidates does not exceed the number of positions vacant the Returning Officer shall declare such candidates duly elected.

3.18 If the number of candidates exceeds the number of positions to be filled there shall be a poll.

3.19 Before the commencement of polling, a candidate may withdraw their nomination by providing written notice to the Returning Officer who shall conduct the election as if no such nomination had been made.

3.20 If a candidate in breach of Part 10 Section 49 of the Constitution fails to withdraw, the Returning Officer shall deem their nomination(s) invalid.

4.0 Ticket Registration

4.1 Students may register or transfer a ticket name with the Returning Officer using the form as set out in Schedule 2 of these regulations.

4.2 The Returning Officer shall call the opening and closing of ticket registration to be advertised subject to these regulations.

4.3 The date of the opening of the ticket registration period shall be advertised for no less than three (3) calendar days.

4.4 The period of ticket registration shall be no less than five (5) calendar days.

4.5 The closing of ticket registration period shall be no less than two (2) calendar days prior to the opening of the nomination period.

4.6 Ticket names must consist of no more than five (5) words to be valid.

4.7 The name of the ticket must not nearly resemble the name or abbreviation of the name (or an acronym of the name or an abbreviation of that name) of an unrelated registered ticket.

4.8 If a ticket name has been registered more than once, the Returning Officer will decide who shall have the rights to that ticket name taking the following into consideration:

4.8.1 Who contested the previous annual general election under that ticket name;

4.8.2 Who registered the ticket name in the previous annual general election;

4.8.3 Who registered the ticket name first in the ticket registration period.

4.9 Upon the closing of ticket registration, the Returning Officer shall display a list of all registered tickets and the names of students registering

those tickets (known hereafter as ticket registrant).

4.10 Qualification of tickets to appear on the ballot papers shall be:

4.10.1 Tickets must field no less than two (2) endorsed candidates running for any position/s in order for that ticket name to appear on the ballot paper, the ticket name will appear:

4.10.1.1 Next to the candidate/s name in positions where there is only one (1) candidate to be elected.

4.10.1.2 Above the line in positions where there is more than one (1) candidate to be elected and the ticket is endorsing at least one (1) candidate for the receipt of student votes in accordance with 10.4.2.

4.10.2 Tickets that field no less than eight (8) endorsed candidates running for Student Union Board Office holders shall have the ticket name appear:

4.10.2.1 Next to the candidate's name in positions where there is only one (1) candidate to be elected; or

4.10.2.2 Above the line in positions where there is more than one (1) candidate to be elected and the ticket is endorsing at least one (1) candidate for the receipt of student votes in accordance with 10.4.2; or

4.10.2.3 On the front page of the ballot pack for the receipts of student votes in accordance with 10.4.3 of these regulations.

4.11 The ticket registrant must submit to the returning officer, on the form

provided in schedule 3, a list of all candidates wishing to run on the ticket, signed by each candidate.

4.12 The ticket registration, as distinct from the registration of a ticket name, must be made on the official form provided as in schedule 3.

4.13 Any candidate declared elected unopposed prior to the poll shall not affect the eligibility of the ticket for the purpose of section 4.10 of these regulations.

4.14 Any candidate disqualified prior to the poll or during the poll shall not affect the eligibility of the ticket for the purpose of section 4.10 of these regulations.

4.15 Any ticket that meets the qualification criteria outlined in section 4.10 at the time of withdrawals in accordance with section 3.19 – 3.20 shall not lose its qualification.

4.16 Tickets shall not endorse more candidates than there are available vacancies for any position.

4.17 No student shall be registered on more than one (1) ticket for any one position, with the exception of National Union of Students (NUS) delegates.

4.18 The authorising officer/s of any ticket may in writing to the Returning Officer withdraw endorsement of any candidate for that ticket no less than five (5) academic days prior to the poll.

4.19 The authorising officer/s of any ticket may determine the ballot paper order of endorsed candidates for that ticket for each position in which there is more than one (1) candidate to be elected and the ticket names appear above the line, no less than five (5) academic days prior to the poll.

4.20 The Returning Officer will determine by lot the ballot paper order of

endorsed candidates on behalf of tickets that fail to comply with regulation

5.0 Statement of Distribution of Preferences

5.1 A ticket must distribute preferences to all its endorsed candidates for that position.

5.2 If the authorising officer/s of any ticket fail to submit a statement of distribution of preferences for that ticket in accordance with these regulations the votes received by that ticket will automatically preference endorsed candidates only in ballot paper order.

5.3 The authorising officers of any ticket eligible for front page voting in accordance with 4.10.2 may submit to the Returning Officer in writing a statement of distribution of preferences only for the ticket's endorsed candidates for the receipt of student votes in accordance with 10.4.3 of these regulations.

5.4 The authorising officer/s of any ticket not eligible for front page voting but having an endorsed candidate in a position where there is more than one (1) candidate to be elected and the ticket name appears above the line for that position in accordance with 4.10.1, may submit to the Returning Officer in writing a statement of distribution of preferences only for the ticket's endorsed candidates for that position only, for the receipt of student votes in accordance with 10.4.2 of these regulations.

5.5 Preferences to other tickets shall only be distributed manually by the eligible voter at the ballot box.

5.6 Ticket statements of distribution of preferences must be received by the Returning Officer no less than one (1) academic day prior to the poll.

6.0 Authorisation of Material

6.1 The Returning Officer, or an Assistant Returning Officer, shall be responsible for the authorisation of election material, subject to clause 6.5 of these regulations.

6.2 All election material issued by an individual candidate or ticket must also bear the authorisation of that candidate or ticket which includes;

- a) Full name
- b) VU Student number

6.3 Any material distributed or displayed and not bearing the requisite authorisation may be removed by the Returning Officer, an Assistant Returning Officer, or any person eligible to vote.

6.4 The Returning Officer shall not authorise, or shall withdraw authorisation for any material that is:

- 6.4.1 Patently untrue;
- 6.4.2 Misleading or deceptive, or is likely to be so;
- 6.4.3 Discriminatory;
- 6.4.4 Racist;
- 6.4.5 Sexist;
- 6.4.6 Homophobic;
- 6.4.7 Deliberately Defamatory;
- 6.5.7 Ableist;
- 6.5.8 Bullying or intimidating.

6.5 The Returning Officer shall not authorise any election material for a ticket that instructs voters to preference other candidates ahead of that

ticket's endorsed candidates for that position.

7.0 Election Resources

7.1 The Returning Officer shall cause all candidates and ticket authorising officers to be aware of the following:

7.1.1 Each candidate shall be eligible for the provision of a maximum of five hundred (500) A4 leaflets using black ink only, at a set cost determined by the Student Union Executive – copying is to be organised by the Returning Officer.

7.1.2 Each ticket shall be eligible for the provision of a maximum of five thousand (5000) A4 leaflets using black ink only, at a set cost determined by the Student Union Executive – copying is to be organised by the Returning Officer.

7.1.3 Any candidate who is part of a registered ticket shall not be eligible to receive individual candidate entitlements pursuant to clause 7.1.1 of these regulations.

7.1.4 No additional paper resources, other than those provided by the Returning Officer in accordance with section 7.1 of these regulations, shall be permitted to be used by tickets and candidates.

7.2 Candidates and tickets are responsible for submitting material to be copied to the Returning Officer or their delegate;

7.2.1 Material to be reproduced subject to clause 6.1 of these regulations must be submitted by a time to be determined and advertised by the Returning Officer.

7.2.2 The Returning Officer shall ensure that at least fourteen (14) calendar days' notice is given for such a time.

7.3 Tickets and Candidate, subject to these regulations may:

7.3.1 Use campaign t-shirts;

7.3.2 Use chalk ups but not chalk paint and not on vertical surfaces of the University;

7.3.3 Display a maximum of five (5) banners.

7.4 No other resources shall be permitted to be used by tickets and candidates.

8.0 The Poll

8.1 The polling period shall:

8.1.1 Be for three (3) consecutive academic days;

8.1.2 Commence on Monday and conclude on Wednesday, or commence on Tuesday and conclude on Thursday of an academic week in the second half of an academic year but before 15 October.

8.2 During the polling period Polling Booths must be open from 10am to 4pm on all days of the polling period at the Footscray Park Campus.

8.3 During the polling period mentioned in section 8.1, Polling Booths must be open for at least four (4) hours on a day that polling is open at Footscray Park Campus, at each of the following campuses:

8.3.1 St Albans;

8.3.2 Sunshine;

8.3.3 King Street;

8.3.4 Werribee;

8.3.5 Flinders Lane (Student Lounge);

8.3.6 Queen Street;

8.3.7 Footscray Nicholson;

8.3.8 Flinders Street (Level 9);

as determined by the President and the Returning Officer.

9.0 Form of Ballot Papers

9.1 There shall be up to five (5) ballot papers for annual VUSU Elections all stapled together to form a ballot paper pack.

9.1.1 The first ballot paper shall be for front page voting in accordance with 10.4.3 of these regulations. The first ballot paper should only include tickets that are eligible for front page voting in accordance with regulation 4.11.2 for the receipt of student votes.

9.1.2 The second ballot paper shall be for President and General Secretary.

9.1.3 The third ballot paper shall be for the Vice Presidents.

9.1.4 The fourth ballot paper shall be for the Women's Officer(s), the LGBTQIA Officer(s), the Digital Media Officer(s), the Accessibility Officer(s), the Indigenous Officer(s), the VUSUteer Coordinator(s) and the Cultural Diversity Officer(s).

9.1.5 The fifth ballot paper shall be for Delegates to the National Union of Students.

9.1.6 All ballot papers must have instructions to students on how to vote.

9.2 Allocation of positions on the ballot shall be made by the Returning Officer by lot.

9.3 Any Student may witness the allocation of positions on the ballot papers.

10.0 Voting

10.1 Voting shall be by in person secret ballot.

10.2 Each eligible student may exercise one vote.

10.3 The method of voting shall be by quota an optional preferential system of proportional representation.

10.4 Students must indicate their order of preference for candidates by either:

10.4.1 Placing a number 1 against the name of a candidate of first preference and consecutively higher numbers against the names of as many other candidates as they wish; or

10.4.2 Placing the number 1 against the name of a ticket above the line; or

10.4.3 Placing the number 1 against the name of a ticket on the front page of the ballot paper pack.

10.5 All Students may vote in the election of Executive Office holders, and in the election of Women's Officer(s), the LGBTQIA Officer(s), the Digital Media Officer(s), the Accessibility Officer(s), the Indigenous Officer(s), VUSUteer Coordinator(s), Cultural Diversity Officer(s) and NUS Delegates.

10.6 Poll Clerk shall:

10.6.1 Initial all ballot papers in every ballot paper pack that they issue.

10.6.2 Make any appropriate changes to the ballot papers to ensure that students comply with relevant sections of these regulations when issuing ballot paper packs.

10.6.3 Request a student card or other form of photo ID be presented for

purposes of identification.

10.6.3.1 A Poll clerk may take any reasonable steps to establish the identity of any student claiming a vote. Where, for any reason, the eligibility of the person is in doubt the Polling Clerk shall allow the student to place a provisional vote in accordance with section 12 of these regulations.

10.6.4 Upon a student having received a ballot paper pack, mark the student's name in the electoral roll.

10.6.5 At the close of polling on any day do relevant tasks as instructed by the Returning Officer.

10.6.6 Ensure that voters record their votes in private in the polling booth. 10.6.7 Ensure that each voter places the ballot paper pack in the ballot box provided.

10.6.8 Ensure that no ballot paper pack is taken apart.

10.6.9 Ensure that no ballot paper pack leaves the polling area without the express authorisation of the Returning Officer.

10.7 The Returning Officer will ensure that a copy of the electoral roll will be available at each place of polling

11.0 Spoilt Ballot Paper Pack

11.1 The Polling Clerk shall, at the request of any voter, issue a fresh ballot paper pack in place of one spoiled by the voter.

11.2 The Polling Clerk shall cancel the spoilt ballot paper pack by writing "CANCELLED" or "SPOILT" on each ballot paper of the ballot paper pack and the polling clerk shall place the ballot paper pack in a

special envelope provided for that purpose and place them into the ballot box.

12.0 Provisional Votes

12.1 A student who does not appear on the enrolment roll may only cast a provisional vote.

12.2 The Polling Clerk must issue the student wishing to cast a provisional vote a ballot paper pack and two (2) special envelopes designed for provisional voting.

12.3 The Polling Clerk must ensure that the student places their completed ballot paper pack into the first envelope and then places the first envelope into the second envelope and writes the student's name and other appropriate details on the outer envelope for identification purposes.

12.4 Provisional votes may only be counted once the Returning Officer has established that the voter is eligible to cast a vote.

13.0 Campaigners

13.1 Candidates may use campaigners who must be:

13.1.1 Currently enrolled students at Victoria University and appear on the student roll obtained by the Returning Officer for the purpose of these elections;

13.1.2 Registered with the Returning Officer or Assistant Returning Officer and shall wear a badge which clearly indicates their name, student number and the name of the candidate or ticket for whom they are campaigning.

13.2 Should any person found campaigning who is not an enrolled student of

Victoria University, who is not registered with the Returning Officer or Assistant Returning Officer and who is not wearing their identification badge, the Returning Officer/Assistant Returning Officer/Polling Clerk shall take appropriate action.

13.3 Campaigners who are not listed on the student roll cannot campaign during the election.

14.0 Prohibited Practices

14.1 From the opening of nominations until the results of the election are declared the use of the following methods of election publicity is prohibited;

14.1.1 Electronic amplification systems within the University except for the purpose of any forum organised by the Returning Officer;

14.1.2 Give-away consumables by or on behalf of tickets/candidates;

14.1.3 Free-standing symbolic objects placed in or around Union or University property;

14.1.4 Paint or place stickers on Union or University property;

14.1.5 Any online comment, information, status, post, blog, website, or any other online content, particularly on Facebook, Twitter, or any other social media websites that makes any reference whatsoever to election candidates and/or tickets.

14.2 No Candidate or representative of a candidate shall in any manner whatsoever alter, deface, damage or remove any correctly authorized election material distributed by another candidate

14.3 No person shall:

14.3.1 Vote more than once in an election.

14.3.2 Record a vote to which they are not entitled.

14.3.3 Remove a ballot paper pack from the polling booth unless expressly authorized by the Returning Officer or their delegate.

14.3.4 Be involved in any electioneering activity within a marked two (2) meters radius of the polling booth.

14.3.5 Interfere with any ballot box, ballot paper pack, electoral roll, nomination form or any other thing relating to the election.

14.3.6 Engage in any dishonest practice.

14.3.7 Generally, impede the fair conduct of the election.

14.4 No person shall;

14.4.1 Bully, harass or intimidate a ticket as a whole, candidate or campaigner;

14.4.2 Partake in hate speech or discrimination towards a ticket as a whole, candidate or campaigner which includes, but is not limited to:

- a) Homophobia
- b) Sexism
- c) Racism
- d) Ableism

14.4.3 Be deliberately defamatory towards a ticket as a whole, candidate or campaigner;

14.4.4 Make misleading, deceptive or deliberately untrue statements about a ticket as a whole, candidate or campaigner

14.5 The Returning Officer shall take disciplinary action pursuant to section 19 of these regulations if any student contravenes these regulations.

15.0 Valid Votes

15.1 The ballot paper pack must be initialled by the Returning Officer or

someone duly authorized by the Returning Officer.

15.2 A number 1 against the name of a candidate or ticket indicates a valid vote for that candidate or ticket.

15.3 A tick against the name of a candidate or ticket where there is no number 1 is deemed to be the number 1.

15.4 A cross against the name of a candidate or ticket where there is no number 1 or tick is deemed to be the number 1.

15.5 Any distinct identifying mark against the name of a candidate or ticket where there is no number 1 or tick or cross or other distinct identifying mark is deemed to be the number 1.

15.6 An above the line vote in accordance with 10.4.2 of these regulations will:

15.6.1 Overrule any below the line vote for that position.

15.6.2 Be deemed a vote to be distributed in accordance with that ticket's statement of distribution of preferences for that position.

15.7 A front page vote in accordance with 10.4.3 of these regulations will:

15.7.1 Overrule any vote in accordance with 10.4.1 and/or 10.4.2 inside the ballot paper pack.

15.7.2 Be deemed a vote for all contested positions, subject to voter eligibility, to be distributed in accordance with that ticket's statement of distribution of preferences.

15.8 If any ballot papers have become detached from the ballot paper pack the Returning Officer must attempt to reconcile the ballot paper pack if this is not possible front page voting for those ballot paper packs will not be a valid method of voting and each ballot paper will be counted separately.

16.0 Counting of Ballots

16.1 Counting of ballot papers shall commence within one (1) hour of the close of polling and shall occur in a venue located at the Footscray Park Campus.

16.2 Once counting has commenced the Returning Officer shall continue the count until such time as to declare the election.

17.0 Scrutineers

17.1 Each candidate may have one (1) authorized scrutineer present during the counting of votes.

17.2 No candidate may be a scrutineer.

17.3 Scrutineer application shall be available at the Footscray Park Office and shall be in the form set out in Schedule 4 of these regulations.

17.4 Application for Scrutineers shall be open until the close of polling.

17.5 Once the ballot boxes have been opened the Returning Officer shall cause the front page votes to be counted followed by the first preference to be counted in each election that has been held. Scrutineers may ask to see any ballot papers and may challenge the inclusion or exclusion of any ballot.

17.5.1 A scrutineer shall not physically handle or interfere with any ballot paper;

17.5.2 A scrutineer shall not cause any undue noise, disturbance or obstruction during the counting of votes;

17.6 The Returning Officer may exclude a scrutineer from the counting area for persistent failure to comply with clause 17.5 of these regulations.

17.7 The Returning Officer, or their nominee, shall determine whether a vote is valid.

18.0 Declaration of Election

18.1 Within one (1) hour after concluding the counting of votes, the Returning Officer must declare the election.

18.2 The Returning Officer shall place a notice of declaration of the election and notify the authorising officer of each ticket, or any individual candidate running independent of a ticket of the election results by email.

18.3 Before the declaration of the election the Returning Officer shall inspect the voters' roll for breaches or other irregularities.

18.4 Within 2 weeks after the end of the election, the Returning Officer must send the NUS Accreditations Committee a report on Student Union letterhead signed by Returning Officer:

18.4.1 Stating that the election was conducted in accordance with NUS By-laws B3– B5;

18.4.2 Setting out the names of the delegates in the order in which they were elected; and

18.4.3 Including:

- (i) The rules under which the election was conducted, and
- (ii) Details of voting.

19.0 Complaints or Objections

19.1 In the exercise of the provision of this section the Returning Officer and the Electoral Tribunal shall ensure that principles of procedural

fairness are observed at all times.

19.2 Any student may claim a breach of these regulations provided that

the claim:

19.2.1 Is made in writing; and

19.2.2 Is supported by at least two (2) other Victoria University students; and

19.2.3 Is made no more than five (5) calendar days after the closure of

the poll; and

19.2.4 Is submitted to a location nominated by the Returning Officer.

(a) Such a location shall be advertised prior to the opening of the
poll.

19.2.5 If the Returning Officer agree that the claim has basis and/or true they must;

a) Notify the student that had the claim made against via email, within 3 days.

19.3 Upon declaration of the election any student may dispute the

declaration of the poll provided that:

19.3.1 Any claim is made in writing;

19.3.2 Is supported by at least two (2) other students;

19.3.3 Is made no more than five (5) calendar days after the closure of

the poll;

19.3.4 Is submitted to a location nominated by the Returning Officer

(a) Such a location shall be advertised no later than the time at
which the poll closes.

19.4 Upon receipt of a claim made under clause 19.2 or 19.3 of these

regulations, the Returning Officer may:

19.4.1 Dismiss the matter; or

19.4.2 Uphold the complaint; or

19.4.3 Refer the matter to the Election Tribunal.

19.5 If the Returning Officer upholds a complaint, the Returning Officer may institute one or any of the following measures:

19.5.1 Warn the candidate/ticket; or

19.5.2 Withdraw the facilities of the Union from the candidate/ticket; or

19.5.3 Suspend the ticket/candidate from campaigning for:

- (a) One (1) day; and/or
- (b) Two (2) days; and/or
- (c) Three (3) days; and/or
- (d) Remainder of elections

19.5.4 Disqualify the candidate/ticket from the election in question; or

19.5.5 Declare the election void; or

19.5.6 Order a new election.

19.6 The Returning Officer shall ensure that all parties to a dispute receive written notification of the Returning Officer's decision.

19.7 The decision of the Returning Officer may be appealed.

19.8 Appeals must be lodged in writing and to the Returning Officer no more than twenty- four (24) hours after the appellant has been notified of the Returning Officer's decision.

19.9 The Returning Officer will notify the Election Tribunal of a referral or an appeal within six (6) hours of the referral being made or the lodging of the

appeal.

19.10 Appeals are to be heard by the Electoral Tribunal.

19.11 The Election Tribunal shall consist of one (1) member of academic staff of the Victoria University College of Law and Justice. This member shall be admitted to practise as a barrister or solicitor in the State of Victoria.

19.12 The Election Tribunal may:

19.12.1 Dismiss the appeal; or

19.12.2 Dismiss the complaint; or

19.12.3 Uphold the appeal; or

19.12.4 Uphold the complaint.

19.13 Upon making a determination on any matter before it the Electoral

Tribunal may take one or any of the following measures:

(a) Warn the candidate; or

(b) Withdraw the facilities of the Union from the candidate/ticket; or

(c) Disqualify the candidate/ticket from the election in question; or

(d) Declare the election void; or

(e) Order a new election.

19.14 Decisions of the Election Tribunal shall be final.

20.0 Miscellaneous

20.1 At the conclusion of all matters relating to the Election the Returning

Officer shall make a written report including:

20.1.1 Results of the poll; and

20.1.2 Statistical information regarding the number of votes; and

20.1.3 Recommendation to improve the election process; and

20.1.4 Reports relating to any sitting of the Electoral Tribunal; and

20.1.5 Reports relating to determinations made by the Returning Officer; and

20.1.6 Any other matter as requested by the Executive at the time of appointment of the Returning Officer.

20.2 The Returning Officer must provide the written report as indicated in section 20.1 of these Regulations to the Student Union Board within thirty-one (31) calendar days after declaring the election, subject to any appeal.

21.0 Temporary Emergency Provision and Conduct of the 2021 Annual Elections due to COVID-19.

21.1 The Annual Election for the election of Victoria University Student Union Office Bearers and NUS Delegates in 2021 shall be conducted in accordance with the provisions in section 21.

21.2 The following sections of the Election Regulations shall have no effect:

21.2.1 Section 3.2; and

21.2.2 Section 4.10.2.3; and

21.2.3 Section 7; and

21.2.4 Sections 8.2 and 8.3; and

21.2.5 Section 9; and

21.2.6 Sections 10.4, 10.7 and 10.8; and

21.2.7 Section 11; and

21.2.8 Section 12; and

21.2.9 Section 13; and

21.2.10 Sections 14.1.5, 14.3.3, 14.3.4 and 14.3.5; and

21.2.11 Section 15 except for section 15.6; and

21.2.12 Section 16; and

21.2.13 Section 17.

21.3 The Returning Officer shall, after the close of nominations but before the commencement of campaigning, publish a Notice of Ballot via email and any other possible means to all eligible voting students stating:

21.3.1 The days and times of voting for the Annual Elections;

21.3.2 How votes may be cast;

21.3.3 Where to find the policy statements of all candidates;

21.3.4 How to submit a complaint; and

21.3.5 Any other information which the Returning Officer considers to be appropriate.

21.4 Voting

21.4.1 Shall be cast using an electronic voting system.

21.4.2 Only Victoria University students on the electoral roll may vote.

21.4.3 Voting shall be open for 3 consecutive academic days.

21.4.4 The Electoral Roll shall consist of all members eligible to vote

21.4.5 No person may vote more than once in any election.

21.4.6 The Returning Officer is responsible for organising an electronic voting system.

21.4.7 The Returning Officer must not approve an electronic voting system unless they are satisfied that ballots can be conducted electronically using an electronic voting system that will:

- (a) Provide a voter with instructions on how to vote; and
- (b) Allow for front page voting equivalent; and
- (c) Allow a voter to indicate their preferences in selecting candidates; and
- (d) Not allow a voter to vote more than once in any ballot; and
- (e) Not allow a voter to vote in an election in which they are not eligible to participate; and
- (f) Comply with the Constitution and Regulations.

21.5 Campaigning

21.5.1 Online campaigning shall commence at 12:01am on the 7th day before the first day of polling.

21.5.2 No form of campaigning other than that outlined in 21.5.1 shall begin prior to the first day of polling.

21.5.3 Within 24 hours of creating:

21.5.3.1 A social media application:

- (a) Group or group chat with more than 20 users;
- (b) Page; or
- (c) Account; or

21.5.3.2 A website;

- (a) For the purposes of the election (other than a purely administrative platform for organising campaigners),

A candidate must provide the Returning Officer with a link and/or access to the group, page, account or website.

21.5.4 Any material, whether written, electronic or otherwise, that comments on the election must carry approval of the Returning Officer and the name and student number of the VU student who authorises it and takes responsibility for its contents.

21.5.5 The Returning Officer may make Rules, not inconsistent with the Regulations, determining the extent to which physical campaigning will be permissible or forbidden. A person must not breach the Rules made by the Returning Officer, provided that all candidates are notified of the rules at least seven days before the first day of campaigning.

21.6 Forbidden Practices

21.6.1 A person must not engage or assist in engaging in conduct that compromises the fairness and integrity of the election process, including the conduct of a secret ballot.

21.6.2 A person must not hinder or interfere with the free exercise, by any other person, of the person's right to vote in an election.

21.6.3 A person must not harass, intimidate or coerce another person to vote for or against a candidate.

21.6.4 A person must not:

21.6.4.1 Provide another person with their voting link or password; or

21.6.4.2 Allow another person to vote on their behalf.

21.6.5 Any person who becomes aware of how another person voted must not disclose that information to any other person.

21.6.6 A person must not:

21.6.6.1 Request another person for their voting link or password;

21.6.6.2 Log in online with another person's voting link or password; or

21.6.6.3 Use another person's voting link or password to vote online on an electronic device.

21.6.7 A person must not impersonate any other person for the purpose of:

- a) Voting at any election.
- b) Running as a candidate in any election.
- c) Campaigning on behalf of a ticket or person running in the election.

21.6.8 A person must not campaign inside a University Library, University designated quiet study areas, food court or any University area designated by the Returning Officer, provided that all candidates are notified of the rules at least seven days before the first day of campaigning. In this section, campaigning includes but is not limited to, assisting

or engaging in distribution material and verbally promoting a candidate.

21.6.9 A person must not campaign of any sort or solicit votes before the date prescribed in section 21.5.1.

21.6.10 A person must not, without reasonable excuse, destroy or interfere with any computer program, data file or electronic device used, or intended to be used, by the Returning Officer, or Deputy Returning Officer for or in connection with online voting.

21.6.11 A candidate or campaigner may not comment, via social media or electronically, anything towards a candidate, a registered ticket as a whole or campaigner that in nature is;

- a) Homophobic
- b) Sexist
- c) Racist
- d) Ableist
- e) Discriminatory
- f) Misleading, deceptive or untrue
- g) Deliberately defamatory
- h) Bullying or intimidating

21.6.12 To avoid any doubt, the practices listed in section 14 of these Regulations (except section 14.1.5) constitute forbidden practices.

22.0 Repeal of Temporary Emergency Provision and Conduct of the 2020 Annual Elections due to COVID-19

22.1 Section 21 ceases to have effect on 31 December 2021.

22.2 Nothing in section 22 affects the validity of an election conducted in
accordance with section 21.

Schedule 1 – Sharing of Position Agreement Form

VUSU ANNUAL ELECTIONS

xx/xx/xx – xx/xx/xx

SHARING OF POSITIONS AGREEMENT

Section 3.5.1 of Victoria University Student Union Election Regulations

state: If two (2) candidates wish to nominate together to share an office-bearer position in accordance with clause 44 of the

Constitution:

- A sharing of position must be signed by both candidates which outlines the sharing of responsibilities, voting rights and duties and any other applicable conditions.

DETAILS OF AGREEMENT (PLEASE FILL IN BELOW)

CANDIDATE 1 Signature

CANDIDATE 2 Signature

THIS FORM MUST BE ATTACHED TO THE RELEVANT NOMINATION FORM AND SUBMITTED BY THE CLOSE OF NOMINATIONS

Schedule 2 – Application for Ticket Registration

VICTORIA UNIVERSITY STUDENT UNION ANNUAL ELECTIONS

TICKET REGISTRATION FORM

Candidates may apply to have their name/s set out on ballot papers under a ticket name. If a ticket name is registered, candidates may only apply to use that ticket name with the ticket registrant's written consent.

Ticket names must be no longer than 5 words. Ticket names must not be the same as, or similar to, any other ticket name; be misleading or deceptive; contain voting directives; or be offensive or derogatory.

TICKET NAME:

CIRCLE THE OPTION THAT APPLIES

NEW TICKET RE-REGISTRATION TICKET TRANSFER

Must be same as 20xx registrant Provide this form and notice in writing from previous registrant

Re-registrations of 20xx ticket names must be received by xx pm on the xx/xx/xx

New ticket registrations must be received by xx pm on the xx/xx/xx.

Ticket registrants may at any time transfer the registration of the ticket name to another student member by notice in writing to the RO.

TICKET REGISTRANT NAME:

TICKET REGISTRANT STUDENT NUMBER:

TICKET REGISTRANT MOBILE NUMBER:

TICKET REGISTRANT EMAIL:

TICKET REGISTRANT SIGNATURE:

All deadlines are strict and cannot be extended. Candidates are strongly urged to lodge their forms well before the deadline. All forms should be delivered personally to the Returning Officer or an election official or left with the Student Union office for the Returning Officer. Where this is not practicable, please contact the Returning Officer to make other arrangements. Do not post forms without prior arrangement, as no responsibility will be taken for late or lost forms under those circumstances.

For all forms and other election material, contact the VUSU Office, Footscray Park or visit the Student Union website: <https://vustudentunion.com/>

Schedule 3 – Ticket Application Form

Victoria University Student Union

ANNUAL ELECTIONS

xx/xx/xx - xx/xx/xx

APPLICATION TO BE SET OUT AS A TICKET

PLEASE PRINT CLEARLY

We the undersigned, candidates for the xxxx VUSU elections, hereby apply to be set out under the ticket name:

The criteria to be set out as a ticket is outlined in Section 4 of the VUSU

Election Regulations. With the consent of the ticket registrant;

Name: _____

Of (Address):

Email: _____

Gender: _____

Student Number:

Signature:

| | | | |
|-----------------|-------------|-----------------------|------------------|
| Position | Name | Student Number | Signature |
|-----------------|-------------|-----------------------|------------------|

Continued

| Position | Name | Student Number | Signature |
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Nominations close xx pm on xx/xx/xx

Date/Time Received : _____ Received By: _____

Schedule 4 – Scrutineer registration form

VUSU Annual Elections (insert year)
Scrutineer registration form

Name:

Candidate:

Important Information

- A scrutineer shall not physically handle or interfere with any ballot paper
- A scrutineer shall not cause any undue noise, disturbance or obstruction during the counting of votes
- The Returning Officer may exclude a scrutineer from the counting area for persistent failure to comply with the above regulations
- The Returning Officer, or their nominee, shall determine whether a vote is valid
- Scrutineers consent to being photographed or filmed by the Returning Officer or nominees.

Signed:

Date: