

Proposed changes to RUSU regulations for consideration at SUC on 18th of July 2019

SECTION 6: ELECTORAL

Section 6.1 Applicability

These regulations apply to all Student Union elections including, Annual Elections, By-Elections, and NUS delegate elections.

Section 6.2 Conduct of Elections

6.2.1 Student Union Council Elections

All Elections shall be held according to the rules laid down in the RMIT Student Union Constitution, and these Regulations.

6.2.2 National Union of Students Delegate Elections

Election of NUS delegates shall be conducted in conjunction with the Annual Student Union elections and in accordance with provisions of the NUS Constitution and regulations and the RMIT Student Union Constitution and Regulations.

Section 6.3 Appointment of Returning Officer(s), Deputy Returning Officer(s) and Polling Clerks and Counters

- 6.3.1 The Returning Officer is to be appointed by the SUC at least six (6) weeks prior to the first day of an election.
- 6.3.2 The Returning Officer shall appoint (and remove) Deputy Returning Officers, polling clerks and counters.
- 6.3.3 Deputy s, polling clerks and counters are subject to the direction of and have duties determined by the Returning Officer.
- 6.3.4 Only RMIT students may be appointed as polling clerks and counters, unless there are insufficient students available, with appropriate skills and experience who have no real or perceived conflict of interest.
- 6.3.5 The Returning Officer, Deputy Returning Officers, Polling clerks and Counters must not be candidates, elected representatives, or campaign assistants.
- 6.3.6 The Returning Officer may delegate any responsibilities to the Deputy or

Section 6.4 Duties of Returning Officer(s), Deputy Returning Officer(s) and Polling Clerks

6.4.1 The Returning Officer shall:

- 6.4.1.1 Be responsible for the conduct of the elections;
- 6.4.1.2 Ensure that the elections of the SUC are conducted in accordance with these Regulations and the Constitution;
- 6.4.1.3 Determine polling booth dates, times and locations, in consultation with the secretariat in keeping with the regulations and budget available for elections
- 6.4.1.4 Advertise the opening and closing of nominations;
- 6.4.1.5 Advertise the polling times and locations and encouragement to students to vote;
- 6.4.1.6 Provide clear written instruction to and hold information sessions for all candidates, candidate assistants, polling clerks s;
- 6.4.1.7 Organise the publication of the official election edition as per section 5.11.1 of these regulations;
- 6.4.1.8 Authorises all candidates publicity material;
- 6.4.1.9 Use the Student Union staff and resources for the purposes of administering the elections;
- 6.4.1.10 Keep a register of all material authorised, including time and date of receipt and authorisation.

6.4.1.11 Direct the Deputy Returning Officers, s and Polling Clerks

6.4.1.12 Provide clear instructions to candidates' scrutineers in attendance at the count in relation to their role and conduct as per section 6.13.3 of these regulations.

6.4.2 The Deputy Returning Officer(s);

Shall undertake all duties directed by the Returning Officer.

6.4.3 The Polling clerks

6.4.3.1 The Polling Clerks are responsible to the Returning Officer for the conduct of voting and observance of the Regulations.

6.4.3.2 The Returning Officer shall ensure that the Polling Clerks are conversant with their duties through a training session and shall issue to each Polling Clerk a sheet of instructions.

Section 6.5 Polling

If necessary, students shall be able to vote at campuses other than the one on which they are enrolled after polling has closed for the election period on the campus on which they are enrolled at. The method of voting shall be determined by the Returning Officer

6.5.1 Polling Booths dates times and locations are to be determined by the Returning Officer in consultation with the Secretariat providing that:

6.5.2 Polling Booths shall be open for:

6.5.2.1 No less than five (5) consecutive days for Annual Elections; and

6.5.2.2 No less than three (3) consecutive days for By-Elections

6.5.3 One Polling Booth shall remain open on city campus until at least 7:30 PM on at least one day of polling

6.5.4 No Polling Booth session shall be open for a period less than two (2) hours

6.5.5 Polling Booths shall be established in locations suitable for those eligible to vote in the election and which do not unduly affect the convenience of passers-by.

6.5.6 A minimum of two (2) poll clerks shall staff polling booths at all times

6.5.7 The Returning Officer shall advertise the hours of opening and location of polling booths as per section 6.11 of these regulations.

Section 6.6 Nominations

6.6.1 Notification

6.6.1.1 Notification of dates and locations to collect nomination forms shall be as per section 11.2 of the RMIT Student Union Constitution

6.6.1.2 Each student requesting a nomination form shall be provided with a copy of the Election Regulations and section 11 of the Student Union Constitution and with written instructions from the Returning Officer outlining key issues related to electoral conduct, expenditure and consequences for breaches of electoral rules. Both may be provided electronically.

6.6.2 Nomination Forms

6.6.2.1 Nomination forms shall be in the form determined by the Returning Officer providing that as a minimum the following information is:

6.6.2.1.1 Provided:

- a) Location of Office/s to lodge a Nomination Form,
- b) Office Hours
- c) Closing time of nominations

6.6.2.1.2 Requested:

- a) Position Candidate is being nominated for
- b) Candidates - name, address, email address, phone number, campus, course, student number, RUSU membership status/number and signature,
- c) Nominators - name, address, email address, phone number, campus, course, student number, RUSU membership status/number and signature
- d) Where applicable, the registered team name.
- e) In the case of candidates for the Indigenous Officer position, permission to verify eligibility.

6.6.2.2 Candidates shall sign a declaration which shall be part of the nomination form, prior to nomination being accepted, that they will abide by all the Regulations and procedures laid down in these Regulations and by the Returning Officer including the acknowledgement to undergo probity checks where and as they are defined in the Regulations and Constitution.

6.6.2.3 Candidates must sign a declaration that they intend to be an enrolled RMIT student for the duration of the term of office (if elected).

6.6.3 Nomination of candidates:

6.6.3.1 Candidate nominations must be in writing on a nomination form as prescribed by the Returning Officer as per section 6.6.2 of these regulations.

6.6.3.2 Candidate must use only one nomination form per position

6.6.3.3 Candidates must include their name, address, email address, phone number, signature and student number, campus, course, evidence of Student Union financial membership and team name if running in a team.

6.6.3.4 Candidates must be nominated and seconded by students who are current financial members of the RMIT Student Union and are eligible to vote for the position that they are nominating a candidate for.

6.6.3.5 Nominator's and Seconders must include their names, address, email address, phone number, campus, student number, evidence of Student Union financial membership and signature

6.6.3.6 No candidates may nominate or second themselves

6.6.3.7 The Returning Officer may require appropriate evidence from a candidate of their enrolment and Student Union financial membership if their eligibility cannot be verified by other means.

6.6.4 Registration of Electoral Teams

6.6.4.1 If a number of students wish to stand for election on a common platform, they may apply to register a team name with the Returning Officer. For a team to be approved by the Returning Officer it must consist of a minimum of five (5) valid candidates for positions on the Student Union Council by the close of nominations.

6.6.4.2 Applications for team registration shall close minimum of 48 hours prior to close of nominations, and shall include:

- a) The name of the team (to be no longer than five words) and any abbreviation thereof;
- b) The logo and colour scheme, if any, to be used by the team;
- c) A registering officer for the team who shall be the contact point between the team and Election Officials and who must be a candidate for that team and a current financial member of the Student Union.

6.6.4.3 The application must contain the name, contact details, student number and signatures of at least five (5) current RMIT students who endorse the team and who must be current financial members of the Student Union.

6.6.4.4 No student may sign more than one application and no candidate standing on a team may sign an application for a different team.

6.6.4.5 When a team is registered the Returning Officer must post the details of the team name, logo, colour scheme and the names of the endorsing students on the official election notice board and where it exists on the official election website/ webpage within 24 hours (on business days) of the registration application being received.

6.6.4.6 Team names must not include the name of a club or society affiliated with the Student Union,

6.6.4.7 If the proposed name of a team includes the name of a team used in any RMIT election in the past three years,

a) the application must include the consent of the team's most recent registering officer
b) If the consent of the team's most recent registering officer has been gained, the use of the name may be disputed by other candidates. A dispute to the right to use the name must be made in writing to the Returning Officer and must outline clearly why the use of the name would be misleading or confusing to voters or misrepresentative. The written dispute must be made by a candidate running in the current election and have the signed support of at least one candidate who previously ran as a candidate under the team name being disputed. The dispute must be lodged within 24 hours (business days) of the team name being posted in official channels by the Returning Officer as per 6.6.4.5. If the Returning Officer finds that the dispute has merit, then they may refuse to register the team name to any team for the elections and shall give the team that registered the name the option of choosing another name.

6.6.4.8 The Returning Officer may refuse to register a team name, that is misleading, offensive, or that is so similar to another proposed team name or names as potentially to cause confusion amongst voters, and shall give the applicant the option of choosing another name.

6.6.4.9 The Returning Officer may refuse to register a team logo or colour scheme that is misleading, offensive, or that is so similar to another proposed team logo or colour scheme as potentially to cause confusion amongst voters and shall give the applicant the option of choosing another team logo or colour scheme.

6.6.4.10 If a team name is proposed by more than one applicant, the team who first submitted the name shall be approved, all other criteria being in order as determined by the Returning Officer, and the other applicant shall be given the option of choosing another name.

6.6.4.11 The Returning Officer must afford the same rights and responsibilities to all teams.

6.6.4.12 Each candidate standing on a team must include an acknowledgement (with their nomination form) of their affiliation with the team, confirmed by the registering officer of the team.

6.6.4.13 A candidate may not stand on more than one team in the same ballot. This does not prevent other candidates or teams supporting the candidature of that candidate in election material.

6.6.4.14 The list of names of candidates standing on each team must be prominently displayed at each polling booth and in other election publicity. Ballot papers must also display the team a candidate is standing on, if any, adjacent to that candidate's name.

6.6.4.15 No candidate or group of candidates shall use the logo, colour scheme or name, or any such part thereof as may be misleading, of another electoral team that has been duly registered by the Returning Officer.

Section 6.7

Verification of eligibility

6.7.1 The Returning Officer must verify that each person who has nominated a student or has been nominated is eligible to do so;

6.7.2 For annual elections, no later than 5 pm one (1) academic day after the close of nominations;

6.7.3 For by-elections no later than 5 pm the academic day following the close of nominations.

6.7.4 Candidates for the position of Indigenous Officer must identify as Indigenous. This means that they must meet three recognised forms of identification of Aboriginal or Torres Strait Islander heritage. These are:

- a. being of Aboriginal or Torres Strait Islander descent
- b. identifying as an Aboriginal or Torres Strait Islander person
- c. being accepted as such by the community in which you live, or formerly lived.

The Returning Officer will verify the above at the time of nomination through the contact designated by the Ngarara Willim Centre.

Section 6.8 Policy statements and Photographs

6.8.1 Candidates and teams may submit policy Statement and photos at the time of submitting nomination forms.

6.8.2 No policy statement or photo will be accepted after the close of nominations.

6.8.3 No policy statement shall be accepted if it is in breach of section 6.18 of these regulations

6.8.4 Where candidates and Teams choose to submit policy statements, they shall be as follows;

6.8.4.1 The registering officer of a duly registered team may submit a policy statement of no more than 400 words.

6.8.4.2 Candidates for all positions may submit a policy statement of no more than 200 words.

6.8.5 The Returning Officer may specify an electronic format or formats in which the statements and photographs shall be submitted.

6.8.6 English translations must be made available to the Returning Officer of all policy statements or parts thereof produced in languages other than English prior to them being authorised for inclusion.

6.8.9 Page size and any other parameters shall be determined by the

Returning Officer. Section 6.9 Candidates Publicity Material:

6.9.1 Forms of Publicity

6.9.1.1 Allowable publicity material shall include:

- a) Printed material
- b) Chalk ups
- c) Banners
- d) E-mail
- e) T shirts, badges etc

Facebook and Google+ pages, as authorised by the Returning Officer are allowed, but the use of Twitter and comments on other people's pages are not as these are difficult to authorise and police.

6.9.1.2 Allowable publicity material shall be subject to these Regulations and the discretion of the Returning Officer.

6.9.1.3 All election material must be authorised by the Returning Officer prior to production, distribution or broadcast.

6.9.2 Authorisation

- 6.9.2.1 All candidate publicity material must be authorised by the Returning Officer prior to broadcast, printing or production.
- 6.9.2.2 English translations must be made available to the Returning Officer of all material produced in languages other than English and a reasonable time allowed for any verification deemed necessary to ensure that it does not breach section 6.18 of these regulations, prior to them being authorised for distribution
- 6.9.2.3 Candidates may submit material for authorisation immediately following the close of nominations as per section 11.2 of the Student Union Constitution.
- 6.9.2.4 All material must be authorised by either a candidate or a registering officer. A copy of the Candidate's material must be lodged with the Returning Officer prior to its production, distribution or broadcast. All material must include the name and student number of the candidate or registering officer.
- 6.9.2.5 The Returning Officer shall not divulge material submitted for authorisation to any other candidate until it has been authorised. Reasonable access shall be provided for candidates to see authorised material by other candidates.
- 6.9.2.6 If material is submitted prior to the week of polling or during the week of polling, the Returning Officer shall authorise all material as soon as practical after receiving the material or shall ensure authorisation within six (6) hours of receipt, during business hours
- 6.9.2.7 Material must display the authorisation of the Returning Officer
- 6.9.2.8 The Returning Officer may refuse to authorise any material submitted by a candidate for broadcast, printing as a policy statement, posting or distribution if the Returning Officer believes it contains a statement which if published would breach section 5.18 of these regulations.

6.9.3 Distribution

- 6.9.3.1 Candidates advertising shall be restricted by normal University Regulations and in the case of e-mail University and Internet Server Providers Rules, Regulations and Policy.
- 6.9.3.2 The Returning Officer may establish Election Display Areas around polling areas where official publicity shall be displayed.
- 6.9.3.3 The Returning officer may make rules to regulate the distribution of campaign material on bollards, noticeboards etc.
- 6.9.3.4 Candidates may use e-mail in the distribution of election material.
 - a) Provided that all material is authorised
 - b) Notification of group e-mail lists is registered and approved by the Returning Officer.
 - c) E-mail bombing and spamming are prohibited

- c) English translations must be made available to the Returning Officer of all material produced in languages other than English and a reasonable time allowed for any verification deemed necessary, to ensure that it does not breach section 6.18 of these regulations, prior to them being authorised for distribution.

Section 6.10 Campaign Assistants

- 6.10.1 Should a candidate or team wish to use campaign assistants they must be currently enrolled students attending RMIT, these assistants must be registered with the Returning Officer
- 6.10.2 Any candidate or team benefitting from the actions of non-RMIT students may be subject to disciplinary action by the Returning Officer.
- 6.10.3 Campaign assistants shall be invited to attend a training session held by the Returning Officer regarding conduct during an election.
- 6.10.4 Candidates and/or teams remain responsible for all the actions of campaign assistants.

Section 6.11 Official Publicity

- 6.11.1 For Annual Elections, the Returning Officer (or nominee) shall edit and supervise the layout of a special election edition or an insert into Catalyst, or other specified publications to be distributed to the Student Body and available on RUSU website prior to the opening of the polling and which shall contain:
 - 6.11.1.1 Where submitted, a bona fide photograph and policy statement of each candidate and Team.
 - 6.11.1.2 An explanation of the ordinary optional preferential and proportional representation voting systems.
 - 6.11.1.3 Sections of the Regulations as specified.
 - 6.11.1.4 Explanation of the role and structure of the Student Union.
 - 6.11.1.5 Polling places and times.
 - 6.11.1.6 Any other material the Returning Officer deems appropriate.
 - 6.11.1.7 For any election, the order of appearance of individual candidates in the election issue shall be the same as that in the ballot paper.
 - 6.11.1.8 For any election, the order of appearance of 'teams' determined by lot drawn by the Returning Officer.
 - 6.11.1.9 In the case of By-Elections there shall in the last issue of Catalyst, or other specified publication and on RMIT Student Union website before the election, a supplement which adheres to the prescriptions set out in this section.
 - 6.11.1.10 The Returning Officer shall cause to be printed and widely distributed a poster not smaller than 30cm x 50cm encouraging the Student Body to vote in the Annual Elections.
 - 6.11.1.11 This poster shall be of a completely non-political, non-partisan nature.
 - 6.11.1.12 The poster shall bear the logo of the Student Union as well as bearing the location of Polling Booths and the times during which they shall remain open.
 - 6.11.1.13 These posters shall be distributed evenly on notice boards and other suitable locations on campus and at off-campus teaching areas.
 - 6.11.1.14 The Returning Officer shall produce a similar poster not smaller than 20cm x 30cm for any By-Election and shall cause to be printed a sufficient number to publicise the election.
 - 6.11.1.15 The Returning Officer may organise and establish an Election Website, Website or section of the RMIT Student Union website where Official Publicity shall be advertised.
 - 6.11.1.16 The Returning Officer may adopt any other reasonable method of acquainting the electors with the policies of the Candidates.

Section 6.12 Student Union Publications and the elections

6.12.1 The use of union or university resources or facilities not available to all students for the purposes of campaigning is prohibited, unless a specific exception is made by the Returning Officer with candidates notified of the exception.

6.12.2 All publications and correspondence of the Student Union, departments and Clubs and Societies must at all times appear to be neutral on matters relating to any election and/or candidate or electoral team in any election.

Section 6.13 Voting Procedure

6.13.1 General

- 6.13.1.1 Voting shall be by secret ballot.
- 6.13.1.2 For the election of the Office Bearers and General Representatives, the Ballot Papers shall be substantially in the form determined by the Returning Officer, except that, the Order of the Ballot shall be as prescribed in section 11.4 in the Student Union Constitution.
- 6.13.1.3 The method of all elections shall be by optional preferential ballot and the method of counting and distribution of votes shall be by the proportional representation out, as outlined in the current edition of N.E. Renton, 'Guide for Voluntary Association'.
- 6.13.1.4 The Returning Officer or duly authorised person, shall initial each ballot paper or stamp it with the prescribed stamp of the SUC.

6.13.2 Postal Votes

- 6.13.2.1 Postal voting facilities shall be made available to any person eligible to vote who can satisfy the Returning officer that they are unable to attend a polling booth or wherever specified in these regulations.
- 6.13.2.2 The Returning Officer shall cause to be published before the close of nominations advertising the procedure to obtain a postal vote. These posters shall be distributed evenly on noticeboards and other suitable locations on Campus and at off-campus teaching areas.
- 6.13.2.3 A person applying for a postal vote shall lodge, in writing, with the Returning Officer or a designated Deputy Returning Officer, not less than eight (8) working days before the close of the ballot, via an Application for a Postal Ballot Form. Such applications shall be in the form determined by the Returning Officer and shall state the name and student number of the person making the application, the grounds on which the application is being made, and the address to which the papers are to be sent.
- 6.13.2.4 Postal votes shall not be sent unless the Returning Officer is satisfied of veracity and relevance of the grounds on which the application has been made.
- 6.13.2.5 Where a postal vote is allowed, the Returning Officer shall cause to be posted to the address notified not later than seven (7) days prior to the close of the ballot:
- 6.13.2.6 A ballot paper for each of the elections in which the applicant is entitled to vote;
- 6.13.2.7 A physical copy or link to Catalyst or other authorised publication containing the policy statements of candidates, or the address of a website at which this can be viewed.;
- 6.13.2.8 A declaration, in the form determined by the Returning Officer;
- 6.13.2.9 A stamped, addressed envelope for return of the votes to the Electoral Office.
- 6.13.2.10 The Returning Officer shall keep a register of all postal votes. This register shall be given to the Polling Clerk and checked against the names of all students intending to vote.
- 6.13.2.11 The Postal Ballot paper(s) shall be in typed form, stamped on the back with prescribed stamp of the SUC and initialled by the Returning Officer or nominee
- 6.13.2.12 To be included in the scrutiny, postal votes must fulfil all the following requirements:
 - a) in the case of external mail, it is postmarked before the close of voting; and
 - b) It is received by the Returning Officer not more than twenty-four (24) hours before the close of voting; or

- c) In the case of internal mail, it is received by the Returning Officer before the close of voting;

6.13.2.13 The declaration stating the voter is eligible to vote in the election(s), for which the ballot papers were dispatched, must have been completed and verified.

6.13.3 At the Polling Booth:

- 6.13.3.1 the Polling Clerk shall initial each ballot paper which they issue.
- 6.13.3.2 before handing a ballot paper to any voter, the Polling Clerk shall request a student card to be presented;
- 6.13.3.3 the Polling Clerk may make any reasonable inquiry to establish the identity of any person claiming a vote. Where, for any reason, the eligibility of the person is in doubt, the Polling Clerk shall place the ballot paper in a sealed envelope, setting out the reasons for uncertainty on the outside, and later convey it to the Returning Officer;
- 6.13.3.4 The Polling Clerk shall, at the request of any voter, issue a fresh ballot paper in place of one spoiled by the voter. Having cancelled the spoilt paper by writing "CANCELLED" or "SPOILT" on the front, the Polling Clerk shall place the paper in a special envelope provided for that purpose and place them into the ballot box.
- 6.13.3.5 Secure ballot boxes shall be provided and be sealed immediately following the close of voting;
- 6.13.3.6 At the close of voting on any day, the Polling Clerk shall do with the ballot boxes as ordered by the Returning Officer, who shall take all necessary measures to assure the security of the votes and the orderliness of all proceedings from that time forth until the declaration of the election.
- 6.13.3.7 The Returning Officer shall be responsible for supplying voting facilities as published. Where through misadventure it is not possible to establish facilities exactly as advertised the Returning Officer may issue such instructions as would afford those affected an opportunity to cast their vote.
- 6.13.3.8 Each candidate shall be entitled to have present throughout the counting of the votes one scrutineer (who is not a candidate), nominated in writing to the Returning Officer;
- 6.13.3.9 The Returning Officer may announce a time for examination of postal vote declarations and the doubtful votes conveyed by Polling Clerks, and in the presence of such scrutineers as desire to attend, determine whether these votes will be included. Where a scrutineer wishes to dispute a decision, the challenge may be made at first verbally and then if required in writing and handed to the Returning Officer or authorised person.
- 6.13.3.10 Once the ballot boxes have been opened, the Returning Officer shall forthwith cause to be counted the first preferences in each election conducted. Scrutineers may ask to see any ballot papers and may (as elsewhere in this section) challenge at first verbally and then if required in writing the inclusion or exclusion of any ballot paper but shall not physically handle or interfere with any paper nor cause any undue noise, disturbance or obstruction during the counting of the votes on pain of being excluded from the counting room for persistent contravention.
- 6.13.3.11 A ballot paper shall be accepted as formal if it has been initialled by the Returning Officer or Polling Clerk and has a clear indication of the voter's first preference.
- 6.13.3.12 Where in the course of a scrutiny a duplication or omission occurs on a ballot paper before the number opposite the candidate next in the order of the voter's preference, the paper shall be set aside without further transfer being made.
- 6.13.3.13 The Returning Officer shall devise a method of clearly labelling parcels of votes transferred at each count.
- 6.13.3.14 The Returning Officer shall take all steps to conclude all scrutinies within seven (7) days of their start.

Section 6.14 Election Resources

6.14.1 All candidates

6.14.1.1 For Annual elections the Returning Officer shall, for the days in which polling is conducted, be responsible for the allocation of table space at all polling locations.

6.14.1.2 The Returning Officer shall determine by lot the allocation of available space.

6.14.1.3 The Returning Officer may otherwise regulate this allocation provided that it is done in a fair manner.

- 6.14.1.4 All Candidate election material must be authorised by the Returning Officer prior to production, distribution or broadcast.
- 6.14.1.5 Candidates can not incur any expenditure in relation to an Annual or By-election or use any resources unless authorised by the Returning Officer.
- 6.14.1.6 No person who is not a Candidate shall incur or cause to be incurred any expenditure in relation to Annual or By-Elections without the written permission of the Candidate and any such expenditure made shall be attributed to the Candidate unless the Candidate satisfies the Returning Officer or Appeals Board.
- 6.14.1.7 No funds may be expended, incurred, or cause to have incurred, by any candidate unless authorised by the Returning Officer

6.14.2 Candidates for SUC Positions

- 6.14.2.1 Original material shall be submitted to and once authorised by the Returning Officer can be printed
- 6.14.2.2 Each Candidate not affiliated with a ticket for a Student Union position, as per section 5.1.1-.1.16 of the RMIT Student Union Constitution may spend up to one hundred and ten (\$110) dollars of Student Union funds for election materials including printing of leaflets, poster and any other campaign material. Each Candidate not affiliated with a ticket for a Student Union position, as per section SUC 5.1.17-5.1.22 of the RMIT Student Union Constitution may spend up to sixty (\$60) dollars of Student Union funds for election materials including printing of leaflets, posters and any other campaign material following authorisation of the Returning Officer.
- 6.14.2.3 Should five (5) or more candidates run as a team for SUC positions they may spend up to a maximum of six hundred (\$600) dollars of Student Union funds for election materials including printing of leaflets, posters and any other campaign material, plus an additional fifty dollars (\$50) per candidate on the ticket - following authorisation of the Returning Officer
- 6.14.2.4 Candidates for Catalyst – may spend up to one hundred and fifty (\$150) dollars of Student Union funds for election materials including printing of leaflets, poster and any other campaign material- following authorisation of the Returning Officer
- 6.14.2.5 Should Candidates wish to spend funds as specified in section 6.14.2.2, 6.14.2.3 and 6.14.2.4 of these regulations they must submit a budget containing details of proposed expenditure and quotes to the Returning Officer no less than 3 academic days prior to the first day of polling. If the Returning Officer is satisfied that Candidates will not exceed the spending limit the Returning Officer shall authorise the expenditure. Upon presentation of a receipt/s, within a reasonable time frame, which correspond with the authorised budget, the Returning Officer shall organise reimbursement within two (2) weeks. Candidates who exceed the spending limit shall be subject to disciplinary action and shall not be reimbursed above the set limit.

6.14.3 Candidates for NUS positions

- 6.14.4.1 Individual Candidates for NUS delegate positions shall be eligible for the provision of one thousand (1,000) A4 doubled sided leaflets (or equivalent) 80GSM. Printing is to be organised by the candidate in accordance with instructions from the Returning Officer
- 6.14.4.2 Should two (2) or more Candidates run as a team for NUS delegate positions, they shall be eligible for the provision of a maximum of one thousand five hundred (1,500) A4 double sided leaflets (or equivalent) 80GSM for the team plus an additional allowance of two hundred and fifty (250) A4 double sided leaflets (or equivalent) 80GSM for each candidate on the ticket. Printing is to be organised by the candidate in accordance with instructions from the Returning Officer
- 6.14.4.3 Original material shall be submitted to and once authorised the Returning Officer
- 6.14.4.4 Where teams are running for both SUC and NUS positions they shall be entitled only for whichever allocation is larger, not the combination.

Section 6.15 Declaration of the Poll

- 6.15.1 The Returning Officer shall announce the voting figures:
 - (i) on at least one (1) SUC noticeboard at each campus within twenty-four (24) hours of the counting of the votes being completed;
 - (ii) in the next issue of Catalyst provided that the figures shall not be so published until the expiry of five days from the completion of the counting of votes.
- 6.15.2 A Candidate or scrutineer may in writing, ask the Returning Officer for a re-count up to forty-eight (48) hours after the completion of the counting of the votes and not thereafter. The petition setting out the grounds for a re-count must include allegations of specific error or wrong doing.
- 6.15.3 The Returning Officer shall, in writing within twenty-four (24) hours of such request, either set out any reasons why a re- count should not occur or announce the time of starting the re-count.

Section 6.16 Disputes

- 6.16.1 Pursuant to section 11.2.14 of the RMIT Student Union Constitution *“Any claim of a breach of the Election Regulations must be presented to the Returning Officer within five (5) days of the declaration of the poll, must be in writing and must be supported by at least two (2) members of the Student Union.”* The objection must clearly state the facts and grounds for the objection and must ask for some specific action to be taken.
- 6.16.2 Upon receipt of a claim, the Returning Officer has three (3) options available to them:
 - (i) Dismiss the matter;
 - (ii) Uphold the complaint; or
 - (iii) Convene a meeting of the SUC Appeals Committee to hear the appeal.
- 6.16.3 If the Returning Officer finds that a Candidate has committed any offence against, or has disregarded or not complied with any Election Regulation or procedure, the Returning Officer may institute one or any of the following disciplinary actions after they have notified the Candidate in question an opportunity to state their case:
 - (i) Warn the Candidate;
 - (ii) Withdraw the facilities of the SUC and/or RMIT Union and their media from the Candidate;
 - (iii) Suspend the candidate from campaigning for a period of time.
 - (iv) Suspend other members of the candidate’s ticket and/or their campaign assistants from campaigning for a

period of time.

- (v) Disqualify the Candidate from the Election in question;
- (vi) Declare the election void;

- (vii) Order a new election.
- (viii) Refer the matter to the SUC Appeals Committee

6.16.4 In case of any dispute regarding Election Regulations, procedures or conduct of Candidates/Campaigners, the Returning Officer shall be the arbiter. Further appeal may be made to the SUC Appeals Committee.

6.16.5 In the event that a Candidate lodges an appeal against a decision of the Returning Officer, the Returning Officer must call a meeting of the SUC Appeals Committee within twenty-four (24) hours and that meeting must take place within forty-eight (48) hours of the complaint being lodged.

Section 6.17 SUC appeals committee

6.17.1 Membership and appointment

6.17.1.1 There shall be a SUC Appeals Committee

6.17.1.2 The SUC Appeals Committee shall consist of three (3) members appointed by the SUC.

6.17.1.3 At least one of the members of the SUC Appeals Committee shall have legal qualifications.

6.17.1.4 Members are prohibited from having been an enrolled student at RMIT for a period of two (2) years preceding their appointment. Members may also not have been a candidate in an RMIT Student Union election in the last five (5) years.

6.17.1.5 The SUC Appeals Committee shall be appointed for the following year by the SUC once the declaration of the poll has occurred. In the event of a vacancy subsequent to this appointment the SUC shall appoint a member to the Committee.

6.17.1.6 Each member remains a member of the SUC Appeals Committee until he or she

- a) Resigns
- b) Becomes unable to act
- c) Or is removed by the SUC.

6.17.1.7 Members of the SUC Appeals Committee may not be removed during the election period

6.17.2 Powers and duties

6.17.2.1 The SUC Appeals Committee shall hear appeals and determine disputes under the Regulations and Constitution of the SU. Subject to the RMIT Student Union Constitution and Regulations the SUC Appeals Committee may regulate proceedings as they see fit.

6.17.2.2 Any candidate may make an appeal to the SUC Appeals Committee, under the terms of section 6.16.1 Disputes of these Regulations

6.17.2.3 If the SUC Appeals Committee finds that a Candidate has committed improper practices the election of a successful Candidate may be declared void.

6.17.2.4 No finding by the SUC Appeals Committee shall bar or prejudice any action by the Disciplinary Committee of the University for any illegal or improper practice or offence against disregard of non-compliance with the Election Regulations.

6.17.2.5 The SUC Appeals Committee shall not declare that any person returned as elected was not duly elected, or declare any Election void:

- (a) On the grounds of any illegal or improper practice or offence against, disregard of or non-compliance with the Election Regulations by any person other than the Candidate and without his/her knowledge or authority; or

- (b) On the grounds specified in Sub-Clause hereof unless the SUC Appeals Committee is satisfied that the result of the Election was likely to be affected, and that it is just and equitable either that the Candidate should be declared not to be duly elected or that the Election should be declared void.

6.17.3

Processes

- 6.17.3.1 In the event that a Candidate lodges an appeal against a decision of the Returning Officer, the Returning Officer must call a meeting of the SUC Appeals Committee within twenty-four (24) hours and that meeting must take place within forty-eight (48) hours of the complaint being lodged. However, a meeting that occurs after this time may still rule on a complaint.
- 6.17.3.2 The SUC Appeals Committee may meet by telephone if necessary.
- 6.17.3.3 Meetings of the SUC Appeals Committee shall be in camera
- 6.17.3.4 Decisions of the SUC Appeals Committee must be made by at least two members of the Committee.
- 6.17.3.5 Candidates shall be entitled to appear before the SUC Appeals Committee to present their case and are entitled to be assisted by one other RMIT student. No further representation or assistance shall be allowed unless the Appeals Committee decides that without representation the candidate will be unable to fairly put their case.
- 6.17.3.6 The SUC Appeals Committee must decide questions of fact on the balance of probabilities
- 6.17.3.7 Proceedings of the SUC Appeals Committee, other than its formal decisions, are confidential and may not be reported. Decisions of the SUC Appeals Committee shall be written and posted by the Returning Officer in the form of Official Publicity within 24 hours of a decision being made. Such decisions shall set out the facts. Where this is an outcome of a probity checks appeal the Student Union Council must be informed of the decision in place of the Returning Officer.
- 6.17.3.8 Decisions of the SUC Appeals Committee are final and binding. Refusal to obey or implement a decision of the SUC Appeals Committee shall result in immediate disciplinary action.

Section 6.18

Forbidden Practices

- 6.18.1 No Candidate or Candidate's representative shall in any manner whatsoever alter, deface, damage, interfere with or remove any election material which belongs to another Candidate. Any person found so doing may be barred from any further participation in the Election (with the exception of actually voting).
- 6.18.2 In addition to these Regulations, Candidates advertising shall be restricted only by normal University Regulations.
- 6.18.3 No person shall cause damage or defacement to any public or private property inside or outside the University for the promotion of any Candidate(s) in any election of the Student Union Council. For the purpose of this section, damage or defacement shall be taken to include stickers and posters and chalking that cannot be removed with water on the inside or outside of buildings, steps, handrails, footpaths, trees, poles, bins, signs or any part of the University and its surrounds not specifically set aside for such purposes.
- 6.18.4 No candidate nor candidate's assistant shall publish, print, publicise or disseminate any electoral material without the authorisation of the Returning Officer.
- 6.18.5
 - (a) A person shall not engage in any dishonest practice in relation to an election.
 - (b) A person shall not in relation to an election, print, publish, verbalise or distribute, or cause, permit or authorise to be printed, published or distributed, any matter or thing containing a statement:
 - (i) that is untrue; or
 - (ii) that is, or is likely to be, misleading or deceptive;
 - (iii) that is discriminatory, sexist, racist, homophobic, militaristic or,
 - (iv) that contravenes SUC policy.

- (c) A person shall not make or publish any false statement in relation to the personal character or conduct of a Candidate.
- (d) A person shall not:
 - (i) vote more than once in the same election; or

- (ii) record a vote to which they are not entitled.
 - (e) A person shall not interfere with any ballot paper without the consent of the Returning Officer.
 - (f) A person shall not hinder the Returning Officer, Deputy Returning Officer, Poll Clerk or any other person appointed to assist the Returning Officer in the execution of his or her duties.
 - (g) A person shall not engage in behaviour that is intimidating, aggressive, threatening or harassing towards any other person(s).
 - h) No candidate may offer bribes or incentives to influence the decision of any student to vote, to not vote or how they may vote. For the purposes of this clause campaign materials such as t-shirts or badges are not incentives, but food, gifts or knick-knacks are.
 - i) No candidate may pay another person in cash or kind to campaign in the election. For the purposes of this clause the reasonable provision energy foods, non-alcoholic drinks and campaign t-shirts are not considered incentives.
- 6.18.6 Should it be proved that any Candidate or Candidate's representative has breached any of these, then that Candidate shall be subject to disciplinary action (as per sections 6.16.3 and/or 6.19 of these regulations).
- 6.18.7 No person shall display any poster, distribute leaflets or solicit votes within an area designated by the Returning Officer, of a polling booth or impede without just cause the conduct of the election.
- 6.18.8 No candidate nor candidate's assistant shall make use of resources of the SUC, RMIT Union, or RMIT University without the prior approval of the Returning Officer
- 6.18.9 No candidate shall distribute or broadcast any material in relation to the election without the prior authorisation of the Returning Officer.

Section 6.19 Discipline

- 6.19.1 Any Candidate who knows of and consents to or commits or aids or abets a breach of this section shall be liable to be disqualified from the election and from any further election to any position on or any office of the SUC for a period of eighteen (18) months following such breach.
- 6.19.2 Any person who commits or aids or abets such a breach shall be liable to be disqualified from any election to any position or any office of the SUC for a period of eighteen (18) months following such a breach.

Section 6.20 Defamation

The Student Union does not indemnify any student for defamation in an election.

Section 6.21 Indemnity

The Student Union Council shall indemnify the Returning Officers and appointees in relation to any action as a result of performing their duties in accordance with the RMIT Student Union Constitution and these regulations.

Section 6.22 Definitions and abbreviations:

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| Academic day: | means a day on which classes are conducted by the University in the TAFE and Higher Education sector. Academic Days shall not include Saturdays, Sundays or any day which University or Public Holiday is. |
| Constitution: | Means the RMIT Student Union Constitution |
| CSC: | Campus Student Council |
| Days: | Shall refer to all week days including Saturday & Sunday |
| DRO: | Deputy Returning Officer |
| Each Campus: | Shall refer to the: <ul style="list-style-type: none">• City Campus• Bundoora Campus• Brunswick Campus |
| Election Official: | The Returning Officer, Deputy Returning Officer(s), and Polling Clerks and any other person nominated by the Returning Officer. |
| Electoral Office: | Means the Office of the Returning Officer as defined by the Returning Officer on their appointment |
| E-mail "bombing" | is characterised by abusers repeatedly sending an identical e-mail message to a particular address. |
| E-mail "spamming" | is a variant of bombing; it refers to sending e-mail to hundreds or thousands of users (or to lists that expand to that many users). Email spamming can be made worse if recipients reply to the email, causing all the original addressees to receive the reply. It may also occur innocently, as a result of sending a message to mailing lists and not realising that the list explodes to thousands of users, or as a result of an incorrectly set-up responder message. |
| First day of an election: | Refers to the first day of voting |
| NUS: | National Union of Students |
| Polling: | Refers to the period in which official voting is taking place. |
| Publications of the Student Union: | Any material produced or disseminated through Student Union channels. This includes all forms of broadcasting, printing and production. |
| Receipt: | Upon physical acceptance of the material by the Returning Officer. |
| RO: | Returning Officer |
| Secretariat: | Means the Student Union Council secretariat as defined in section 8 of the RMIT Student Union Constitution |
| SUC RO: | Refers to the SUC Returning Officer who may be appointed for the purposes of conducting by- elections |
| SUC: | Student Union Council |