

## A guide for political clubs and clubs with political interests

A 2011 amendment to The Higher Education Support Act 2003, in relation to the collection and use of Student Services and Amendments Fees (SSAF), states that funds cannot 'be used to support political parties, or to support the election of a person to a Commonwealth or State or Territory Parliament or local Government body.'\*

Since this change to the legislation is fairly new and has yet to be tested legally, how it relates to Clubs and Societies (C&S) and their politically based activities, publications and formation is in practise very vague. While RUSU grants to clubs that fall in the 'political category' are funded by non-SSAF sources we still expect these clubs to comply with the requirements of the SSAF legislation. RUSU has sort sought advice from the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education (DIICCSRTE), the National Union of Students (NUS) and RMIT on this matter. As best as can be determined, all activities, publications, etc., should be clearly identifiable as those of the RMIT Clubs and for the primary benefit of RMIT Students; if in doubt clubs should apply a 'Reasonable Test'.

### What do we mean by a 'Reasonable Test'?

While RUSU don't doesn't expect its' C&S to have a full understanding of the legal concept of 'a reasonable person'<sup>#</sup>, it does hope that you approach club activities in a way that a stranger will know what you're spruiking, running or handing out, relates to an RMIT Student Club and not to a Political Party. For example if someone walks past a campus political club table/activity, would it be reasonable for them to conclude it is a campus club stall or a political party stall? As SSAF cannot be used to fund political parties or campaigns it is VERY IMPORTANT that all RUSU Clubs ensure they identify themselves as an RMIT student organisation and not an arm of a political branch party. This also applies for non-political clubs that may engage with political organisations on a more irregular basis; i.e. a Christian based club that organises for a member of Family First to come and speak or hands out their publications.

### How can you make sure people know you are a RUSU C&S and not a political party?

- All club produced publications, signs, banners, communications etc. must contain the RMIT club name and logo, as well as the 'RUSU Affiliated C&S' logo.
- Make sure you prominently display your club signs and banners over any political party materials – all materials should be RMIT club specific.

#### What about members' information?

- All Membership information and sign-up sheets should be specifically for the RMIT club not for use by another organisation.

If you plan to pass details of students who join your RMIT Club onto any other organisation or individual, then **you MUST advise this to those signing up and give your RMIT members the option to elect not to have their details passed on**. The best way to do this is to have a question and tick box students need to fill in on your Club membership forms etc. The provision of information is governed under both Federal and State Privacy Laws and is taken very seriously by both RUSU and RMIT. Any clubs or societies that breach these laws risk being suspended or shut down as well as facing potential legal action from wronged parties.

### Petitions

All petitions must clearly state where the information (names, signatures, etc.) is being sent and who will have access to it. All affiliations must be indicated clearly on your petitions.

### Campaigning, letter drops and more

Advice from DIICCSRTE is that organisations that have as their objective the election (including endorsement) to office of a political candidate at any level cannot receive funding through SSAF. This includes activities that 'supports' others in achieving this aim as well. Support is viewed as assistance to a political party that includes both financial (assistance, payment of membership/affiliation fees, gifts, etc.) and the organisation of volunteer labour. It would be best that participation in campaigning, letter drops, phone canvassing, door knocking, leafleting and similar activities is left to individual choice and participation and are not club sanctioned events. In other words, if you are going to hand out materials at your local supermarket for your local candidate, do not wear your RMIT (insert political affiliation) Club T-Shirt! What you do on your own time is your own business; what your club does on club time is RUSU, RMIT and Federal Government business.

## Guest speakers

If you choose to get someone onto campus or attend an off campus talk (as the Club) then we would strongly recommend that the purpose is for a debate, community forum or academic talk and not a campaign launch, part of a political election tour or fundraiser. Remember funds cannot be used to support parties or their election campaigns. Even if you do not pay to have a political candidate on campus, you are a funded club and so your existence is made possible through SSAF funding. It is a very grey line here that needs to be negotiated!

## Finally...

If in any doubt about anything it's better to be safe than disbanded so please seek advice from the RUSU Clubs Department: make an appointment to see us or send an email enquiry to [rusu.clubs@rmit.edu.au](mailto:rusu.clubs@rmit.edu.au)

## Sources:

*\*The section "to support political parties" was the 2011 addition to this clause, See [www.innovation.gov.au/highereducation/StudentSupport/Pages/StudentServicesAndAmenities.aspx#spend](http://www.innovation.gov.au/highereducation/StudentSupport/Pages/StudentServicesAndAmenities.aspx#spend)*

# [www.en.wikipedia.org/wiki/Reasonable\\_person](http://www.en.wikipedia.org/wiki/Reasonable_person)