



UMSU Incorporated  
**2021 ANNUAL ELECTIONS**  
Monday 6 September – Friday 10 September 2021

## **RULING ON ELIGIBILITY OF INTERNATIONAL STUDENT CANDIDATES FOR UMSU POSITIONS WHICH HAVE PAID HONORARIA**

After examining the issue of eligibility of international student candidates for UMSU positions which have paid honoraria attached I make the following ruling:

The eligibility of international students to stand for election to positions is determined by the UMSU Constitution and not the requirements of the Migration Act (Cth 1958). This is due to the governance of UMSU's election being determined by its Constitution and Election Regulations.

International students who are otherwise eligible cannot be prevented from standing due to any determination that to do so might cause that student to breach his or her visa requirements if elected to a position which has an honorarium.

Therefore, international students can stand for election pursuant to the UMSU Constitution and be elected to all positions that have honoraria attached, however UMSU will be entitled to withhold payment of an honorarium to the extent that payment would cause the student to exceed any work or payment limit in his or her visa conditions.

In line with this ruling, I require international students who are standing for election to positions at UMSU which have honoraria attached to complete a declaration stating that that they will not require or accept an honorarium if elected, in accordance with sub-clause 6.8 of the UMSU Constitution or otherwise to the extent that to do so would place them in breach of any visa requirement. This will need to be completed by all affected candidates and received by the election staff by the close of polling.

Gavin Ryan  
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