

## Determination (2) of the Returning Officer

1. While campaigning behaviour has generally been good, by far the majority of complaints by volume relate to reshares of material on social media by students (other than candidates and campaign representatives).
2. Regulation 12.7(a) is very broadly written and states [our emphasis]:

***Any publicity materials, election campaign leaflets, fliers, or any other form of written material directly or indirectly related to, or may be related to, the campaign of any of the election candidate(s), are only to be distributed, posted, or given out in any other way, by the candidate which the material supports or by the candidate's representatives.***
3. Our reading of is that this means that reposting in any form, including a reshare on social media, is not permitted by anyone other than a candidate and their campaign representatives. (As a special exception to this, which applies to candidates only, Regulation 12.5 allows reshares *by candidates* of other candidates' material.)
4. We view this Regulation as somewhat impractical and therefore in our report last year we recommended it be amended. This has not been done and so we are obliged to attempt to give it best effect.
5. To provide clarity on this matter:
  - a. Other than by candidates and their authorised representatives, resharing campaign material is not permitted.
  - b. When detected, in the first instance we will write to the candidate confirmed and ask that they write to the person resharing and request the material be taken down.
  - c. As long as this is done promptly, and the posting is not repeated, we will regard that matter as closed.
  - d. Nonetheless it remains prohibited to induce or encourage students (other than registered campaigners) to campaign, including by tagging people to encourage them to reshare. We will investigate any evidence of this.
  - e. Similarly, we will investigate any evidence of systematic resharing campaigns.
6. This matter will again be addressed in the Returning Officer's report.

Patrick Clearwater  
UMSU International Returning Officer  
Above Quota Elections Pty Ltd

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