

## SELECTED RULINGS FROM PRIOR YEARS

Please note that we regard the following as standing rulings.

### **UMSU OFFICE SPACE – Ruling (4) of 2007:**

The display of any campaign material for the current UMSU elections within the UMSU office-bearers space, including but not limited to the wearing of campaign T-shirts or badges by persons working in or frequenting that space (whether office-bearers or not, and whether on leave or not), is hereby prohibited, from today until the close of polling.

### **CAMERAS – Ruling (10) of 2007 (part):**

(a) In the light of their extremely widespread use, and their usefulness in substantiating certain claims, it would be unreasonable to ban the use of cameras entirely.

(b) However, the Returning Officer is concerned at the potential that the use of cameras poses for harassment and intimidation, and calls for restraint in their use. All campaigners are urged to respect the privacy and personal space of others, and are directed not to take photographs in circumstances where that could reasonably be regarded as harassment in breach of Regulation 44.5.26 or in breach of Union or University rules and procedures relating to harassment.

### **POSTERS ON BOLLARDS – Ruling (3) of 2008:**

1. Tickets have previously been advised to share poster space on bollards and not to cover the posters of other tickets when there was free space available, nor to blanket bollards with their own posters leaving little or no free space.
2. Unfortunately this advice has not been consistently followed, leading to unnecessary waste of resources and tension between campaigners. This is of particular concern given the evident policy concern of the Regulations to conserve paper.
3. Therefore, effective immediately and for the remainder of the campaign, a limit of six (6) A3-size posters (or 12 A4-size) per ticket on any one bollard at any time is hereby imposed, by virtue of the Returning Officer's power under Reg. 27.6 to control space allocation.
4. Campaigners are also reminded that pulling down posters belonging to another ticket is prohibited conduct under Reg. 44.5.12, regardless of whether or not they are within the scope of this Ruling, and that the proper remedy for any alleged breach of this or any other Ruling or Regulation is to make a report to the Returning Officer.

### **CAMPAIGN VIDEOS – Ruling (4) of 2009:**

In response to questions that have been raised, the Returning Officer rules that the following guidelines should apply to the production of campaign videos:

1. The script needs to be authorised, and a printed copy must be placed in the authorised material file before the video is released.
2. The Returning Officer needs to be notified as to what format the video will be distributed in, and links or physical copies lodged as appropriate.

3. The closing credits need to include the words “published by [name & student # of someone who takes responsibility for it]” and “authorised by the Returning Officer”.
4. Anyone who appears on the video other than as incidental scenery needs to be an eligible campaigner – ie a Melbourne University student and not an office-bearer who has not taken leave – and needs to have given their consent to appear.
5. All videos must otherwise comply with all relevant regulations, such as not being misleading, defamatory, sexist, etc.
6. These guidelines are based on the assumption that videos will be quite short – a maximum of two or three minutes – and will be reviewed if requests are made for longer videos.

### **PHOTOS AND LOGOS – Ruling (3) of 2011 [Revised]:**

Identifying photos of candidates or other students may only be used in election material if they have already been placed in the public domain by the student concerned or if the written consent of the student has been obtained. This consent must be provided to the Returning Officer on request.

Logos from another group or organisation may not be used without the written consent of that organisation. This consent must be provided to the Returning Officer on request.

### **WOODEN SIGNS – Ruling (5) of 2012**

In response to an enquiry about wooden signs, the Returning Officer rules as follows:

1. Although wooden signs are not listed among the permitted items of election material in Regulation 27.1, the Returning Officer has the power under Reg. 27.1.7 to permit “other types of material” unless they are specifically prohibited by the Regulations. Reg. 27.3.1 specifically prohibits “publicity reproduced on paper larger than A3 size”.
2. The Returning Officer believes that it would be contrary to the spirit of the Regulations to permit posters of any description larger than A3 size, even if they are made of some material other than paper.
3. Exceptions may be made, as they have in the past, for material that is directly associated with campaigners, rather than put in position and then left, as with a poster. For example, a banner hung from the front of a table at which campaigners are based may be authorised, even though it is larger than A3 size; a banner hung from a building would not be.
4. The same test would apply to wooden constructions. A sandwich-board worn by a campaigner, or placed beside a table or other location where campaigners were operating, may be authorised, provided it was not obstructing traffic. A free-standing unaccompanied wooden structure would not be.
5. In each such case, authorisation needs to be applied for and the material needs to carry the appropriate authorisation line.

### **Use of microblogging platforms Ruling (3) of 2015**

In response to a complaint concerning use of the social media site Sina Weibo, the Returning Officer rules as follows:

1. . Sina Weibo is a Chinese microblogging site, sharing some features of both Facebook and Twitter. Its use for election material has been allowed in the past, subject to proper authorisation.
2. Ruling (3) of 2009, reissued in subsequent years, among other things banned the use of Twitter for election material. When that ruling was codified this year in the Electoral Regulations that specific ban did not appear, but the new Regulation 28.12 provides that “The Returning Officer may ban the use of specific online sites or social media services for election material.” The Returning Officer and candidates had proceeded on the assumption that Twitter remained banned for this election.
3. Although Sina Weibo is not entirely like Twitter, it is sufficiently similar to raise much the same concerns, notably the limitation of posts to 140 characters and the fact that a person’s posts are typically visible to all of their followers.
4. . Accordingly, the use of microblogging platforms, including Twitter, Sina Weibo and similar sites, for election material is prohibited.

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Returning Officer

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