

UMSU International ANNUAL GENERAL ELECTION (AGE)

Electoral Regulations (effective 29 June 2020)

1. Status

The Electoral Regulations stated below are regulations for the conduct of the UMSU International Annual General Election (AGE) made under sections 8 and 10 of the UMSU International Regulations. The Electoral Regulations shall take effect during all relevant periods of the AGE including, but not limited to, the nomination period, the policy speech session, the voting sessions, vote counting, the declaration of results and any period in between. All candidates will be subjected to these regulations.

2. Appointment of Returning Officer(s)

The Central Committee shall be responsible for appointing an odd number of Returning Officers subject to sub-section 8(2) of the UMSU International Regulations.

- (1) The Returning Officer(s) should be of relevant experience and expertise.
- (2) The Returning Officer(s) must not be a candidate in the election.
- (3) The Returning Officer(s) shall be appointed before the notice is given for the AGE.
- (4) The Returning Officer(s) must not provide any form of assistance to any candidates other than in accordance with the Electoral Regulations.

3. Responsibilities of the Returning Officer(s)

- (1) The Returning Officer(s):
 - (a) is/are responsible for the conduct of the election;
 - (b) may decide for all matters not provided for in the UMSU International Regulations or the Electoral Regulations;
 - (c) is/are subjected only to the Central Committee. Is/are to report to the Central Committee with the results of elections.
- (2) The Returning Officer(s) must decide questions of facts on the balance of probabilities.
- (3) The Central Committee must provide the facilities, resources and assistance necessary to enable the Returning Officer(s) to carry out the responsibilities under the UMSU International Regulations and the Electoral Regulations.

4. Election Officer(s)

- (1) The Election Officer(s) is/are responsible in assisting the Returning Officer(s) as the Returning Officer(s) deem fit.
- (2) The Returning Officer(s) are responsible for the appointment of the Election Officer(s) before the AGE.
- (3) Section 2(1) to 2(4) also applies to the appointment of Election Officer(s).

5. Opening of Nominations

For the AGE, nominations must open for at least three (3) weeks.

6. Eligibility to Stand

- (1) Under sub-section 10(2) of the UMSU International Regulations, International Students are eligible to stand for any position in the AGE.
- (2) Under sub-section 10(3), Non-International Students who hold Australian Permanent Residency may stand for any position except the position UMSU International President and Vice President of Education and Welfare.
- (3) Under sub-section 10(4), Non-International Students who hold Australian Citizenship may only stand for the AGE for the non-Executive positions.
- (4) Under sub-section 10(9) of the UMSU International Regulations, any students who are not able to complete their full term as a Central member within the duration of their course are not eligible to run in any UMSU International Annual General Election or By-Election(s).
- (5) When requested, all candidates must be able to provide a copy of their student card as evidence of their eligibility to stand.
- (6) All candidates must submit a declaration as part of the nomination form declaring that they are eligible to stand.
- (7) Subject to sub-section 10(8) of the UMSU International Regulations, a candidate may be overseas during the period in which they are contesting the elections.

7. Receipt of Nominations

- (1) Nominations must be given/emailed to the Returning Officer(s), or left for the Returning Officer(s) in the locked box provided for that purpose in the UMSU International Lounge, or submitted via the designated online nomination form which will be linked to on the event webpage of the elections.
- (2) After the close of nominations, the Returning Officer(s) shall give notice of nominations received within three (3) academic days.

8. Close of Nominations

For the AGE, nominations must be received by the Returning Officer(s) by 5.00pm six (6) full academic days before the voting sessions.

9. Verifications of Eligibility

- (1) The Returning Officer(s) must verify that each person who has been nominated is eligible to run as soon as practicable.
- (2) Only one (1) position can be nominated on each nomination form.
- (3) If a student wishes to run for multiple positions, separate forms must be completed for each position and the preference of positions must be indicated on each form.
- (4) The maximum number of positions a student can be nominated for is two (2).
- (5) The nominator and the seconder:
 - (a) must be international students;
 - (b) must not be another candidate running for a position in the election;
 - (c) must not be the person being nominated or running for the position;
 - (d) must not be the Returning Officer(s), the Election Officer(s) or member of Dispute Committee.

10. Uncontested and Under-Contested Positions

- (1) A position will be considered uncontested where no candidate is nominated for the position.
- (2) A position will be considered under-contested where there are only as many candidates nominated as there are positions to fill.
- (3) Where a position is uncontested or under-contested after nominations have closed, nominations must be reopened for at least three (3) full academic days.
- (4) Where a position remains under-contested after nominations have been closed for a second time, the Returning Officer(s) must declare the nominated candidate as elected to the position, subject to candidate's eligibility being verified.
- (5) Where a position remains uncontested after nominations have been closed for a second time, a By-Election may be called under section 9(1) of the UMSU International Regulations.

11. Withdrawal of Nominations

- (1) A candidate may only withdraw their nomination at least two (2) full academic days prior to the commencement of the voting session.
- (2) Withdrawal must be in a written form with the signature of the candidate.
- (3) The withdrawal takes effect upon receipt of the withdrawal by the Returning Officer(s).
- (4) If a candidate withdraws, the Returning Officer(s) must proceed as if that candidate had never been nominated.

12. Campaigning

- (1) Each candidate is allowed to appoint up to two (2) representatives to assist in the campaign. Representatives are bound by the same campaign rules as candidates. Representative(s) can take turns assisting with physical publicity. ONLY TWO (2) campaigners are permitted to physically campaign at any given time. The candidate(s) and representative(s) are considered to be campaigners.
- (2) Candidates and/or their representative(s) are only to campaign on actual days of voting sessions. A campaign is deemed to be any organised course of action to arouse public interest in any candidate(s) that may include, but is not limited to, the use of:
 - (a) written material (campaign leaflets, fliers);
 - (b) posters;
 - (c) internet (Facebook, email, blogs, websites);
 - (d) phone (SMS, call networking).For the purpose of clarification regarding internet publicity, sharing, reacting and posting through any online platform are all to be considered campaigning. Candidates campaigning on non-voting days may be disqualified from the election, subject to discretion of the Returning Officers.
- (3) Candidates are not to campaign anywhere within the same room of the polling station.
- (4) Candidates are not to form groups or parties to run their campaign as a team.

- (5) Candidates may not assist one another in any matter related to the AGE, before and during the voting sessions.
- (6) The act(s) of the said assistance are deemed to include, but are not limited to, the following acts or omissions:
 - (a) The creation, writing or distribution of election campaign leaflets, fliers, or any other form of written materials, electronic or otherwise; or
 - (b) The verbal promotion of any candidate, directly or indirectly, by word of mouth, telecommunication, or any other reasonable means; or
 - (c) Shareing, posting or reacting to any online content; or
 - (d) Any other form of communication(s) intended to promote a candidate(s), or representative(s) of the candidate(s), via body language, hand signals or any other means by any one of the candidate(s), or representative(s) of the candidate(s), for any other candidate(s), or representative(s) of the candidate(s).
- (7) All publicity materials are to be endorsed by the Returning Officer(s) prior to distribution. Any doubts as to the accepted avenues of campaigning should be brought up to the Returning Officers prior to campaigning.
 - (a) 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 for which the material is intended for.
 - (b) Candidates are **not** allowed to distribute any material besides paper leaflets or flyers. Incentives such as gifts or sweets are not to be given out.
 - (c) All campaign materials must not contain the UMSU International logo or the UMSU International motto (i.e. Care for, Stand for, Act for International Students). However, the words “UMSU International” and “University of Melbourne Student Union International” may be used.
 - (d) The use of mailing lists and public online forums by any candidate(s) and/or representative(s) of the candidate(s), and/or any club(s)/society(ies)/entity(ies) for campaign purposes is not permitted.
- (8) If any of the candidate(s), or representative(s) of the candidate(s), are found to be in breach of section 12, by the Returning Officer(s) and/or Election Officer(s), the said candidate(s) may be disqualified from the election without prior warning by the Returning Officer(s).
 - (a) With regards to section 12(6), the decision(s) of the Returning Officer(s) is/are final.
 - (b) Appeals may be made directly to the Dispute Committee as per section 18 and section 21.

13. Policy Speeches

- (1) Candidates running for executive and director positions are encouraged to prepare and present a policy statement for each position for which they are nominated at the designated Policy Speech Session.

- (2) All candidates running for non-executive or director positions are encouraged to attend a question and answer session as part of the designated Policy Speech Session.

14. Voting

- (1) Under section 8 of the UMSU International Regulations, only UMSU International members and Central Committee members are eligible to vote in elections.
- (2) Under section 8(4) of the UMSU International Regulations, all elections must be conducted by secret ballot (physical, and/or electronic).
- (3) A UMSU International member or Central Committee member may only vote once in each election.

15. Issuing of Ballot Papers

15A. Issuing of Ballot Papers (Physical)

- (1) Where physical ballot papers are being used, all voters must produce their University student cards to verify their identity as International Students.
- (2) A student who is unable to satisfy section 15A(1) is only eligible to vote if the Returning Officer(s) is/are satisfied of his/her identity as an eligible voter.

15B. Electronic Voting

- (1) Where voting is electronic, all eligible voters will be sent an email through their university student email account with a personal link that will enable them to vote a single time only.
- (2) Only students who receive a personal link as per section 15B(1) will be able to vote.
- (3) If an eligible voter has not received an email with a personal voting link as per Section 15B(1), they may contact the Returning Officer(s) and request that such an email be sent to them. Such an email will only be sent on the condition that the Returning Officer(s) is/are satisfied that the request was made by an eligible voter.

16. Counting of Votes

Once official voting is closed, the Returning Officer(s) and Election Officer(s) may start counting the votes in a secure location.

17. Declarations and Notification of Results

The Returning Officer(s) must within four (4) full academic days after voting closes:

- (1) Declare the candidates who have been eliminated, have withdrawn or resigned from the AGE;
- (2) Give notice of the results of the AGE.

18. Appeals Against Results of Elections

- (1) A candidate may appeal against the result of an election in written form addressed to the Dispute Committee within one (1) academic day of the notice of the result of the AGE.

- (2) A candidate may only appeal against the result of an election on the grounds that there has been a defect in the conduct of the election and that it has materially affected the result.
- (3) The candidate appealing must notify the Returning Officer(s) of the appeal in writing immediately after they contact a member of the Dispute Committee.
- (4) The members of the Dispute Committee as per section 21 must convene a meeting within five (5) academic days of being contacted.
- (5) At the meeting, the candidate appealing must be given an opportunity to present his or her case.

19. Application of Amendments

No amendment(s) to the Electoral Regulations made during the election period shall have effect for and during the election period.

20. Availability of Regulations

Copies of the regulations the Electoral Regulations must be made freely available to students on request.

21. Dispute Committee

Due to the wide powers conferred upon the Returning Officer(s), the Dispute Committee (the Committee) is set up to review the decisions made by the Returning Officer(s). It serves as a check and is also an appellate panel.

- (1) The Committee should consist of 3-4 members including 1-3 Executive members of the current Central Committee. Members of the Dispute Committee must not be a Returning Officer, an Election Officer or a candidate in the election.
- (2) The Committee has the power to alter, overturn or affirm decisions taken by the Returning Officer(s).
- (3) All appeals must be in writing and addressed to the Dispute Committee.
- (4) All matters relating to an appeal and/or any rulings of the appeal will be made public to students.
- (5) The decisions of the Dispute Committee will be final.
- (6) The Central Committee shall be responsible for appointing the Dispute Committee.