

STUDENT GUILD OF CURTIN UNIVERSITY
REGULATIONS – DIVISION TWO – ELECTIONS

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STUDENT GUILD OF CURTIN UNIVERSITY

REGULATIONS – DIVISION TWO – ELECTIONS

These Regulations are made by the Guild Council under the powers conferred upon it by Section 11 of *Statute No.4 – Student Guild* and was approved by the Council of the University under the same section.

Part 1 – Preliminary

E1.1 Short Title

This is the *Guild Regulations – Division Two*.

E1.2 Commencement and Revocation

- (1) The *Guild Regulations – Division Two* adopted on 6th of August 2015 are hereby repealed, and replaced with these Regulations, which shall take effect the day after they are approved by the University Council.
- (2) The provision contained in Schedules A & B & C take effect from the day after they are approved by the University Council.

E1.3 Terms Used

For the purposes of these regulations, unless the contrary intention appears:

Academic Registrar means the Academic Registrar of the University.

Act means the *Curtin University Act 1966 (WA)*

Annual General Election means the elections held by the Guild each year in accordance with these Regulations.

by lot means by chance or by random.

Campaign Material in respect of an Annual General Election or any other poll, Election or Referendum under these Regulations, means any written, printed or photographic material including but not limited to a voting guide, poster, sign, leaflet, audio or visual display (including any electronic audio or visual display) whether attached to any fixed or mobile structure or not, provided that such material directly or indirectly supports any Candidate or has the purpose of influencing any Candidate or the Election, poll or Referendum.

Candidate means a person who has validly nominated for a position for Election and has not be disqualified or declared elected.

Casual means a person employed by the Guild or University (as the case requires) and whose pay includes a casual loading, but does not include Staff or Officers of the Guild.

Colour refers to the colour that is to be used exclusively for a Candidate or Group's Campaign Material.

day means any twenty four (24) hour period and includes public holidays, University holidays and weekends.

Determination includes any order, ruling or direction validly made under these Regulations.

Disability has the meaning given to it in Section 4 of the *Disability Discrimination Act 1992* (Cth) and **Disabled** has a corresponding meaning.

Distribute or **Distributed** includes the publication, display or handing out of Campaign Material.

Election means a ballot conducted by the Guild from amongst Enrolled Students to:

- (a) choose the members of the next Guild Council;
- (b) choose delegates to conferences of any organisation that the Guild may be affiliated to or a member of; or
- (c) determine the filling of any other position by resolution of Guild Council.

Election Period means the period of time from the opening of nominations to the declaration of the poll.

Electoral Assistant means staff appointed by and responsible to the Returning Officer.

Electoral Commissioner means the Commissioner of the Electoral Commission of Western Australia.

Employees means all Staff and Casuals of the Guild or University (as the case requires).

Enrolled Student has the meaning given to it in Section 4 of the Act.

Faculty Representative means the Curtin Business School Representative, Faculty of Science and Engineering Representative, Faculty of Health Sciences Representative and Faculty of Humanities Representative.

Final Electoral Roll means a list of all Enrolled Students as at the Semester Two Census Date.

Gross Misconduct means conduct by a Guild Member, in relation to an Election, or the campaign by a prospective candidate in any Election, that comprises conduct which would constitute either Bribery or Undue Influence as those terms are defined in the *Electoral Act 1907* (WA).

Group means a group of Candidates who associate together as a team under a common team name.

Group Agent means a Candidate in a Group who has been given authorisation to act on behalf of that Group in accordance with E6.1(1)(c).

Guild means the Student Guild of Curtin University established by Section 44 of the Act upon the making of the original *Statute No.4-Student Guild* on 14 January 1969.

Guild Council means the governing authority of the Guild defined in Section 6 of *Statute No. 4 – Student Guild*.

Guild Member means any Ordinary Guild Member or Financial Guild Member.

Guild Statute Book means the statute book of the Guild established under Section 13 of *Statute No.4-Student Guild* and R11.6.

Indigenous means Australian Aboriginal or Torres Strait Islander.

Initial Electoral Roll means a list of all Guild Members on the date that falls seven (7) days prior to the opening of nominations for the Annual General Election.

International Students means an Enrolled Student that is not a Citizen of the Commonwealth of Australia.

Managing Director means the Managing Director of the Guild.

Multiple Vacancies means positions for which more than one (1) person can hold office.

Officer of the Guild means a person who:

- (a) is in accordance with Section 44 (7a) of the Act, a Guild Member;
- (b) holds an official position elected or appointed in accordance with the Guild Statute Book;
and
- (c) is not an employee of the Guild.

Official Guild Noticeboard means the physical noticeboard as nominated by the Guild Council, and the Guild website.

Polling Place includes a campus polling place and a Special Polling Place.

Postal Vote Application means an application to vote by post in accordance with E3.4.

Postgraduate Student means an Enrolled Student who is undertaking a degree designated by the University as a postgraduate degree.

Prescribed Areas means those areas set aside for the display of Campaign Material by the Returning Officer.

Printing includes photocopying, plate, photographic and other similar processes.

Queer means a person who does not identify as cisgender and/or heterosexual.

Referendum means the submission to the electors of a proposal requiring a yes or no vote in accordance with these Regulations.

Regulations means these Regulations, *Guild Regulations – Division One* and any other Regulations made in under Section 11 of *Statute No.4-Student Guild*.

Returning Officer means the person appointed under Regulation E2.1 to conduct the Annual General Election or any other poll, Election or Referendum as requested under these Regulations.

Scrutineer means an observer at the counting of the votes. Scrutineers shall not be Candidates or an Employee of the Guild.

Semester Two Census Date means the date determined by the University to be the census date for the second semester as shown on the academic calendar.

Single Vacancy mean positions for which only one person can hold office.

Special Polling Place means a place for the taking of votes other than and in addition to the Polling Place that is nominated by the Returning Officer.

Staff means all permanent and non-permanent full time, part time and fixed term employees of the Guild or University (as the case requires), but does not include Casuals or Officers of the Guild.

Teaching Day means a day which is officially designated by the University as a day when classes are scheduled except:

- (a) any day which falls outside a semester designated by the University;
- (b) public holidays observed by the University;

- (c) Saturdays and Sundays;
- (d) days designated by the University as 'tuition free';
- (e) days designated by the University as formal examination periods; and
- (f) the seven (7) days immediately prior to a week designated as a formal examination period.

these Regulations means *Guild Regulations - Division Two*

University means Curtin University.

Vice Chancellor means the Vice Chancellor of the University.

week means any seven (7) day period.

Woman includes a person who identifies as a woman.

E1.4 Interpretations

For the purpose of these Regulations, the following interpretations shall apply:

- (a) where the word **may** is used in conferring a function, it is to be interpreted to imply that the function so conferred can be exercised or not at discretion.
- (b) where the word **shall** is used in conferring a function it is to be interpreted that the function conferred must be exercised.
- (c) wherever it is provided that an Appointment shall be made at a specific meeting, such Appointment will be valid if made at the earliest possible subsequent meeting.
- (d) where a power or a duty to make Appointments to an office or position is imposed on a person or a body, unless the contrary intention appears, the power includes the power to remove or suspend the person appointed and to appoint another person temporarily in the place of the person suspended, or in the place of a sick or absent holder of the office or position.
- (e) unless the context otherwise requires, the singular number is to be construed as including the plural number.
- (f) where a power, authority, duty or function is conferred upon a position it shall include any person acting in that position.
- (g) where notice in writing is required, it may be served by post or by electronic means, and:
 - (i) if served by pre-paid post (with the correct address and sufficient postage) it is deemed served 3 business days after posting; and
 - (ii) delivery to a Returning Officer can be effected by leaving a written notice in the nominations box provided, if it is available for use.
- (h) a reference to one gender includes the others, except where the provision specifically details that a person must be of a particular gender;
 - (i) a reference to a person includes a body corporate;
 - (j) a reference to a statute, regulation or provision of a statute or regulation (**Statutory Provision**) includes:
 - (i) that Statutory Provision as amended or re-enacted from time to time;
 - (ii) a statute, regulation or provision enacted in replacement of that Statutory Provision; and
 - (iii) another regulation or other statutory instrument made or issued under that Statutory Provision;
- (k) including and other similar expressions are not words of limitation.
- (l) Unless the context otherwise required, any reference to a time shall be a reference to Western Australian Standard Time (WST) in Perth, Western Australia
- (m) headings and any table of contents or index are for convenience only and do not form part of these Regulations or effect its interpretation.

- (n) all references to “Curtin University” shall mean Curtin University of Technology until such time as the *Universities Legislation Amendment Bill 2016 (WA)* becomes law and takes effect as such.
- (o) all references to “*Curtin University Act 1966 (WA)*” shall mean *Curtin University of Technology Act 1966 (WA)* until such time as the *Universities Legislation Amendment Bill 2016 (WA)* becomes law, and takes effect as such .

Part 2 - Returning Officer

E2.1 Appointment

- (1) A Returning Officer may be appointed by the Electoral Commissioner to conduct the Annual General Elections and any other polls, Election, or Referendum as requested under these regulations.
- (2) If the Electoral Commissioner is unable or unwilling to make such appointment:
 - (a) the Managing Director shall recommend a person to be Returning Officer to the Vice Chancellor; and
 - (b) if the Vice Chancellor is satisfied that the person can carry out the duties of Returning Officer in keeping with the Guild Statute Book then the Vice Chancellor shall appoint the person as Returning Officer.
- (3) A Returning Officer shall be appointed no later than fourteen (14) days before the Annual General Election, Election or Referendum. The appointment of the Returning Officer shall be effective from the date of the instrument of appointment until five (5) days after the declaration of all polls at the Annual General Election, Election or Referendum.
- (4) The appointment of the Returning Officer is not effective until the person concerned has signed an undertaking that they will not be contesting the election and will perform the duties associated with the position impartially and in accordance with these Regulations.
- (5) The Electoral Commissioner or Managing Director (as the case requires), may during the absence or temporary incapacity of a Returning Officer appoint a substitute to perform the functions of that Returning Officer.
- (6) A Returning Officer must provide the Guild with an address for the service of notices in writing (which address shall include a postal address, and also an address for electronic communications that is secure from external interference), and a separate address for the deposit of Postal Votes.

E2,2 Remuneration

The Guild will remunerate the Western Australian Electoral Commission or Vice Chancellor appointed Returning Officer for all expenses incurred in conducting an Annual General Election or any other poll, Election or Referendum requested under these Regulations.

E2.3 Responsibilities

The Returning Officer has responsibility to ensure the fair conduct of the Annual General Election and the polls held in conjunction with that Election in accordance with Guild Statute Book.

E2.4 Disqualifications

The following persons are disqualified from appointment as Returning Officer:

- (a) a person who is a current member of the Guild Council, or has been a member, of the Guild Council within the previous five (5) years;
- (b) a person who is a current Employee, or has been an Employee, of the Guild or University within previous five (5) years;
- (c) a person who is a member, or has been a member, of a political party registered at Federal or State level within the previous five (5) years; and
- (d) an Enrolled Student of Curtin University.

E2.5 Resignation

The Returning Officer may resign by lodging a written resignation with the Electoral Commissioner or with the Managing Director, as the case requires.

E2.6 Powers

Subject to these Regulations the Returning Officer has the power to:

- (a) recruit, engage and appoint Electoral Assistants in the conduct of the Elections;
- (b) make a Determination of any word, regulation or other related electoral matter;
- (c) issue Determinations, rulings, orders and discretions for the fair conduct and administration of any election or in regard to any relevant electoral matter;
- (d) act on their own motion to prevent a breach or attempted breach of the regulations;
- (e) delegate to an Electoral Assistant any of the Returning Officer's duties and functions except this power of delegation, subject to any decision of an Electoral Assisting being able to be appealed to the Returning Officer, the decision of the Returning Officer on appeal shall be final;
- (f) remove any person who wilfully interferes, obstructs or disputes procedures at the poll or count;
- (g) dismiss or uphold a complaint or appeal in whole or in part;
- (h) issue orders to rectify a complaint or appeal that is proven;
- (i) use or authorise the use of electronic systems or facilities, including the internet or wireless, to assist in the conduct of elections at the request or with the consent of the Guild. This encompasses the distribution and receipt of ballot papers and the counting of the votes.
- (j) make determinations relating to the distribution of Campaign Material, but not its content

Part 3- Eligibility to Participate

E3.1 Eligibility

A Candidate shall be eligible for Election to the Guild Council if they:

- (a) hold the general qualifications listed in Schedule C (1);
- (b) do not hold any of the general disqualifications specified in Schedule C (2); and
- (c) meet the specific qualifications and/or disqualifications applicable to that particular office specified in Schedule C (3).

E3.2 Multiple Nominations

- (1) A person may nominate only for one (1) position that is a member of Guild Council.
- (2) A person may nominate for more than one (1) position at the same Election provided that only one of the nominations is for a position that is a member of Guild Council.

E3.3 Electors

- (1) To be eligible for enrolment in the Annual General Election a person must be an Enrolled Student of the University at the Semester Two Census Date.
- (2) Pursuant to Section 6(1) of *Statute No.4-Student Guild* a person is not required to be a Guild Member in order to be eligible to vote.
- (3) Voting shall be voluntary.
- (4) Electors may vote only once in respect to each position for which they are eligible to vote.
- (5) Electors shall vote in person, unless the elector is eligible for postal voting in accordance with E3.4.
- (6) Electors shall present commonly accepted photo identification as determined by the Returning Officer to verify their identity.
- (7) There shall be no right of proxy vote.
- (8) A person's right to vote at an Election for which the person is enrolled is not affected by any change in the person's name or by any change in residence if the person continues to be eligible to be enrolled for the Election.

E3.4 Postal Voting

- (1) An elector may apply for a postal vote by completing and submitting a Postal Vote Application if that elector is:
 - (a) an external or part-time student;
 - (b) Disabled or incapacitated;
 - (c) undergoing study vacation/exams;
 - (d) not within eight (8) kilometres of a polling place throughout the hours of polling;
 - (e) a carer or someone who is ill, infirm or pregnant;
 - (f) precluded from attending a polling place throughout the hours of the polling or throughout the greater part of those hours because of membership of a religious order or religious beliefs;

- (g) serving a sentence of imprisonment for an offence or otherwise being in lawful custody or detention;
 - (h) travelling under conditions that will preclude attendance at the polling place; or
 - (i) required or on call for emergency duty or employment;
- (2) A Postal Vote Application shall:
- (a) state the reason for applying for a postal vote, as referenced in E3.4(1);
 - (b) contain a declaration by the applicant stating that they qualify for a postal vote;
 - (c) be signed by the applicant and a witness; and
 - (d) be lodged with the Returning Officer before 5:00pm on the Friday preceding the opening of polling.
- (3) The Returning Officer may correct any minor defects in the Postal Vote Application and may reject any Postal Vote Application that does not meet the requirements of regulation E3.4 (1) or (2).
- (4) Postal vote applications shall be included with the opening notice of nominations in a Guild publication and be available from Guild Reception.
- (5) The Returning Officer shall, for the purpose of receiving ballot papers in respect of that Election, use an address exclusively for that purpose.
- (6) A postal vote packet (**Postal Election Packet**) shall include the following:
- (a) ballot papers initialled by the Returning Officer or bearing a facsimile of those initials;
 - (b) an envelope marked "Ballot Paper";
 - (c) prepaid express return envelope to the Returning Officer; and
 - (d) election publication "The Candidate".
- (7) Wherever possible, a Postal Election Packet shall be despatched to electors who have applied for a postal vote on the same day as receipt of the application, and no later than 5:00pm the Friday before the opening of the poll.
- (8) Postal votes must be returned to the Returning Officer or lodged at the polling place before close of the poll in order to be included in the count.

Part 4 - Election Timetable

E4.1 Establishment of Election

- (1) The Managing Director shall provide notice to the Electoral Commissioner of the Annual General Election by the end of the first semester and this notice shall include:
- (a) a request to the Electoral Commissioner for assistance in the recruitment and appointment of a Returning Officer / Substitute Returning Officer;
 - (b) details of a proposed timetable for the elections; and
 - (c) a current copy of all Guild Regulations and the regulations for any other polls held in conjunction with the Annual General Election.

- (2) The actual timetable for the elections must be both proposed by the Managing Director, and approved by the Returning Officer before it is officially adopted.

E4.2 Deadlines

- (1) The Initial Electoral Roll shall close seven (7) days prior to the opening of nominations and be delivered to the Returning Officer twenty four (24) hours prior to the opening of nominations.
- (2) Nominations shall:
 - (a) open on the date of the official notice inviting nominations in accordance with E5.1;
 - (b) be open for at least ten (10) Teaching Days; and
 - (c) close between fourteen (14) and twenty-eight (28) days before polling commences.
- (3) Group Registration forms shall be lodged with the Returning Officer by the close of nominations.
- (4) The Returning Officer shall determine by lot the order in which names will appear on the ballot paper for positions for which a poll will be held within twenty four (24) hours of the close of nominations (excluding Saturdays or Sundays).
- (5) The Final Electoral Roll shall close following the Semester Two Census Date and shall be delivered to the Returning Officer at least seven (7) days prior to the commencement of polling.
- (6) Ordinary voting for the Annual General Election shall be held over three (3) or four (4) consecutive Teaching Days during September and the final day of polling shall be a Thursday.
- (7) The results of the poll shall be declared by the Returning Officer on the completion of counting but not later than fourteen (14) days after the close of poll.

E4.3 Other Polls

The timetable of other polls held in conjunction with the Annual General Election shall be in accordance with the act, statute, constitution, regulations, rules or by-laws that govern those other polls. In the interests of reducing potential for confusion, every effort shall be made to ensure that key dates and phases of the other polls coincide with the same key dates and phases of the Annual General Election.

Part 5 - Nominations

R5.1 Public Notice

- (1) A public notice inviting nominations shall be placed on the Official Guild Noticeboard and in a Guild publication at least ten (10) teaching days before nominations are due to close in accordance with the timetable for the Annual General Elections. The Returning Officer may also use any other means they see fit to advertise the opening of nominations.

- (2) The public notice shall contain:
- (a) details of the nomination deposit, which shall be an amount of \$10;
 - (b) titles and number of vacancies with respect to all offices due for Election;
 - (c) the form in which nominations are to be made;
 - (d) the place where nominations may be lodged or posted;
 - (e) the times and dates of the commencement and closure of the period for lodging nominations;
 - (f) eligibility criteria for electors and Candidates;
 - (g) details of the relevant key dates and times of the election timetable (including the times, dates and places for the draw for positions on the ballot paper and, where it applies, the lodgement of Group Registration); and
 - (h) an invitation for interested and eligible persons to nominate.
- (3) The Postal Vote Application shall be displayed concurrently with the public notice of the election.

E5.2 Nominations

A Nomination shall (**Nomination Requirements**):

- (a) set out the name, student number, date of birth and the place of residence of the nominee;
- (b) be signed by one witness who has sighted the nominee's Curtin student identification card; This witness must be:
 - (i) either a member of Guild Staff (who is not an Enrolled Student),
 - (ii) the Returning Officer; or
 - (iii) a Justice of the Peace.On satellite campuses, University staff members on that campus act as acceptable witnesses.
- (c) contain a signed statement by the nominee that they consent to act in the position nominated for, if elected;
- (d) contain a signed statement by the nominee that they are qualified to hold office and eligible for the position and agrees to be bound by the Guild Statute Book;
- (e) contain the following statement:

"In nominating for this position, I agree to be bound by the Curtin University Act 1966, the Statute No.4-Student Guild and all the other provisions of the Guild Statute Book. I further agree to act in the best interests of the Guild and all Guild Members in the performance of my duties"
- (f) include all forms, including forms with the nomination deposit or a receipt for the nomination deposit;
- (g) include a preference for a colour where the Candidate is not registering to be part of a Group; and
- (h) be received by the Returning Officer after nominations are publicly invited by notice, but prior to the close of nominations.

E5.3 Supplementary Information

The following additional information may be provided by the candidates by the close of nominations:

- (a) details of a preferred and common variation of the Candidate's name for inclusion on the ballot paper and public notices;
- (b) a policy statement of up to 500 words, irrespective of how many positions a single Candidate has nominated for. It must include the Candidate's name and position nominated for and must be confined to information about the Candidate and statements of the Candidate's policies and beliefs. The policy statement must be presented in a format suitable for inclusion in the Election publication "The Candidate" as determined by the Returning Officer; and
- (c) a photograph of the Candidate's head or head and shoulders. The photograph should be recent, and show a reasonable likeness to the Candidate. The photograph shall be submitted by means determined by the Returning Officer.

E5.4 Death of a Candidate

(1) For an office with a Single Vacancy:

- (a) if a Candidate dies before the declaration of nominations, their name shall not be declared as a Candidate and the election shall proceed.
- (b) if the death occurs after the declaration of nominations but before ballot papers are printed, the election for the position which the deceased was a declared Candidate shall be deemed to have wholly failed.
- (c) if the death occurs after the printing of ballot papers, but before the close of polling, votes will not be counted in respect of the position contested by the deceased and the election for the position which the deceased was a declared Candidate shall be deemed to have wholly failed.
- (d) if, after the close of polling but before the declaration of the poll, any Candidate in an election dies, the election for the position which that Candidate was contesting shall, by reason of such death, be deemed to have wholly failed.

(2) For an office with Multiple Vacancies:

- (a) if a Candidate dies before the declaration of nominations, they shall not be declared as a Candidate and elections shall proceed.
- (b) if a Candidate dies between the declaration of nominations and the close of the poll, the following shall apply:
 - (i) if the public list has not been printed, the name shall be excluded from that list.
 - (ii) if the ballot papers have not been printed, the name shall be excluded from the ballot paper and no redraw for ballot paper order shall be necessary.
 - (iii) if the ballot papers have been printed, votes will not be counted in respect of the position contested by the deceased and the election for the position which the deceased was a declared Candidate shall be deemed to have wholly failed.

E5.5 Withdrawals

- (1) A Candidate may, withdraw their consent to nomination by a notice signed by them and a witness, that is addressed to and lodged with the Returning Officer
- (2) Where a withdrawal is received:
 - (a) before the close of nominations that person shall be deemed not to have been nominated.

- (b) before Printing of the public list, the name shall be excluded from the public list.
- (c) before Printing of ballot papers, the name shall be excluded from the ballot paper.
- (d) after Printing of ballot paper, a notice shall be displayed to alert electors in the Polling Place and the Candidate shall be excluded from the count.

E5.6 Failed Elections

An election shall fail where:

- (a) no nomination is received for the position by the close of nominations;
- (b) a Candidate for an office with a Single Vacancy in the Election dies after the close of nomination but before polling; or
- (c) in a Multiple Vacancy Election there are insufficient nominations received and if this occurs the elections shall fail only in respect to the vacancy or vacancies for which a nomination is not received.

E5.7 Defects

The Returning Officer shall:

- (a) accept a nomination which in the Returning Officer's reasonable opinion substantially complies with the Nomination Requirements;
- (b) reject a nomination if it in the Returning Officer's reasonable opinion does not substantially comply with this Nomination Requirements and notify the person as soon as possible;
- (c) allow a Candidate to alter or correct any minor defect in a nomination form or supplementary information/documents lodged, within twenty four (24) hours of the close of nominations whenever this is possible.
- (d) where similarity in the names of two or more Candidates is likely to cause confusion, alter the names of those Candidates or add a description that will distinguish the Candidates from one another.

E5.8 Nominations Received

The Returning Officer shall display on the Official Guild Noticeboard the public list of Candidates for each position and any other relevant details as soon as possible after the close of nominations.

E5.9 Return or Forfeiture of Deposit

- (1) The Returning Officer is to arrange for the nomination deposit to be refunded in full to all Candidates declared elected to any Guild office.
- (2) Candidates that are not declared elected shall forfeit their deposit.

Part 6 - Registration of Groups and their agents

E6.1 General

- (1) Candidates wishing to be grouped must sign a declaration on the Group registration form which provides:
 - (a) consent to the grouping;
 - (b) authorisation for the Group name;
 - (c) authorisation of two Group Agents – a primary and a secondary Group Agent; and
 - (d) the preference of the Group's Colour to be made from a list of Colours supplied by the Returning Officer.
- (2) Once a Colour has been allocated by the Returning Officer, it cannot be changed.
- (3) No Candidate may be registered in more than one Group.
- (4) If a Candidate does register for more than one Group, they will not be included in any Group.

E6.2 Defects

- (1) The Returning Officer may allow a Candidate included in a Group or a Group Agent to correct any minor defect in the Group registration form within twenty four (24) hours after the close of nominations.
- (2) A Group may de-register its name by notice in writing which is signed by both Group Agents.

E6.3 Withdrawal of Consent

- (1) A Candidate who has been included in a Group registration may, before the deadline for Group registrations, withdraw their consent to be included in that Group, by notice in writing signed by the Candidate, and a witness, that is lodged with or served upon the Returning Officer.
- (2) Where one or more withdrawals within a Group occurs by the close of nominations but still more than one Candidate remains within the Group, the Group registration shall still be valid.
- (3) An authorised Group Agent can withdraw from their position by notice in writing to the Returning Officer that is signed by the Group Agent and a witness. A new Group registration form shall accompany the letter of withdrawal, authorising a new primary and secondary Group Agent.

E6.4 Rejection

A Group name shall not be accepted by the Returning Officer if it:

- (a) comprises either more than seven (7) words or thirty five (35) characters;
- (b) is obscene or in poor taste in the opinion of the Returning Officer;
- (c) is the name or so nearly resembles the name, or an abbreviation or acronym of the name, of another Group name already accepted for the Election that it is likely to be confused

with or mistaken for that Group or that abbreviation or acronym. The unsuccessful Group must be notified immediately and shall then submit a new Group name to the Returning Officer within twenty four (24) hours. If not, the Returning Officer shall deem that Group unregistered;

- (d) comprises or contains the word "independent"; or
- (e) is misleading.

E6.5 Group Agents

- (1) The Returning Officer will maintain a register of Group Agents which shall be reproduced and made available for public inspection at the Guild Reception Office and on the Official Guild Noticeboard after the close of nominations.
- (2) A Group can change their Group Agent by providing a new Group registration form, signed by all Group members, to the Returning Officer.
- (3) A Group Agent may not be a Group Agent for more than one Group.
- (4) All of the Group Agents of a Group must be a candidate on that Group.
- (5) Where a Candidate is elected unopposed and is a Group Agent, they may continue to be a Group Agent.

Part 7 - Polling, Material and Equipment

E7.1 Polling Places

- (1) The Returning Officer shall appoint one static Polling Place for the taking of votes from electors casting votes.
- (2) The Returning Officer shall advertise on the Official Guild Noticeboard and a Guild publication, as well as take whatever other steps they consider appropriate and convenient, to give public notice of the location of the Polling Place and the dates and times of operation.
- (3) The Returning Officer may appoint Special Polling Places if the Returning Officer deems it to be necessary or desirable following consultation with the Managing Director. The days and hours of operation of the polling at Special Polling Places shall be determined by the Returning Officer.
- (4) The precinct of the Polling Place shall include the area within a five (5) metre radius of any entrance or exit to a Polling Place or any other area designated by the Returning Officer.
- (5) Polling hours shall be from 10:00am to 4:00pm with the exception of the Wednesday, which shall be from 10:00am to 6:00pm.

E7.2 Electoral Roll

- (1) There shall be two electoral rolls.
 - (a) the Initial Electoral Roll for the purposes of advising eligibility to nominate as a Candidate, which sets out a roll of all Guild Members up to the close of rolls in E0402 (1).
 - (b) the Final Electoral Roll for the purposes of polling, which sets out a roll of all Enrolled Students up to the close of rolls in E0402 (5).
- (2) The Initial Electoral Roll must be certified as correct, to the best of their knowledge, by the Managing Director and must be delivered to the Returning Officer 24 hours prior to the opening of nominations by the Managing Director.
- (3) The Final Electoral Roll must be certified as correct, to the best of their knowledge, by the Managing Director and must be delivered to the Returning Officer seven (7) days prior to the commencement of polling by the Managing Director.
- (4) Alterations to the roll may be made at any time by the Returning Officer if that officer is satisfied that an error exists.
- (5) The electoral rolls may be inspected when they are available by any Candidate or Scrutineer under supervision of, and at the convenience of the Returning Officer.

E7.3 Ballot Papers

- (1) The Returning Officer shall make special provisions for the preservation of the following items in safe custody. They shall be respectively placed in separate containers, each endorsed with the name of the Guild and the office to which the election relates (if applicable), and shall be sealed, signed and dated by the Returning Officer:
 - (a) all nomination papers;
 - (b) all ballot papers admitted by the Returning Officer as formal;
 - (c) all ballot papers rejected by the Returning Officer as informal;
 - (d) all declaration envelopes, whether formal or informal;
 - (e) all postal votes received after the close of the ballot;
 - (f) the marked electoral roll showing electors that have recorded a vote; and
 - (g) unused ballot papers, declaration envelopes and other relevant documents prepared in connection with the election.
- (2) Ballot papers, declaration envelopes (admitted and rejected), the electoral rolls and any other material may not be destroyed until a year has elapsed after the poll has been declared.
- (3) The Returning Officer is responsible for the format and production of the ballot papers provided that:
 - (a) the order of names that appear on the ballot paper is decided by lot; and
 - (b) a candidate in a Group shall have the Group name displayed with the candidate's name.

Part 8 - Campaign Material

E8.1 Authorisation

- (1) Campaign Material shall:
 - (a) include the name and address of the Candidate authorising the material and must include the name and address of the printer of the material;
 - (b) be printed in the Colour, as allocated by the Returning Officer. Should there be competing claims on any Colour, the Colour shall be determined by lot by the Returning Officer;
 - (c) be produced through a printing facility nominated by Guild Council for the Annual General Elections if it is printed on paper; and
 - (d) not be distributed during the Election Period unless authorised by the Returning Officer.
- (2) A copy of the proposed material, a statement containing the proposed manner and time of distribution and the amount of material to be distributed shall be submitted to the Returning Officer for consideration and authorisation;

R8.2 Prohibited Material

- (1) The Returning Officer may refuse authorisation to proposed material that in the Returning Officers opinion may constitute Prohibited Campaign Material or an attempt in some way to circumvent the spirit of a costing allocation. A decision by the Returning Officer to authorise or refuse to authorise proposed material is final.
- (2) The Returning Officer may return the unauthorised material to the Candidate and shall provide a reason for refusal of authorisation.
- (3) Any unauthorised material that has been distributed or material distributed in an unauthorised manner shall be confiscated by the Returning Officer, and a copy of the material is to be kept.

E8.3 Costing

- (1) For the purposes of this regulation E0803:
 - (a) Candidate shall mean a Candidate running in any, multiple or all Elections conducted at the same time and for the purposes of E0803 (4) and (5) a Candidate shall only count as one (1) Candidate regardless of the number of positions they have nominated for.
 - (b) where multiple Elections are being conducted at the same time, materials for all Elections shall be costed together as if they were a single Election.
- (2) Candidates shall prepare Campaign Material at their own expense, and in preparing the Campaign Material, shall not exceed the limits set out in these Regulations.
- (3) The Returning Officer shall issue all candidates a memorandum of costing procedures adopted by Guild Council for assessing expenditure and maintain a statement of expenditure for each

Candidate not in a Group and each Group.

- (4) If the Returning Officer is satisfied on the balance of probabilities that Campaign Material was prepared by others for use of a Candidate and used for election purposes, the Returning Officer may assess the value of the Campaign Material so used, and add this to the amount expended indirectly by the Candidate on Campaign Material.
- (5) Candidates in a Group may apportion the cost of Group Campaign Material amongst any or all candidates in their Group at \$50.00 per candidate with a maximum Group limit set at \$1500.00.
- (6) A candidate not in a Group shall have a limit of \$150.00 to spend on Campaign Material.

E8.4 Display

- (1) Campaign Material may only be Distributed in prescribed areas as defined by the Returning Officer on the advice of the Managing Director on University grounds.
- (2) No person other than the Returning Officer and Electoral Assistants shall remove, obstruct, alter or deface affixed Campaign Material within the prescribed areas.
- (3) No Campaign Material is to be Distributed until 12:00am (midnight) on the Monday of the week prior to the commencement of polling.
- (4) Campaign Material shall not be permitted inside bathrooms on the University grounds.
- (5) Campaign Material shall only be Distributed by Enrolled Students of Curtin University.

Part 9 - Counting and Declaration of the Poll

R9.1 General

- (1) The Returning Officer shall appoint the location and times of counting of votes.
- (2) Votes shall be counted in accordance with the rules of Optional Proportional Representation as outlined in Schedule A.
- (3) The counts for various elections will be conducted in the order listed in Schedule B, or as determined by the Returning Officer.
- (4) The formality and informality of votes shall be determined ultimately by the Returning Officer having regard to the guidelines produced by the Western Australian Electoral Commission.
- (5) The Returning Officer may at their discretion adjourn the count, for continuation as soon as practical.

E9.2 Validity of Result

An Election is not invalid because of any:

- (a) delay, error or defect of a procedural nature if the delay, error or defect does not affect the result of the Election;
- (b) omission, error or defect in the appointment or authorisation of the Returning Officer;
- (c) formal error or defect in any declaration or other instrument, or in any publication made under these regulations or intended to be so made;
- (d) publication made under these Regulations being out of date; or
- (e) actions, including any fraudulent actions, of a Scrutineer that do not affect the results of the election.

E9.3 Unopposed Elections

Where, at the close of nominations, the number of Candidates for an Election is equal to or less than the number of vacancies to be filled at the Election, the respective Candidates are declared elected.

E9.4 Notification

The Returning Officer shall:

- (a) declare the poll by providing public notice on the Official Guild Noticeboard at the completion of counting.
- (b) provide a certificate to all the successful Candidates declaring the Election results; and
- (c) lodge a report with the Guild Council through the Managing Director by the commencement of the next term of the Guild Council.

E9.5 Scrutineers

- (1) Scrutineers shall be allowed to attend the counting of the votes, with the following conditions that they:
 - (a) do not obstruct the counting of the votes;
 - (b) may question the formality of a vote, but ultimately must accept the Returning Officer's decision as to whether the vote is formal or informal, as stated in E9.1 (3);
 - (c) do not touch any voting material, including discarded or valid ballots papers;
 - (d) do not attempt to defraud or influence the counting of the votes;
 - (e) shall report any suspected fraudulent activity of other Scrutineers to the Returning Officer; and
 - (f) may be removed at any time by the Returning Officer if they breach any of these conditions or if their behaviour is considered to be inappropriate by the Returning Officer.
- (2) A notice signed by a Group Agent may appoint a Scrutineer on behalf of the entire Group.

Part 10 - Appeals and the Election Tribunal

E10.1 Applicability

- (1) The Election Tribunal shall be the means of appealing the Annual General Election or any other poll, Election or Referendum conducted under these Regulations except for polls, Elections or Referendums in which the Returning Officer is appointed by the Electoral Commissioner.
- (2) For any poll, Election or Referendum conducted under these Regulations for which the Returning Officer is appointed by the Electoral Commissioner, the Electoral Commissioner shall perform the function of an Election Tribunal in accordance with any procedures that the Electoral Commissioner may determine, and shall not be bound by E10.2-E10.9

E10.2 Membership

- (1) The Election Tribunal must at all times consist of:
 - (a) Academic Registrar (or nominee) (Chair and Convenor); and
 - (b) three (3) General Members, who have no prior relationship with any of the Candidates.
- (2) The General Members referred to in E10.2 (1) (b) shall be appointed in accordance with R6.1(3) of *Guild Regulations - Division One*.

E10.3 Quorum

A quorum of a hearing of the Election Tribunal shall consist of three (3) members and shall include the Chair of the hearing.

E10.4 Complaints

- (1) A person must not commit an Electoral Offence.
- (2) A person who suspects that a person is guilty of an Electoral Offence may lodge a complaint addressed to the Academic Registrar and the Returning Officer (**Complaint**).
- (3) A Complaint must specify one or more Electoral Offences referred to in Part 11 and provide the details of the Electoral Offence.
- (4) The Election Tribunal may request further written details from the complainant.
- (5) A disputed election result shall be lodged in the form of a petition addressed to the Academic Registrar and also the Returning Officer (**Petition**).
- (6) A Petition disputing an Election result shall:
 - (a) set out the facts relied on to invalidate the Election;
 - (b) be signed by a Candidate in the election in dispute; and

- (c) be attested by two (2) eligible electors to vote in the Election under dispute.
- (7) A security deposit of \$100.00 shall be lodged with each individual Complaint or Petition and shall be forfeited to the Guild if, in the opinion of the Election Tribunal, the Complaint or Petition is deemed frivolous.

E10.5 Timetable

- (1) A Complaint or Petition must be lodged no later than 5:00pm seven (7) days following the declaration of the poll.
- (2) Hearings are to be held no later than fourteen (14) days following the deadline for lodging a Complaint or Petition in E10.5(1).
- (3) The Chair of the Election Tribunal is to give seven (7) days of a hearing to all parties who the Election Tribunal consider relevant to the proceedings.
- (4) The determination of the Tribunal shall be made within five (5) weeks of the declaration of the poll.

E10.6 Powers

- (1) The Election Tribunal is:
 - (a) not bound by the rules of evidence;
 - (b) solely responsible for its own administration and proceeding; and
 - (c) able to adjourn.
- (2) In the case of a disputed Election result, the Election Tribunal may declare that:
 - (a) a Candidate that was declared elected to be not elected;
 - (b) a Candidate that was declared as not elected to be elected;
 - (c) an Election partly or absolutely invalid;
 - (d) dismiss or uphold a complaint in whole or part; or
 - (e) issue orders to rectify a proven complaint.
- (3) The Tribunal may where an allegation of an Electoral Offence is proven:
 - (a) declare an entire Election or part of an election invalid, where the Electoral Offence is deemed by the Election Tribunal to have seriously affected the result of the Election; or
 - (b) refer a matter to the Discipline Tribunal, University or Police.

E10.7 Inquiries

- (1) When investigating a Petition for a disputed election result, the Election Tribunal shall inquire whether or not the formalities of the Petition have been observed.
- (2) If a question involving voting is concerned, the Election Tribunal may inquire into the identity of persons as to whether their votes were improperly admitted or rejected and whether the result of the polling was correctly ascertained, but the Election Tribunal shall deem the roll conclusive evidence that the persons enrolled were, at the date of the completion of the roll, entitled to be

enrolled.

- (3) The eligibility of any person enrolled to vote shall not be questioned and no Election shall be declared void on the ground that any person whose name shown as eligible to vote in an Election was not qualified to be enrolled or to continue enrolled as an elector for that Election.
- (4) If the Election Tribunal finds that a Candidate has committed or has attempted to bribe or exert undue influence, the election of that Candidate, should they have been elected, shall be declared void.
- (5) The Election Tribunal shall not declare that any person elected was not duly elected, or declare any Election void:
 - (a) on the ground of any illegal practice committed by any person other than the Candidate and without their knowledge or authority; or
 - (b) on the ground of any illegal practice, other than bribery or corruption or attempted bribery or corruption, unless the Election Tribunal is satisfied that the result of the Election was intended to be and was actually affected thereby, and that it is just that the Candidate should be declared not to be duly elected, or that the Election should be declared void.
- (6) The failure of a person to sign an undertaking prescribed by these Regulations is not a ground for setting aside the result of an Election or Referendum.

E10.8 Conduct of Hearings

- (1) Respondents may be represented at Election Tribunal hearings only by the Group Agent in the absence of the Respondent.
- (2) The Election Tribunal may confer in private during its hearings.
- (3) The Respondents may call and examine/cross-examine witnesses at the Tribunal hearing and address the Election Tribunal itself.
- (4) Evidence may be taken in absence of the Respondent, provided the Election Tribunal is satisfied that the parties have been duly notified.
- (5) The Election Tribunal shall hear charges of Gross Misconduct separately from other Complaints referred to it and may refer them to the Discipline Tribunal.

E10.9 Decisions

- (1) The Election Tribunal shall be satisfied "beyond reasonable doubt" for complaints or charges that affect the validity of an Election of a Candidate. In all other matters the Election Tribunal is to be satisfied on the "balance of probabilities".
- (2) Where an Election of a Candidate is invalidated, the Candidate with the second highest votes shall be declared elected.

- (3) In the case of a readmitted Candidate, the previous count is to be disregarded and a fresh count shall be conducted.
- (4) The parties concerned shall be notified in writing of the Election Tribunal's findings and decision, and a report shall be submitted to Guild Council.

Part 11 - Electoral Offences

E11.1 Electoral Offences

A person may be guilty of an Electoral Offence if the person:

- (a) is an Officer of the Guild and neglects official duty of that office as proscribed in the Guild Statute Book whilst conducting campaign duties in any election under these Regulations.
- (b) canvases for votes inside a Polling Place;
- (c) interferes with or infringes the secrecy of the ballot;
- (d) takes any action contrary to these Regulations or a lawful direction of the Returning Officer;
- (e) impersonates another person with the intention to defraud;
- (f) destroys or defaces a ballot paper, ballot box or election notice with the intention to defraud;
- (g) submits a ballot paper in the ballot box or through the mail with the intention to defraud;
- (h) removes a ballot paper from the Polling Place or counting centre with the intention to defraud;
- (i) fails to obey the lawful instruction of the Returning Officer within a polling place or counting centre;
- (j) supplies ballot papers without authority;
- (k) votes more than once at the same election;
- (l) defaces, mutilates, destroys or removes any document published or distributed by the Returning Officer;
- (m) makes a false statement in any claim, application, return or declaration or in answer to a question under these regulations;
- (n) distributes any advertisement, handbill or pamphlet which is not authorised under these regulations or otherwise published in contravention of these regulations;
- (o) is a Candidate or Scrutineer, and wears or displays a badge or emblem of a Candidate or Group in a Polling Place during polling or at a counting centre during counting;
- (p) interferes unduly with freedom of speech;
- (q) hinders, obstructs, interferes with or delays the conduct of an election meeting;
- (r) damages Guild property or fixtures which delay's or interferes with the conduct of the election;
- (s) hinders, obstructs or prevents a Candidate from exercising a right, including the right to freedom of political communication;
- (t) defaces or mutilates Campaign Material;
- (u) induces, directly or indirectly, an electoral official to unlawfully influence the result of the election, including by stuffing ballot boxes, destroying ballot papers, or willingly counting votes incorrectly;
- (v) interferes with, defaces, duplicates, destroys or unlawfully deals with in any way a ballot paper, electoral form, nomination form, official electoral notice, ballot box, nomination receptacle, electoral roll or other object pertaining to the Election;
- (w) is intoxicated at a Polling Place or counting centre;
- (x) engages in disorderly conduct at a Polling Place or counting centre;
- (y) in the case of a Candidate, remains within the Polling Place after a formal warning;

- (z) distributes or displays Campaign Material within the Polling Place following a formal warning;
- (aa) duplicates or conceals a ballot paper;
- (bb) distributes any card or paper which includes how-to-vote instructions or directions in a Polling Place;
- (cc) witnesses an electoral paper which has not been completed with the intent to defraud;
- (dd) witnesses a signature without actually seeing the person signing the required form with the intention to defraud;
- (ee) marks a ballot paper unlawfully (including by identifying themselves by stating their name or address on the ballot paper);
- (ff) acts as a witness on an electoral form whilst being a Candidate or Group Agent;
- (gg) uses Guild resources for election purposes beyond that which are entitled to or authorised to use under these Regulations;
- (hh) engages in any campaign activity, including any activity relating to a particular Candidate or Group, in buildings or premises occupied by the Guild;
 - (ii) exceeds the spending limit for Campaign Material specified in E8.3;
 - (jj) campaigns or canvasses for votes when not an Enrolled Student; and
 - (kk) commits an act in relation to the election that constitutes Gross Misconduct.

Part 12 - Referenda

E12.1 General

Unless expressed to the contrary in this section, Regulations applying to an Annual General Election shall also apply to a Referendum in so far as they are appropriate and practical.

E12.2 Campaign Material

- (1) Campaign Material shall not be distributed unless it is authorised by the Returning Officer. Part 8 of these Regulations shall be applicable to Campaign Material for a Referendum in so far as they are appropriate and practical, except that there shall be no limit on expenditure for Campaign Material.
- (2) Without limiting the generality of E1202 (1):
 - (a) the Returning Officer shall prescribe a Colour for each of the Yes and No Campaign Materials.
 - (b) the Returning Officer shall allow up to 500 words for statements on behalf of the Yes and No campaigns to be printed in "The Candidate" or equivalent election publication.

Provided that:

 - (i) authors of the statements shall be eligible electors;
 - (ii) the person who proposed the referendum shall be the author of one of the statements;
 - (iii) subject to E12.2(2)(iv), the opposite statement to (ii) shall be written by interested persons, where more than one person is interested the author shall be determined by lot; and
 - (iv) should the referendum be a recall referendum in accordance with R1003, the Student Member of Guild Council who it is proposed be removed from office may write the opposite statement.

E12.3 Authorisation

A referendum shall only be conducted as authorised in R10.1 of *Guild Regulations – Division One*.

E12.4 Limitation

A Referendum on a particular issue may only be called for once in a twelve month period.

E12.5 Timetable

- (1) The Returning Officer shall advertise the holding of a Referendum by any other means as they deem appropriate, but shall include the display of a public notice (**Referendum Notice**) on the Official Guild Noticeboard within four (4) weeks of the authorisation of the Referendum.
- (2) Where a Referendum is to be held in conjunction with an Annual General Election, the polling dates and times shall be identical to those set for the Annual General Election.
- (3) Where a Referendum is not held in conjunction with an Annual General Election, the last day for polling shall be no later than four (4) weeks after the date of the Referendum Notice.
- (4) Where a Referendum is not held in conjunction with an Annual General Election, the electoral roll shall close at 5:00pm seven (7) days after the date of the Referendum Notice.
- (5) The poll for a Referendum shall be declared by the Returning Officer on the completion of counting but not later than thirty (30) days after the close of the poll.

E12.6 Result

- (1) The proposal shall be approved if votes in favour of the proposal are greater than those not in favour.
- (2) The proposal shall not be approved if the votes not in favour are greater than those in favour.
- (3) In the event of a tie the proposal shall be lost.

E12.7 Effects

The results of the Referendum shall be binding on the Guild Council unless eligible electors include those who are not Enrolled Students or Guild Members.

Schedule A

Rules of Optional Proportional Representation

- (1) Each vote shall indicate an order of preference amongst some or all of the Candidates.
- (2) Informal votes shall be set aside and discarded.
- (3) Where Candidates are not eligible to be elected, counting shall proceed as if that Candidate's name did not appear on the ballot paper. All votes cast in favour of the Candidate shall immediately be allocated to the Candidate next in the order of the voter's preference. Such allocation shall not be considered a transfer.
- (4) A quota shall be calculated by dividing the number of formal ballot papers cast by one more than the number of Candidates to be elected, and taking the next higher whole number plus one.
- (5) Each ballot paper shall first be given a value of one and shall be allocated to the Candidate first in the voter's order of preference.
- (6) Any Candidate who achieves a total value of ballot papers greater than or equal to the quota shall be declared elected.
- (7) Where a Candidate achieves a total value greater than the quota then all those ballot papers which caused the last increase in the total value of ballot papers for that Candidate shall be reallocated to the candidate next in the voter's order of preference. The remaining ballot papers shall be set aside as finally dealt with.
- (8) A transfer value shall be calculated by taking the amount by which the total value exceeds the quota and dividing by the number of ballot papers to be reallocated.
- (9) The number of such reallocated ballot papers shall be counted for each Candidate and shall be multiplied by the transfer value and this amount shall then be added to the total value of votes received by that Candidate.
- (10) Where after the allocation or a reallocation more than one Candidate achieves a total value greater than the quota then the ballot papers of the Candidate with the highest total value shall be dealt with first provided that if any Candidate is declared elected after an allocation or reallocation previous to that at which another Candidate is declared elected then the ballot papers of the former shall be dealt with first.
- (11) If two or more Candidates are declared elected with the same total value, for the purpose of (10) above, the ballot papers of the candidate who achieved a higher total value at the most recent allocation or reallocation at which the Candidates had an unequal total value shall be dealt with first. If this procedure fails to differentiate between two or more Candidates, the Returning Officer shall determine the matter by lot.
- (12) When all reallocations of ballot papers of elected Candidates have been completed, subject to (14), the candidate with the lowest total, value shall be eliminated. The ballot papers allocated to the eliminated Candidate shall be reallocated to the candidate next in the voter's order of preference and shall have a transfer value of one. The ballot papers that had been reallocated to the eliminated Candidate shall then be again reallocated to the Candidate next in the voter's order

of preference in the order in which and at the transfer value at which the eliminated candidate had been reallocated to them. The reallocations of each of these groups of ballot papers shall be considered as separate reallocations. Such series of reallocations shall be completed notwithstanding that one or more Candidates are declared elected as a result of one of these reallocations.

- (13) If two or more Candidates have an equal total value and any one of them must be eliminated that candidate who achieved the lower total value at the most recent allocation or reallocation at which the Candidates had an unequal total value shall be eliminated. If this procedure fails to differentiate between two or more candidates the Returning Officer shall determine the matter by lot.
- (14) The process of elimination shall continue until the required number of Candidates have been declared elected or until all the Candidates, except the number required to be elected, have been eliminated whereupon the remaining Candidates who have not already been declared elected shall be declared elected.

Schedule B

Order of Election

Schedule B of *Guild Regulations – Division One* prescribe that the following positions shall be elected at the Annual General Elections. The order of Election shall be:

- (a) the President;
- (b) the Education Vice President;
- (c) the Activities Vice President;
- (d) the General Secretary;
- (e) the Curtin Business School Representative;
- (f) the Faculty of Science and Engineering Representative;
- (g) the Faculty of Health Science Representative;
- (h) the Faculty of Humanities Representative;
- (i) the International Student Committee President;
- (j) the Postgraduate Students Committee President;
- (k) the Queer Officers
- (l) the Women's Officer
- (m) the Indigenous Officer
- (n) the Students with Disabilities Officers
- (o) ten (10) Guild Councillors.
- (p) any other positions to be elected.

Schedule C

General Qualifications

- (1) A Candidate shall hold all of the following general qualifications in order to be eligible for election to the Guild Council:
 - (a) be an Enrolled Student at least seven (7) days prior to the opening of nominations;
 - (b) be a Guild Member at least seven (7) days prior to the opening of nominations; and
 - (c) study at Curtin University at a Curtin University campus in Western Australia or otherwise reside in the State of Western Australia.
 - (d) be eighteen (18) years of age or older, as at the date the Candidate is appointed as an Officer of the Guild, should they be elected.

General Disqualifications

- (2) A Candidate shall be ineligible for election to the Guild Council if the Candidate meets any of the following:
 - (a) is currently or have within the last five (5) years been a Staff member of the Guild;
 - (b) is a Staff member of the University;
 - (c) is an undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy;
 - (d) is incarcerated;
 - (e) has been convicted on indictment of an offence for which the indictable penalty was or included imprisonment for life or imprisonment for more than five (5) years;
 - (f) is certified as needing treatment in an approved psychiatric hospital;
 - (g) is disqualified under any provision of the Guild Statute Book;
 - (h) is disqualified due to any requirement of a Visa they may hold;
 - (i) is disqualified due to any act, statute, regulation, rule or by-law in force in the State of Western Australia over the Guild.

Additional Qualifications

- (3) A candidate shall meet the following specific qualifications for the following roles:

President

A Candidate for President shall not:

- (a) have held the office of President more than twice; and/or
- (b) hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight.

Education Vice President

A Candidate for Education Vice President shall not:

- (a) have held the office of Education Vice President more than twice; and/or

- (b) hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight

Activities Vice President

A Candidate for Activities Vice President shall not:

- (a) have held the office of Activities Vice President more than twice; and/or
- (b) hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight

General Secretary

A Candidate for General Secretary shall not have held office of General Secretary more than twice.

Faculty Representative

A Candidate for Faculty Representative must be currently enrolled within an undergraduate course in the Faculty they seek to represent.

International Students Committee President

A Candidate for International Students Committee President must be an International Student.

Postgraduate Students Committee President

A Candidate for Postgraduate Students Committee President must be a Postgraduate Student.

Queer Officers

- (a) Candidates for Queer Officer shall be two persons who nominate together one of which shall not identify as a man.
- (b) Candidates for Queer Officer must be Queer.

Women's Officer/s

A Candidate for Women's Officer must be a Woman.

Indigenous Officer/s

A Candidate for Indigenous Officer must be Indigenous.

Students with Disabilities Officer/s

A Candidate for Students with Disabilities Officer must be Disabled.