

BYE-LAWS - ELECTIONS

(LSU Constitution -Standing Orders C, E & L)



1. RETURNING OFFICER

- 1.1. There will be a Returning Officer who will supervise the conduct of all elections to which this Bye-Law applies:
 - 1.1.1. Major Sabbatical Officers
 - 1.1.2. Section Chairs
 - 1.1.3. AU Sport Clubs Officer
 - 1.1.4. College President
- 1.2. The Returning Officer will be appointed on an annual basis by the Democracy and Representation Committee and approved by the Trustee Board.
- 1.3. The Returning Officer may not be any of the following:
 - a. a member of the Students' Union;
 - b. a trustee of the Students' Union; or
 - c. an employee of the Students' Union.
- 1.4. The Returning Officer will have power to:
 - a. Order recounts;
 - b. Annul an election and order a new one in its place.
- 1.5. The Returning Officer shall have sole authority to interpret this Bye-Law and such interpretations shall not be subject to challenge in any meeting of the Union.



2. ACTING RETURNING OFFICER

- 2.1. The Acting Returning Officer will be the Vice President. The Acting Returning Officer may appoint other members of Staff to be Assistant Returning Officers for the duration of an election, who may be delegated any of their functions or roles.
 - 2.1.1. If a conflict of interest exists between the Vice President and any candidate running they must declare it to the Elections Sub-committee upon ratification of the nominations; and
 - 2.1.2. Relinquish all administration during the period of the election, which will be deferred through the following representatives and approved in a minuted meeting:
 - i. Chair of Democracy and Representation Committee, if they declare a conflict of interest;
 - ii. The Union President, if they declare a conflict of interest;
 - iii. An Executive Committee Member.
- 2.2. The Acting Returning Officer, will issue Operational Guidelines to all Students' Union Staff Members involved in the administration of an election, which will govern their conduct.
- 2.3. Notwithstanding Article 1, any question on the interpretation of this Bye-Law or issued guidelines will be resolved by the Returning Officer.
- 2.4. The Acting Returning Officer will have power to:
 - a. Disqualify or penalise candidates;
 - b. Give directions to candidates during an election;



3. ELECTION SUB-COMMITTEE

- 3.1. The Election Sub-committee will be delegated responsibility for the democratic running of the elections;
- 3.2. Will ensure that the election is conducted in accordance with this Bye-Law and issued guidelines; and
- 3.3. Will assist the Acting Returning Officer in their duties.



4. ELECTION DETAILS AND TIMINGS

- 4.1. The Acting Returning Officer will publish all elections details for the forthcoming year by the first week of the November. These details will include:
 - a. The dates and times of the opening and closing of nominations;
 - b. The dates and times of the opening and closing of the voting period;
 - c. The positions that are to be contested in the election;
 - d. How candidates may submit their nominations.
- 4.2. The Returning Officer may, at the request of the Acting Returning Officer, alter any of the election details already published, provided that the revised details are published at least 2 (two) weeks in advance of the opening of nominations.
- 4.3. Voting will only take place during term-time as defined by the University and College calendar.
- 4.4. Nominations shall be open for at least one week, and voting will be open for at least 3 days.



5. VOTING

- 5.1. All elections will be conducted by secret ballot, where each voter has only one vote.
- 5.2. For single vacancy positions, the Single Transferable Vote system will be used.
- 5.3. For multiple vacancy positions, the Alternative Transferable Vote system will be used.
- 5.4. The option to Re-Open Nominations (RON) will be offered on all ballots, which will be treated as if it were a candidate for the purposes of counting.
- 5.5. If Re-Open Nominations is elected, the position will be declared vacant and a new election will be held at a time and date specified by the Acting Returning Officer.
- 5.6. The counting of votes will be conducted by the Acting Returning Officer. Results will only be considered valid once the Returning Officer has certified that the election has been conducted freely and fairly.
- 5.7. Votes will not be counted while there are outstanding complaints awaiting the decision of the Acting Returning Officer.



6. ELECTED POSITIONS

- 6.1. This Bye-Law applies to the positions set out in the table below. Only members as defined in Article 10.1 of the electorate indicated in the table below who have not opted out of membership of the Students' Union may vote for that position.
- 6.2. All candidates for the positions to which this Bye-Law applies must be members of the

corresponding electorate to be eligible to stand, as set out in the table below.

POSITION	ELECTORATE
Major Sabbatical Officers	All registered students
Section Chairs	All registered students
AU Sport Clubs Officer	AU Student Members
College President	College Student Members

- 6.3. All candidates for the positions to which this By-Law applies will have their eligibility to stand verified prior to the announcement of their candidacy. These checks will include:
- 6.3.1. Student status of the proposed candidate;
 - 6.3.2. Student status of their proposer and seconder;
 - 6.3.3. All current and prior Union disciplinary sanctions; and
 - 6.3.4. All current and prior University and College disciplinary sanctions



7. NOMINATIONS

- 7.1. Nominations will be submitted in accordance with guidelines issued by the Acting Returning Officer.
- 7.1.1. All submitted nominations must include the full name and student number of the candidate; and.
 - 7.1.2. Full name and student number or a proposer and seconder.
- 7.2. By submitting a nomination form and if successful, you are committing to attend all mandatory induction training.



8. COMMUNICATION

- 8.1. The Acting Returning Officer shall organise opportunities for students to ask questions of candidates.
- 8.2. The results of all Students' Union elections shall be certified and communicated by the Acting Returning Officer at the soonest opportunity after the conclusion of the count.
- 8.3. The Acting Returning Officer Shall report to the Trustees and University Senate on the outcome of the elections and recommendation for improvements, along with any other pertinent matters.



9. EXPENDITURE

- 9.1. For an election, the Acting Returning Officer will set an expenditure limited. Candidates may not spend more than this limit during their campaign.
- 9.2. The Acting Returning Officer may at their discretion provide to candidates an allowance to spend on their campaigns.
- 9.3. All publicity used by a candidate (including by their campaign team) during the election must be declared and given a monetary value.
- 9.4. Prior to voting opening, candidates will submit to the Acting Returning Officer a statement of their expenditure.
- 9.5. Candidates must verify their statement of expenditure by providing receipts for all items they spent money on during their campaign.



10. CONDUCT IN ELECTIONS

- 10.1. The Acting Returning Officer, will provide to Candidates guidelines on acceptable conduct during elections. Candidates must act in accordance with these guidelines.
- 10.2. The Acting Returning Officer will provide training sessions in the rules of this Bye-Law and any issued guidelines to all Candidates.
- 10.3. Throughout an election, all candidates must adhere to the following principles of acceptable conduct:
 - a. Do only what other candidates have an equal opportunity to do;
 - b. Treat all students, candidates and staff members with respect.
- 10.4. Unacceptable conduct during elections includes but not limited to any of the following practices (including attempts):
 - a. The use of Students' Union, University or College resources to further the election of a candidate (except where explicitly permitted by the Returning Officer);
 - b. The defacement of or interference with a candidate's publicity;
 - c. Bribery of voters or elections officials;
 - d. Threatening behavior or harassment of voters, other candidates or election officials;
 - e. Producing offensive or defamatory publicity;
 - f. Preventing the free and confidential exercise of a vote by voters, including the improper use of mobile devices;
 - g. Compromising or interfering with the integrity of the elections.
- 10.5. The Acting Returning Officer may issue penalties to candidates, including disqualification from the election, for breach of the conduct guidelines.
- 10.6. Candidates may make use of campaigners who assist them during the election. However, the candidates will remain responsible for the conduct of these campaigners and candidates must take all practicable steps to ensure campaigners are in compliance with this Bye-Law and issued guidelines.
- 10.7. Breaches of this Bye-Law and issued guidelines that are committed by campaigners will be treated as if the candidate themselves breached this Bye-Law and issues guidelines.
- 10.8. For the purposes of an election, a campaigner is defined as someone who would be reasonably thought to be acting on behalf of a candidate to further the election of that candidate.



11. RE-OPEN NOMINATIONS (R.O.N)

- 11.1. Any full member of the Students' Union can register to run a Re-Open Nomination (R.O.N) campaign against a single post.
- 11.2. Re-Open Nomination (R.O.N) will be recognised as a candidate and as such will be subject to all election rules and budgeting criteria.



12. COMPLAINTS

- 12.1. Complaints that a candidate or a member of their campaign team has acted in contravention of this Bye-Law or issued guidelines will be accepted up until one hour prior to the close of voting.
- 12.2. Complaints must be submitted in writing in a format decided by the Acting Returning Officer.
- 12.3. If necessary, the Election Sub-committee will investigate the complaint to obtain further evidence and make penalty recommendations to the Acting Returning Office.
- 12.4. The Acting Returning Officer will rule upon the complaint and if necessary issue penalties at their discretion.



13. APPEALS

- 13.1. An appeal against a decision of the Acting Returning Officer may be made on the following grounds;
 - a. The interpretation of this Bye-Law of any of the issued guidelines used during the election is unreasonable;
 - b. The correct procedure set out in this Bye-Law or issued guidelines has not been followed;
 - c. The Acting Returning Officer has been prejudiced or biased;
 - d. The Acting Returning Officer has failed to fully take into account the available evidence.
- 13.2. Appeals must be made no later than 12 noon on the day after the decision of the Acting Returning Officer is communicated to that candidate.
- 13.3. If an appeal is made by a candidate, an appeals panel will be convened by a Students' Union staff member who has not been involved in the administration of that election.
- 13.4. The appeals panel will consist of three independent staff members and will appoint a Chair from within its number.
- 13.5. The appeals panel will hear the evidence from the Acting Returning Officer and any representations made by the appealing candidate before making its recommendation to the Returning Officer.
- 13.6. The Returning Officer will rule upon the appeal and their decisions are final and cannot be appealed further.
- 13.7. The Trustee Board will approve and revise from time to time terms of reference to govern the procedure of appeal panels.