



Student Representative Council Election Procedures

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In developing this procedure the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

PURPOSE:

These Procedures support the University of Canberra [Student Representative Council Rules](#).

PROCEDURE:

Part 1 – Electorates and Student Leaders

1. Preliminary – Election and Selection

1.1. The UC SRC will be comprised of Student Leaders elected under these Procedures from each of the following six electorates (each an Electorate and collectively the Electorates):

1.1.1. Faculty representatives (one Student Leader per Faculty) (Electorate 1);

1.1.2. one Ngunnawal Centre representative (Electorate 2);

1.1.3. one University of Canberra College (UC College) representative (Electorate 3);

1.1.4. the two Student representatives elected to Council in accordance with the University of Canberra (Election of Students Members to Council) Rules 2015 (Electorate 4);

1.1.5. the two Student representatives elected to the Academic Board in accordance with the University of Canberra (Election of Students Members to Academic Board) 2015 (Electorate 5); and

1.1.6. one international Student representative (Electorate 6).

1.2. A Student who is eligible to nominate as a candidate in more than one Electorate may only nominate as a candidate in one Electorate and must identify the Electorate in which they are standing on the Nomination Form.

1.3. To remove any doubt, a Student who is also a staff member of the University is eligible to stand for election to the UC SRC.

2. Term of Office

2.1. Student Leaders will be elected to the UC SRC for one year subject to their continuing to meet the Eligibility Criteria.

3. Electorate 1 - Faculty

3.1. Students seeking nomination as a Faculty representative for the UC SRC must be enrolled in a Course with the relevant Faculty at the time of nomination.

3.2. Endorsement from the relevant Faculty Dean is required for a Student to be eligible as a candidate in this Electorate.

3.3. In determining whether a Student should receive endorsement as a candidate in a Faculty, a Dean must consider, inter alia, if the Student meets the Eligibility Criteria, the Student's demonstrated level of engagement with the University community and the Student's potential for leadership.

4. Electorate 2 - Ngunnawal Centre

4.1. Students seeking nomination as a Ngunnawal Centre representative for the UC SRC must be accessing Ngunnawal Centre programs or known to the Ngunnawal Centre, at the time of nomination.

4.2. Endorsement from the Director of the Ngunnawal Centre is required for a Student to be eligible as a candidate in this Electorate.

4.3. In determining whether a Student should receive endorsement as a candidate for the Ngunnawal Centre, the Director must consider, inter alia, if the Student meets the Eligibility Criteria, the Student's demonstrated level of engagement with the Ngunnawal Centre and the Student's potential for leadership.

5. Electorate 3 – UC College

5.1. Students seeking nomination as a UC College representative for the UC SRC must be enrolled in a course of the UC College at the time of nomination.

5.2. Endorsement from a director of UC College is required for a Student to be eligible as a candidate in this Electorate.

5.3. In determining whether a Student should receive endorsement as a candidate for the UC College, the Director must consider, inter alia, if the Student meets the Eligibility Criteria, the Student's demonstrated level of engagement with the University community and the Student's potential for leadership.

6. Electorates 4 and 5 – University Council and Academic Board

6.1. Electorate 4 - University Council*

The Students elected to Council in accordance with the University of Canberra (Election of Students Members to Council) Rules 2015 will be the elected Students Leaders for the purposes of Electorate 4 and hold their roles with Council and UC SRC concurrently subject (for the purposes of eligibility to continue as Student Leaders on the UC SRC) to meeting the Eligibility Criteria for UC SRC.

6.2. Electorate 5 - University Academic Board*

The Students elected to Academic Board in accordance with the University of Canberra (Election of Students Members to Academic Board) 2015 will be the elected Students Leaders for the purposes of Electorate 5 and hold their roles with Academic Board and UC SRC concurrently subject (for the purposes of eligibility to continue as Student Leaders on the UC SRC) to meeting the Eligibility Criteria for UC SRC.

**Note: The University of Canberra Act 1989 requires that two Students - one undergraduate Student and one postgraduate Student - be elected as members of the Council each year. The University of Canberra Act 1989 also requires that two Students - one undergraduate Student and one postgraduate Student - are elected as members of the Academic Board each year. The processes for these elections are set out in the University of Canberra (Election of Students Members to Council) Rules 2015 and the University of Canberra (Election of Students Members to Academic Board) Rules 2015.*

7. Electorate 6 – International Student

7.1. Students seeking nomination as an international student representative for the UC SRC must be enrolled in a course of study and hold a visa which allows them to study in Australia at the time of nomination. International students include holders of international student visas, dependants of diplomats, holders of humanitarian visas and international students on Commonwealth Government Programs (such as the Australia Awards Program).

7.2. Endorsement from the Director of the International Student Support Service is required for a Student to be eligible as a candidate in this Electorate.

7.3. In determining whether a Student should receive endorsement as a candidate for international students, the Director must consider, if the Student meets the Eligibility Criteria, the Student's demonstrated level of engagement with the University community and the Student's potential for leadership.

8. Electoral Constituency

8.1. Electorate 1 – Faculty

A Student may only vote for a Faculty candidate from the Faculty in which they are currently enrolled in a Course.

8.2. Electorate 2 - Ngunnawal Centre

A Student may only vote for a Ngunnawal Centre candidate if they are currently accessing Ngunnawal Centre programs or known to the Ngunnawal Centre.

8.3. Electorate 3 – UC College

A Student may only vote for a UC College candidate if they are currently enrolled in a course of the UC College.

8.4. Electorate 6 –International Student

A Student may only vote for an international student candidate if they are currently enrolled in a course and are an international student. International students include holders of international student visas, dependants of diplomats, holders of humanitarian visas and international students on Commonwealth Government Programs (such as the Australia Awards Program).

9. Vacancies

9.1. A casual vacancy arises if a Student Leader no longer meets the Eligibility Criteria or is unwilling or unable to continue as Student Leader.

9.2. Casual vacancies with respect to Student Leaders elected in Electorate 1, 2 or 3 will be filled by means of a countback by the Returning Officer of the previous election results and will be filled by the Student with the next highest number of votes in favour of his candidature.

9.3. If an election in Electorate 1, 2 or 3 was uncontested then a by-election may be called by the Returning Officer within four weeks of the vacation of office.

10. **Appointment of Returning Officer**

10.1. The Secretary to Council, or their delegate, is the Returning Officer.

11. **Nomination Process**

11.1. A Student seeking to be nominated as a candidate in an Electorate must:

11.1.1. meet the Eligibility Criteria;

11.1.2. complete the Nomination Form and obtain any necessary endorsement; and

11.1.3. submit the Nomination Form to the Returning Officer by the Closing Date.

12. **Call for Nominations**

12.1. The Returning Officer must call for the completed Nomination Forms of all candidates from Electorates 1, 2, 3 and 6 at least four weeks before it is proposed to commence polling in these Electorates and the Nomination Forms must be provided to the Returning Officer no later than one week prior to the proposed polling date (Closing Date).

13. **Conducting an Election**

13.1. If only one Nomination Form is received by the Returning Officer for a representative position on the UC SRC within an Electorate, the Returning Officer will declare the person nominated to have been elected.

13.2. If more than one Nomination Form is received by the Returning Officer for a representative position within an Electorate, the Returning Officer must hold an election for that position and make available to each eligible voter:

13.2.1. a ballot paper; and

13.2.2. a notice setting out how the voter's choice is to be shown (together the Ballot Paper).

13.3. If a Nomination Form is not received for a UC SRC representative position, the Student Leader representative position on the UC SRC for that Electorate will be vacant until the next election.

13.4. The elections must be conducted using an optional preferential system.

13.5. A person who has nominated themselves as a candidate on a Nomination Form may withdraw their candidacy by notice to the Returning Officer at any time prior to the Closing Date.

14. **Electronic Voting System**

14.1. The Returning Officer may only use an electronic voting system to conduct an election under these Procedures if that system:

14.1.1. is accessible to persons with a visual impairment or is compatible with programs that enable such accessibility;

14.1.2. will provide a voter with instructions on how to vote;

14.1.3. will allow a voter to indicate their choice of candidate(s);

14.1.4. gives a voter an opportunity to correct any mistakes before submitting their vote;

14.1.5. will not allow a person to find out how a particular voter cast their vote;

14.1.6. will not allow a voter to vote more than once;

14.1.7. will only allow a voter to vote in the Electorate for which they are eligible to vote, and

14.1.8. is designed to give the same result as would be obtained if the election were conducted by post or by personal voting.

14.2. The Returning Officer may allow for postal voting by a voter who is unable to access the electronic voting system and who makes a timely request for a postal vote.

15. Ballots

15.1. Voting is to be by secret ballot.

15.2. A voter is to mark their vote on the Ballot Paper by numbering candidates in order of their preference. A voter may number some or all candidates.

15.3. The order of candidates on the Ballot Paper is to be determined by the Returning Officer.

16. Procedure on close of election

16.1. As soon as practicable after the close of election, the Returning Officer is to count the votes and ascertain the result of the election in the manner set out below.

16.2. The Returning Officer will reject any informal Ballot Papers.

16.3. The Returning Officer is to count the total number of first preference votes given to each candidate.

16.4. If at the election a candidate has an absolute majority of votes, the Returning Officer must declare the candidate to be elected. Absolute majority of votes means a number greater than one half of the total number of formal ballot papers counted.

16.5. If at the election no candidate has an absolute majority of votes, then:

16.5.1. the candidate who has the fewest votes must be excluded; and

16.5.2. each ballot paper allocated to the excluded candidate must be reallocated to the continuing candidate next in order of the elector's preference.

16.6. The Returning Officer must then conduct a second count. If any candidate then has an absolute majority of votes, the Returning Officer must declare the candidate to be elected.

However, if no candidate then has an absolute majority of votes, the processes of:

16.6.1. excluding the candidate who has the fewest votes;

16.6.2. allocating each voting paper counted to the excluded candidate to the continuing candidate next in order of the elector's preference; and

16.6.3. conducting a further count;

must be repeated until one candidate has an absolute majority of votes. The Returning Officer must then declare that candidate to be elected.

16.7. If two or more candidates have an equal number of votes, the vote count will proceed as follows:

16.7.1. the names of those candidates with equal votes will be written on separate and similar slips of paper;

16.7.2. the slips must be folded so as to prevent identification and mixed and drawn at random by the Returning Officer; and

16.7.3. the candidate whose name is first drawn shall be declared elected.

16.8. The result of the count must remain confidential until the formal declaration of the election results by the Returning Officer.

16.9. The Returning Officer shall publish the final vote count in a manner determined by the Returning Officer.

17. Informal ballots

17.1. A Ballot Paper will be informal if:

17.1.1. marked other than in accordance with the voting instructions accompanying the

Ballot Paper; or

17.1.2. a vote for any candidate on the Ballot Paper has not been indicated on the Ballot Paper.

17.2. A Ballot Paper will not be considered informal if the voter has not numbered all candidates.

17.3. The Returning Officer will err in favour of giving effect to a Ballot Paper provided the intention of the voter is clear.

18. Electoral misconduct

18.1. It is Electoral Misconduct for a candidate to:

18.1.1. use resources of the UC SRC to campaign for the election including to produce Electoral Publication;

18.1.2. distribute by any means Electoral Publication that is likely to mislead or deceive a voter in relation to the casting of a vote;

18.1.3. print, publish or distribute an Electoral Publication that does not show the name of the person authorising the Electoral Publication;

18.1.4. watch how a person casts their vote while they are voting;

18.1.5. cast or attempt to cast a vote to which the person is not entitled;

18.1.6. offer any enticement, or to otherwise exert undue influence over electoral officials or a voter at any time;

18.1.7. engage in discrimination, harassment or intimidation of a voter at any time; or

18.1.8. incite any other person to commit any misconduct detailed in this clause.

19. Action by the Returning Officer

19.1. The Returning Officer must undertake an investigation into any allegation of Electoral Misconduct.

19.2. Following an investigation into Electoral Misconduct, the Returning Officer may:

19.2.1. do nothing;

19.2.2. issue a warning;

19.2.3. impose a campaign ban on one or more candidates;

19.2.4. disqualify a candidate and direct that any votes for that candidate flow according to ballot preferences;

19.2.5. require that any material be taken down or otherwise removed from public display; or

19.2.6. impose any other such penalty, or any combination of penalties, as they see fit.

19.3. In addition to any action taken under this clause, the Returning Officer may refer a Student for action under the University of Canberra (Student Conduct Rules) 2017.

20. Directions of Returning Officer

20.1. All matters arising in relation to an election in respect of which provision is not made under these Procedures are to be dealt with in accordance with the directions of the Returning Officer including, but not limited to, procedures for:

20.1.1. verifying the entitlement of persons to vote at the election;

20.1.2. verifying if a candidate meets the Eligibility Criteria;

20.1.3. determining the admissibility of Ballot Papers;

- 20.1.4. the counting of votes;
- 20.1.5. making known the result of the election; and
- 20.1.6. dealing with disputed returns.

21. Decisions of Returning Officer are final

21.1. Subject to the operation of any statute or law, the decisions of the Returning Officer on all matters relating to an election are final and binding.

GOVERNING POLICY AND LEGISLATION:

[Student Representative Council Rules](#)

DEFINITIONS:

Unless the contrary intention appears, defined terms in the [Student Representative Council Rules](#) have the same meaning in these Procedures.

Terms	Definitions
Course	a course of study specified in the University of Canberra (Courses and Awards) Statute 2010.
Electoral Publication	material distributed by any means by any person to influence voting at an Election.
Faculty	a faculty of the University from time to time.
Student	a person enrolled in a course of the University leading to a degree, diploma or certificate of the University being both post-graduate and under-graduate students.