

The ANU Observer

# **Electoral Regulations**

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# 1. General

## 1.1. Nature

- 1.1.1. This Policy is the Election Regulations of The ANU Observer Incorporated.
- 1.1.2. This Policy is formed in accordance with section 3 of the Constitution to govern the conduct of elections and appointments under the Constitution.
- 1.1.3. All terms used in this Policy have the meaning given in the Constitution, unless the contrary intention appears.

# 2. Elections of Elected Officials

## 2.1. Nature

- 2.1.1. Elections of Elected Officials will be conducted at a General Meeting.
- 2.1.2. Notice of the elections to be held must be provided at the same time and in the same way as notice of the General Meeting.
- 2.1.3. The Election is considered to have begun when nominations are opened, and closed when results have been accepted.

## 2.2. Conduct

- 2.2.1. Elections will be held at a General Meeting in the 4<sup>th</sup> term of the academic year.
- 2.2.2. Notice of an Election must be given at the same time and in the same way as notice of the General Meeting.
- 2.2.3. Unless otherwise specified, Elections will be the final item of business in the General Meeting at which they are to be held.
- 2.2.4. Elections will proceed in accordance with the agenda and standing orders detailed in Schedule B of this Policy.
- 2.2.5. All Members of Observer are eligible to vote in this election.
- 2.2.6. Voting in this Election will be conducted by way of secret ballot.
- 2.2.7. Votes in this election are to be counted according to Schedule A of this Policy.

## 2.3. Returning Officer

- 2.3.1. The Board will appoint a Returning Officer to oversee the election.
  - a) The Returning Officer must not be an Ordinary Member of Observer.
  - b) The Returning Officer must not have any personal, professional or other interest in any candidate running in the election.
  - c) The Returning Officer must be announced at the same time and in the same way as the agenda of the General Meeting at which the election is to be held.

- 2.3.2. Any member may dissent the Board's appointee to the position of Returning Officer.
- a) Dissent may be expressed in the form of an application to the Arbitration Panel, who may choose to remove the Returning Officer and force the Board to select another.
  - b) A motion to remove the Returning Officer may be considered at a General Meeting. Upon receipt of this Motion the Chair of the Meeting must immediately make it the first order of business.
    - i) Should a motion to remove the Returning Officer be successful, the General Meeting may appoint a new Returning Officer subject to the Constitution and Policies.
- 2.3.3. Unless these Regulations provide otherwise, any dispute arising during an Election is to be decided by the Returning Officer, whose decision will be final.
- 2.3.4. The Returning Officer will have power of interpretation over this Policy for all matters relating to an Election for the period of that Election.

## 2.4. Eligibility

- 2.4.1. Any student is eligible to run for a position in the Elections unless otherwise specified in the Constitution or Policies.
- 2.4.2. To run for the position of Visual Content Executive, a student must previously have held a position as an Officer of Observer.
- 2.4.3. To run for the position of Editor, a student must previously have held a position as an Officer of Observer.
- 2.4.4. To run for the position of Community Executive, a student must previously have held a position as an Officer of Observer.

## 2.5. Nominations

- 2.5.1. Students may nominate for any position elected in the Election, subject to eligibility requirements in the Constitution and Policies, in the form of a written submission to the Returning Officer, containing the student's:
- a) name;
  - b) university ID;
  - c) a candidate statement of no more than 200 words;

- d) declaration of conflicts of interest as defined in the Editorial Policy; and
- e) evidence of any eligibility conditions which may apply to the position.

2.5.2. The Returning Officer must determine the eligibility of each nominating student and the validity of their nomination, and notify the student to either confirm or reject their nomination no more than seven (7) days after receiving their nomination.

- a) Should the Returning Officer fail to rule on the eligibility or nomination status of a candidate before the opening of the General Meeting at which the election is to be held, the General Meeting may accept or reject the nomination by way of motion.

## 2.6. Counting of Votes

2.6.1. The Returning Officer must, as soon as is practicable after ballots are cast, arrange for the counting of votes to commence.

2.6.2. Where applicable, each candidate in an election may appoint up to 2 scrutineers (who may be students and who may be candidates) to attend the counting of votes. No candidate may attend the counting of votes for the election for which they are standing and no candidate may appoint themselves as a scrutineer.

2.6.3. For the purposes of 1.3.2, the Returning Officer or their nominee may admit other members of the Association to attend the counting of votes at their discretion.

2.6.4. The Returning Officer or their nominee must determine whether or not each vote is valid in accordance with these Regulations.

2.6.5. Votes may be recounted at the discretion of the Returning Officer or their nominee. In determining whether to exercise their discretion to order a recount, the Returning Officer or their nominee should consider:

- a) any requests made by candidates or scrutineers for a recount;
- b) the likelihood that a recount would result in a different outcome; and
- c) any costs associated with ordering the recount.
- d) A record of all votes cast in an election must be securely retained by the Returning Officer for a period of 12 months after the election in which they are cast.

## 2.7. Results

2.7.1. The Returning Officer, after overseeing the counting of votes, will declare the winners of each position.

2.7.2. The General Meeting must then immediately consider a motion on whether the Returning Officer's declaration be accepted.

2.7.3. Should this motion fail:

- a) The Returning Officer is at once removed from their position, and the General Meeting must immediately appoint a new Returning Officer.
  - b) The new Returning Officer must complete a recount of the vote.
- 2.7.4. The General Meeting may, if there is legitimate reason to believe that ballots may have been lost, that any ballot was submitted by an individual other than a Member, that any Member submitted more than one ballot, or that the ballots submitted are in any other way invalid, declare by way of motion that the election is invalid and voting must be re-held.

## 2.8. Number of Positions

- 2.8.1. Unless otherwise specified in the Constitution, Policies, or Regulations, the General Meeting specified in 2.2.1 of this policy shall elect:
- a) Three (3) Editors;
  - b) One (1) Executive for every Team apart from the Editorial Team; and;
  - c) One (1) Secretary.
- 2.8.2. The Board may, from time to time, decide to increase the number of Editors and/or Executives.
- 2.8.3. This decision must be made by unanimous vote.
- 2.8.4. Where such a decision has been made, the Board Chair or Secretary must promulgate the decision within one (1) week, and call a General Meeting to be held within four (4) weeks of the decision.
- 2.8.5. This General Meeting shall elect the Editor(s) and/or Executive(s) in accordance with ss 2.1-2.7 of this policy, unless:
- a) A member has submitted to the Arbitration Panel that such an increase in the number of Editors or Executives should not occur, and
  - b) The Arbitration Panel has agreed with this submission.
- 2.8.6. If the created position(s) is/are not contested, and no submission is made and upheld under section 2.8.5, then the position will be automatically filled at the scheduled time of the general meeting. This is regardless of quorum and other procedural requirements.

## 3. Board Appointments

### 3.1. Editorial Committee

- 3.1.1. In such a circumstance as the Constitution requires, the Editorial Committee may elect members of the Editorial Committee to sit on the Board.
- 3.1.2. The Editorial Committee may appoint members of the Board to the Board by the voting method outlined in Schedule C of this policy.

- 3.1.3. The Secretary will act as presiding officer for this election.
  - a) In the case of a tie, the Secretary will have a casting vote.
- 3.1.4. Should any member of the Editorial Committee no longer hold their position, the Editorial Committee will appoint a new member to Board under the provision outlined in Schedule C of this policy.
- 3.1.5. Should any member of the Editorial Committee no longer wish to sit on the Board, the Editorial Committee will appoint a new member to Board under the provision outlined in Schedule C of this policy.

## 3.2. Visual Content Executives

- 3.2.1. In such a circumstance as the Constitution requires, the Visual Content Committee may elect one Visual Content Executive to sit on the Board.
- 3.2.2. The Visual Content Committee may appoint a Visual Content Executive to the Board by the voting method outlined in Schedule C of this policy.
- 3.2.3. The Secretary will act as presiding officer for this election.
  - a) In the case of a tie, the Secretary will have a casting vote.
- 3.2.4. Should any Visual Content Executive no longer hold their position, the Visual Content Executives will appoint a new Visual Content Executive to Board under the provision outlined in Schedule C of this policy.
- 3.2.5. Should any member of the Visual Content Executives no longer wish to sit on the Board, the Visual Content Executives will appoint a new Visual Content Executive to Board under the provision outlined in Schedule C of this policy.

## 3.3. Finance Executives

- 3.3.1. In such a circumstance as the Constitution requires, the Finance Committee may elect a Finance Executive to sit on the Board.
- 3.3.2. The Finance Committee may appoint a Finance Executive to the Board by the voting method outlined in Schedule C of this policy.
- 3.3.3. The Secretary will act as presiding officer for this election.
  - a) In the case of a tie, the Secretary will have a casting vote.
- 3.3.4. Should any Finance Executive no longer hold their position, the Finance Committee will appoint a new Finance Executive to Board under the provision outlined in Schedule C of this policy.
- 3.3.5. Should any member of the Finance Committee no longer wish to sit on the Board, the Finance Committee will appoint a new Finance Executive to Board under the provision outlined in Schedule C of this policy.

## 3.4. Web Executives

- 3.4.1. In such a circumstance as the Constitution requires, the Web Committee may elect a Web Executive to sit on the Board.
- 3.4.2. The Web Committee may appoint a Web Executive to the Board by the voting method outlined in Schedule C of this policy.
- 3.4.3. The Secretary will act as presiding officer for this election.
  - a) In the case of a tie, the Secretary will have a casting vote.
- 3.4.4. Should any Web Executive no longer hold their position, the Web Committee will appoint a new Web Executive to Board under the provision outlined in Schedule C of this policy.
- 3.4.5. Should any member of the Web Committee no longer wish to sit on the Board, the Web Committee will appoint a new Web Executive to Board under the provision outlined in Schedule C of this policy.

### 3.5. Community Executives

- 3.5.1. In such a circumstance as the Constitution requires, the Community Committee may elect a Community Executive to sit on the Board.
- 3.5.2. The Community Committee may appoint a Community Executive to the Board by the voting method outlined in Schedule C of this policy.
- 3.5.3. The Secretary will act as presiding officer for this election.
  - a) In the case of a tie, the Secretary will have a casting vote.
- 3.5.4. Should any Community Executive no longer hold their position, the Community Committee will appoint a new Community Executive to Board under the provision outlined in Schedule C of this policy.
- 3.5.5. Should any member of the Community Committee no longer wish to sit on the Board, the Community Committee will appoint a new Community Executive to Board under the provision outlined in Schedule C of this policy.



## **Schedule A**

### **Counting of Votes**

Votes shall be cast in accordance with section 132 of the Act and counted in accordance with Schedule 4 to the Act as if they were votes for an election to the Legislative Assembly for the Australian Capital Territory.

In the event that the results of the count show that a candidate is elected to more than one position, they shall have the opportunity to withdraw candidacy for any position (save one) and the votes for any withdrawn positions shall be recounted with the candidate excluded.

## **Schedule B**

### **Standing Orders for Executive Elections**

Elections are to be conducted within a General Meeting according to the following provisions.

#### **Chairing**

The Chair shall be the Returning Officer, and shall have total interpretative power over the Constitution and this Policy for the period for which they are chairing the election, with the exception that the Chair's ruling can be overturned by a motion by the Meeting. The Returning Officer shall not pass the chair.

#### **Agenda**

##### **1. Candidate Speeches**

Each candidate will be afforded three minutes of speaking time in which to make their case for their candidacy. The Chair may cut off speakers who go over time.

##### **2. Candidate Questions**

Members attending will be allowed to ask questions of any or all of the candidates. Members must be called upon by the Chair and questions must be relevant and appropriate.

##### **3. Distribution of Ballots**

The Returning Officer will make ballots available to all Members present and voting.

##### **4. Collection of Vote**

The Returning Officer will collect all ballots in such a way as that the voting individual cannot be identified by their ballot.

##### **5. Appointment of Scrutineers**

## Schedule C

# **Conduct of Board Appointments**

### **Voting Method**

Board Appointments shall be made according to a consensus voting method.

The name of each nominee will be read, and each person who supports their candidacy will raise their hand. The presiding member will keep record of the votes. The candidate(s) who receive the most votes will be considered appointed. Individuals may vote more than once, and members may vote for themselves.