

University of New South Wales Rules

These rules are made by Council under the University of New South Wales Act 1989 ("The Act") and in particular under section 28 (the general power to make rules) and clause 64 of the By-law (the general power of Council to make rules).

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1. The Council

Meetings and Rules of Procedure

- 1.1** The Council shall ordinarily meet on at least 6 occasions in each year, on dates to be determined by the Council and on such other days as may be necessary.
- 1.2** The Chancellor or, in the absence of the Chancellor, the Deputy Chancellor or, in the absence of both, the Vice-Chancellor may call a special meeting of the Council to meet at any time in the interval between ordinary meetings.
- 1.3** Upon the written request of any 5 members of the Council, the Chancellor, Deputy Chancellor or Vice-Chancellor or, in their absence, the Registrar shall convene a special meeting of the Council to be held within 14 days after the receipt of the request. The written request shall specify the matters which the 5 members wish the Council to consider.
- 1.4** Any meeting of the Council may be adjourned to a later date.
- 1.5** The Secretary to the Council shall post or deliver to each member of the Council a written notice of meeting specifying the date of the next meeting of the Council and whether the meeting is an ordinary or special meeting. The notice of meeting shall, so far as practicable, be posted or delivered 7 days prior to the date of the meeting. All matters to be considered at any meeting shall be stated in the notice of meeting or in a supplementary notice of meeting which shall be posted or delivered to each member of the Council, so far as practicable, 3 days before the meeting. Where practicable, the notice of meeting or supplementary notice of meeting shall be accompanied by supporting statements in sufficient detail to allow members the opportunity to consider the matters prior to the meeting.
- 1.6 (a)** At ordinary meetings, unless otherwise decided by the Council, no motion initiating any subject for discussion shall be made except in pursuance of a notice of motion given to the Secretary to the Council 10 days before the meeting of the Council at which the motion is to be moved.
- 1.6 (b)** At special meetings, unless otherwise decided by the Council, no motion shall be made on any matters other than those listed in the notice of meeting or supplementary notice of meeting.

- 1.7** If a quorum of the Council is not present within half an hour after the time set for any meeting, the members then present may set a convenient future day as the day on which the meeting shall be held. The day set may be the day of the next ordinary meeting of the Council but in any case shall be such as to enable the Secretary to the Council to give all members 7 days' notice of the meeting, in accordance with section 1.5. Where the set day is the day of the next ordinary meeting of the Council, the business which was to have been dealt with at the meeting lacking a quorum shall take precedence over the business of the ordinary meeting of the Council.
- 1.8** The minutes of any meeting of the Council which have not been approved as being a true record shall be circulated to members prior to the next ordinary meeting of the Council. Upon being approved as correct, such minutes shall be signed by the Presiding Member as being the true record.

2. The Academic Board

Election of Staff Members

- 2.1** (a) The elections provided for in clauses 55(h) and 55(i) of the By-law shall be held in May in even numbered years and shall be conducted in the manner set out in section 4 of these Rules; and the term of office of a member elected at any such election shall commence on 1 July following the member's election and shall expire 2 years thereafter.
- 2.1** (b) For the purposes of the election to Academic Board, each full-time professor and full-time non-professorial academic staff member of the University shall belong to one of four electorates.
- 2.1** (c) The four electorates shall comprise the staff in faculties, including in related programs in the University College ADFA, according to the following higher education discipline groups:
- 2.1** (c)(i) Electorate A: society and culture; education; law; and creative arts;
- 2.1** (c)(ii) Electorate B: management and commerce;
- 2.1** (c)(iii) Electorate C: engineering and related technologies; architecture and building; and information technology, and
- 2.1** (c)(iv) Electorate D: natural and physical sciences; health; agriculture.
- 2.1** (d) The Registrar shall determine to which electorate in section 2.1(c) a faculty or program shall belong.
- 2.1** (e) The Registrar shall determine the appropriate electorate for a full-time professor or full-time non-professorial academic staff member who does not belong to an electorate by the operation of section 2.1(c).
- 2.1** (f) Full-time professors and full-time non-professorial academic staff are those who have not less than 0.5 fractional appointment.
- 2.1** (g) Those full-time professors and full-time non-professorial academic staff who are members of an electorate on the last day for receipt of nominations for the election shall be eligible to nominate candidates, stand for election and vote.
- 2.1** (h) Where a professor or a member of the academic staff is employed to undertake duties in more than one faculty or program that person shall be included on the roll of electors for the electorate where the greater amount of that person's professional time is occupied. In the event that equal time is spent in more than one faculty, that person shall nominate to the Registrar the electorate in which he or she wishes to belong.
- 2.1** (i) The Registrar shall determine for the electorates in section 2.1(c) the number of persons to be elected by and from the full-time professors and by and from the full-time non-professorial members of the academic staff of each electorate in accordance with the principles of proportional representation.

Election of Student Members

- 2.2** (a) The elections provided for in clauses 55(j) and 55(k) of the By-law shall be held annually in May and shall be conducted in the manner set out in section 4 of these Rules. The term of office of a member elected at any such election shall commence on 1 July next following the member's election and shall expire one year thereafter.
- 2.2** (b) For the purposes of the election to Academic Board, each undergraduate student and postgraduate student of the University shall belong to one of two electorates. One undergraduate and one postgraduate student shall be elected by and from each electorate.
- 2.2** (c) Undergraduate students are enrolled students proceeding towards a degree of bachelor or non-graduate diploma in those faculties; and related programs in the University College ADFA.
- 2.2** (d) Postgraduate students are enrolled students proceeding towards a higher degree, graduate diploma or graduate certificate in those faculties; and related programs in the University College ADFA.
- 2.2** (e) The two electorates shall comprise the students in faculties, including related programs in the University College ADFA, according to one of the following higher education discipline groups:
- 2.2** (e)(i) Electorate A: society and culture; education; creative arts; law; management and commerce;
- 2.2** (e)(ii) Electorate B: engineering and related technologies; architecture and building; information technology; natural and physical sciences; health; agriculture.
- 2.2** (f) The Registrar shall determine to which electorate in section 2.2(e) a faculty or program shall be assigned.
- 2.2** (g) The Registrar shall determine the appropriate electorate for an enrolled student who does not belong to an electorate by the operation of section 2.2(e).
- 2.2** (h) A person who is eligible as a staff member to nominate candidates, stand for election and vote under section 2.1(b) shall not be eligible as a student member under section 2.2(b).
- 2.2** (i) Those undergraduate students and postgraduate students who are members of an electorate on the last day for receipt of nominations for the election shall be eligible to nominate candidates, stand for election and vote.
- 2.2** (j) A student who is eligible to stand for election in more than one electorate may only stand in one electorate and must identify the relevant electorate on the nomination form.
- 2.2** (k) A student may nominate candidates and vote in each electorate in which he or she is eligible to be a member.

Appointed Members

- 2.2** (l) The term of office of a member of the Academic Board appointed by the Council shall be as the Council determines on the recommendation of the Academic Board.

Election of President and Deputy Presidents

- 2.3** (a) In accordance with clause 57 of the By-law the members of the Academic Board are to elect from their number, by postal ballot, a President and two Deputy Presidents in July in even numbered years. The terms of office of the President and the Deputy Presidents commence on 1 August next following their election and expire 2 years thereafter.

- 2.3 (b)** Subject to the requirement for postal ballot set out in clause 57(2) of the By-law, and so far as is applicable, the elections provided for in clause 57 of the By-law shall be conducted in the manner set out in section 4 of these Rules.
- 2.3 (c)** As soon as practicable after the ballot has been declared in the election for membership of the Academic Board the Returning Officer must issue a written notice calling for nominations to the positions of President and Deputy President. The notice must be issued to ex-officio members of the Academic Board and to the members who will take office on 1 July following that election.
- 2.3 (d)** Persons who are to take office in the Academic Board on 1 July following the election shall be eligible to nominate candidates, stand for election and vote.
- 2.3 (e)** Candidates may nominate for one position or both positions on the understanding that the election of the President will be determined first.
- 2.3 (f)** If there is only one candidate for the office of President, the Registrar will declare that candidate duly elected. If there are then only two candidates remaining for the offices of Deputy President, the Registrar will declare those candidates duly elected. If there are more candidates for either office the election will proceed by postal ballot.
- 2.3 (g)** Where a ballot is being conducted for both offices the votes for the President will be counted before the votes for the Deputy Presidents. If one of the candidates for the offices of Deputy President has already been declared elected as President, that candidate will then be excluded from the election for Deputy President and any ballot paper for that election in which such candidate receives a vote will be counted as though the candidate's name did not appear on the ballot paper.

Casual Vacancies

2.4 A member of the Academic Board shall be deemed to have vacated office if he or she:

2.4 (a) being an ex-officio member, ceases to hold the office entitling that person to be a member of the Academic Board;

2.4 (b) being a member elected by and from the full-time academic staff:

2.4 (b)(i) dies;

2.4 (b)(ii) resigns office by letter addressed to the Vice-Chancellor;

2.4 (b)(iii) leaves the service of the University; or

2.4 (b)(iv) is absent without leave of the Academic Board from 3 consecutive meetings of the Academic Board;

2.4 (c) being a student member:

2.4 (c)(i) dies;

2.4 (c)(ii) resigns office by letter addressed to the Vice-Chancellor;

2.4 (c)(iii) discontinues her or his enrolment or is excluded from the University; or

2.4 (c)(iv) is absent without leave of the Academic Board from 3 consecutive meetings of the Academic Board; or

2.4 (d) being an appointed member:

- 2.4** (d)(i) dies;
- 2.4** (d)(ii) resigns office by letter addressed to the Vice-Chancellor; or
- 2.4** (d)(iii) is absent without leave of the Academic Board from 3 consecutive meetings of the Academic Board.
- 2.5** When a casual vacancy occurs in the office of an elected member of the Academic Board, the remaining members of the Academic Board shall appoint a person to fill the vacancy by co-opting to membership from the appropriate electorate, a member of the full-time professorial or full-time non-professorial academic staff or a student, as the case may be.
- 2.6** A co-option to fill a casual vacancy in the office of an elected member will be conducted in the following manner:
- 2.6** (a) Where twelve months or more of the former member's term remains from the date of the commencement of the vacancy, a new election shall be held in accordance with section 4 of these Rules.
- 2.6** (b) Where less than twelve months of the former member's term remains from the date of the commencement of the vacancy, the Academic Board shall fill the vacancy in such manner as the Academic Board shall determine.
- 2.7** Where an elected member ceases to be eligible for membership of the electorate which elected him/her to the Academic Board, otherwise than as provided in section 2.4(b) or (c) a casual vacancy will be deemed to have occurred in that electorate. The Academic Board may, at its discretion, recommend to Council that the person be appointed to the Academic Board under s55(l) of the By-laws (the 'Such Other Persons' provision) for the remainder of the period for which he or she was originally elected.

Proceedings of Academic Board

- 2.8** The Registrar shall act as Secretary to the Academic Board.
- 2.9** (a) The Academic Board shall meet at the discretion of the President or upon the written request of the Chancellor or Vice-Chancellor or any 5 members of the Academic Board.
- 2.9** (b) All questions which come before the Academic Board at which a quorum is present, except where otherwise provided by these Rules, shall be decided by the majority of members present, and the President shall have a vote and, in the case of an equality of votes, a casting vote.
- 2.9** (c) The number of Academic Board members that constitutes a quorum is 20.
- 2.9** (d) All meetings of the Academic Board shall be convened by written notice from the Registrar specifying the time, place and agenda of the meeting.
- 2.9** (e) A report of the proceedings of the Academic Board shall be circulated to members of the Council with the notice or supplementary notice of matters to be considered at the meeting of the Council next following that of the Academic Board and shall be laid on the table of the Council at that meeting.
- 2.10** (a) The Academic Board may approve procedures consistent with these Rules to govern the conduct of its meetings and may appoint and cancel the appointment of such committees as it considers necessary to carry out its business.
- 2.10** (b) The Academic Board or a committee appointed by it may act notwithstanding that there may be a vacancy or vacancies in the office of any member or members of the Academic Board or a committee.

3. The Faculties

- 3.1** (a) Each faculty shall meet as a Faculty Board at such times as provided in this section.
- 3.1** (b) Each faculty shall elect a Presiding Member in the manner provided in section 4 of these Rules, who shall preside at meetings of the Faculty Board and the Faculty Standing Committee, and shall carry out any other duties as may be assigned by Council.
- 3.1** (c) Subject to the requirements of this section 3.1(c) Presiding Member elections will be conducted in odd-numbered years by the Returning Officer in the manner set out in section 4 of these Rules. A person shall not be eligible to be elected as Presiding Member of any faculty unless he or she is a member of that faculty, under the terms of clause 60 of the By-law, and holds a full-time appointment in the faculty. Nominations for election as Presiding Member of any faculty shall be signed by 2 members of the faculty and shall be lodged with the Returning Officer before 5pm on the 3rd Monday in the month of September in the years in which an election will be held. Such nominations shall also include the written consent of the candidate. Where there is only 1 candidate, the Returning Officer shall declare that person elected as Presiding Member of the faculty. Where there is more than 1 candidate the Returning Officer shall, conduct a ballot which closes not later than 5pm on the 3rd Monday in the month of October in the year in which the election is held.
- 3.1** (d) The term of office of the Presiding Member will be two years commencing on the first day of January of the year following the election. A person shall not be eligible to be elected Presiding Member of a faculty for more than two consecutive terms.
- 3.1** (e) If the Presiding Member is absent from a meeting of the Faculty Board or Faculty Standing Committee, the meeting may elect a Presiding Member for that meeting from the members of the faculty present.
- 3.1** (f) If the office of Presiding Member becomes vacant by death, resignation from office or the service of the University, or if the Presiding Member proceeds on leave of absence for a period of more than three months or otherwise before the expiration of the full term, and where the remainder of the term is six months or more, a successor shall be elected generally in the manner prescribed in section 3.1(c), and section 4 of these Rules, provided that such election shall be held as soon as practicable. In the interval the Dean shall act as Presiding Member of the faculty. Where the remainder of the term of office is less than six months, the office may be filled by appointment by the Dean, following consultation with members of the Faculty Standing Committee, that term of office not to be counted as a term of office for the purpose of section 3.1(d).

Election of student members to Faculty Boards

- 3.2** (a) The student members of each faculty shall elect student members to that Faculty Board.
- 3.2** (b) Any student enrolled for a program leading to a degree, diploma or certificate awarded by a faculty, at the date on which nominations close, shall be eligible to nominate candidates, stand for election and vote in an election for membership of that Faculty Board in the relevant electorate.
- 3.2** (c) Any student enrolled for a program leading to degrees, diplomas or certificates awarded by more than one faculty at the date on which nominations close, shall be eligible to nominate candidates, stand for election, and vote in an election for membership of each such Faculty Board in the relevant electorate, provided that the student is enrolled in a course controlled by that faculty in that year.
- 3.2** (d) Each Faculty Board shall recommend to the Academic Board for consideration and determination the number, or the formula for determining the number of students to be appointed to that Faculty Board; and any distinct and separate electorates. Each Faculty Board may at any time recommend changes in such matters.
- 3.2** (e) Subject to the requirements of this section 3.2, and so far as is applicable, student member elections will be conducted annually in May or October by the Returning Officer in the manner set out in section 4 of these Rules. The term of office of a member elected at any such election shall be for a

term of twelve months commencing from the date of the declaration of the election result or from such other date as shall be agreed between the Registrar and the Presiding Member of the relevant faculty.

- 3.2 (f)** The successful candidates in any election shall be appointed to their respective Faculty Boards by the Registrar.
- 3.2 (g)** When a casual vacancy occurs the Registrar shall appoint to the vacancy for the remainder of the period of membership the candidate, if any, who polled the greatest number of votes of the unsuccessful candidates at the most recent election in the relevant electorate. Where the casual vacancy cannot be filled in accordance with this section 3.2(g) the relevant Faculty Board shall be empowered to nominate a student to the Registrar for appointment to the vacancy.
- 3.2 (h)** A student who has ceased to be enrolled shall not retain membership of the Faculty Board to which he or she has been elected except where the student has ceased to be enrolled by reason of having completed the program requirements between the time of election and the close of the period for which elected.
- 3.3 (a)** The Faculty Board shall meet at least once each year and at such additional times as may be required. The Faculty Board will consider the business on the agenda. Other business will be considered only if the Presiding Member and a majority of other members present and voting agree. The Agenda for the meeting of the Faculty Board will be determined by the Presiding Member and Dean.
- 3.3 (b)** A special meeting of the Faculty Board will be called if the Registrar receives a request in writing from sufficient members to constitute a quorum.
- 3.3 (c)** Where a meeting of the Faculty Board has been called but a quorum is not present within 15 minutes after the notified time of commencement, the members then present shall be a quorum (for the purpose of this clause 3.3(c), a "reduced quorum"). A resolution passed at a meeting of the Faculty Board which was convened with a reduced quorum shall be of no effect unless and until it is ratified by resolution of the Academic Board.
- 3.3 (d)** The quorum of the Faculty Board will be the greater of 20 or the product obtained by multiplying the number of full time academic staff of the faculty by one quarter, any fraction in the product being disregarded.
- 3.3 (e)** At the first meeting in even numbered years, the Faculty Board shall consider the duties and powers of the Faculty Standing Committee and may make such recommendations to Council through the Academic Board concerning those duties and powers as it considers appropriate.

Faculty Committees

- 3.4 (a)** Each faculty shall establish a Faculty Standing Committee. The Faculty Standing Committee shall perform such duties as may be assigned to it by Council on the recommendation of the relevant Faculty Board through the Academic Board.
- 3.4 (b)** The members of the Faculty Standing Committee shall be the Presiding Member of the faculty, the Dean of the faculty, the Heads of the schools of the faculty, the person appointed to manage the business of the Faculty (for the purposes of these Rules, the "Faculty General Manager") and such other persons, including a number of elected members and students, as the Faculty Board may determine and then appoint.
- 3.5** Each faculty shall establish Faculty Committees comprising:
- 3.5 (a)** an Education Committee
or
an Undergraduate Education Committee and a Postgraduate Coursework Education Committee.

- 3.5 (a)(i)** The members of a committee established under this section shall be the Presiding Member of the faculty, the Dean of the faculty, the Faculty General Manager and such other persons as the Faculty Board may appoint which shall include at least one undergraduate and at least one postgraduate coursework student who will where practicable be enrolled in programs of the faculty, as appropriate.
- 3.5 (a)(ii)** The presiding member of a committee established under this section shall be elected by and from the members of that committee.
- 3.5 (b) a** Research Committee
or
a Higher Degree Committee and a Research Management Committee.
- 3.5 (b)(i)** Subject to section 3.5(b)(ii) the members of a committee established under this section shall be the Presiding Member of the faculty, the Dean of the faculty, the Faculty General Manager and such other persons as the Faculty Board may appoint which shall include at least one higher degree research student enrolled in a program of the faculty.
- 3.5 (b)(ii)** The Dean of Graduate Research shall be a member of a Higher Degree Committee and of a Research Committee where that Research Committee considers Higher Degree Committee matters.
- 3.5 (b)(iii)** The presiding member of a committee established under this section shall be elected by and from the members of that committee.
- 3.6 (a)** Two or more Faculties may establish a Cross-Faculty Standing Committee or Committees to exercise such duties and powers in relation to cross-faculty interdisciplinary programs as may be assigned to them by Council on the recommendation of the participating Faculty Boards through the Academic Board.
- 3.6 (b)** The members of a Cross-Faculty Standing Committee shall be determined by the Academic Board on the recommendation of those Faculties establishing the committee.
- 3.6 (c)** Except as specifically provided for in this Rule, a Cross-Faculty Standing Committee shall be dealt with and treated as if it were a Faculty Committee.
- 3.7** The Faculty Standing Committee shall establish an Assessment Review Group consisting of the Presiding Member of the Faculty, who shall be the Presiding Member of the Group, the Associate Dean(s) with responsibility for coursework student matters, the Director, Student Services or her/his nominee and 'such other members of the Faculty' as the Faculty Education Committee may appoint.
- 3.8** The quorum for the Faculty Standing Committee and each Faculty Committee will be a simple majority of the membership.
- 3.9** The number of members who shall constitute the quorum of the Faculty Board will be recalculated on 1 March each year.
- 3.10** Except where otherwise provided by these Rules all questions which come before a meeting of a Faculty Board, Faculty Standing Committee or Faculty Committee at which a quorum is present shall be decided by the majority of the members present and voting and the Presiding Member shall have a vote, and in the case of an equality of votes, a casting vote.
- 3.11** Nothing in these rules affects the precedence or authority of the Council, the Chancellor, the Deputy Chancellor, the Vice-Chancellor or the Dean.

4. Election Procedures

Application of these procedures

4.1 Except as otherwise provided in the Act, the By-law and other sections of these Rules, the election procedures (“Election Procedures”) set out in this section 4 are prescribed for the conduct of elections to Academic Board, Faculty Boards and offices within those boards.

Returning Officer

4.2 The Registrar shall be the Returning Officer. The Returning Officer may prescribe any necessary procedures or forms for the conduct of the election, provided they are not inconsistent with these Election Procedures or any other instruments under which the election is conducted.

The Returning Officer’s decision is final on all matters affecting the eligibility of candidates, the conduct and results of an election and such other matters as may from time to time affect the conduct of an election.

Eligibility

4.3 Eligibility criteria to nominate candidates, stand for election and vote in an election shall be as prescribed in any applicable By-law, Rule or resolution of the Council or Academic Board.

Nominations

4.4 The Returning Officer must allow a minimum period of 14 days for nominations to be received, followed by a minimum of 28 days from close of nominations to the close of ballot.

4.5 (a) Not less than 14 days before the close of nominations, the Returning Officer must issue a notice. The notice must be:

4.5 (a)(i) published on the University website, and

4.5 (a)(ii) published in such other places as the Returning Officer may determine.

4.5 (b) For the purposes of s4.5(a), the notice must:

4.5 (b)(i) state that an election is to be held to fill the position or positions concerned;

4.5 (b)(ii) specify the time appointed for the conduct of election;

4.5 (b)(iii) invite the nomination of persons for election;

4.5 (b)(iv) specify the way in which nominations are to be made;

4.5 (b)(v) specify the date and time by which nominations must reach the Returning Officer (being a date that is at least 28 days before the close of ballot);

4.5 (b)(vi) state how voters may cast a vote;

4.5 (b)(vii) state that (in the case of a postal ballot) ballot papers will be posted to persons entitled to vote in the election and that ballot papers which do not reach the Returning Officer by close of ballot will not be counted in the election;

4.5 (b)(viii) give details of the number of positions to be filled and of their respective terms, and

4.5 (b)(ix) contain such other information relating to the election as the Returning Officer may determine.

4.6 Nominations shall be lodged in writing with the Returning Officer no later than the time and date specified in the notice under section 4.5(b)(v). A nomination shall not be valid unless it contains the signed consent of the candidate, is signed by 2 persons entitled to vote at the election for which the candidate is nominated and is received by the Returning Officer before the close of nominations. There must be a separate nomination paper for each candidate.

4.7 A candidate may provide in the manner and within the time specified by the Returning Officer a recent photograph and a statement of not more than 150 words containing information relating to the candidate that he or she wishes to supply for publication in connection with the election. That information may include, for example, such of the following as may be applicable to the candidate:

4.7 (a) name;

4.7 (b) faculty, school or department;

4.7 (c) course and academic year;

4.7 (d) academic qualifications;

4.7 (e) occupation and experience;

4.7 (f) positions or offices held at any time in public bodies, clubs and institutions (including University clubs and societies) with dates of tenure, and

4.7 (g) honours and distinctions.

4.8 The Returning Officer may edit statements supplied. Statements containing more than 150 words will be reduced so as not to exceed that limit.

4.9 The Returning Officer is to reject a nomination if satisfied that:

4.9 (a) the nomination is not duly made; or

4.9 (b) the person nominated is not eligible to be elected.

4.10 Prior to the expiration of the time for receiving nominations the Returning Officer shall keep confidential information concerning particular nominations, but nothing in this section 4.10 shall prevent the Returning Officer from disclosing to the presiding member or officer of the relevant body whether sufficient nominations have been received.

4.11 As soon as practicable after the close of nominations, in such places and in such manner as the Returning Officer shall determine, the Returning Officer shall publish by notice in writing:

4.11 (a) a list of the candidates and the names of their nominators;

4.11 (b) where the number of candidates in any electorate does not exceed the number of vacancies, a declaration that the candidates are elected, and

4.11 (c) where the number of candidates in any electorate exceeds the number of vacancies in that electorate, the date upon which an election shall be held.

4.11 (d) Where no, or insufficient, nominations are received the Returning Officer shall, after making any relevant declarations under s4.11(b), call ("second call") for further nominations for the vacancies remaining to be filled. The second call shall follow the procedures set out above in section 4 as if for a fresh election. Notwithstanding that a second call may not result in a sufficient number of candidates to fill all vacancies or to cause a ballot to be conducted, no further calls may be made.

4.12 Where an election is required to be held, the Returning Officer shall, in such manner as the Returning Officer determines:

4.12 (a) prepare a roll of eligible voters, for each relevant electorate, as at the close of nominations, and

4.12 (b) make a list of the names on the relevant roll available for inspection by any person eligible to vote in the election during the period from the close of nominations to the close of ballot.

4.13 The above notice must specify the date of any election to be held.

Ballots

4.14 Ballots may be conducted by post, by personal voting or by way of an electronic voting program where such a program has been approved for use by the Registrar. Subject to the Act, the By-law and these Rules the Returning Officer shall determine which method or methods shall be used for any particular ballot.

“Ballot paper”: In this section 4 a reference to “ballot paper” includes, where the context requires, a document upon or through the medium of which a person may cast a vote.

4.15 The Registrar may approve an electronic voting program for use where he or she is satisfied that the program:

4.15 (a) will provide a voter with instructions on how to vote;

4.15 (b) will allow a voter to indicate his or her choice of candidate(s);

4.15 (c) gives a voter an opportunity to correct any mistakes before submitting his or her vote;

4.15 (d) will allow a voter to make an informal vote;

4.15 (e) will not allow a person to find out how a particular voter cast his or her vote;

4.15 (f) will not allow a voter to vote more than once for any ballot;

4.15 (g) will only allow a voter to vote in an election for which he or she is eligible to vote, and

4.15 (h) is designed to give the same result as would be obtained if the ballot were conducted by post or by personal voting.

4.16 Each ballot paper must contain the names of the candidates in the order determined by the Returning Officer in the following way:

4.16 (a) the names of the candidates concerned are to be written on separate and similar slips of paper,

4.16 (b) the slips are to be folded so as to prevent identification,

4.16 (c) the slips are then to be mixed and drawn at random,

4.16 (d) the candidates’ names are to be listed in the order in which they are drawn.

4.17 A voter is to mark a vote on the ballot paper by placing the symbol specified in the voting instructions accompanying the ballot paper opposite the name of the candidate(s) for whom the voter desires to give a vote.

4.18 Each candidate is entitled to nominate one scrutineer. A candidate who wishes to nominate a scrutineer must notify the Returning Officer by close of business 7 days before the close of ballot and provide contact details for the scrutineer.

4.19 For a postal ballot:

- 4.19** (a) each voter is to be sent (at least 14 days prior to the close of ballot) a ballot paper, a notice setting out how the ballot paper is to be completed and specifying the date and time of the close of ballot, and 2 envelopes, one marked "Ballot Paper" and the other addressed to the Returning Officer.
- 4.19** (b) the edited statements, and a copy of any photograph supplied, are to be printed and distributed with the ballot papers.
- 4.19** (c) there must be printed on the envelope addressed to the Returning Officer a form of declaration of identity and entitlement to vote to be signed by the voter.
- 4.19** (d) the fact that a person whose name is on the relevant roll did not receive a ballot paper does not invalidate an election.
- 4.19** (e) A ballot paper must be initialled by the Returning Officer or by a person authorised by the Returning Officer to do so. A ballot paper stamped with a facsimile of the relevant initials is taken to be initialled in accordance with this section 4.19(e).
- 4.19** (f) The voter is to send or deliver to the Returning Officer the ballot paper enclosed (without anything else) and sealed in the envelope marked "Ballot Paper", which must be enclosed and sealed in the other envelope addressed to the Returning Officer, with the form of declaration as to identity and entitlement to vote duly completed.
- 4.19** (g) All envelopes received by the Returning Officer must remain unopened until the close of the ballot.

4.20 For a personal ballot:

- 4.20** (a) Notices specifying the time(s) and location(s) appointed for the election are to be published on the University website and in such other places as the Returning Officer may determine at least 7 days prior to the close of ballot.
- 4.20** (b) Voters who are unable to attend campus to cast a personal vote because of program requirements, and who request a vote, shall, if practicable, be allowed the opportunity to vote by an electronic or postal vote as determined by the Returning Officer.
- 4.20** (c) The edited statements, and a copy of any photograph supplied, are to be displayed at the polling location(s).
- 4.20** (d) A ballot paper must be initialled by the Returning Officer or by a person authorised by the Returning Officer to do so at the time of issuing the ballot paper to the voter.
- 4.20** (e) The voter is to place his or her ballot paper in the ballot box provided at the voting location.

4.21 For an electronic ballot:

- 4.21** (a) Each voter is to be emailed (at least 7 days prior to the close of ballot) a notice detailing the nature of the election and setting out instructions on how to access the electronic voting program. The Returning Officer may, at his or her discretion, allow the opportunity for postal voting by a voter who, due to special circumstances peculiar to him or her, is unable to access the electronic voting program and who makes a timely request for a postal vote.
- 4.21** (b) The fact that a person whose name is on the relevant Roll of the University did not receive the email notice described in section 4.21(a) does not invalidate an election.
- 4.21** (c) The edited statements, and a copy of any photograph supplied, are to be published online and accessible by way of a link included in the e-mail sent to each voter in accordance with section 4.21(a).

4.21 (d) The voter is to submit his or her vote in accordance with the instructions provided in the electronic voting program.

4.22 All formal ballot papers received by the Returning Officer before the close of ballot are to be counted in the ballot.

4.23 No voter shall vote more than once in any election.

4.24 No ballot paper shall be issued or accepted after the close of the ballot.

Procedure on close of ballot

4.25 In the case of a postal ballot, as soon as practicable after the close of ballot, the Returning Officer, in the presence of those of the scrutineers that choose to be present:

4.25 (a) is to open the envelopes addressed to the Returning Officer and received before the close of the ballot,

4.25 (b) if the declaration of identity and entitlement to vote is duly signed by a qualified voter, is to place the unopened envelope containing the ballot paper with other similar envelopes,

4.25 (c) is to open the envelopes referred to in paragraph (b) and take out the ballot papers, and

4.25 (d) is to count the votes and ascertain the result of the ballot in the manner set out below.

4.26 In the case of an electronic ballot, as soon as practicable after the close of ballot, the Returning Officer is to count the votes and ascertain the result of the ballot in the manner set out below.

4.27 In the case of a personal ballot, as soon as practicable after the close of ballot, the Returning Officer, in the presence of those scrutineers that choose to be present, is to open the ballot box, take out the ballot papers, count the votes and ascertain the result of the ballot in the manner set out below.

Vote Counting

4.28 The Returning Officer is to reject any informal ballot papers and count the formal ballot papers.

4.29 A ballot paper shall be informal if:

4.29 (a) marked other than in accordance with the voting instructions accompanying the ballot paper;

4.29 (b) no vote for any candidate on the ballot paper has been indicated;

4.29 (c) votes for more candidates than are to be elected are indicated on the ballot paper.

4.30 The Returning Officer is to count the number of votes for each candidate.

4.31 The candidate(s) having the highest numbers of votes, being a number of candidate(s) equal to the number of positions to be filled, shall be declared elected.

4.32 If an equality of votes between two or more candidates prevents the declaration of elected candidates, the vote count will proceed as follows:

4.32 (a) the names of those candidates with such an equality of votes will be written on separate and similar slips of paper,

4.32 (b) the slips must be folded so as to prevent identification and mixed and drawn at random,

4.32 (c) the candidate whose name is first drawn shall be declared elected, and

4.32 (d) this process is to continue until all remaining positions are filled.

4.33 The Returning Officer shall make available details of the most recent vote count to any member of the University or of its Professional and Technical staff. The Returning Officer may, in his or her absolute discretion, provide in writing details of the most recent vote count upon written request of a person eligible to nominate candidates, stand for election and vote.

5. Miscellaneous

5.1 Membership of body corporate

For the purposes of section 4(b) of the Act, and in accordance with Clause 65 of the By-law 2005, the persons appointed to the offices of Chief Operating Officer, Chief Financial Officer, and Director Student Services are prescribed to be members of the body corporate of the University.