

ELECTION REGULATIONS

*(for the inaugural Swinburne
Student Association elections)*

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|---|---|
| 1. Definitions | 18. Defamation |
| 2. Appointment of the Returning Officer | 19. Method of Voting |
| 3. Responsibilities of the Returning Officer | 20. Method of Polling |
| 4. The Electoral Roll | 21. Counting of Votes |
| 5. Polling | 22. Recount |
| 6. Election timeline | 23. Declaration of Election |
| 7. Forms | 24. Objections |
| 8. Notice of Election | 25. Appeals |
| 9. Eligibility to Stand | 26. Validation |
| 10. Positions to be elected | 27. General Provisions |
| 11. Nominations | SCHEDULE 1 – Committee and Officer |
| 12. Ballot Draw | Positions to be elected |
| 13. Withdrawal of Nomination | |
| 14. Tickets | |
| 15. Publication Notice –
Nominations and Tickets | |
| 16. Statement of Distribution of
Preferences | |
| 17. Electoral Conduct | |

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

1. Definitions

1.1 Unless otherwise defined in the Constitution:

- a) “Academic period” means days during the Higher Education or TAFE study periods set out by SUT and excludes Saturdays, Sundays or days which fall outside this defined period.
 - b) “Authorised Officer” means the student responsible for registering a ticket for the annual election.
 - c) “Committee” means the Board of Directors and the Swinburne Student Council (unless otherwise specified).
 - d) “Constitution” means the SSU Constitution.
 - e) “Day” means any working day that is not a Saturday, Sunday or day which falls outside a Teaching Period.
 - f) “Election” means an election conducted pursuant to the SSU Constitution and runs from the Notice of Election to the declaration of the ballot.
 - g) “Election material” means material produced by or on behalf of a candidate to be distributed to or made available to eligible voters that is intended to influence the outcome of the election. Election material includes how-to-vote cards.
 - h) “Election period” runs from the issuance of the Notice of Election until the Declaration of Election.
 - i) “Eligible voter” means any voter entitled to vote in the election.
 - j) “General Manager” means the General Manager in the SSU Constitution.
 - k) “How-to-vote card” means any printed or electronic list of candidates produced by or on behalf of a candidate designed to indicate recommended voting preference/s.
 - l) “Nominee” means a prospective candidate who has submitted a nomination but has not yet had the nomination accepted by the Returning Officer under clause 11.
 - m) “Official election material” means election material that complies with these regulations.
 - n) “Polling Day” means any day on which ballots may be cast.
 - o) “Poster” means election material displayed or intended for display.
 - p) “Publish” means material made available to eligible voters in any form, including printed material such as handouts and posters as well as electronic material including websites, email and electronic presentations.
 - q) “SSU” means Swinburne Student Union Inc.
- “Student” means an enrolled student of Swinburne University
- r) “Student Council” means the Student Council of Swinburne Student Union. as defined in the

Constitution.

- s) “University roll” means the roll of Swinburne Students provided by the University.

2. Appointment of the Returning Officer

2.1 The Student Council must appoint a person to act as Returning Officer for the annual elections

2.2 The Returning Officer must not be a current Swinburne student or Swinburne Student Union officebearer in the preceding three terms of office.

2.3 Where Student Council has not appointed a Returning Officer in accordance with the Constitution, the General Manager must appoint a Returning Officer directly.

2.4 The Returning Officer must be appointed at least three weeks prior to the opening of polling.

3. Responsibilities of the Returning Officer

- 3.1. The Returning Officer is responsible for:
- (a) The conduct of the elections;
 - (b) may decide all matters not provided for in the Constitution or these Regulations;

- (c) appoint any Assistant Returning Officer or poll clerks to assist in relation to conducting the election (which may include SSU staff)
- (d) appointments under 3.1.(c) must comply with clause 2.2 of these Regulations.

3.2. The Returning Officer must decide questions of fact on a balance of probabilities basis.

3.3. The Returning Officer must provide a written report to Student Council within 30 days of the Declaration of Results of the election.

4. The Electoral Roll

4.1. The General Manager must obtain a copy of the University roll, or provide for access to the University roll, to determine persons eligible to participate in the election for the Returning Officer.

4.2. All enrolled Swinburne students are eligible to vote in the election. Enrolment status is determined based on the University roll.

4.3. The close of University roll for the purposes of these Regulations is to occur at on 30 August 2024 (inclusive of).

5. Polling

5.1. The Student Council must either concurrently with or prior to the appointment of the Returning Officer:

(a) Set out the dates and times for the annual election taking into account that:

(i) Polling must be held for at least six hours per day between 8am and 8pm and open for at least five consecutive days during the academic period;

(ii) Each campus must host polling for at least one day for at least six hours between 8am and 8pm (except where polling occurs online by resolution of Student Council); and

(iii) Polling must occur during the Semester two Higher Education academic period set out by Swinburne.

(b) Appoint an independent tribunal member in accordance with clause 25.

5.2. In the event that Student Council does not set out a polling timetable by 30 August of the calendar year, the General Manager must set out a timeline and appoint a Returning Officer in accordance with clause 2 of these Regulations.

5.3. Elections must be conducted via secret ballot using an optional preferential voting method.

5.4 The Student Council must determine, by resolution, the method of polling for the annual election.

6. Election Timetable

6.1. Unless otherwise determined by the Returning Officer:

(i) Notice of Election must be published at least three weeks prior to polling week.

7. Forms

7.1. Unless otherwise provided for in these Regulations or the Constitution, where a form may be required to be completed by participants in the annual election, it must be:

(a) Published on the SSU website (or a site nominated by the General Manager);

(b) Available from the SSU Hawthorn office; and

(c) Available from the Returning Officer upon written request.

7.2 Where a form may be submitted to the Returning Officer, it must be:

(a) Submitted directly to the Returning Officer in electronic form by email; or

(b) hand delivered to the Returning Officer.

8. Notice of Election

8.1. The Returning Officer must give notice of the election by:

(a) Sending an email to each Swinburne Student eligible to participate in the election; and

(b) publishing a notice on the SSU website (or site nominated by the General Manager).

8.2. The Notice of Election must include the contact details of the Returning Officer, where to access these Regulations, positions to be elected, the process of nominating, dates and times for opening and closing of nominations and ticket registrations, and times and locations of polling.

9. Eligibility to Stand

9.1 Only those persons who are a Swinburne Student at the time of the close of the University roll are eligible to stand.

9.2 Any student on the University may nominate for a committee position set out under Schedule 1 of these Regulations.

9.3. A person is only eligible to stand for an NUS National Conference delegate if they are:

(a) A student of the University at the time of the close of the University roll; and

(b) Not a delegate of another NUS member organisation.

9.4 A person is only eligible to nominate for President or Vice President if:

(a) they are enrolled for at least one contiguous teaching period within the previous two teaching periods.

9.5 No candidate may nominate for or be elected to more than one position on Student Council.

10. Positions to be elected

10.1. Elections are to be held to elect the Officers and Committee members of, as defined in Schedule 1 of these Regulations.

10.2. Elections are also to be held to elect National Union of Students Delegates.

10.3 A person is only eligible to nominate to be elected as a National Union of Students Delegate if they are:

(a) a student of Swinburne University at the time of the close of the university roll; and

(b) not a delegate of another NUS member organisation (as per regulation 18.3 of the current NUS regulations).

11. Nominations

11.1 Nominations must:

(a) be submitted on an acceptable form prescribed by the Returning Officer under clause 7 of these Regulations;

(b) state the position that the person is nominating for and include their signature;

(c) contain the full name, student number, and contact details of the candidate;

(d) be seconded by a Swinburne Student; and

(e) be received in the time allotted on the Notice of Election.

11.2 As soon as practicable after receiving a nomination, the Returning Officer must:

(a) verify that the person who has nominated is eligible to stand;

(b) notify the person whether their nomination has been accepted or rejected; and

(c) Send them a copy of these Regulations and the contact details of the Returning Officer.

11.3. Nominations, in accordance with this clause, will be treated as provisional where they are accepted by the Returning Officer until final checks occur in accordance with the deadline set out in the Notice of Election.

11.3 11.4. The Returning Officer must reject a nomination if:

(a) it does not comply with these

Regulations or Constitution;

(b) where the person nominating is not eligible to stand for that position; or

(c) that has questionable origins and deemed *mala fide* by the Returning Officer.

11.4 If the Returning Officer rejects the nomination, they must:

(a) inform the candidate as soon as practicable; and

(b) provide the reason(s) for decision.

11.5 If the number of eligible candidates for any position does not exceed the number to be elected, the Returning Officer must declare, as soon as practicable after the close of nominations, those candidates elected.

11.6 The Returning Officer has the power to disqualify a candidate where they are found not to be a Swinburne Student during the election period (even where their nomination has been previously accepted in accordance with this clause).

12. Ballot Draw

12.1 The Returning Officer must determine the order of candidates on the ballot paper as soon as practicable after nominations have closed and all candidates have been determined eligible to stand for election.

12.2 Any enrolled Swinburne student may observe the draw.

12.3 Before the ballot draw, the Returning Officer must:

(a) email all candidates with the date/time/location; and

(b) place notice on the SSU website advising when the draw will take place

13. Withdrawal of Nomination

13.1 Candidates may withdraw their nomination at any time prior to the close of polling.

13.2 The Returning Officer must be satisfied that a withdrawal is *bona fide* and has been completed by the nominating candidate before accepting the withdrawal. The withdrawal takes effect upon its acceptance by the Returning Officer.

13.3 Where a candidate withdraws, the Returning Officer must proceed as if the candidate had never nominated.

13.4 The Returning Officer may modify ballot papers as necessary to reflect the withdrawal.

13.5 Any ballot paper showing a preference for a withdrawn candidate must be taken as if the candidate had been eliminated.

13.6 A withdrawal of a candidate does not invalidate a ticket by virtue of the withdrawal.

14. Tickets

14.1 A candidate or group of candidates may apply to have their name or names set out on the ballot paper under the name of a ticket.

14.2 Ticket registrations must:

(a) contain the full name, student number and contact details of each candidate;

(b) Contain at least one candidate for positions for the Board of Directors;

(c) Contain at least eight candidates for the election of the Swinburne Student Council;

(d) Contain at least one candidate for the election of National Union of Students Delegates); and

(e) be supported by 50 Swinburne Students who provide their full name, student number and have signed the form.

14.3 For the purposes of clause 14.2:

(a) a member must not be a signatory for more than one ticket registration; and

(b) regardless of the validity of any ticket, if a member has supported two or more ticket registrations, that person will not count to the number of required supporters for any of the ticket registrations.

14.4 A ticket name must not:

(a) be misleading, deceptive or offensive;

(b) incorporate the name of an organisation (including a club, society or collective);

(c) contain the word 'independent';

(d) be so similar to or contain the word/name 'SSU', 'SSA' or 'Swinburne' or any department or division as to be confused or mistaken with that name;

(e) be longer than three words;

(f) be the same as, or similar to, any other ticket name; or

(g) be contrary to law.

14.5 Before an application to be set out as a ticket can be accepted, the application must include:

14.6 the name, Swinburne University student identification number, signature and contact details of at least and no more than one candidate for each position to be elected in the election.

14.7 As soon as practicably possible, the Returning Officer must after receiving a ticket registration:

(a) verify that the ticket registration complies with the Regulations; and

(b) notify the ticket registrant whether the ticket has been accepted or rejected.

15. Publication of Notice – Nomination and Tickets

15.1 Within 24 hours of the close of nominations and ticket registrations, the Returning Officer must produce a notice listing the submissions received.

15.2 The list of submissions must include any unsuccessful submissions and the reason for the unsuccessful submission.

15.3 For the purposes of this clause, the Returning Officer must make the notice available by:

(a) Emailing the notice to ticket registrants and or candidates; and

(b) Publishing the notice on the SSU website (or website nominated by the SSU).

16. Statement of Distribution of Preferences

16.1 An Authorised Officer may submit a statement of distribution of preferences by submitting the statement in the form prescribed by the Returning Officer.

17. Electoral Conduct

17.1 All conduct in an election that is likely to mislead or deceive a voter is prohibited.

17.2 All campaign material must be authorised by the Returning Officer and contain the name and student ID of the student authorising the material.

17.3. For the purposes of this section, the following conduct is prohibited:

(a) Engaging in electioneering or display posters within six meters distance, clearly marked, from the polling booth as determined by the Returning Officer;

(b) Tampering with a vote for which he or

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

she is not entitled to cast;

(c) Removing a ballot paper from the immediate vicinity of a polling booth, unless with the permission of the Returning Officer;

(d) Interfering with any election materials used to conduct the election without approval by the Returning Officer;

(e) Engaging in any dishonest, misleading or deceptive conduct.

(f) Engaging in a manner that impedes or attempts to impede the conduct of the election

(g) Use any Swinburne Student Union resources for the purpose of any election that is not freely available to all students.

(h) Pay any person to campaign or offer any form of personal inducement in order to cast or not cast a vote in a certain way.

(i) Campaigning by persons who are not current Swinburne University students.

(j) Using unauthorised campaign material.

(k) Electioneering in formal student spaces including but not limited to libraries and classrooms.

17.4) The Returning Officer shall have the authority to deem any conduct not

otherwise included in this Section of the Regulations as prohibited should they be satisfied that the conduct in question is otherwise in violation of the principles of a free and fair election or the spirit of these regulations or the Association.

17.5) Any person may report a breach to these regulations to the Returning Officer, and this must be done in writing.

17.6) The person who has reported a breach to these regulations must be given an opportunity to

17.7) The Returning Officer may, whether they find that there has been a breach to these regulations or not, make any such determinations or orders as they deem appropriate, including:

(a) Verbal warnings; or

(b) Disqualifying a member from participating in that or any future election; or

(c) Disqualification of candidates supported by non-Swinburne students; or

(d) Percentage penalty of a ticket's total primary vote; or

(e) Disqualification of the Ticket; or

(f) Any other action.

17.8) A member who has been disqualified by the Returning Officer from participating in an election shall have the right to appeal this decision to the Electoral Tribunal within twenty-four hours of the decision being communicated by the Returning Officer to the member's Swinburne University electronic mail account.

17.9) Should the Returning Officer become aware of a potential breach to

these regulations without such a breach being reported by another person, they may nonetheless proceed as if such a report had been made.

18. Defamation

18.1 SSU does not indemnify any person against liability for defamation in connection with the election or these electoral regulations.

19. Method of Voting

19.1 Voting must be conducted via secret ballot.

19.2 The ballot papers are to be laid out in the following order (where applicable) and as distinct groupings:

- (a) Front Page Voting;
- (b) The election of the Board of Directors (including the President and Vice President);
- (c) The election of the Swinburne Student Council; and
- (d) The election of the National Union of Students (NUS) Delegates

19.2 Ballot papers must only be issued to students who:

- (a) are listed on the University roll as a currently enrolled Swinburne student.

19.3) A voter must indicate their voting intention by marking a ballot paper/s using one of the following methods:

- (a) Placing a number against the name of a ticket on the front page of the ballot paper pack; or
- (b) Placing a number above the line on a ballot paper to indicate a preference for candidates of a ticket; or

- (c) Placing a number against the name of a candidate of first preference and any consecutive numbers against the names of as many other candidates of lower preference in order as they wish.

19.4) For the purposes of the front page voting method for all forms of polling:

- (a) A number or tick against the name of a ticket on the front page of the ballot paper pack will be taken as having voted for all candidates standing for election on that ticket across all Swinburne Student Council, Board of Directors and National Union of Student elections;

- (b) a vote will be considered formal even where the lowest number is not '1'; or where

- (i) a tick is against the name of a ticket; or

- (ii) a cross is against the name of a ticket where there is no number 1 or tick against the name of another ticket is to be taken to be the number 1;

- (iii) a tick is against the name of a ticket where there is no number 1 against the name of another ticket is to be taken to be the number 1; and

- (iv) "a" indicates a preference for that ticket ahead of all other tickets.

- (c) If any ballot papers become detached from the ballot paper pack, the Returning Officer must attempt to reconcile the ballot paper pack. Where this is not possible, front page voting for

that ballot paper pack will not be a valid method of voting and each ballot paper will be counted separately.

19.5) For the avoidance of doubt, if a group of candidates has lodged a distribution of preferences statement, voters who have voted for that ticket are deemed to have voted for other candidates in that election (or all elections in the event of a 'front page' vote) in accordance with that distribution of preferences statement.

19.6) For the purposes of this section of the Regulations, a voter who votes using the front-page voting method will take precedence over all other methods of voting except where the ballot paper becomes detached from the ballot pack.

19.7) For the purposes of this section of the Regulations, where a voter indicates a preference for both the name of a candidate and a preference for the name of a ticket, the preference for the ticket will stand and the preference for the candidates must be treated as if it were left blank.

20. Method of Polling

20.1) This section details out the method of polling as set out under the 'polling' section within these Regulations.

20.2 For polling conducted through electronic means:

(a) The Returning Officer must ensure to the extent practicable that:

(i) software is configured in such a way to ensure that voting is secure and only able to be made by the person eligible in line with

all applicable restrictions set down;

(ii) only they are able to access administrative functions beyond those necessary to verify a voter on the University roll is able to access their online vote; and

(iii) that the results of the election are suppressed to anybody (including themselves) until the close of polling.

(b) The Returning Officer must provide each candidate with an opportunity to submit:

(i) A 200-word policy statement; and

(ii) A how to vote.

(c) In the case of voting via electronic polling, every eligible voter in that poll must be sent an email to their student email address before the opening of the poll that contains:

(i) a link to complete their online vote which is only active after polls are open;

(ii) instructions for completing their online vote;

(iii) a message that provides the contact details of the Returning Officer and states that they should be contacted if a member is unable to cast their online vote; and

(iv) A link to the website which shall host authorised policy statements, candidate photos and how to votes for both registered tickets and individual candidates.

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

(d) The Returning Officer must, to the extent practicable, liaise with staff of the University to ensure that the software is able to distribute emails to student email accounts without any interference from University's anti-spam software.

20.3 For polling conducted through attendance (in-person) means:

(a) Ballot papers may only be issued to students who provide photo identification and are listed on the roll.

(b) Before the ballot paper is given to the voter, the election staff member must:

(i) sign the paper, marking it as valid; and

(ii) mark the member as having voted.

(c) If a voter does not appear on the roll but claims to be eligible to vote:

(i) they may be issued with a provisional vote, which must be enveloped with details clearly stated on the outside to be later included in the count if found to be eligible;

(ii) the Returning Officer will check the eligibility of the voter with the university in the case of the University roll; and

(iii) the voter will have until the close of polling to provide sufficient proof to the Returning Officer that they are an SSU member.

(d) For the purpose of this section, proof may include, but not be limited to:

(i) Evidence issued by the SSU demonstrating payment or membership confirmation; or

(ii) Proof to the satisfaction of the Returning Officer (or delegated staff member) to be satisfied that they are a bona fide member.

(e) Before the commencement of voting on each day, scrutineers may, if ballot boxes are used, inspect the ballot boxes to ensure that they are empty.

(f) The polling place must provide for reasonable security for the conduct of a ballot, including:

(i) the security of ballot boxes (if used);

(ii) the provision of spaces for private voting; and

(iii) the exclusion of all persons except election staff members or members who are voting.

(g) Campaigning must not take place within six metres of the polling place, as designated by the Returning Officer.

(h) The Returning Officer will make reasonable efforts to clearly define the limit of this exclusion for the benefit of those campaigning.

(i) Campaigners must be currently enrolled Swinburne University students.

(j) To provide proof of their enrolment, Campaigners must visibly wear a lanyard with a current student ID at all times when campaigning. In the case where the ID is not displayed, they must be able to provide their student ID or proof of being a current Swinburne University student upon request.

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

(k) The Returning Officer must provide or delegate the providing of stickers that demonstrate students who have voted

20.4 Student Council may resolve to conduct a postal ballot.

20.5 Where the Student Council determines that persons are unable to attend a polling booth and are permitted a postal ballot arising due to pandemic or natural disaster, the Returning Officer has the power to prescribe the form and method to determine the roll of voters in accordance with the procedure set out under this provision.

20.6 Voting via postal ballots must include the following parameters set out as follows:

(a) The Returning Officer must verify the eligibility of each registered person against the relevant roll/s.

(b) As soon as possible after the close of nominations, the Returning Officer must send to the postal address of each member registered to vote:

(i) Voting instructions;

(ii) Ballot papers;

(iii) a link to the SSU website which shall host authorised policy statements and how to votes;

(iv) an envelope large enough to contain all ballot papers, with a declaration form printed on the outside; and e) a pre-addressed postage-paid return envelope.

20.7 The Returning Officer must keep a list of members to whom postal ballots have been sent.

20.8 Postal ballots:

a) received by the Returning Officer before the opening of polling shall still be counted;

b) must be received by the Returning Officer within three business days of the closing of polling; and

c) received by the Returning Officer later than three business days after the closing of polling must be destroyed.

20.9 The Returning Officer will wait at least three business days after the close of polling before proceeding to count the ballot.

20.10 Postal ballots which are returned by any method other than by delivery to the address listed on the return envelope must be destroyed.

21. Counting of Votes

21.1 Votes shall be counted as soon as practically possible by the Returning Officer (and or nominated poll clerks) after the close of polling.

21.2 Each candidate may appoint one scrutineer to be present at the count with each registered ticket able to appoint no more than two scrutineers.

21.3 Scrutineer appointments shall be lodged in a form prescribed by the Returning Officer and must be a current Swinburne student.

21.4 A scrutineer must not:

(a) touch or interfere with ballot papers or any electoral equipment; or

(b) disobey a direction from election staff or act in a manner deemed disorderly or impedes upon the proper conduct of the count.

21.5 The Returning Officer reserves the right to exclude any scrutineer do not adhere to clause 21.4.

21.6 Votes must be counted in accordance with the following procedure:

- (a) each ballot paper (or only the front page of a ballot pack where a voter uses the front page voting method) must first be given the value of 1;
- (b) the value of each ballot paper must be allocated to the continuing candidate against whose name appears the lowest number on the ballot paper;
- (c) a ballot paper which does not show a valid preference for at least one continuing candidate is exhausted and may not be allocated further;
- (d) a quota must be calculated at each stage of counting by dividing the total value of ballot papers allocated to continuing candidates by one more than the number of positions remaining to be filled and rounding up the answer so obtained in the sixth decimal place;
- (e) if at any stage of counting a continuing candidate is allocated a value in excess of the quota; that candidate must be declared elected and each ballot paper allocated to that candidate must be given a new value obtained by multiplying its current value by the candidate's transfer value;
- (f) if at any stage of counting no continuing candidate is allocated a value in excess of the quota, the candidate with the lowest value must be

eliminated. If there are two or more candidates with an equal value and no candidate has a lower value at an earlier stage of counting, the Returning Officer must determine by lot which of these candidates is to be eliminated; and

(g) in the event a candidate withdraws, dies or resigns their membership after the closure of registrations – the value of each ballot paper showing a current preference for that candidate will be allocated to the continuing candidate as if that candidate did not exist, unless the ballot paper does not show a valid preference and would therefore exhaust and not be allocated further.

(h) for the purposes of this section of the regulations, a voter who votes using the front-page voting method as set out in Section 20 will take precedence over all other methods and the subsequent ballot papers are ignored.

21.7 In the case of the four Student Director positions to be set out in a single ballot, the first two candidates to be declared elected shall be deemed elected for a two year term.

21.8 The Returning Officer is empowered to make the final determination on whether a ballot paper is valid or invalid for the purposes of the count.

21.9 In the event of a tie, the Returning Officer must:

- (a) recount the ballots for that position;
- (b) where the ballots following a recount remain a tie, the Returning Officer must determine by lot which of the candidates are to be eliminated and declare the remaining candidate elected.

21.10 The Returning Officer must declare the election as soon as practically possible after the counting of voting is concluded.

22. Recounts

22.1 The Returning Officer shall recount the votes for any position where they determine there is a possibility that a recount may alter the result, or:

(a) A candidate requests a recount in writing prior to the declaration of the poll.

22.2 The Returning Officer must be satisfied under clause 22.1(a) that a recount will alter the result, and, has the power to decline the request for a recount with no recourse.

23. Declaration of Election

23.1 The notice advising of the election results (Declaration of Election) must be published:

(a) on the SSU website as soon as practically possible;

(b) emailed to all candidates in the election; and

(c) In any means deemed appropriate by the Returning Officer.

24. Objections

24.1 A candidate may subject an objection under this clause where they are of the opinion that:

(a) A breach of the Electoral Regulations has been discovered.

24.2 Objections must be submitted as soon as practically possible but must not be later than 24 hours after an

objection becomes aware of an alleged infraction.

24.3 An objection must:

(a) Be in writing;

(b) Detail the specific clause/s related to the objection;

(c) Provide a statement of facts and grounds of objection and shall state the remedy sought.

(d) Be lodged directly with the Returning Officer via email or in a form specified by the Returning Officer.

24.4 The Returning Officer must respond to the objection as soon as practically possible.

24.5 Upon receipt of an objection, The Returning Officer must:

(a) determine whether a *prima facie* case can be established;

(b) determine whether or not convening a hearing to hear from parties of the objection is required in order to resolve a position;

(c) seek written submission from any interested parties in relation to the objection (if deemed necessary by the Returning Officer); and

(d) make a determination on an objection based on a balance of probabilities basis.

25. Appeals

25.1 The Student Council must, upon calling the annual elections, appoint an independent tribunal member to consider appeals against the Returning Officer under this clause.

25.2 The tribunal member must:

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

(a) Be a member of the University staff;
and

(b) Recommended by the General
Manager.

25.3 The Student Council can only
remove the tribunal member by an
absolute majority and must establish
proven misbehaviour or incapacity.

25.4. The tribunal member must:

(a) only hear matters that have already
been considered by the Returning
Officer; and

(b) only hear matters provided in the
requisite period of time prescribed.

25.5. The procedure for convening a
hearing by the tribunal member shall be
that:

(a) the appellant submits an appeal to
the tribunal member within the requisite
period of time prescribed in these
Regulations;

(b) a copy of the application is also
provided to the Returning Officer at the
time of lodgement;

(c) the Returning Officer is provided with
an opportunity to respond;

(d) the tribunal member determines it is
reasonable to convene a hearing and
hear the matter;

25.6. Any appeal to the tribunal member
must:

(a) be in writing;

(b) set out a concise statement of facts
and all relevant information;

(c) specify the specific breach;

(d) provide a payment of \$300 for costs
to be lodged to the SSU office.

25.7 The tribunal member must provide
a decision as soon as practically
possible.

25.8 For the purposes of this section,
“period of time” means within 24 hours
of a decision made by the Returning
Officer.

25.9. The Tribunal is not empowered to
consider any appeal in relation to a
decision of the Returning Officer
involving Section 4 or 17.2(i) of these
Regulations.

26. Validation

26.1 No act, decision or election is
invalid only by virtue of a technical
breach that did not affect the material
outcome of the election.

27. General Provisions

27.1 To the extent of any inconsistency
between these regulations and the NUS
Constitution, Regulations or By-Laws,
relating to the manner in which
elections for delegates to the National
Union of Students are conducted, the
former shall prevail.

27.2 The Returning Officer is
empowered to implement any
measures to ensure the orderly conduct
of the annual election or by-election
that are not defined in these
Regulations but must not be contrary to
the Constitution.

SCHEDULE 1 – COMMITTEE AND OFFICER POSITIONS TO BE ELECTED

The Schedule below sets out the positions to be elected for the Swinburne Student Council and the Board of Directors.

Committee positions to be elected

- Welfare Lead
- Education Lead
- Activities Representative
- Cultural and Faith Representative
- Womens Representative
- Queer Representative
- International Representative
- Swinburne Online Representative

Officer positions to be elected

- President
- Vice President
- Four Student Directors (with two to be elected for two-year terms and two to be elected for a single year term).

Positions to be elected through the annual University student elections

The following positions also form part of the 'Student Representative Council', to be elected via the Swinburne University annual election:

- Three members of the Academic Senate
- University Council Student Member
- 15 members from the School Academic Committees comprised of two members from each of the following schools:
 - School of Business, Law and Entrepreneurship
 - School of Design and Architecture
 - School of Engineering
 - School of Health Sciences
 - School of Science, Computing and Engineering Technologies
 - School of Social Sciences, Media, Film and Education
- A further three student members are elected to the Vocational Education Teaching and Learning Committee.

ELECTION REGULATIONS (for the inaugural Swinburne Student Association elections)

Commencement date and responsibilities

Unless otherwise provided for, the 'Committee positions to be elected' will commence from 1 January 2025.

For positions to be elected via the University, the positions will commence from 1 January 2025.

The roles and responsibilities for the positions elected under the SSU are set out in the Election Handbook.