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## 1. Overview

- 1.1. These Regulations are the Election Regulations of The Australian National University Postgraduate and Research Students' Association Incorporated (PARSA). These Regulations repeal and replace previous electoral and discipline regulations.
- 1.2. These Regulations are made pursuant to rules 16(1)(b) and 16(3) of the PARSA Constitution and must comply with rule 8 of the PARSA Constitution.
- 1.3. Terms defined or used in the PARSA Constitution have the same meaning in these Regulations as in that Constitution.
- 1.4. Subject to the Constitution, the Returning Officer shall have the power to interpret these Election Regulations. Their interpretation, subject to rules 13.14 and 13.16 of these Regulations, is final.
- 1.5. For the purposes of these Regulations, a person is a postgraduate student of the University if the Returning Officer determines that the student is recognised by the University as being a postgraduate student, and that student has not stated that they do not wish to be a member in accordance with rule 2(3) (d).
- 1.6. Unless the Constitution provides otherwise, any representative of the Association elected under the Constitution, or these Regulations, holds office until six (6) weeks after the declaration of the results of the next annual general election.
- 1.7. For the avoidance of doubt, if a person is appointed or elected to fill a casual vacancy that person is to serve only so much of the term of that office as remains unexpired. However, they may subsequently run for any position which they are eligible for.
- 1.8. Subject to rule 4(2) of the PARSA Constitution, Ordinary Members of the Association:

1.8.1. Have full voting rights as Members of the Association;

1.8.2. May nominate persons to, or, subject to eligibility pursuant to rule 6 and 16(1) (b), and the criterion in this document may themselves stand as candidates for or nominate another for any elected position.

1.9. The Postgraduate Member of the University Council's election will be governed by the following rules and rule 8 of the PARSA Constitution that take priority over any other rule in this document:

1.9.1. Any postgraduate student of the ANU, whether a member of the Association or not, may nominate for election as the Postgraduate Student Member of the University Council, and may nominate for re-election insofar as they are eligible;

1.9.2. The Postgraduate Student Member of the University Council may concurrently hold positions as an office bearer, President, or officer of the Association;

1.9.3. The Postgraduate Student Member of the University Council holds office subject only to the provisions of the Australian National University Act (or its successors) and any relevant Statute or Rule of the ANU;

1.9.4. A vacancy in the office of Postgraduate Student Member of the University Council must be filled in accordance with the Australian National University Act (or its successors), any relevant Statute or Rule of the ANU, and as otherwise provided for in the PARSA Constitution or Election Regulations;



1.10. An annual general election must be held to elect the President, Vice-President, Portfolio Officers, College Officers, and the Postgraduate Student Member of the Council in accordance with these Election Regulations and the Constitution under the supervision of the duly appointed Returning Officer.

1.11. PRC refers to the Postgraduate Representative Council as defined in both rules five (5) and six (6)

## **2. Application of Regulations**

2.1. These Regulations apply to:

2.1.1. annual general elections for the position of President, Vice-President, Portfolio Officer(s), College Officer(s), and the Postgraduate Student Member of the Council; and

2.1.2. Any election conducted to fill a casual vacancy or vacancies for the position of President, Portfolio Officer(s), College Officer, or Postgraduate Student Member of the Council.

2.2. Changes to these Regulations only take effect after their adoption at a meeting of the Postgraduate Representative Committee (PRC).

## **3. Returning Officer**

3.1. At least four (4) weeks before any annual general election is to be held and at least four (4) weeks before any election to fill a casual vacancy the PRC must appoint a Returning Officer to conduct the election.

3.2. The appointment of the Returning Officer must be submitted to the Vice-Chancellor of the University.

3.2.1. If not approved by the Vice-Chancellor, the Vice-Chancellor must provide reasons in writing for non-approval.

3.2.2. If the Vice-Chancellor does not approve the Returning Officer, or the Returning Officer resigns within six weeks of an election, the PRC must appoint another Returning Officer at any time before an election. This may be done without the approval of the Vice-Chancellor.

3.3. For the purpose of these Regulations, the Returning Officer continues in their position for all subsequent elections held by PARSA unless or until they:

3.3.1. Resign by notice in writing to the General Secretary of the PRC;

3.3.2. Are no longer reasonably available or uncontactable for more than 48 hours, leading to their inability to undertake the duties of Returning Officer;

3.3.3. Become ineligible;

3.3.4. Are replaced by appointment of a new Returning Officer pursuant to rules 3.1 and 3.2;

3.3.5. Become bankrupt or insolvent under administration within the meaning of the Corporations Act or makes arrangement or composition with their creditors generally;



3.3.6. Are convicted on indictment of an offence in the promotion, formation, or management of a body corporate or involving fraud or dishonesty;

3.3.7. Become of unsound mind or a person whose person or estate is liable to be dealt with in any way under a protective jurisdiction law relating to mental health; or

3.3.8. Die

3.4. The Returning Officer must not:

3.4.1. Be a proposer, seconder, or nominee in the election for which they are the Returning Officer;

3.4.2. Have been a member of the PARSA PRC at any time during the academic year in which the election is held; or

3.4.3. Have been an employee of PARSA at any time during the academic year in which the election is held.

3.4.4. Be an Ordinary member of the Association.

3.4.5. Hold any positions with PARSA other than Returning Officer or Probity Officer for a period of 12 months from the finalisation of the election.

3.5. During any Election of the Association, any

3.5.1. Question about membership eligibility to vote or stand for election is decided by the Returning Officer in cases where the student cannot produce an ANU document to prove their enrolment status, whose decision is final.



3.5.2. Dispute about the conduct of the election is to be decided by the Returning Officer, whose decision, subject to rule 13.15 is final.

3.6. The Returning Officer may appoint anyone as a delegate to assist them with any work necessary for the proper conduct of the election, except someone who is a proposer, seconder, or nominee in the election; or who has a close personal, or professional connection with a candidate.

3.6.1. The Returning Officer must appoint at least one Probity Officer under rule 14 to assist with the oversight of the election,

3.7. The voting system for elections shall be the Membership Solutions Limited (MSL) election package, which must be used for all elections unless it is determined by the Returning Officer to be impractical in any given election, in which case the Returning Officer must implement a suitable alternative.

3.8. The PRC must not change the voting system in rule 3.7 of these Regulations less than:

3.8.1. Eight (8) weeks before an annual general election; or

3.8.2. Six (6) weeks before an election to fill a casual vacancy.

#### **4. Positions, Electoral System, and Eligible Voters**

4.1. The elections must be conducted using an optional preferential system and in accordance with the Constitution and these Regulations.

4.2. The positions to be filled by the voting system in each annual election are:

4.2.1. Pursuant to rule 6.1, the members of the Executive Committee;

4.2.3. Pursuant to rule 6.2 and 6.3, and rules 5.1 and 5.2, of these Regulations, the Portfolio Officers, and College Officers;

4.2.4. Pursuant to rule eight (8), the Postgraduate Member of the University Council; or

4.2.5. For an election to fill a casual vacancy, the position that has become vacant.

4.3. For each contested position, the voter must indicate in an unbroken sequence of numbers the order of their preference on the ballot by entering the numeral “1” against the name of the candidate of their first choice, “2” against the name of the candidate of their second choice, “3” against the name of the candidate of their third choice, and so on, against the names of candidates for whom the voter wishes to vote. A voter does not have to place a numeral against all candidates and a vote is valid even if only one or two preferences are indicated.

4.4. Each ballot shall have a randomly ordered list of candidates. The name of each candidate shall be followed by the ticket name of the candidate (in brackets) if the candidate belongs to a ticket, or the word “Independent” if the candidate does not belong to a ticket.

4.5. The Returning Officer may arrange for the election to be conducted on a single ballot for all positions, or separate ballots for one or more positions, so long as the voter is able to cast all the votes that they are entitled to cast.





4.6. The census date for voter and candidate eligibility shall be the end of the final day of the period when nominations are open. The Returning Officer:

4.6.1. Shall liaise with the appropriate administrative division of the University to arrange for the census to be taken; and

4.6.2. Approves the voter list to be used for the purpose of conducting an election.

## **5. Portfolio and College Officer Positions**

5.1. Pursuant to rule 6(2) of the Constitution, the Portfolio Officer positions are:

5.1.1. First Nations' Officer;

5.1.2. Coursework Officer;

5.1.3. Disabilities Officer;

5.1.5. Environmental Officer;

5.1.6. Equity Officer;

5.1.7. Higher Degree by Research (HDR) Officer;

5.1.8. International Student Officer;

5.1.9. Queer Officer;

5.1.10. Social Officer;

5.1.11. Women's Officer; and

5.1.12. Such other Portfolio Officer positions as the PRC determines from time to time but at least eight (8) weeks before the election date.

5.2. Pursuant to rule 6(3) of the Constitution, and subject to rule 5.3, there are two (2) College Officer positions for each ANU College. The Colleges are:

5.2.1. ANU College of Arts and Social Sciences;

5.2.2. ANU College of Asia and the Pacific;

5.2.3. ANU College of Business and Economics;

5.2.4. ANU College of Engineering and Computer Science;

5.2.5. ANU College of Health and Medicine;

5.2.6. ANU College of Law;

5.2.7. ANU College of Science.

5.3. The two (2) College Officers from each of the ANU Colleges in rule 5.2 shall consist of one coursework student and one Higher Degree by Research student except that, in the case that no nominations are received to enable this, the College Officers may be from the same category.

5.4. A member is not eligible to nominate for, be elected to, or vote for a position in rules 5.1.1, 5.1.3, 5.1.9, or 5.1.11 unless they self-identify as, respectively, Aboriginal or Torres Strait Islander, having a Disability, Queer-identifying, or identifying as a Woman.

5.5. A member is not eligible to nominate for, be elected to, or vote for a position in rule unless they are a member of the relevant College.

5.6. A member is not eligible to nominate for, be elected to, or vote for a position in rules 5.1.2, 5.1.7, or 5.1.8 unless they are, respectively, a Coursework student, a Higher Degree by Research student, or an International student.



5.7. A member is not eligible for any position if they have less than six (6) months remaining on their course of study at their current rate of intensity.

## **6. Prohibition on Dual Election and Eligibility Enforcement**

6.1. In the same election, a member of PARSA can only stand for election to one of the positions outlined in rule 4.2, subject to rule 6.3.

6.2. The Returning Officer must liaise with the appropriate administrative division of the University or take such other steps as are necessary to ensure that the requirements of rules 4.7, 5.5, 5.6, and 5.7 are met.

6.3. Rule 6 has no bearing on the eligibility of a Postgraduate Student to stand for election to the position of Postgraduate Student Member of the Council concurrently with another position elected under these Regulations.

## **7. Calling of Elections**

7.1. Subject to this rule, the PRC may set the date for any election taking place under these Regulations provided that the date set provides the Returning Officer sufficient time to comply with the provisions of these Regulations and the provisions of the PARS Constitution.

7.2. The PRC must ensure that the annual general election is held no earlier than nine (9) months and no later than fifteen (15) months after the previous annual general election. The PRC should aim to conduct the election as close as possible to the twelve-month (12) anniversary of the previous annual general election.

7.3. In setting the election date, the PRC must ensure that the period during which voters may vote for all positions being contested in the election is:



7.3.1. For an annual general election, four (4) consecutive academic days.

7.3.2. For an election to fill a casual vacancy, at least two (2) consecutive Academic Days and not more than four (4) consecutive Academic Days.

7.4. "Academic Day" means a day during which normal teaching is being carried out by the ANU (i.e. days during a teaching period) in accordance with the ANU academic calendar in effect from time to time, excluding any teaching period conducted between 1 December and 31 January.

## **8. Nominations**

8.1. For the annual general elections, the Returning Officer must issue a call for nominations for each position identified in rule 4.2.

8.2. A call for nominations must be made at least four (4) weeks before the commencement of polling, and, after the call has been made, nominations must remain open for at least ten (10) academic days.

8.3. The call for nominations must state the:

8.3.1. Positions to be contested;

8.3.2. Eligibility criteria for members wishing to stand;

8.3.3. Details of how nominations may be lodged;

8.3.4. Date of the close of nominations; and

8.3.5. Days and times of polling.

8.4. The call for nominations must be advertised by:



8.4.1. Email sent to all postgraduate students via official ANU email addresses;

8.4.2. By notice on the PARSA website;

8.4.3. By notice on PARSA's Facebook page and any other of PARSA's social media platforms

8.4.4. By notice placed on the door of the PARSA's primary place of business;  
and

8.4.5. Other methods as the Returning Officer deems practical.

8.5. The Returning Officer must produce and make available nomination forms.

8.6. Nominations for any position contested at the annual general election must:

8.6.1. Indicate the position for which the nominee seeks election;

8.6.2. Indicate which ticket the nominee is a member of, or if the member is standing as an independent candidate;

8.6.3. State that the nominee meets all eligibility criteria for election to the position for which the nominee is standing and will comply with the Constitution and these Electoral Regulations;

8.6.4. Be signed by a proposer, a seconder, and by the candidate;

8.6.5. Not be proposed or seconded by the nominee themselves;

8.6.6. Be proposed and seconded by persons who would be eligible for election to the position for which they are nominating the nominee. Declaration



forms affirming the proposer and seconder's eligibility must accompany the nomination form, in a manner and form determined by the Returning Officer;

8.6.7. Disclose any social media accounts that the candidate wishes to use during the election. If any new accounts are necessary during the election this disclosure must be updated immediately; and

8.6.8. Provide evidence in to show that they have more than six (6) month's remaining of their degree in accordance with rule 5.7.

8.7. A nominee may withdraw their nomination at any time up until one (1) working day after the date of the close of nominations.

8.7.1. If a nominee withdraws their name from nomination after the closing date set for withdrawals in rule 8.7 their name shall remain on the ballot and their decision to withdraw, and not take up the position if elected, shall be publicly announced by the Returning Officer within two (2) days of the nominee's withdrawal.

8.8. Nominations must be kept in a secure place by the Returning Officer at a venue easily accessible to nominees between the hours of 10am and 4pm throughout the period nominations remain open. Nominations must be made available for inspection by any member of the Association during that period.

8.8.1. Requests to view the nominations shall be made to the Returning Officer.

8.8.2. The Returning Officer shall, within three (3) days of the request, arrange a suitable time to view nominations.

8.8.3. The Returning Officer shall certify on the nomination form that the nominee, their proposer, and seconder are all eligible to stand for election to the relevant position, and that they have received a suitably completed declaration form. The Returning Officer shall not be obliged to provide the declaration form to persons wishing to view nominations.

8.9. Completed nomination forms shall be sent to the Returning Officer by email, or other method as determined by the Returning Officer.

8.10. The Returning Officer must, within twenty-four (24) hours of receiving a nomination, provide a receipt of nomination to the nominating candidate.

8.11. Nominations shall only be accepted if they are submitted during the specified nomination period.

8.12. Where the Returning Officer determines that a nomination that is submitted during the period that nominations remain open is not valid the Returning Officer must, as soon as practical:

8.12.1. Make a reasonable attempt to contact the candidate to inform them that the nomination is invalid.

8.12.2. Inform the candidate that the invalidity may be remedied and that the nomination may be resubmitted to the Returning Officer or their nominee at any time up until one (1) working day after the date of the close of nominations.

8.13. Where a nomination must name the same candidate as the original nomination.



8.13.1. The nomination must name the same candidate as the original nomination.

8.13.2. The Returning Officer must determine the validity of the nomination.

8.14. The Returning Officer must, as soon as practical after the close of nominations, prominently display or distribute a list of nominations for all positions on any PARSA website and prominently at the PARSA place of business.

8.15. If the number of candidates nominated for any position is equal to or less than the number required to be elected, election for that position will be continued with the option for members to submit a vote of no confidence. Any unfilled position shall be considered a casual vacancy and the individual who contesting the position will be barred from being appointed to that position.

8.16. If there are no nominations for the position of Postgraduate Student Member of the Council, the Returning Officer must call for nominations again, repeating the process as specified in rule 8, until at least one (1) nomination is received.

8.17. If the number of candidates nominated for any position is greater than the number required to be elected, the Returning Officer must conduct an election for that position.

8.18. The Returning Officer must arrange for the preparation of ballots and the voting system ready for the election as soon as practical after the close of nominations.

8.19. All nomination forms, valid and invalid, must be kept by the Returning Officer in a secure place until thirty (30) days after the poll is declared.





## 9. Candidate Supporting Statements

9.1. During the period that nominations are open, candidates are permitted to send to the Returning Officer for publication:

9.1.1. A photograph of the candidate; and

9.1.2. A short (250 word maximum) personal statement in support of their nomination for inclusion on the PARSA website (“the Candidate Profile”). The Candidate Profile shall be submitted in writing and may, in addition, be provided, using the same words, as an audio or video statement.

9.2. Submission of a Candidate Profile does not constitute a formal nomination for a representative position.

9.3. Only students who have submitted a formal nomination to the Returning Officer shall be eligible to have their candidate profile displayed on the PARSA website.

9.4. The Returning Officer shall have the right to refuse to publish or amend a Candidate Profile if they judge that it contains inappropriate material or is contrary to these Regulations or the Constitution.

9.5. The option of submitting or amending a Candidate Profile closes at the same time as nominations close, unless the Returning Officer approves a later submission or amendment.

9.6. Subject to the provisions of this rule, Candidate Profiles must be able to be viewed on the PARSA website as soon as practical after the close of nominations and must remain able to be viewed on the PARSA website until the close of voting.

9.7. In the case of a candidate running for election under a ticket name in accordance with rule 10 of these Regulations, the Candidate Profile must include the ticket name.

## **10. Tickets and Registration of Ticket Names**

10.1. The Returning Officer must maintain a Register of Ticket Names for each year's annual general election.

10.2. Between the day on which nominations open and the day on which ticket registration closes, which is one full day prior to nominations closing, groups of five (5) or more ordinary members of the Association may apply to the Returning Officer for registration of a ticket name.

10.3. No person is entitled to apply to the Returning Officer for registration of a ticket name under rule 10.2 if that person was a signatory to an application to register a ticket name for another ticket already entered in the register.

10.4. The Returning Officer must process each application for registration of a ticket name in order of receipt. If two (2) or more applications are received at the same time, the Returning Officer shall determine the order in which they are dealt with by lot.

10.5. The Returning Officer must enter a ticket name in the Register of Ticket Names if the proposed ticket name is, in the opinion of the Returning Officer:

10.5.1. No more than ninety (90) characters long, including spaces;

10.5.2. Not obscene, defamatory, sexist, racist, or homophobic, or in any way in violation of the *Discrimination Act 1991* (ACT);

10.5.3. Not the same as the name of another registered ticket name;



- 10.5.4. Not the same or so nearly the same as the name of another registered ticket name, including a registered ticket name used in an election in the previous three (3) years, that it is likely to be confused or mistaken for that name;
- 10.5.5. Not the same or so nearly the same as any name of a political party or political figure in Australia, or another country as likely to be confused or mistaken for that name;
- 10.5.6. Not including the word “independent”; and
- 10.5.7. Not the same or so nearly the same as any name associated with or owned by the ANU, PARSA, or other student Associations of the ANU.
- 10.6. The application for registration of the ticket name must be signed by at least five (5) eligible voters, subject to rule 10.3.
- 10.7. The application shall be made between the day on which nominations open and the day on which ticket registration closes, subject to rule 10.8.
- 10.8. If, for any reason, the Returning Officer rejects an application to register a ticket name, or cancels the registration of a ticket name, the Returning Officer shall permit the applicants to reapply to register a ticket name at any time up until two (2) working days after the date of the close of ticket name registration.
- 10.9. The Returning Officer shall have the authority to approve and oversee any process created to assist members in learning about, joining, or forming tickets for the purpose of elections.



## **11. Polling Procedure**

11.1. The Returning Officer must ensure that the procedures are in place to:

11.1.1. Limit each eligible voter to voting no more than once for each position that they are eligible to vote for; and

11.1.2. Ensure that the way in which any eligible voter votes is not revealed, either when that member votes or at any later stage.

11.2. Where a person claiming to be an eligible voter is unable to log on to the voting system or is unable to use the voting system due to disability, system malfunction or other reason, the Returning Officer must provide to the person a declaration vote envelope and a set of ballot papers for the elections for which the person claims they are eligible to vote, with each ballot paper bearing the word "declaration".

11.3. Where an eligible voter is issued ballot papers under rule 11.2, the member shall clearly mark their ballot papers via a non-erasable method, enclose the ballot papers in the declaration vote envelope provided, sign the declaration on the envelope, and return the envelope to the Returning Officer.

11.4. Where the Returning Officer receives a declaration vote envelope containing ballot papers pursuant to rule 11.3, the Returning Officer must, after the close of the poll, determine whether the member is entitled to vote at the elections and:

11.4.1. If the declaration is complete and the Returning Officer decides the member is entitled to vote, the envelope is to be opened in such a way as to ensure that the way in which the voter marked their ballot papers is not revealed and the ballot papers therein must be included in the count of votes; or



11.4.2. If the declaration is incomplete or if the Returning Officer decides the member is not entitled to vote, the declaration envelope must be set aside unopened.

14.5.3. Only paper votes that clearly and unambiguously identify the intention of the voter in a non-erasable medium will be included in the count of votes. Any paper ballots that do not meet this standard must be declared informal and must be set aside.

11.4.3. All paper ballots are to be destroyed within three (3) business after the declaration of polls.

## **12. Counting of Votes and Declaration of Poll**

12.1. The Returning Officer must, as soon as practical after the close of polling, arrange for the counting of votes to commence.

12.2. Preferential counting of votes shall be carried out for all positions contested at the election.

12.3. To be elected as President, Vice President, Portfolio Officer, College Officer, or the Postgraduate Student Member of Council:

12.3.1. The candidate receiving at last one (1) vote more than half of first preference vote shall be declared the winner.

12.3.2. If no candidate has the received a majority of vote, the candidate receiving the lowest number of votes shall be removed from the ballot and their votes shall be re-allocated to the remaining candidates in accordance with any next preference indicated by the voter.



12.3.3. If no preferences have been indicated or remain, the vote shall be discarded.

12.3.4. This process shall be repeated until one candidate is allocated one (1) vote more than half of votes cast or allocated to remaining candidates. That candidate shall be declared elected.

12.4. In the case that, pursuant to rule 5.3, there are two (2) Coursework or two (2) HDR College Officer positions being contested for the one College, the quota system in rule 12.3 shall be followed, excepting rule 12.3.9.

12.5. The Returning Officer shall determine the results for each position in the following order:

12.5.1. President;

12.5.2. Vice President;

12.5.3. Portfolio Officers;

12.5.4. College Officers;

12.5.5. Postgraduate Student Member of the Council;

12.7. The Returning Officer shall arrange a meeting to which persons who have been appointed as scrutineers shall be invited to attend to observe the calculation of voting outcomes as calculated by the voting system.

12.7.1. Persons may be appointed as scrutineers by nomination from any independent candidate running for election or any of the five (5) signatories to the registration of a ticket in rule 10.2.



12.7.2. Independent candidates may nominate up to one (1) person to act as scrutineer on that candidate's behalf.

12.7.3. Signatories to a ticket may nominate up to two (2) persons to act as scrutineer on that ticket's behalf.

12.7.4. The process for nominating to be a scrutineer shall be conducted in a manner and form determined by the Returning Officer and publicly advised to Members.

12.7.5. The eligibility requirements for being a scrutineer are the same as those at rule 1.8.

12.7.6. The Returning Officer may refuse to accept a nomination for scrutineer, or require that a scrutineer cease observing the counting of votes, if, in the opinion of the Returning Officer, the scrutineer does not adhere to any directions or instructions given by the Returning Officer.

12.8. The results of the election shall be declared by the Returning Officer by notice placed on the PARSA website and by notice displayed prominently at the PARSA place of business as soon as practical, but no later than twenty-four (24) hours after the results of the election are known to the Returning Officer. The notice shall include:

12.8.1. A count of all votes cast, including any informal votes;

12.8.2. The successful candidates for each ballot, including the number of votes received by those candidates; and

12.8.3. The number of votes received by all candidates in each ballot.



12.9. The Returning Officer must notify the Vice-Chancellor of the University of the result of the election of the Postgraduate Student Member of the Council no later than twenty-four (24) hours after the results of the election are declared by the Returning Officer.

### **13. Electoral Offences**

13.1. The electoral offence provisions in rule 13 reflect the intention that PARSA elections should be conducted in the spirit of open and collegiate democratic debate.

13.2. It is an electoral offence for any candidate, member of a ticket, or any other person to publish, in connection with an election, any physical election-related publication which:

13.2.1. Does not clearly identify that the publication is on behalf of the ticket or candidate in letters at least 10mm high or in font at least as large as the most commonly used font on the publication, whichever is larger;

13.2.2. Does not contain a date of publication;

13.2.3. Contains obscene, defamatory, sexist, racist, or homophobic material, or materials that is in any way in violation of the *Discrimination Act 1991* (ACT);

13.2.4. Contains any untrue statement or is materially misleading in a manner likely to mislead a voter in casting their vote; or

13.2.5. Is larger than A3 size.

13.3. It is an electoral offence for any candidate, member of a ticket, or any other person to send or publish any election-related electronic communication, including emails, webpages, social networking posts, audio, or audio-visual communication, which:





13.3.1. Does not clearly identify that the communication is sent on behalf of the ticket or candidate in font at least as large as the most commonly used font in the communication or at the commencement of an audio or audio-visual communication;

13.3.2. Does not contain a date of communication;

13.3.3. Contains obscene, defamatory, sexist, racist, or homophobic material, or is in any way in violation of the *Discrimination Act 1991* (ACT);

13.3.4. Contains any untrue statement or is materially misleading in a manner likely to mislead a voter in casting their vote; or

13.3.5. Is a paid advertisement.

13.4. The Returning Officer may cause or require the removal of any publication or the deletion of any communication, where practical, which contravenes rules 13.2 or 13.3. It is an electoral offence to refuse to remove any publication or delete any communication which in the opinion of the Returning Officer contravenes those rules. Removal or deletion must occur as soon as possible after a determination is made by the Returning Officer.

13.5. Unless otherwise authorised by the Returning Officer, it is an electoral offence for any person to assist, or offer to assist, another person when that person casts their vote, whether by instructing them how to complete a vote or inviting them to vote on a device provided by or accessed in the presence of the person offering the assistance or by other means.



13.6. It is an electoral offence for a person to:

- 13.6.1. Offer or provide gifts, bribes, money, food, drink, or any other enticement to any person to influence that person to exercise their vote in favour of any candidate. This provision does not prevent a candidate or ticket from providing food or items in the opinion of the Returning Officer are of negligible value at an event explaining policies for the benefit of students that the candidate or ticket would pursue if elected. To be in breach of this sections a candidate or ticket must provide a clear *quid pro quo*, or a provision of goods.
- 13.6.2. Campaign on behalf of a candidate or ticket during an election if that person is not an eligible voter, is the spouse, or immediate relation, of a candidate. Campaigning is defined broadly to be “working with a collective goal of the team in mind” as opposed to just showing support independently and not as part of a team’s collective effort;
- 13.6.3. Cast a vote which that person is not entitled to cast;
- 13.6.4. Engage in discrimination or intimidation in the course of an election;
- 13.6.5. Make obscene, defamatory, sexist, racist, or homophobic statements in the course of an election, or statements that are in any way in violation of the *Discrimination Act 1991 (ACT)*;
- 13.6.6. Make untrue statements likely to mislead a voter in casting their vote;
- 13.6.7. Incite another person to commit an electoral offence;



- 13.6.8. Use the PARSA office, PARSA materials, or PARSA-owned goods for a campaign;
- 13.6.9. Campaign outside of the campaign period, which shall be from the close of nominations until the close of polling;
- 13.6.10. Breach any art of rule 10.9;
- 13.6.11. Campaign, whether on or off campus, in any:
  - 13.6.11.1. Place of work not open to the public.
  - 13.6.11.2. Place designated by the university, PARSA, or the returning Officer as a place of study for students;
  - 13.6.11.3. Student accommodation, excepting common areas of residential colleges, if permission is obtained in advance from the residence's administration;
  - 13.6.11.4. University library;
  - 13.6.11.5. University laboratory;
  - 13.6.11.6. Office, including the PARSA office; or
  - 13.6.11.7. Spaces managed by PARSA for student activities, including the Brian Kenyon Student Space (BKSS) or Molly Huxley Room.
- 13.6.12. Fail to cooperate with the Returning Officer or a Probity Officer in relation to a request for information or documents relating to an alleged commission of an electoral offence under these Regulations.



13.6.13. Campaign at an official PARSA event during the election period.

13.6.14. It is an electoral offence for elected student representatives of the Association to breach the PARSA Election Lockdown Policy.

13.6.15 Use or cause to be used any social media account that has not been declared to the returning officer for the purposes of campaigning.

13.7. Any written allegation of commission of an electoral offence must be referred initially to the Returning Officer in a manner consistent with the process authorised by the Returning Officer.

13.8. The Returning Officer may, of their own motion, initiate an investigation into any potential electoral offence which comes to the attention of the Returning Officer, and may refer any allegation for investigation or decision to one or more Probity Officers appointed pursuant to rule 14.

13.9. Any investigation of a possible electoral offence must be carefully carried out, be based on any written evidence (including statutory declarations), and must provide any person accused of an electoral offence adequate time to respond to the allegation of the offence, taking into account the need for the Returning Officer or Probity Officer to act swiftly to remedy any advantage arising from commission of an electoral offence and the need to ensure that natural justice and the principles of procedural fairness are observed in consideration of any allegation of an electoral offence.

13.10. If a person is found to have committed an electoral offence, the Returning Officer or Probity Officer may:

13.10.1. Reprimand a person or persons involved in commission of an offence;



13.10.2. Place constraints on campaigning for a candidate or ticket to compensate for any benefit derived by a candidate or ticket from commission of an electoral offence;

13.10.3. Declare the candidacy of a candidate benefiting from an electoral offence null and void;

13.10.4. Remove a member's right to stand for any elected office in the Association for a specified period not exceeding 2 years;

13.10.5. Declare an entire poll null and void and order a new election;  
or

13.10.6. Any combination of the above.

13.11. In determining an outcome under rule 13.10, the Returning Officer or Probity Officer shall consider:

13.11.1. The seriousness of the offence;

13.11.2. Whether the person or persons assisting a candidate or a ticket have committed additional electoral offences;

13.11.3. The wilfulness of the breach;

13.11.4. Whether the person, the ticket, or the candidate have cooperated with the investigation; and

13.11.5. The impact of the offence on the free and fair conduct of the election.



13.12. If the Returning Officer or a Probity Officer determines that an electoral offence has been committed, or that any penalty should be imposed under rule

13.10, the Returning Officer or Probity Officer must:

13.12.1. Communicate the determination to the person concerned in writing as soon as practical, including in the communication a concise explanation of the reasons for the determination and the process followed;

13.12.2. Ensure that the communication includes an unabridged copy of these Regulations;

13.12.3. Provide the same information to all other candidates running for election in the affected position or positions and publicly announce the determination on the PARSA website.

13.13. Any part of a determination of the Returning Officer or Probity Officer made pursuant to rule 13.12 which has or could have an effect on the electoral outcome is final.

13.14. A person subject to a decision under rule 13.12 may only appeal to the Disputes Committee if that decision is made pursuant to rules 13.10.4, 13.10.5, 13.10.6, or 13.10.7.

13.15. The disputes Committee must observe the rules of natural justice in its review of any penalty imposed by the Returning Officer or Probity Officer pursuant to rule 13.12 and may, taking into account the factors identified in rule 13.11, and taking into account any information provided by the person appealing the decision or by the Returning Officer or Probity Officer, including any relevant evidence which was not available at the time of the original decision, decide to:



13.15.1. Affirm the decision;

13.15.2. Replace the decision and impose a penalty provided for by rule 13.10 other than a penalty imposed by the Returning Officer or Probity Officer;  
or

13.15.3. Replace the decision with a decision that no offence has been established or that no penalty should be imposed, subject to rule 13.13 and 13.16

13.16. Pursuant to rule 13.13, the Disputes Committee does not have power under rule 13.15 to consider an appeal or make any decision that affects or changes the outcome of an election.

13.17. A determination of the Disputes Committee made pursuant to rule 13.15 is final and, once a determination is made, the Disputes Committee must:

13.17.1. Communicate to the determination of the person concerned in writing as soon as possible, including in the communication a concise explanation of the reasons for the determination;

13.17.2. Ensure that the communication includes an unbridged copy of these Regulations; and

13.17.3. Provide the same information to all other candidates running or who ran for election in the affected position or positions.

13.18. For the purpose of clarity but subject to these Regulations, examples of electoral offenses, as well as acceptable electoral actions and behaviours are included in Appendix A.



## **14. Probity Officers**

14.1. The Returning Officer may appoint up to three (3) Probity Officers.

14.2. A person is not eligible to be appointed as a Probity Officer unless they meet the qualifications for appointment as a Returning Officer pursuant to rule 3.4, except that they may be an Ordinary member of the Association.

14.3. A person asked to serve as a Probity Officer must provide the Returning Officer with a written statement of any potential or perceived conflicts of interest, such as membership of a registered political party, membership of a political club or society, or at any time having held an elected office or employment with PARSA.

14.4. The Returning Officer shall ensure the names of any Probity Officers, together with their declaration of potential conflicts of interest, are posted on the PARSA website for the duration of the election in question.

14.5. The Returning Officer may delegate any of their powers to investigate an alleged breach of these Regulations, or to impose a penalty for that alleged breach, to a Probity Officer.

14.6. The Returning Officer may require appointed Probity Officers to act as a committee in relation to an allegation or may appoint a Probity Officer to act individually in relation to an allegation.

14.7. A Probity Officer investigating an alleged electoral offence must comply with these Regulations in investigating an alleged breach.





14.8. A finding or penalty imposed by a Probity Officer has the same effect as if imposed by a Returning Officer, and may, pursuant to rule 13.15, be appealed to the Disputes Committee.

14.9. Any person involved in campaigning for a PARSA election must cooperate with the Returning Officer or a Probity Officer seeking information or documents for the purposes of investigating an alleged breach of these Regulations. Failure to do so shall be deemed an electoral offence and subject to penalties provided in rule 13.10.

14.10. A Probity Officer may not hold any positions with PARSA other than returning officer and probity officer for a period of 12 months from the finalisation of the election.



**Appendix A – examples of acceptable, and prohibited, electoral behaviour**

<b>Acceptable electoral actions</b>	<b>Electoral Offence</b>
Placing posters (that are A3 or smaller, and comply with electoral regulations) in common spaces in ANU e.g. public billboards, residential common spaces (with permission)	Place posters in any ANU library, inside or immediately outside classroom spaces or academic offices, in laboratories
Posting on social media about yourself, your team and what you aim to achieve – so long as this is genuine and true and done on disclosed social media accounts	Posting on social media statements about another team which as misleading, or statements that are false; or posting on social media on undisclosed accounts
Promoting your team in relevant social media groups on disclosed accounts	Paying for social media advertising
Talk to people in a friendly and factual way about your team, or yourself, and what you want to achieve	Offering people money, food, or a promise of a specific individual benefit in exchange for their vote. This includes red packets on WeChat or any sum of money.
Asking fellow postgraduate students who are supporting you to talk to other students and gather support	Ask anyone who is not a postgraduate student to talk to other people in order to support you
Be truthful and collegiate in your conduct at all times	Make untrue, misleading or defamatory statements