

University of Canberra Students' Association Incorporated

Electoral Regulations

Last amended 3 April 2002

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1. Definitions

1.1 In any electoral period, after the opening of nominations these Electoral Procedures shall not be altered, amended or added to in any way without the unanimous approval of the outgoing Students' Association Committee.

1.2 Subject to these Electoral Procedures any member is eligible for election to any position on the Committee or as an officer of the Association.

1.3 Unless otherwise provided herein, the persons entitled to vote and stand for election in an election held for the purposes of the Association shall be members of the Association, at the time and date of the close of nominations.

1.4 For the purposes of these Electoral Procedures the term "Electoral Material" means: all matter intended or likely to affect the way any student votes and/or to affect the result of the election. Specifically this includes any leaflets, posters, stickers and/or badges as well as any material published in the Students' Association newspaper.

2. Returning Officer

- 2.1 The Returning Officer shall be appointed by the Committee and shall not be a member of the Association, a current office-bearer of the Association, or an officer of the Association.
- 2.2 The Returning Officer shall, in consultation with the President, do and prescribe such things and matters of detail not inconsistent with the Constitution that are necessary for the fair and efficient conduct of elections.
- 2.3 The Returning Officer shall prepare a report on the conduct of the election for the President who shall present the report to the Committee.
- 2.4 The Returning Officer shall immediately report to the Committee any anomalies in the conduct of the election. The Returning Officer may declare an election invalid at his or her discretion.
- 2.5 The election shall be conducted and supervised by the Returning Officer, who shall be appointed in accordance with the Constitution of the Students' Association; and if the Returning Officer deems necessary, by any Assistant Returning Officers appointed by them for elections.
- 2.6 No person shall participate in the conduct of an election unless authorised by the Returning Officer.
- 2.7 The Returning Officer may appoint disinterested persons to be poll clerk or vote counters (at the time of counting) who shall remain subject to the control of the Returning Officer.
- 2.8 The Returning Officer shall be empowered to call meetings within the University at which candidates for election are invited to address students on matters relating to the election, providing that each candidate shall have an equal opportunity to participate, if they are present at the meeting.
- 2.9 The Returning Officer shall be empowered to call meetings of candidates during the election in order to raise any matter concerning the conduct of the election and/or to acquaint candidates with any ruling or determination the Returning Officer has made subject to the Electoral Procedures. Any interested person may also attend such a meeting.
- 2.10 The Returning Officer shall present a report of the election in writing to the next meeting of the Students' Association Committee or, in the case of the Annual Elections, to the Annual General Meeting. Such a report must include details of all electoral disputes and the rationale used to resolve them. Subject to the provisions hereunder, presentation of this report shall constitute formal declaration of the poll, notwithstanding the acceptance or rejection of the report by the meeting.
- 2.11 The Returning Officer, Assistant Returning Officer(s), Polling Clerk(s) and any other person engaged in the conduct of the election shall offer no advice to voters as to who to vote for, or give any indication of any political view whatsoever.
- 2.12 In the event of any vacancy or absence from duty of the Returning Officer, then he/she may appoint an Assistant Returning Officer to perform the duties of office during this period.
- 2.13 If the Returning Officer in an election period resigns or is unable to continue as Returning Officer for some other reason without appointing a replacement then the

outgoing Executive shall convene an emergency Executive meeting in order to appoint a replacement Returning Officer who shall have the full authority of the Returning Officer as prescribed by these Electoral Procedures.

3. Election Schedule

- 3.1 The Returning Officer shall be appointed by the Students' Association Committee no later than three weeks before the close of nominations of such an election.
- 3.2 Nominations for an election shall be opened by the Returning Officer and remain open for at least ten days. Publication of the fact that an election is to be held must be made on the same day as the opening of election. The date prescribed for the close of nominations must be an academic day and nominations must close at 5pm.
- 3.3 The names of the eligible candidates nominated for an election shall be published by the Returning Officer at least ten days before the commencement of the polling.
- 3.4 The polling shall be conducted over three consecutive days in the event of an annual election or one day, which shall be a Wednesday, in the event of a by-election; to be held on day/s on which lectures and tutorials are conducted for students of the University.
- 3.5 The polling shall open on each polling day by at least 9.30am and shall remain open each day until 7pm. The Returning Officer shall then ensure that the ballot boxes are locked and secured until the next polling day or the counting of the ballots.
- 3.6 The Returning Officer shall not accept any ballot paper unless it is received by the date and time specified as the close of the poll.
- 3.7 The ballots shall be examined and counted by the Returning Officer not later than 24 hours after the close of polling.
- 3.8 The provisional declaration of the poll shall be published by the Returning Officer no later than 24 hours after the close of polling.
- 3.9 For two academic days following the close of polling candidates may lodge a protest with the Returning Officer on any matter covered by these Electoral Procedures. The Returning Officer shall send a copy of the protest to the outgoing President with a report of his/her rulings and/or actions taken regarding the protest.
- 3.10 After the Annual Elections the Returning Officer shall present the report of the elections to the Annual General Meeting.

4. Notification of Elections and Nominations

- 4.1 The Returning Officer shall by notice in writing publish the fact that an election or elections are to be held, and call for nominations. Such notice shall state, inter alia:
 - 4.1.1 The number of members to be elected;
 - 4.1.2 The qualifications required for Candidates and voters;
 - 4.1.3 Invitation of nominations for election stating that they must be on the appropriate form available from the Students' Association Office;
 - 4.1.4 The date and time by which nominations must reach the Returning Officer;
 - 4.1.5 That the Electoral Procedures are available from the Returning Officer at the Students' Association Office;
 - 4.1.6 The details of dates, times and polling places for polling.
- 4.2 A nomination for election to any position on the Committee shall be:
 - 4.2.1 in writing on the form approved by the Committee;
 - 4.2.2 signed by at least two current members;

4.2.3 invalid unless the written consent of the person nominated is endorsed on the form.

4.2.4 A nomination under rule 4.2 shall be given to the Returning Officer no later than two weeks before the commencement of the poll.

4.3 The notice referred to above shall be published in the Students' Association Newspaper and shall be affixed to notice boards in the University of Canberra and in places deemed appropriate by the Returning Officer.

4.4 The nomination for an election shall be made in writing in the form approved by the Committee and shall be signed by at least two members and is invalid unless the written consent of the person nominated is endorsed on the form. A nomination shall be given to the Returning Officer not later than two weeks before the commencement of the election.

4.5 Nominations must be handed in personally by the person nominated, except as approved by the returning officer.

4.6 The Returning Officer shall check the student roll from the University to satisfy themselves that the persons nominated are members at the close of nominations.

4.7 Candidates who wish to be grouped together by mutual consent on the Ballot Paper must inform the Returning Officer of this, in writing prior to the close of nominations. This correspondence must be signed by all Candidates who wish to be so grouped and may also be used to inform the Returning Officer of the order in which they wished to be placed in their group on the Ballot Paper and the name of the group, if any. The Returning Officer must follow their placement order as specified and if no order is specified by such a group then the Returning Officer shall determine one by drawing lots.

4.8 Candidates who do not indicate that they wish to be grouped shall be treated as a group of one (1) person.

4.9 The name of any group shall not exceed twenty-six characters in length.

4.10 The Returning Officer shall publish on the Students' Association official notice board a list of Candidates.

4.11 A valid nomination may be withdrawn by a statement in writing to the Returning Officer, at any time during the nomination period up until 24 hours before the publication of the notice of nominees.

4.11.1 Withdrawal of nomination, other than as provided for under 4.11, shall not be allowed except on the grounds of extenuating circumstances and a withdrawal under this rule shall be at the discretion of the Returning Officer.

4.12 As soon as possible after the interval for withdrawal of nominations has elapsed, the Returning Officer shall determine the order that each group appears on each type of Ballot Paper, by drawing lots before any person who may be witness.

4.13 On completion of the ordering the Returning Officer shall publish on the Students' Association official notice board the written list of Candidates with the details of the order in which each such group appears on the Ballot Paper.

4.14 All nominations shall be absolutely confidential to the Returning Officer up until the close of nominations; thereafter any student may sight such nominations provided the Returning Officer or an Assistant Returning Officer is present.

4.15 Where no more nominations of Candidates are received than the number of vacancies then, notwithstanding other provisions of these Electoral Procedures, the Returning Officer shall declare such Candidates as have been nominated to be duly elected.

4.16 If the number of Candidates in an election exceeds the number of members to be

elected, there shall be a poll.

4.17 Nominations received after the specified time and date for the close of nominations shall not be accepted under any circumstances.

4.18 All candidates shall be given a copy of the Electoral Regulations at the time of submitting their nomination form(s).

5. Publicity and Publication of Electoral Material

5.1 The Returning Officer shall, by the printing of an "Election Broadsheet", publish the names of all Candidates together with their course of study as well as any curriculum vitae, policy statement and/or photograph which has been supplied by the Candidate or Candidate grouping. Subject to Clauses 5.3, 5.7, 5.8 and 5.9 of these Electoral Procedures, any information supplied by a Candidate must be published without alteration.

5.2 The Returning Officer may publish the Election Broadsheet as an insert or component of the Students' Association Newspaper.

5.3 The Returning Officer shall prescribe the maximum word length of supplied material and any other format details that the Returning Officer may deem appropriate.

5.4 In the layout of the Election Broadsheet the order of appearance of Candidates shall be the same as that on the ballot paper.

5.5 The photograph and written information for the broadsheet would normally be supplied by Candidates when the nomination is made, but the Returning Officer shall accept such information up until the close of nominations.

5.6 The Returning Officer may adopt other means of acquainting electors with the policies of the Candidates provided that each Candidate has equal opportunity to use the means so provided.

5.7 All Electoral Material shall carry on it the name of the Candidate authorising it and taking responsibility for it.

5.8 No material shall contain any untrue or incorrect statement intended or likely to mislead or misinform any elector.

5.9 All electoral material shall be submitted to the Returning Officer for his/her acceptance prior to distribution and/or use and the Returning Officer shall keep in a register copies of all such material.

5.10 If any Electoral Material submitted to the Returning Officer as per clause 5.9 is in breach of any of the articles of these Electoral Procedures then he/she shall withhold acceptances of such material. No Electoral Material may be distributed without being accepted by the Returning Officer who may also withdraw acceptance of material after any information indicating a breach of Electoral Procedures has been drawn to his/her attention.

5.11 No Candidate shall incur, or cause to be incurred by any person or entity, expenditure exceeding the sum of one hundred dollars (\$100) in promoting or procuring the election of any Candidate; subject to the proviso that a grouping of Candidates may incur a total cost of up to one hundred dollars (\$100) per Candidate in the group (which shall include all the costs incurred by all Candidates in that group).

5.12 Any Candidate or group of Candidates may be required by the Returning Officer to provide documentation or other evidence in order to satisfy the Returning Officer that the incurred expenditure has not exceeded the amount as set out above.

5.13 No person, other than a student of the University of Canberra may be allowed to campaign on behalf of an issue, or candidate within 50 metres (on the horizontal plane) of the polling place.

6. Conduct of the Election

6.1 A student roll showing at least the family name, other names and student identity numbers of all eligible voters shall be obtained by the Returning Officer from the University Student Administration. If the student's name is not on the roll the Returning Officer shall satisfy themselves that a person wishing to vote is eligible.

6.2 The Returning Officer must ensure that a method used for determining a voter's eligibility allows voters to only vote once in each ballot.

6.3 Only one polling place shall be established for each period of voting.

6.4 The polling station shall be open from at least 9.30 am on each day of polling until at least 7pm on each day of polling. The polling station shall be positioned in building one on "B" level in a conspicuous place where there is a regular flow of students during semester, for at least three quarters of the time available for polling.

6.5 All members of the Association shall be eligible to vote for, or be nominated for, all positions on the Committee that are directly elected from the members, except as defined in s13.6, s13.7, s13.8, s13.9 and s13.10 of the Association's Constitution.

7. Ballot Papers

7.1 The Returning Officer shall ensure that each type of Ballot Paper is printed on a different colour paper and that each Ballot Paper is easily identified with its appropriate category. Each Ballot Paper of a particular type shall have imprinted on the back of it a number from a numerical sequence printed mechanically at the time of printing.

7.2 The Returning Officer, Assistant Returning Officer or Polling Clerk shall initial each Ballot Paper to be issued to a voter, at the time of issuing the same.

8. Voting

8.1 Voting shall be by secret ballot and all students eligible to vote shall be allowed opportunity to cast a vote.

8.2 On the first day of voting before any vote is cast, the Returning Officer shall exhibit the ballot box empty before all such persons as may be present at the polling place and shall then securely fasten the cover.

8.3 On production of a current University of Canberra student I.D card the polling clerk shall check the roll of students eligible to vote in order to find that student's name. If the name is present on the roll then the Polling Clerk shall mark the name off indicating that the student has voted, then shall issue the student with one of each type of relevant Ballot Paper forms and if desired (by the Returning Officer) an "Election Broadsheet" as per Electoral Procedures 5. The Polling Clerk shall then add a mark to the tally sheet for each type of ballot issued.

8.4 If a voter spoils a Ballot Paper it may be replaced provided that the spoiled Ballot Paper is surrendered to the Returning Officer or Polling Clerk, who shall write "spoilt" or "cancelled" over such a paper. A replacement paper can then be issued and a further mark should be added to the appropriate tally sheet.

8.5 A separate tally sheet is to be used for each type of Ballot Paper.

8.6 Voters who do not have their I.D card or whose name does not appear on the roll, shall be referred to the Returning Officer for further investigation and not issued a Ballot Paper without the approval of the Returning Officer.

8.7 No person shall remove a Ballot Paper from the vicinity of the polling place unless with the permission of the Returning Officer.

8.8 No person shall interfere with any ballot box, ballot paper, roll of students, tally sheet or any other thing related to the election.

8.9 No person shall display or distribute electoral material or engage in any form of electioneering within the area determined by the Returning Officer as the polling area.

8.10 The ballot box is to be sealed at the close of voting each day. The Returning Officer shall take such measures as they deem necessary or appropriate to ensure that the ballot box and other election material is secure.

9. Forbidden Practices

9.1 No persons shall interfere with any Electoral Material, whether published by Candidates or the Returning Officer, without the prior consent of the Returning Officer.

9.2 No persons shall engage in any dishonest practice or impede the conduct of the election in any way.

9.3 No person may use the Students' Association office or materials for any campaigning purposes in any election.

9.4 No person shall cause damage or defacement to any public or private property inside or outside the University for the promotion of any Candidate(s) in any elections.

9.5 In connection with any election(s) no person shall promise, offer, suggest, give, or take; any valuable consideration, advantage, recompense, reward, or benefit, in order to induce any candidature or withdrawal of candidature, or any vote, or omission to vote, or any promise of any such vote, omission, support, or opposition.

9.6 No person shall disclose or discuss any matter related to the remuneration or conditions of employment of the Association's staff members without the written permission of the staff members involved. Any candidate or group of candidates that is found to have breached this clause shall be disqualified from the election in question and any subsequent election.

10. Counting the Vote

10.1 Counting shall commence as soon as possible after the time laid down for the close of voting. The Returning Officer and any other person deputised by them shall count the votes.

10.2 Each Candidate at an election may appoint a person who is not a Candidate for election or an assistant of the Returning Officer as their scrutineer, to be present at the counting of the votes.

10.3 Candidates who wish to appoint a scrutineer must deliver the written nomination of their scrutineer, to the Returning Officer within 24 hours before the close of polling for the election. Any scrutineer must be a student of the University of Canberra.

10.4 Neither the Returning Officer nor anyone acting as the Returning Officer's assistant, nor any scrutineer, shall in any way divulge, disclose or aid in disclosing or divulging in what manner any voter has voted in any election.

10.5 Subject to these Electoral Procedures the Returning Officer shall be the sole judge of whether any Ballot Paper is or is not accepted.

10.6 A ballot paper shall not be acceptable if the intention of the voter in relation to the election is not clear.

11. Counting Process

11.1 Definitions

11.1.1 "quota" means the value of votes sufficient to elect a candidate;

11.1.2 "surplus" means the value of votes which a candidate has obtained, at any stage of the scrutiny, over and above the quota;

11.1.3 "first choice recorded for a candidate" means a voting-paper on which the number 1 is placed in the square opposite his or her name;

11.1.4 "second choice recorded for a candidate" means a voting-paper on which the number 2 is placed in the square opposite his or her name;

11.1.5 "transfer value" means that portion of a vote which is unused by:

11.1.5.1 an elected candidate who has obtained a surplus;

11.1.5.2 a candidate excluded on account of his or her being lowest on the poll, which is therefore transferred to the candidate next in the order of the voter's preference.

11.1.5.3 the transfer value of all votes is either 1 or some fraction of

11.2 The Mode of Voting

11.2.1 Where only one candidate is to be elected the voter:

11.2.1.1 places the number 1 within the square opposite the name of the candidate for whom he or she places as his or her first preference; and

11.2.1.2 may, in addition, indicate the order of his or her preference for as many more of the other candidates as he or she pleases, by placing within the squares respectively\ opposite their names other numbers next in numerical order after those already used by the voter.

11.2.2 Where more than one candidate is to be elected the voter places within the squares respectively opposite the names of candidates the numbers 1, 2, 3 and so on, so as to indicate the order of his or her preference for as many candidates as he or she pleases.

11.3 The Method of Counting Votes

11.3.1 The ballot for the National Union of Students delegate positions shall be counted in accordance with the regulations of the National Union of Students.

11.3.2 All other ballots shall be counted as described in this rule

11.3.3 The Returning Officer shall, as soon as practicable after the close of the polls:

11.3.3.1 count the number of first choices recorded for each candidate and informal ballot papers and place a notice of the results of this count on the door of the counting room; and

11.3.3.2 count the votes in the manner prescribed hereunder in this Schedule.

11.3.4 The Returning Officer shall, at all stages of counting, keep ballot papers clearly grouped:

11.3.4.1 in the case of valid votes, according to the candidate they are currently allocated to, any previous candidates they have been allocated to, and according to any transfers they have been allocated under; and

11.3.4.2 in the case of wasted votes, according to the candidate they were allocated to at the time they were wasted.

11.4 One Candidate to be Elected

Where one candidate only is to be elected:

11.4.1 the number of first choices recorded for each candidate shall be counted and all informal voting-papers shall be rejected;

11.4.2 the candidate obtaining an absolute majority of votes shall be elected;

11.4.3 An absolute majority of votes means a number greater than one half of the whole number of ballot-papers other than exhausted and informal ballot-papers. The casting vote of the President shall be included in reckoning an absolute majority of votes;

11.4.4 if no candidate has an absolute majority of votes, the candidate who has the fewest votes shall be excluded, and each ballot-paper counted to him or her shall (unless exhausted) be counted to the unexcluded candidate next in order of the voters' preferences;

11.4.5 if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes and counting each of his or her ballot-papers (unless exhausted) to the unexcluded candidate next in the order of the voter's preference, shall be repeated until one candidate has an absolute majority of votes;

11.4.6 every ballot paper, not rejected as informal, shall be counted in every count until it becomes exhausted, when it shall be rejected in all further counts. When a candidate is excluded, any ballot paper counted to him or her shall be deemed to be exhausted if there is not indicated upon it a consecutive preference for one unexcluded candidate;

11.4.7 if on any count two or more candidates have an equal number of votes and one of them has to be excluded, and if in the final count two candidates have an equal number of votes, the candidate who is lower on the ballot shall be excluded or elected.

11.5 More Than One Candidate to be Elected

Where more than one candidate is to be elected:

11.5.1 the number of first choices recorded for each candidate shall be counted, and all informal ballot papers shall be rejected;

11.5.2 each ballot paper shall be given the value

11.5.3 QUOTA the total value of such first choices shall be divided by one more than the number of candidates required to be elected, and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in rule 11.5.9) no candidate shall be elected until he or she obtains a number of votes, the total value of which is equal to or greater than the quota;

11.5.3 any candidate who has, upon the first choices being counted, a total value of votes which is equal to or greater than the quota, shall be declared elected;

11.5.4 TRANSFER OF PREFERENCES where the total value of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota shall be transferred to the other candidates not yet declared elected, next in order of the voter's respective preferences, in the following manner:

11.5.4.1 all the ballot papers for the elected candidate shall be re-examined and the number of second choices, or (in the case provided for in rule 11.5.11) third or next consecutive choices, recorded for each unelected candidate thereon shall be counted;

11.5.4.2 SURPLUS the surplus of the elected candidate shall be determined by subtracting the quota from the total value of the votes received by the candidate.

11.5.4.3 TRANSFER VALUE the surplus of the elected candidate shall be divided by the total value of votes obtained by him or her on the counting of the first choices, and the resulting fraction shall be the transfer value;

11.5.4.3 the value of second or other choices, ascertained in rule 11.5.4.1 to be recorded for each unelected candidate, shall be multiplied by the transfer value;

11.5.4.4 the resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the value of votes obtained by him or her on the counting of the first choices;

11.5.5 SURPLUS where on the counting of the first choices or on any transfer, more than one candidate has a surplus, the largest surplus shall be first dealt with. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on. Provided that, if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with;

11.5.6 where two or more surpluses are equal, the surplus of the candidate who was highest on the poll at the count or transfer at which they last had an unequal value of votes shall be first dealt with; and if they had an equal value of votes at all preceding counts or transfers the President shall decide which candidate's surplus shall be first dealt with;

11.5.7 ELECTED WITH QUOTA where the value of votes obtained by a candidate is raised up to or above the quota by a transfer as aforesaid, he or she shall thereupon be declared elected. And in such case, notwithstanding the fact that he or she may have reached quota, such transfer shall be completed, and all the votes to which he or she is entitled therefrom shall be transferred to him or her, but no votes to any other candidate shall be transferred to him or her;

11.5.8 where the value of votes obtained by a candidate is raised up to, but not above, the quota by a transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with;

11.5.9 TRANSFER OF ELECTED CANDIDATE'S SURPLUS where the value of votes obtained by a candidate is raised above the quota by a transfer as aforesaid, his or her surplus shall be transferred to the candidates next in the order of the voter's respective preferences, in the following manner:

11.5.9.1 the voting papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be re-examined, and the number of third, or (in the case provided for in rule 11.5.20) next consecutive choices recorded for each unelected candidate thereon counted;

11.5.9.2 the surplus of the elected candidate shall be divided by the total value of voting papers mentioned in rule 11.5.9.1, and the resulting fraction shall be the transfer value;

11.5.9.3 the value of third (or other) choices, ascertained in rule 11.5.9.1 to be recorded for each unelected candidate, and added to the value of votes previously obtained by him or her;

11.5.10 WASTING LOWEST CANDIDATE where, after the first choices have been counted and all surpluses (if any) have been transferred as hereinbefore directed, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is lowest on the poll shall be excluded, and all the votes obtained by him or her shall be transferred to the candidate next in the order of the voter's respective preferences, in the same manner as is directed in rule 11.5.4;

11.5.11 the votes obtained by such excluded candidate as first choices shall be first transferred, the transfer value of each vote in this case being 1;

11.5.12 the other votes of such excluded candidate shall then be dealt with in the order of the transfers in which, and at the transfer value at which, he or she obtained them;

11.5.13 each of the transfers which takes place under the two previous Clauses of this rule shall be deemed for all purposes to be a separate transfer;

11.5.14 where the value of votes obtained by a candidate is raised up to or above the quota by such transfer aforesaid, he or she shall thereupon be declared elected. And in such case, notwithstanding the fact that he or she may have reached the quota, such transfer shall be completed, and all the votes to which he or she is entitled therefrom shall be transferred to him or her, but no other votes shall be transferred to him or her;

11.5.15 where the value of votes obtained by such a candidate is raised above the quota by any such transfer as aforesaid, his or her surplus shall be transferred to the candidates next in the order of the voter's respective preferences in the same manner as is directed in rule 11.5.9. Provided that such surplus shall not be dealt with until all votes of the excluded candidate have been transferred;

11.5.16 where any surplus exists it shall be dealt with before any other candidate is excluded.

11.5.17 FILLING ALL POSITIONS The same process of excluding the candidate lowest on the poll and transferring to other candidates, his or her votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the excluded candidates, who have not already been so declared, shall then be declared elected.

11.5.18 EQUAL NUMBER OF VOTES Where at the time it becomes necessary to exclude a candidate, and two or more candidates have the same value of votes and are the lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had unequal value of votes shall be the first excluded, and if such candidates have an equal value of votes at all preceding counts or transfers the President shall decide which candidate shall be the first excluded.

11.5.19 In determining what candidate is next in the order of the voter's preferences, any candidates who have been declared elected or who have been excluded shall not be considered, and the order of the voter's preference shall be determined as if the names of such candidates had not been on the voting paper.

11.5.20 EXHAUSTED VOTES Where on any transfer it is found that on any voting paper there is no candidate opposite whose name a number is placed, other than those who have already either been elected or excluded, such voting paper shall be set aside as exhausted.

11.6 Announcement of the Poll

11.6.1 The Returning Officer shall announce the result of the ballot and make available

within twenty-four hours of the vote being taken a breakdown of the votes received by each candidate for election.

11.6.2 Formal declaration of the poll shall be by presentation of the Returning Officer's report to Committee, or in the case of Annual Elections, to the Annual General Meeting.

12. Scrutineers

12.1 A scrutineer may ask to sight any ballot paper, tally sheet or other documents used in the counting of the votes, but shall not physically handle or interfere with any such document.

12.2 Scrutineers shall not cause any undue noise, disturbance or obstruction during the counting of votes and the Returning Officer may exclude any person from the place of counting who breaches any Electoral Procedure. If after a reasonable time, a Scrutineer has failed to follow such a direction then the Candidate who nominated that Scrutineer may be disqualified by the Returning Officer as per Electoral Procedures 13.4.

12.3 At the place of counting the Returning Officer shall display the tally sheets for each type of ballot form as required by these Electoral Procedures, so that they may be sighted by any Scrutineer.

12.4 At the place of counting the Returning Officer shall have present all unused ballot forms and these shall be counted by type in front of any Scrutineer, if a request for such a count is made.

12.5 As soon as counting of votes is concluded the Returning Officer shall provisionally declare the results of the poll by a written notice which shall be affixed to the Students' Association official notice board and in any other place deemed appropriate by the Returning Officer.

12.6 The Returning Officer shall declare the provisional results of the poll as final if no objections have been received by them at by 5pm on the second day after the closing of polling.

12.7 If objections have been received then the Returning Officer shall make a final declaration of the poll after the decision has been made on such objections.

13. Complaints, Disputes and Appeals

13.1 From the day nominations are called for, up until 5pm on the second day after the closing of the poll, any Candidate or person eligible to vote may dispute the validity of the poll, or protest against any occurrence during the election period by lodging such objection in writing with the Returning Officer with a copy to be delivered to the outgoing President of the Students' Association.

13.2 An objection shall state the facts and the grounds of objection as well as indicating any ordinance which may have been breached. An objection shall ask for some specific remedial action to secure justice and equity which may include the ordering of a new election or the conducting of a full recount of votes.

13.3 If after hearing all sides, the Returning Officer is satisfied that any Candidate has infringed or has connived at the infringement of any of these Electoral Procedures the Returning Officer may do any of the following:

13.3.1 Disqualify the Candidate for the election in question;

13.3.2 Order a new election subject to clause 13.5;

13.3.3 Disqualify the Candidate for any election held in consequence of a new election

having been ordered;

13.3.4 Order a recount of votes;

13.3.5 Dismiss the matter;

13.3.6 Take such action and/or make any rulings as he/she deems fit, subject to these Electoral Procedures.

13.4 After hearing all sides, the Returning Officer is satisfied that any individual, club, society or political grouping has infringed or has connived at the infringement of any of these Electoral Procedures the Returning Officer may do any of the following:

13.4.1 Disqualify a Candidate or group of Candidates for the election in question or in any election held in consequence of a new election having been ordered;

13.4.2 Order a new election subject to clause 13.5;

13.4.3 Order a recount of votes which may be initiated immediately after this decision is made;

13.4.4 Dismiss the matter;

13.4.5 Take such action and/or make any rulings as he/she deems fit, subject to these Electoral Procedures.

13.5 The Returning Officer shall not order a new election if they are satisfied that the result of the election would have been substantially the same if the breach complained of had not occurred.

13.5.1 If fresh elections are ordered the Returning Officer following discussions with the outgoing Students' Association Committee, shall prescribe a new election schedule and announce any departure he/she deems necessary from the usual timing and notice requirements as defined in these Electoral Procedures.

13.5.2 Apart from the announced changes in election timing and notice requirements and possible Candidate exclusions, any fresh election shall be held as if the abandoned election had not been held.

13.5.2.1 In the event that fresh elections are ordered the outgoing Students' Association Committee shall retain office purely in a caretaker role until such a time as the Committee elected by the fresh elections can take office.

13.6 Where an objection is taken against the result of any election, the objections shall be dealt with in accordance with the Electoral Regulations of the Association.

13.6.1 In considering an objection regard shall be had to ordinary principles of equity and the good faith of the matter and any minor deviations from the Electoral Regulations caused by error or accident shall not themselves invalidate an election.

14. Objections to Returning Officer Practice

14.1 If an objection or protest concerns the conduct of the Returning Officer then he/she shall arbitrate such an objection by appointing during the protest period, an Electoral Arbiter who shall be the Registrar of the University or the Registrar's nominee.

14.2 Subject to these Electoral Procedures and after hearing all sides, if the Electoral Arbiter is satisfied that the Returning Officer has infringed or connived at the infringement of any of these Electoral Procedures, he/she may do any of the following:

14.2.1 Dismiss the Returning Officer (as the Returning Officer) and any or all Assistant Returning Officers;

14.2.2 Appoint a new Returning Officer for the remainder of the election in question or for any new election;

14.2.3 Disqualify a Candidate or group of Candidates for the election in question or in any election held in consequence of a new election having been ordered;

14.2.4 Order a re-count of the election in question;

14.2.5 Dismiss the matter; or

14.2.6 Take such action and/or make any rulings as he/she deems fit, subject to these Electoral Procedures.

14.3 Subject to these Electoral Procedures, any decision of the Electoral Arbiter shall be absolutely final and binding.

14.4 The Electoral Arbiter shall submit a report of his/her actions in writing to the outgoing Students' Association Committee. The report shall detail the objection referred to him/her and the rationale used to resolve this objection.