Student Representative Council Election Procedure

Section 1 - Purpose

(1) This Procedure provides direction for the election of Students to the Student Representative Council (SRC).

Section 2 - Procedure

Electorates and Student Leaders

Preliminary – Election and Selection

(2) The University of Canberra (University) SRC will be comprised of Student Leaders elected under this Procedure from each of the following six electorates (each an Electorate and collectively the Electorates):

a. Faculty representatives (one Student Leader per Faculty) (Electorate 1).
b. One Ngunnawal Centre representative (Electorate 2).
c. One Higher Degree Research representative (Electorate 3).
d. The two Student representatives elected to Council in accordance with the University of Canberra (Election of Staff and Student Members to Academic Board and Council) Rules 2024 (Electorate 4);
e. The two Student representatives elected to the Academic Board in accordance with the University (Election of Students Members to Academic Board) 2020 (Electorate 5); and
f. One international Student representative (Electorate 6).

(3) A Student who is eligible to nominate as a candidate under this Procedure and the University of Canberra (Election of Staff and Student Members to Academic Board and Council) Rules 2024 (the Rules), must only nominate as a candidate under either this Procedure or the Rules.

(4) A Student who is electing to nominate as a candidate under this Procedure and who is eligible to nominate as a candidate in more than one Electorate, must only nominate as a candidate in one Electorate and must identify the Electorate in which they are standing on the Nomination Form.

(5) A Student who is nominating as a candidate in the University's Academic Board or Council elections must not nominate as candidate in the elections of the SRC.

(6) To remove any doubt, a Student who is appointed as a staff member either on a permanent basis or under a fixed term contract of more than one year's duration is not eligible to stand for election on the SRC.

Term of Office

(7) Student Leaders will be elected to the University SRC for one year subject to their continuing to meet the Eligibility Criteria.

Electorate 1 – Faculty

(8) Students seeking nomination as a Faculty representative for the University SRC must be enrolled as a coursework

student in a Course facilitated by the relevant Faculty at the time of nomination and for the duration of their term on the SRC they must remain active students during Semester 1 and 2.

Electorate 2 - Ngunnawal Centre

(9) Students seeking nomination as the Ngunnawal Centre representative must have formally indicated to the University that they identify as a member of the Indigenous community to be eligible.

Electorate 3 – Higher Degree Research Representative

(10) Students seeking nomination as a Higher Degree Research representative for the University SRC must be enrolled in a Higher Degree Research course at the time of nomination and for the duration of their term on the SRC they must remain active students throughout the University Academic year.

Electorate 4 - University Council*

(11) The students elected to Council in accordance with the University of Canberra (Election of Staff and Student Members to Academic Board and Council) Rules 2024 will be the elected Students Leaders for the purposes of Electorate 4 and hold their roles with Council and University SRC concurrently subject (for the purposes of eligibility to continue as Student Leaders on the University SRC) to meeting the Eligibility Criteria for the SRC.

Electorate 5 - University Academic Board*

(12) The students elected to Academic Board in accordance with the University of Canberra (Election of Staff and Student Members to Academic Board and Council) Rules 2024 will be the elected Students Leaders for the purposes of Electorate 5 and hold their roles with Academic Board and SRC concurrently subject (for the purposes of eligibility to continue as Student Leaders on the SRC) to meeting the Eligibility Criteria for the SRC.

> *Note: The University of Canberra Act 1989 requires that two Students - one undergraduate Student and one postgraduate Student - be elected as members of the Council each year. The University of Canberra Act 1989 also requires that two Students - one undergraduate Student and one postgraduate Student - are elected as members of the Academic Board each year. The processes for these elections are set out in the University of Canberra (Election of Staff and Student Members to Academic Board and Council) Rules 2024.

Electorate 6 – International Student

(13) Students seeking nomination as an international student representative for the SRC must be enrolled in a course of study as an international student and hold a visa which allows them to study in Australia at the time of nomination and for the duration of their tenure.

Electoral Constituency

Electorate 1 – Faculty

(14) A Student may only vote for a Faculty candidate from the Faculty in which they are currently enrolled as a Coursework Student in a Course.

Electorate 2 - Ngunnawal Centre

(15) Any student who has formally indicated to the University that they identify as a member of the Indigenous Community and is currently enrolled in a course of Study may vote for a Ngunnawal Centre candidate.

Electorate 3 – Higher Degree Research

(16) A Student may only vote for a Higher Degree Research candidate if they are currently enrolled as a Higher

Degree Research Student in a Higher Degree Research course.

Electorate 6 –International Student

(17) A Student may only vote for an international student candidate if they are currently enrolled in a course as an international student.

Material to be Provided with Nomination

(18) Endorsements by two persons who are members of the same electoral constituency for which the person is nominating are required for a student to be eligible as a candidate.

(19) In determining whether a student should receive endorsement as a candidate for international students, the endorsers must consider:

a. if the Student meets the Eligibility Criteria;
b. the Student's demonstrated level of engagement with the University community; and
c. the Student's potential for leadership.

Vacancies

(20) A casual vacancy arises if a Student Leader no longer meets the Eligibility Criteria or is unwilling or unable to continue as Student Leader.

(21) Casual vacancies with respect to Student Leaders elected in Electorate 1, 2, 3, or 6 must be filled by means of a countback by the Returning Officer of the previous election results and will be filled by the student with the next highest number of votes in favour of his candidature.

(22) If an election in Electorate 1, 2, 3, or 6 was uncontested or the candidate identified during the countback is unwilling to accept the position, or a casual vacancy arises during the term of the SRC then:

a. by-election may be called by the Returning Officer within four weeks of the vacation of office; or
b. the SRC may, by resolution, appoint to that office a person who would be eligible as a candidate to that office.

Section 3 - Election Processes

Appointment of Returning Officer

(23) The Secretary of Council, or their delegate, is the Returning Officer.

Conduct of Elections

(24) All elections to which this Procedure applies must be conducted by the Returning Officer.

(25) All matters arising in relation to an election in respect of which provision is not made under this Procedure are to be dealt with in accordance with the directions of the Returning Officer including:

a. the timetable for the holding of an election including the time to be allowed for receipt of nominations and for declaring the result of the election; and
b. the procedures for verifying the entitlement of persons to vote at the election, for determining the admissibility of ballots, for the counting of votes, for making known the result of the election and for dealing with disputed returns.

(26) All decisions of the Returning Officer on all matters relating to an election are final.

Notice of Election and Call for Nominations

(27) When an election is necessary, the Returning Officer must provide notice to the relevant electoral constituency that includes the following:

a. Why the election is necessary.
b. An invitation for nominations from persons eligible to stand as candidates in the election specifying the form in which nominations must be made.
c. Specify the date and time by which nominations must reach the Returning Officer.

(28) A notice may be communicated by such means as the Returning Officer considers appropriate.

(29) The fact that a person did not receive notice under this Procedure does not invalidate an election.

Nomination Process

(30) A Student seeking to be nominated as a candidate in an Electorate must:

a. meet the Eligibility Criteria set out in the Student Representative Council Policy;
b. complete their nomination in writing and in the form specified by the Returning Officer in clause 27(b) above; and
c. submit the Nomination Form to the Returning Officer by the Closing Date, using the advised method of submission.

Acceptance of Nominations

(31) The Returning Officer must not accept a nomination unless:

a. it is in writing in the form specified in the notice provided under clause 27(b) above;
b. it is endorsed by two persons who are members of the same electoral constituency for which the person is nominating; and
c. it is received by the Returning Officer before the time prescribed for the close of nominations.

No Nominations Received

(32) If no nominations are received, the procedures for filling casual vacancies under clauses 20 – 22 above shall apply.

Declaration of Result if there is No Contest

(33) If, after nominations have closed, the number of persons nominating does not exceed the number of positions to be filled, the Returning Officer is to declare the persons nominated to have been elected.

Ballot Required if more Candidates than Vacancies

(34) If, after nominations have closed, the number of persons nominating exceeds the number of positions to be filled, the Returning Officer is to make available to each person in an electoral constituency, by such means as the Returning Officer considers appropriate:

a. a Ballot; and
b. a Notice setting out that the voter's choice of candidate will be decided using an optional preferential system

and otherwise specifying the ballot period.

(35) Where a person who has nominated to be a candidate at an election withdraws their nomination and the withdrawal reduces the number of candidates to a number not exceeding the number of positions to be filled, the Returning Officer is to abandon the election and declare the remaining candidates to have been elected.

(36) Where a person nominated as a candidate at an election withdraws their nomination and the withdrawal results in the number of candidates exceeding the number of positions to be filled, the Returning Officer is to proceed with the election, disregarding any votes cast for the candidate that has withdrawn.

Mode of Voting

(37) Voting in an election must be conducted by secret ballot.

(38) The Returning Officer must determine whether an election is to be conducted by manual ballot (postal or ballot box) or by electronic ballot.

(39) The voting system for an election will be optional preferential. Optional preferential voting is a type of preferential voting under which voters indicate the order of their preferences by numbers. Voters may choose to mark a preference for only one or as many candidates as they wish.

(40) Under preferential voting, the candidate who receives the largest number of first preference votes must be elected if that number is an absolute majority of votes.

(41) If no candidate received an absolute majority of first preference votes:

a. the candidate who received the fewest first preference votes is excluded, and each ballot counted to that candidate must be counted to the candidate next in the order of the voter’s preference;
b. if a candidate then has an absolute majority of votes, that candidate is elected, but, 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 that candidate's ballots to the unexcluded candidate next in the order of the voter’s preference, must be repeated until a candidate has received an absolute majority of votes; and
c. the candidate who has received an absolute majority of votes is elected.

(42) If two or more candidates have an equal number of votes and the declaration of elected candidates cannot be made, whichever of the candidates was lowest on the poll at the last count at which they had an unequal number of votes must be excluded and, if the candidates had an equal number of votes at all previous counts or there was no previous count, the Returning Officer must decide by lot which candidate must be excluded.

(43) In deciding which candidate is next in the order of the voter’s preference, any candidates who have been excluded must not be considered, and the order of the voter’s preference must be decided as if the names of those candidates had not been on the ballot.

(44) If on any count there is no candidate next in the order of the voter’s preference on any ballot, the ballot must be set aside as exhausted.

(45) The order of candidates on the ballot is to be determined by the Returning Officer.

Electronic Voting System

(46) The Returning Officer may only utilise an electronic voting system for use where they are satisfied that the system:

a. will provide a voter with appropriate instructions on how to vote;
b. will allow a voter to indicate their choice of candidate(s);
c. gives a voter an opportunity to correct any mistakes before submitting their vote;
d. will not allow a person to find out how an individual voter cast their vote;
e. will not allow a voter to vote more than once for any candidate;
f. will only allow a voter to vote in an election for which they are eligible to vote; and
g. is designed to give the same result as would be obtained if the election were conducted by post or by personal voting.

(47) An electronic voting system may be managed either internally by the University or outsourced, in full or in part.

(48) On or before the date prescribed for the commencement of electronic voting, the Returning Officer must ensure that each eligible voter has been provided with access to a notice detailing the nature of the election, a list of the candidates instructions on how to access the electronic voting program, and the closing date and time by which a vote can be submitted.

(49) A voter is to submit their vote in accordance with the instructions provided in the electronic voting program.

(50) The Returning Officer may, at their discretion, allow the opportunity for postal voting by an eligible voter who, due to special circumstances peculiar to that individual, is unable to access the electronic voting system and who makes a timely request for a postal vote. Any postal vote allowed under this rule must be received before the close of the ballot period.

(51) On the day prescribed for the recording of votes stored electronically, the Returning Officer must examine summary reports of the votes cast, undertake whatever audit checks may be necessary to validate the vote and record the total number of votes cast for each candidate.

Manual Ballots

(52) A soon as practicable after the close of ballot, the Returning Officer, in the presence of those scrutineers who choose to be present, is to count the votes and ascertain the result of the ballot in the manner described in this Procedure.

(53) The Returning Officer is to reject any informal ballots and count the formal ballots.

(54) A ballot shall be informal if:

a. marked other than in accordance with the voting instructions accompanying the ballot;
b. no vote for any candidate on the ballot has been indicated.

(55) The Returning Officer will err in favour of giving effect to a ballot provided the intention of the voter is clear.

Declaration of Result After Ballot

(56) The result of the count must remain confidential until the declaration of the election by the Returning Officer.

(57) Where the Returning Officer declares persons to have been elected as members of the SRC, the Returning Officer must, as soon as practicable, communicate the election result to the electoral constituency in a manner determined by the Returning Officer.

(58) The Returning Officer, any person appointed by the Returning Officer and any scrutineers must not in any way disclose or aid in disclosing how an individual voter cast their vote.

Electoral Misconduct

(59) It is Electoral Misconduct for a candidate to:

a. use resources of the SRC or the University to campaign for the election including to produce Electoral Publication;
b. distribute by any means Electoral Publication that is likely to mislead or deceive a voter in relation to the casting of a vote;
c. print, publish or distribute an Electoral Publication that does not show the name of the person authorising the Electoral Publication;
d. watch how a person casts their vote while they are voting;
e. cast or attempt to cast a vote to which the person is not entitled;
f. offer any enticement, or to otherwise exert undue influence over electoral officials or a voter at any time;
g. engage in discrimination, harassment or intimidation of a voter at any time; or
h. incite any other person to commit any misconduct detailed in this clause.

Action by the Returning Officer

(60) The Returning Officer must undertake an investigation into any allegation of Electoral Misconduct.

(61) Following an investigation into Electoral Misconduct, the Returning Officer may:

a. do nothing;
b. issue a warning;
c. impose a campaign ban on one or more candidates;
d. disqualify a candidate and direct that any votes for that candidate flow according to ballot preferences;
e. require that any material be taken down or otherwise removed from public display; or
f. impose any other such penalty, or any combination of penalties, as they see fit.

(62) In addition to any action taken under clause 61, the Returning Officer may refer a Student for action under the University of Canberra (Student Conduct) Rules 2023.

Election Not necessarily Invalid Due to Breach

(63) An election conducted under these Rules is not invalidated only because of a breach of these Rules unless the Returning Officer is satisfied that, except for such breach, a candidate elected at that election might not have been so elected.

Section 4 - Definitions

(64) Unless the contrary intention appears, defined terms in the Student Representative Council Policy have the same meaning in this Procedure.

Terms	Definitions
Course	a course of study specified in the University of Canberra (Courses and Awards) Rules.
Electoral Constituency	means all persons eligible to vote in an election.
Electoral Publication	material distributed by any means by any person to influence voting at an Election.
Faculty	a faculty of the University from time to time.

Terms	Definitions
International Students	include holders of international student visas, dependants of diplomats, holders of humanitarian visas and international students on Commonwealth Government Programs (such as the Australia Awards Program).
Student	a person enrolled in a course of the University leading to a degree, diploma or certificate of the University being both post-graduate and under-graduate students.

Status and Details

Status	Current
Effective Date	18th April 2023
Review Date	18th April 2024
Approval Authority	General Counsel and University Secretary
Approval Date	18th April 2023
Expiry Date	To Be Advised
Custodian	Bill Shorten Vice-Chancellor
Responsible Manager	Stephanie Payne University Secretary
Author	Kellie Guiton Governance and Policy Coordinator
Enquiries Contact	Nick Markesinis Policy Manager Policy