Faculty Board Chair Election Procedures

Section 1 - Purpose

(1) The purpose of this Procedure is to provide for the election of academic staff of the University of Canberra (University) to the position of Faculty Board Chair.

Section 2 - Scope

(2) This Procedure applies to the election of academic staff as Chairs of the University's Faculty Boards.

Section 3 - Procedure

Eligibility to Participate in an Election

Eligibility for Candidature

(3) Academic staff appointed by the University at a level D or E as at the final day specified for receipt of nominations for an election will be eligible to stand as candidates in an election.

Ineligibility for Candidature

(4) A person is ineligible to stand as a candidate in an election if the person (on the final day specified for receipt of nominations for an election):

a. is ineligible to hold the position for which election is being held due to a provision of the Act, or any statute or rule;
b. is subject to a psychiatric treatment order or a community treatment order under the Mental Health Act 2015; or
c. is a person with impaired decision-making ability under the Guardianship and Management of Property Act 1991 (ACT).

Eligibility of Voters

(5) All members of an electoral constituency are eligible to vote for a candidate from that electoral constituency in an election.

Term of Office

Elected Members

(6) Subject to clause 54, a staff member elected to a Faculty Board as Chair holds office for a term of two years with each term commencing on 1 January following their election.

(7) A staff member elected as Chair of a Faculty Board must not be Chair of a Faculty Board for a total period longer than three terms.

Members Appointed to Fill a Casual Vacancy

(8) A staff member appointed as Chair by a Faculty Board under clause 55 to fill a casual vacancy will be the Chair of a Faculty Board for a term which is the balance of the term remaining of the elected Chair who ceased to hold office.

Conduct of Elections

Returning Officer

(9) All elections to which these Procedures apply must be conducted by the Returning Officer.

(10) The Returning Officer may determine:

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 the appointment of scrutineers, for determining the admissibility of ballot papers, for the counting of votes, for making known the result of the election and for dealing with disputed returns.

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

Notice of Election and Call for Nominations

(12) When an election is necessary, the Returning Officer must provide notice to the relevant electoral constituency:

a. stating why the election is necessary;
b. inviting nominations from persons eligible to stand as candidates in the election and specifying the form in which nominations must be made; and
c. specifying the date and time by which nominations must reach the Returning Officer.

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

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

Acceptance of Nominations

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

a. it is in writing in the form specified in the notice provided under clause 12;
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.

Candidate Statement

(16) A candidate may provide a statement with the nomination provided under clause 15, including a photograph of the candidate, for publication on the University's Elections Website in support of their candidacy, up to a word limit specified by the Returning Officer.

(17) The Returning Officer may request that a candidate amend their statement if it contains inappropriate content, (e.g, defamatory or discriminatory statements) and must explain the reasons for the request. The Returning Officer may refuse to publish any inappropriate content if the candidate refuses to amend the statement.

(18) The Returning Officer must approve any photograph of the candidate prior to publication.

(19) Statements in excess of the word limit specified by the Returning Officer will be shortened by the Returning Officer before publication.

No Nominations Received

(20) If no nominations are received, the Procedures for filling of casual vacancies under clauses 55 and 56 will apply.

Declaration of Result if There is No Contest

(21) 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

(22) 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 paper; and
b. a notice setting out how the voter's choice of candidate is to be made and specifying the ballot period.

(23) 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 that is less than, or equal to the number of positions to be filled, the Returning Officer is to abandon the election and declare the remaining candidates to have been elected.

(24) Where a person nominated as a candidate at an election withdraws their nomination and the number of candidates remaining exceeds 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

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

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

(27) 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.

(28) 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.

(29) 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 paper 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 ballot papers 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.

(30) 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.

(31) 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 paper.

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

Ballot Paper

(33) The Returning Officer must determine the order in which the names of candidates are to be set out on a ballot paper by drawing lots.

Nomination of Scrutineers

(34) Each candidate is entitled to nominate one scrutineer. A candidate who wishes to nominate a scrutineer must notify the Returning Officer by close of business five days before the close of ballot and provide contact details for the scrutineer. For the avoidance of doubt, a candidate may not be a scrutineer.

Manual Ballot

(35) 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 set out in clauses 25-32.

(36) The Returning Officer is to reject any informal ballot papers and count the formal ballot papers.

(37) A ballot paper will be informal if:

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

Electronic Ballot

(38) The University Secretary may approve 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.

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

(40) 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

instructions on how to access the electronic voting program, and the closing date and time by which a vote can be submitted.

(41) Any candidate statement accompanying the nomination provided under clause 16, and a copy of any approved photograph supplied, are to be published online and accessible by way of a link included in an email sent to each voter.

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

(43) 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 voter, 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.

(44) On the day prescribed for the recording of votes stored electronically and in the presence of those scrutineers who choose to be present, 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.

Declaration of Result After Ballot

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

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

(47) The Returning Officer, any person appointed by the Returning Officer and any scrutineers must not in any way disclose or assist in the disclosure of how an individual voter cast their vote.

Recount

(48) The Returning Officer may recount the votes received in an election at the request of a candidate or if they otherwise believe there is a valid reason to do so.

(49) A request for a recount from a candidate must be in writing and set out reasons in support of the request.

Declaration That Election Void

(50) If, before an election result is declared, the Returning Officer is satisfied that the election is, or will be, void because of an irregularity in the course or conduct of that election, the Returning Officer may, in writing, declare that election void from:

a. the commencement of that election; or
b. a specified point in the proceedings of that election that is after the notification that an election was necessary but before the irregularity happened.

(51) If the Returning Officer declares an election void from the commencement of that election, the Returning Officer must, as soon as practicable after making the declaration, conduct a fresh election in accordance with these Procedures.

(52) If the Returning Officer declares an election void from a point in the proceedings of that election, the Returning Officer must, in writing, determine what proceedings in that election are necessary to ensure that election will be regularly conducted and must conduct those proceedings in accordance with these Procedures.

Election Not Necessarily Invalid Due to Breach

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

Casual Vacancies During Term

Cessation of Term as Chair of a Faculty Board

(54) Subject to the Act, a person elected under these Procedures ceases to be Chair of a Faculty Board if the member:

a. dies;
b. resigns from a Faculty Board;
c. becomes ineligible to hold a position to which the person is appointed or elected due to a provision in the Act, or any statute;
d. is absent without leave from a Faculty Board for three consecutive meetings;
e. is subject to a psychiatric treatment order or a community treatment order under the Mental Health Act 2015;
f. is found to have impaired decision-making ability under the Guardianship and Management of Property Act 1991 (ACT); or
g. is no longer appointed by the University in the relevant Electoral constituency.

Filling of Casual Vacancies

(55) In the event of a casual vacancy in the office of Chair of the Faculty Board, the Faculty Board may, by resolution:

a. appoint to that office a person who would be eligible as a candidate to that office; or
b. determine that an election be held to fill the vacant office.

(56) Where a Faculty Board decides to hold an election to fill a vacant office, the Returning Officer must follow the Procedures for nominations and elections in accordance with the rules set out in these Procedures.

Section 4 - Policies

(57) Nil.

Section 5 - Definitions

Terms	Definitions
Academic staff	means a person who is appointed by the University on a permanent or contract basis as a member of academic staff and includes such persons appointed by the University as Professors, Associate Professors, Senior Lecturers, Lecturers, and Associate Lecturers.
Act	means the University of Canberra Act 1989 (ACT).
Deputy University Secretary	means the office holder of the University holding the title Deputy University Secretary or an office holder of the University undertaking a similar role and of equivalent status.
Election	means election under a statute.
Electoral constituency	means all persons eligible to vote in an election.
Faculty Board	means the committees appointed by the Academic Board in accordance with rule 11(1)(e) of the University of Canberra Academic Board Rules 2026.

Terms	Definitions
Professor	means a member of the academic staff of the University who has been appointed as a Professor.
Returning Officer	means the General Counsel and University Secretary, Deputy University Secretary or another person appointed by the Vice-Chancellor to be the Returning Officer for the purposes of these Procedures.
University Secretary	means the office holder of the University holding the title University Secretary or an office holder of the University undertaking a similar role and of equivalent status.
Vice-Chancellor	means the Vice-Chancellor of the University appointed under section 25 of the University of Canberra Act 1989 (ACT).

Status and Details

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