

**REGULATION 2.1.R1  
MADE UNDER STATUTE 2.1**

**Elections to Council by members of staff and by students**

**A GENERAL**

**Conduct of elections**

1. (1) Elections to Council by members of staff and by students will be conducted by the university secretary or as delegated under section 21(2)(a) of this regulation.
- (2) For any election conducted by the university secretary, the university secretary will decide, subject to section 3(2), whether a ballot is necessary and, if so, whether it is to be conducted by using-
  - (a) a combination of electronic ballot and hard copy ballot papers; or
  - (b) hard copy ballot papers.

**Nomination of candidates**

2. (1) For any election to be held under sections 2.1.1 or 2.1.2 of Statute 2.1, the university secretary must-
  - (a) call for nominations at least six weeks before the election date; and
  - (b) nominate a date by which nominations must be made, such date being at least two weeks after the call for nominations and at least four weeks before the date of the election.
- (2) As near as is practicable, the call for nominations should be in the form set out in Schedule A and the nominations should be made in the form set out in Schedule B, and
  - (a) for elections by members of staff, the call for nominations is to be published on faculty noticeboards, on the University web site and in any publication circulating to staff that the university secretary thinks fit;
  - (b) for elections by students, the call for nominations is to be published on the web sites of UMSU and GSA and in any publication that the university secretary thinks fit.
- (3) Nominations may be withdrawn in writing up to three weeks before the date of the election.
- (4) Where a candidate who has been nominated under this section withdraws the nomination up to three weeks before the election date, or ceases to be eligible for election, the university secretary must reject the nomination.

**University secretary to declare candidates elected or to conduct a ballot**

3. (1) If the number of candidates nominated for election does not exceed the number of vacancies, the university secretary must declare those candidates duly elected.
- (2) If the number of candidates nominated for election exceeds the number of vacancies, the university secretary must conduct a ballot in accordance with this regulation.

**Notice of ballot**

4. (1) If a ballot is to be conducted, the university secretary must cause due notice of that ballot to be published at least three weeks before the date of the election-
  - (a) for elections by members of staff, on faculty noticeboards, on the University web site and in any publication circulating to staff that the university secretary thinks fit;
  - (b) for elections by students, on the web sites of UMSU and GSA and in any publication that the university secretary thinks fit.
- (2) As near as is practicable, a notice under this section should be in the form set out in Schedule C to this regulation.

**Appointment of election officer or officers**

5. The university secretary may appoint any person or persons as election officer or officers to assist in the running of the election. Any reference in this regulation to an election officer is deemed to include the university secretary.

**Scrutineers**

6. Any person nominated as a candidate in an election may appoint a scrutineer to monitor the counting of votes.

#### **Manner of voting by individuals not to be disclosed**

7. A scrutineer who is eligible to be present at the counting of votes must not disclose or aid in disclosing for whom or in what manner any elector has voted at an election.

### **B ELECTIONS CONDUCTED USING HARD COPY BALLOT PAPERS**

#### **Issue of voting papers**

8. (1) In this regulation, 'voting papers' means-
  - (a) a ballot paper as near as is practicable to the form set out in Schedule D to this regulation, on which voters are to mark their preference and preferential order for any one or more of the candidates;
  - (b) any electoral statements provided by the candidates, in accordance with the description in Schedule A.
  - (c) an inner envelope ('the inner envelope') distinctly marked for enclosure of the ballot paper; and
  - (d) an outer envelope ('the outer envelope') addressed to 'University Secretary, The University of Melbourne, Victoria, 3010' and accompanied by, or having printed thereon, a declaration as near as is practicable to the form set out in Schedule E to this regulation.
- (2) Voting papers are to be issued by the university secretary to all those persons specified in any statutes or regulations appropriate to the election and to any elector who applies to the university secretary in writing at least two weeks before the election date, or who applies in person before 12 noon on the election date, and provides such evidence of eligibility to vote as the university secretary may require.
- (3) If the university secretary is satisfied that voting papers have been lost or destroyed, new voting papers may be provided in response to a written request from the person to whom the original were issued.
- (4) Voting papers may be forwarded –
  - (i) by normal post;
  - (ii) by delivery through the internal mail system of the University;
  - (iii) electronically by email or via a web site; or
  - (iv) by hand to an elector by an election officer.

#### **Return of the ballot papers**

9. (1) An elector must complete the ballot paper and place it in the inner envelope and must enclose the inner envelope in the outer envelope.
- (2) When a completed ballot paper has been enclosed as provided in section 9(1), the elector must-
  - (a) complete the declaration ; and
    - (i) forward the outer envelope to the university secretary by normal post or through the internal mail system of the University; or
    - (ii) deliver, or cause to be delivered, the outer envelope to the office of an election officer or, where appropriate, to a polling booth.
- (3) The university secretary or any other election officer must keep in safe custody until the close of the ballot all outer envelopes returned under this section.

#### **Opening of ballot envelopes**

10. At any time after 5-00pm on the date of an election, an election officer must-
  - (a) open all the outer envelopes returned under section 9;
  - (b) examine all declarations;
  - (c) examine all completed ballot papers;
  - (d) subject to sections 12 and 13 of this regulation, determine whether any votes are invalid; and
  - (e) count the valid votes in the manner prescribed in section 14 of this regulation.

#### **Ballot papers received late not to be counted**

11. (1) Except as provided in this section, a ballot paper received by the university secretary after 5-00pm on the date of an election must not be counted.

- (2) If any two of the Chancellor, vice-chancellor and university secretary are of the opinion that delivery of ballot papers has been affected by any strike, lockout or similar action, they may direct that ballot papers received by any time nominated by them up to seven days after 5-00pm on the date of the election be examined and counted.

#### **Invalid votes**

12. A vote is invalid if-
  - (a) the ballot paper has been completed in any manner other than as specified in the instructions on the ballot paper; or
  - (b) the ballot paper has been returned in any manner other than as prescribed in section 9 of this regulation; or
  - (c) the ballot paper or declaration referred to in subsection 8(1) of this regulation was not issued by the university secretary;
  - (d) the person who completed the declaration referred to in section 8(1)(d) of this regulation is not the person referred to in that declaration;
  - (e) the person who completed the ballot paper is not, in the opinion of the election officer, eligible to vote in the election; or
  - (f) the election officer determines that the person who completed the ballot paper has also voted electronically under section 15.

#### **Determination of validity of votes**

13. If the election officer decides that a vote is invalid, the following procedure applies-
  - (a) a candidate in an election, on the advice of a scrutineer, or a scrutineer may refer the decision to the Chancellor for review;
  - (b) the Chancellor may review the decision or refer the decision to the vice-chancellor for review;
  - (c) if a decision by the election officer is reviewed by the Chancellor or the vice-chancellor under this section, the result of the election is not determined until completion of the review; and
  - (d) if, on completion of a review under this section, the Chancellor or vice-chancellor declares a vote to be valid, it must be counted by the election officer.

#### **Counting of votes**

14. Votes must be counted in accordance with the principles of optional preferential voting.

### **C ELECTIONS CONDUCTED BY USING ELECTRONIC BALLOTS AND HARD COPY BALLOT PAPERS**

#### **Electronic voting system**

15.
  - (1) Where the university secretary so determines, an election will be conducted by using electronic ballots and hard copy ballot papers, and all voters able to do so will be requested to cast their vote through the electronic voting system ('EVS') on a web site established for the purpose.
  - (2) The university secretary will inform voters of the location of the EVS and of the opening and closing times of the ballot not less than one week before the date of the election.
  - (3) A link to any electoral statements provided by the candidates will be available on the EVS web site.

#### **Availability of voting papers**

16.
  - (1) For ballots conducted by a combination of electronic ballots and hard copy ballot papers, voting papers as defined in section 8(1) must be issued-
    - (a) at least two weeks before the close of the election-
      - (i) to all those eligible voters known to be on leave at the time of the ballot; and
      - (ii) to any eligible voter who informs the university secretary in writing (including email) of their inability to access the EVS.
    - (b) to any eligible voter who applies to the university secretary for hard copy voting papers in person before 12 noon on the election date.

#### **Casting of votes**

17. Hard copy ballot papers must be returned in the manner prescribed in section 9.

### **Counting of votes**

18. (1) The election officer will manually enter on the EVS the votes other than the invalid votes cast by voters who have returned a hard copy ballot paper under section 17.
- (2) Votes must be counted in accordance with the principles of optional preferential voting.
- (3) The result of the election will be determined by the university secretary once all votes from hard copy ballot papers have been entered on the EVS.

### **Scrutineers**

19. (1) Any person nominated as a candidate in an election may appoint a scrutineer to review an audit trail of the counting of electronic votes, as provided by the election officer.
- (2) A scrutineer appointed under this section will also be able to monitor the counting of hard copy votes cast following distribution under section 16(1).

### **Manner of voting by individuals not to be disclosed**

20. A scrutineer who is eligible to review an audit trail of the counting of electronic votes or to be present at the counting of hard copy votes must not disclose or aid in disclosing for whom or in what manner any elector has voted at an election.

## **D SPECIAL PROVISIONS FOR STUDENT ELECTIONS**

### **Elections for student members of Council**

21. (1) Elections for student members of Council are to coincide with UMSU and GSA elections unless the university secretary determines that these dates are inappropriate for the elections to Council.
- (2) (a) Subject to sub-section (c) below, the university secretary must delegate to UMSU and GSA the conduct of elections of student members of Council upon terms and conditions of delegation consistent with the spirit and intention of this regulation.
- (b) Upon the university secretary being satisfied that an election has been conducted in accordance with the terms and conditions of the delegation, the university secretary must so certify and upon such certification the election is deemed to have been conducted in accordance with this regulation.
- (c) If the university secretary is not satisfied that an election conducted by UMSU or GSA is being, will be, or has been conducted in accordance with the terms and conditions of the delegation the university secretary may, after revoking the delegation, conduct or re-conduct the election as if the delegation had not been given.
- (3) Polling booths established under section 21(2)(b) of this regulation must stay open for a period equal to that for which UMSU polling places are open or for at least five days, whichever is the greater.

### **Elections by students**

22. The following special provisions apply to elections by students.
  - (1) The university secretary must-
    - (a) allow for elections to be conducted by electronic ballot; or
    - (b) establish on University premises such polling booths as he or she considers appropriate and determine the times for which these will open and nominate a person to be in charge of each such booth, who must –
      - (i) remain in the booth for such time as the university secretary directs;
      - (ii) issue voting papers to students;
      - (iii) place in a locked ballot box every outer envelope bearing the declaration referred to in section 8(1)(d) of this regulation which appears to the person to have been completed and signed by an elector; and
      - (iv) return all unused voting papers and the locked ballot box to an election officer as soon as practicable after 12 noon on the date of the election.

[Revoked and Remade 12/5/08; sections 1(1), 2(1), 2(2)(b), 4(1)(b), 8(1)(d), 21(1), 21(2)(a) and 21(2) (c) amended 7/6/10]

**SCHEDULE A TO REGULATION 2.1.R1**  
**(Section 2)**  
**(Year)**

THE UNIVERSITY OF MELBOURNE  
Election to Council by **(brief description of relevant electorate)**

*Call for Nominations*

Nominations are hereby called for from **(relevant electorate as defined in the Act and the statute)** for election to the Council of the University for a period being **(specify)** in an election to be held **(specify date)**

Nominations must reach the office of **(name and function, precise address of office)** by 12 noon on **(specify date)**.

Further information and nomination forms are available from **(name, function and precise address of office if not already given, telephone extension)** to whom all enquiries should be directed. Nomination forms are also available at **(relevant web site)**. Each nomination form may be accompanied by an electoral statement from the candidate of no more than 200 words, stating why the candidate is a suitable representative to serve on Council. An electronic copy of any such statement must also be submitted to **(name, function and precise address of office if not already given, telephone extension)**

**(Date)**.....

**(Signature)**.....

University Secretary

**SCHEDULE B TO REGULATION 2.1.R1  
(Section 2)  
(Year)**

THE UNIVERSITY OF MELBOURNE  
Election to Council by **(brief description of relevant electorate)**

The University Secretary,  
The University of Melbourne.

We.....  
.....Proposer  
and.....  
.....Secunder  
**(insert full names, addresses and qualifications in block letters)**

being eligible to vote in the election of **(number)** member(s) of Council elected by **(brief description of relevant electorate)** to be completed on **(election date)** hereby nominate thereto

.....  
.....  
**(insert full name, address and qualifications of nominee in block letters)**

.....  
(Signature of Proposer)

.....  
(Signature of Secunder)

.....  
Date

I consent to the above nomination

.....  
Date (Signature of Nominee)

This nomination form must reach the office of **(name and function)**, **(precise address of office as on Call for Nominations)** by 12 noon on **(specify date)**.

**SCHEDULE C TO REGULATION 2.1.R1  
(Section 4)  
(Year)**

THE UNIVERSITY OF MELBOURNE

Election to Council by **(brief description of relevant electorate)**

*Notice of Ballot*

Notice is hereby given that a ballot is to be held for **(number)** member(s) of Council elected by **(brief description of relevant electorate)**.

Voting will close at 5-00pm on **(election date)**.

All **(relevant electorate as defined in the Act and the statute)** may vote in this election. The following nominations have been received:

**(Full names of nominees in alphabetical order of surnames).**

Any person eligible to vote may vote electronically at **(insert relevant web site)**. Hard copy voting papers will be sent to all eligible staff who are on leave. Staff eligible to vote who cannot access the voting web site may obtain voting papers by application in writing (including e-mail) received by **(name and function, precise address of office)** at least seven days before the close of voting, or by application in person to **(name and function, precise address of office)** in office hours before the close of voting, together with such proof of eligibility as may be required. (For an election by students, add: polling booths, at which voting papers will also be available, will be established at **(indicate places and times precisely)**).

(Date).....

(Signature).....

University Secretary

**SCHEDULE D TO REGULATION 2.1.R1**  
**(Section 8)**  
**(Year)**

THE UNIVERSITY OF MELBOURNE

Election of **(number)** member(s) of Council elected by  
**(brief description of relevant electorate)**

*Ballot Paper*

The following qualified persons have been nominated and the order of listing of their names has been determined by lot:

- Chisholm, Caroline
- Austen, Jane
- Phillip, Arthur
- Brunel, Isambard Kingdom
- Curie, Marie
- Wollstonecraft, Mary
- Curtin, John
- Roosevelt, Franklin Delano
- Deakin, Alfred
- Melba, Nellie

Indicate the order of your preference by putting the numbers 1, 2, 3 and so on in the squares opposite the names of such persons as you think fit in such order as you think fit, the lowest number having the highest preference. It is not necessary to put a number in every square. No number may be used more than once.

Any number opposite a candidate's name will indicate a preference over any other candidate opposite whose name is shown no number or a higher number.

**SCHEDULE E TO REGULATION 2.1.R1  
(Section 8)  
(Year)**

THE UNIVERSITY OF MELBOURNE

Election to Council by **(brief description of relevant electorate)**

The University Secretary,  
The University of Melbourne

I the undersigned.....

.....  
**(insert full name and address in block letters)**

declare that I am a **(brief description of member of relevant electorate)** in that **(insert brief and precise details of present course, or staff position, as the case may be)** and that at the election to be completed at 5-00pm on **(election date)** I do hereby vote as shown on the enclosed ballot paper. I declare that I have not voted on the electronic voting web site.

.....”  
(Date) (Signature)