Proposed Constitutional Amendment – Electoral Regulations

Section 6.6 (Election of the Committee) (if the proposed constitutional amendment “Constitution of the Committee” does not pass)
Replace the section with:

"Unless otherwise prescribed by a resolution under Section 6.3, committee members are to be elected in accordance with the provisions of Schedule 1.”

Section 6.6 (Election of the Committee) (if the proposed constitutional amendment “Constitution of the Committee” does pass)
Replace the section with:

"Unless otherwise prescribed by the Committee By-Laws, committee members are to be elected in accordance with the provisions of Schedule 1.”

Section 6.10 (Filling of vacancies)
Replace the words:

“The Committee has the power to fill any vacancies in the Committee that may occur between elections.”

with:

“Any vacancies in the Committee that occur between elections shall be filled in accordance with the provisions of Schedule 1.”

Section 6.12 (Removal of Committee member)
Replace the words: “fill the resulting vacancy in accordance as if conducting an election at the AGM” with “fill the resulting vacancy in such manner as it sees fit”.

The Australian National University
Computer Science Students' Association

ORDINARY GENERAL MEETING
8 August 2013
Schedule 1 - Electoral Regulations

S1.1 Application of Electoral Act 1992 (ACT)

In this Schedule, the Act means the Electoral Act 1992 (ACT) as in force on 8 August 2013. Any reference to any electoral officer in the Act shall be a reference to the Returning Officer appointed under section S1.2.

S1.2 Returning Officer

(1) For each election, the Committee shall appoint a Returning Officer who will not be a candidate at the election.

(2) In the event that the Returning Officer is unable to perform their duties in the period before the AGM, the Committee shall appoint a new Returning Officer.

(3) In the event that the Returning Officer is unable to perform their duties at the AGM, or a motion to remove the Returning Officer is carried at the AGM, the meeting shall appoint a new Returning Officer from members present.

S1.3 Nominations

(1) Nominations shall be made in the form prescribed by the Committee or the Returning Officer. Candidates shall nominate themselves, and no seconder is required.

(2) The Returning Officer shall open nominations at least 7 days prior to the AGM, and shall set a time for close of nominations no earlier than 3 days after opening nominations. Written notice of the opening and closing times for nominations shall be provided to all members via email.

(3) The Returning Officer shall reject any nominations which appear to be false, ineligible for the positions nominated for, or lodged after the close of nominations (unless in exceptional circumstances). The Returning Officer shall reject any incomplete nominations, but may assist the candidate to complete their nomination correctly and accept the completed nomination after the close of nominations.

(3) A candidate may withdraw their nomination at any time up to and including the AGM.

(4) If a candidate nominates for multiple positions being decided at the same election, they shall list their order of preference for their preferred position in the event they win more than one of the positions.

(5) In the event that there are insufficient nominations for a position or set of positions by the close of nominations, the Returning Officer shall, if practicable, either extend the close of nominations or call for nominations at the AGM immediately before the election. If it is impracticable to do this, the AGM may
appoint members to the positions after the election.

S1.4 Conduct of election

(1) The election shall be conducted by the Returning Officer with such assistance as they deem necessary.

(2) The taking of votes shall be conducted by secret ballot and may be conducted either on paper, or using a program approved by the Returning Officer.

(3) The counting of votes may be conducted either by hand, or using a program approved by the Returning Officer.

S1.5 Eligibility to vote

The Returning Officer shall ensure to the best of their ability that only members eligible to vote cast a vote.

S1.6 Casting and counting of votes

(1) Votes shall be cast in accordance with section 132 of the Act and counted in accordance with Schedule 4 to the Act as if they were votes for an election to the Legislative Assembly for the Australian Capital Territory.

(2) In the event that the results of the count show that a candidate is elected to more than one position, they shall be elected to whichever of those positions is ranked highest on their list of preferences given under section S1.3(4), and the votes for any lower-ranked positions shall be recounted with the candidate excluded. This process shall be repeated if necessary until no candidates are elected to more than one position.

S1.7 Results of election

The Returning Officer shall release the names of the members elected as soon as possible after the counting of votes.

S1.8 Disputes

Any disputes regarding the results of the election may be dealt with at a general meeting. In the event of violations of these regulations or other misconduct or unfair behaviour that may have affected the result of an election, a general meeting may, by resolution carried by a three-quarters majority, declare the results of the election to be void, and a new election shall be held in accordance with the resolution.

S1.9 Casual Vacancies

(1) In the event of a casual vacancy arising on the Committee, the Committee may:
   • appoint a member to fill the vacancy
   • conduct a recount of the previous AGM’s ballot papers
   • conduct a by-election

(2) A member may only fill a casual vacancy if they continue to be eligible to be elected to the position for which the vacancy has arisen.

(3) A recount of the previous AGM’s ballot papers shall be conducted in
accordance with Part 4.3 of Schedule 4 to the Act. The Secretary shall ask the unsuccessful candidates from the previous AGM’s election for the relevant position whether they wish to be a continuing candidate for the recount, and shall conduct the recount as the Committee directs.

(4) If a by-election is conducted at a general meeting, these regulations apply to the general meeting as if it were an AGM. If a by-election is not conducted at a general meeting, it shall be conducted as the committee directs, and may be conducted via an online, electronic or paper ballot system as directed by the committee.