Sydney University Postgraduate Representative Association (SUPRA) Electoral Regulations

A. Preamble

Name of Regulations

These are the Sydney University Postgraduate Representative Association (SUPRA) Electoral Regulations.

Commencement

These regulations commenced on 23 August 2011.

Regulations are binding

These regulations bind SUPRA, its Council, members, and staff.

Statement of intent

These regulations:

a) support the SUPRA Constitution ('the Constitution') and shall not be interpreted so as to contravene the Constitution;

b) cover the Annual General Election and any Supplementary Elections for the election of General Councilors and Equity Officers;

c) cover any elections for the offices prescribed under section 10 of the Constitution;

d) may be used for any other election held during the year.

B. Regulations

1. Definitions

1.1 The definitions set out in the Constitution shall apply to these regulations.

1.2 In addition, for the purposes of these regulations:

1.2.1 **Electoral Meeting** means any meeting that includes in its agenda the election of one or more positions.

1.2.2 **Equity Election** means any election for a position of Equity Officer through an equity network and includes both Equity Elections and Equity By-elections as defined in the Constitution.

1.2.3 **Nominator** means any person nominating a Candidate.

1.2.4 **Ticket** means a slate of Candidates running together in the election, under one Ticket name.

2. Returning Officer

2.1 Duties and Powers

2.1.1 The Returning Officer shall:

a) ensure the fair and efficient conduct of the election;

b) act in a fair and impartial manner at all times;

c) act in accordance with and apply the provisions of the Constitution and these regulations;

d) not be a Candidate or Nominator of a Candidate;

e) be responsible for securing a location at which to conduct the count;

f) ensure that all ballots received are stored securely until the counting of votes begins; and

g) in the case of the General or Supplementary Elections be independent of SUPRA and its staff.

2.1.2 The Returning Officer shall observe the schedule of election set out in section 4 of these regulations to ensure that all phases of the Election are conducted at proper intervals.

2.1.3 The Returning Officer shall reject any nomination which:

a) has not been delivered to the designated address by the date and time specified in the notice of election; or

b) does not comply with the Constitution or these regulations.

2.1.4 If the Returning Officer rejects any nomination, they shall immediately notify the Candidate of that decision and provide the reasons for rejection within two (2) calendar days of their decision.

2.2 Appointment

2.2.1 The Returning Officer for General and Supplementary Elections shall be an external person approved by a motion of Council:

a) with their appointment to begin no later than the 7th of March for the General Election and their re-appointment to begin no later than the 30th of April for any Supplementary Election required to be held at the Annual General Meeting; or

b) appointed no later than twenty-eight (28) calendar days prior to an Extraordinary General Meeting; or

c) appointed no later than twenty-eight (28) calendar days prior to any Supplementary Election other than that conducted at the Annual General Meeting; or

d) appointed during any meeting of Council for an election to fill casual vacancies; or

e) appointed during any meeting of an Equity network for the election of their Equity Officer. The Returning Officer for an Equity election shall be of that Equity Network.

2.2.2 At the same time that a Returning Officer is approved for appointment, an Electoral Arbiter shall be approved for appointment, whereby the Electoral Arbiter is subject to the same conditions as the Returning Officer under paragraphs 2.1.1 a) to d) inclusive, and paragraph 2.1.1 g) of these regulations.

2.2.3 Council shall ensure that the Returning Officer has the necessary resources, administrative, and technological support to ensure that the election is conducted efficiently.

3. Electoral Organiser

3.1 An Electoral Organiser shall be appointed by Council to act as a logistical coordinator between the Returning Officer, Candidates, and SUPRA Council.

3.2 The Electoral Organiser will be appointed from the staff of the SUPRA office to ensure that the Electoral Organiser will remain neutral in the election. A person appointed as Electoral Organiser must not have a conflict of interest with any of the Candidates.

4. Schedule of Election

4.1 Timing of the Election

4.1.1 The schedule of election for any Council term shall take place between the months of March and May immediately preceding that term's commencement.

4.1.2 The General Election shall commence no earlier than the Monday of the second week of the first semester as stipulated for the main campus Masters' degrees and postgraduate diplomas.

4.1.3 The General Election shall conclude at the end of the announcement of results by the Returning Officer at the Annual General Meeting that year.

4.2 Phases of the Election

4.2.1 The schedule of the General Election shall be conducted across suitable time intervals, which shall include:

a) fourteen (14) calendar days between the notice of nominations and close of nominations;

b) two (2) days between the close of nominations and announcement of Candidates;

c) in the case of postal voting:

i) seven to fourteen (7 – 14) days between the announcement of Candidates and the issue of postal ballots; and

ii) sixteen (16) calendar days between the issue of postal ballots and the close of polling;

d) two (2) days between the opening of polling and the close of polling;

e) fourteen to twenty-one (14 – 21) days between the close of polling and the day of the Annual General Meeting;

f) where possible, the SUPRA General Election should avoid overlapping with the USU Board election, and Council should take steps to prevent this overlap to the best of its ability.

4.3 Schedule for Equity Elections

4.3.1 All Equity Elections must be held one (1) week after the notice of Equity Elections, and conclude before the completion of the General Election.

4.3.2 Those intending to run for Equity Officers must indicate their nomination for an equity position.

4.3.3 Any Equity Election that has been duly called, but failed to convene and elect an Equity Officer, shall satisfy the requirements of paragraph 7.1.7 b) of the Constitution as having been held.

5. Notice of Election

5.1 Constitutional Requirements

5.1.1 Notices of election must comply with the requirements set out in the Constitution.

5.2 Drafting of Notices

5.2.1 The President or Secretary, or their delegated authority from amongst the Executive, shall draft a notice of the General or Supplementary Election, which shall be approved by the Returning Officer.

5.2.2 The President or relevant Equity Officer shall draft a notice of any Equity Election.

5.2.3 The notice of any election shall contain at least the following information:

a) the number of positions to be elected;

b) criteria for who is eligible to nominate and vote;

c) where nomination forms may be obtained;

d) where a copy of these regulations may be obtained;

e) the means through which nominations will be accepted;

f) when nominations will open, close, and who they

need to be returned to; and

g) the process and timing for voting for Candidates;

h) the electoral system under which the votes will be counted;

i) when the outcome of the election will be declared; and

j) who will declare the outcome of the election.

5.2.4 The notice of the election will inform the postgraduate student body that they must be SUPRA members in order to vote in the election, and will inform students how they can become members of SUPRA. In the case of electronic and/or postal voting, it will also inform students that only students who have become SUPRA members by the close of nominations will receive a ballot and it will inform students how they can become members of SUPRA.

5.3 Publication of Notices for all Elections

5.3.1 Notices of General and Supplementary Elections shall be published as prescribed in the Constitution.

5.3.2 Notices of Equity Elections shall be:

a) advertised through the relevant Equity Networks;

b) circulated via email to all members of SUPRA who are also members of that Equity network;

c) may be published through relevant Equity student groups or publications across campus.

6. Nomination for Election

6.1 Calls for Nominations

6.1.1 Calls for nominations are subject to the requirements of the Constitution.

6.1.2 A call for nominations may be requested from the Floor during the Electoral Meeting for Equity Elections, casual vacancies, and vacant positions where a call for nominations or deadlines for the close of nominations were not published.

6.2 Closed Campus Elections

6.2.1 The General Election is a closed campus election:

a) only SUPRA members can run in the SUPRA elections;

b) only members who can vote in the SUPRA elections can campaign for themselves, or for other SUPRA Candidates. Hence, undergraduate students may not assist or be requested to assist;

c) only SUPRA members can donate money to a Candidate or a Ticket;

d) only SUPRA members can donate material and help with on ground support and public representations;

e) individuals campaigning for a Candidate, a group of Candidates, or a Ticket must be able to provide evidence to the Returning Officer that they are currently enrolled at the University as postgraduate students;

f) a current and valid student card accompanied by a certificate of enrolment or other document evidencing current postgraduate enrolment from Sydney Student is sufficient evidence for proof. Other evidence will be accepted at the discretion of the Returning Officer;

g) the Candidate or group of Candidates on whose behalf any non-postgraduate student from the University was campaigning for, may be held responsible at the discretion of the Returning Officer;

h) Persons who are not post-graduate students at the University cannot engage or assist with campaigning on behalf of SUPRA Candidates. This includes;

    i) assisting or promoting a Candidate or Ticket by speaking publicly, distributing leaflets, wearing campaign t-shirts or other paraphernalia, and fundraising or providing Candidates with revenue; and

    ii) participating in any other form of campaigning which violates this section.

i) Candidates are protected from the following;

    i) no-one will be punished for privately giving or receiving advice, provided any such advice is not provided on any social media platform or otherwise online, other than through private email correspondence;

    ii) no-one will be punished for privately promoting a

friend in a private space, provided any such promotion is not undertaken on any social media platform or otherwise online, other than through private email correspondence;

iii) no-one will be punished for receiving unsolicited online support; and

iv) no-one will be punished for giving or receiving logistical support.

6.2.2 The Returning Officer shall caution any Candidate found to be in breach of this section and may take discretionary action against the Candidate including disqualification from the election. The Returning Officer will have regard to the seriousness of the breach and level of fault of the Candidate in making their decision.

6.3 Candidate Eligibility

6.3.1 Eligibility for nomination is subject to the requirements set out in the Constitution.

6.3.2 Candidates who nominate from the Floor shall only be eligible:

a) when they are present at the Electoral Meeting; or

b) have provided suitable apologies and notified the Chair or Secretary in writing of their intention to nominate.

6.4 Nomination Forms

6.4.1 Nominations for any Election to Council shall be made on the appropriate SUPRA nomination form.

6.4.2 Nomination forms shall be available from the day on which the Notice of the election is published.

6.4.3 Nominations shall be accepted at:

a) a locked box located at the SUPRA offices; or

b) the Returning Officer's direct e-mail account and/ or fax number;

c) other locations specified by the Returning Officer in the election notice.

6.4.4 Nomination forms for all Candidates shall:

a) include written instructions which clearly define the eligibility requirements for a Candidate and

their Nominators;

b) be signed by no fewer than two (2) Nominators, and can be signed by up to four (4) Nominators, who must all be SUPRA Members;

c) be signed by no more than four (4) nominators so two (2) back-up Nominators can exist;

d) include space for Candidate statements;

e) include a disclosure statement informing Candidates of their responsibilities in sitting on the governing body of a non-incorporated association; and

f) be typewritten or written legibly.

6.4.5 If the Returning Officer discovers information on the nomination form that renders the Candidate ineligible, the Returning Officer will grant the Candidate one opportunity of two (2) calendar days to fix the form.

6.5 Tickets

6.5.1 Nominations may be presented as a Ticket for any election.

6.5.2 Tickets should be comprised of no less than two (2) Candidates, and no more than fifteen (15) Candidates.

6.6 Ticket Naming Policy

6.6.1 Ticket names must:

a) be between one (1) and five (5) words;

b) not include the SUPRA name, logo, brand, trademark, or colour scheme;

c) not include explicitly known brands (such as products, movies, or other copyrighted material) in their names;

d) not include or allude to any concept that is discriminatory, defamatory or generally offensive.

6.6.2 Should the Returning Officer deem any Ticket name unsuitable, then the members on that Ticket shall have two (2) calendar days to change the name, failing which they will lose the opportunity to run on a Ticket with a name.

7. Quorum for Electoral Meetings

7.1 Supplementary Elections

7.1.1 The quorum for any Supplementary Election shall be the quorum for that Annual General Meeting or Extraordinary General Meeting as prescribed in the Constitution.

7.2 Equity Elections

7.2.1 The quorum for any election of an Equity Officer at a meeting of their Equity network shall be:

a) five (5) members who identify as women to elect the Women's Officer;

b) five (5) Members who are international students to elect the International Student Officer;

c) five (5) Members who identify as queer to elect the Queer Officer;

d) three (3) Members who identify as Aboriginal and/or Torres Strait Islander to elect the Aboriginal and Torres Strait Islander Officer;

e) three (3) Members who have a disability to elect the Disability Officer;

f) three (3) Members who study at a Satellite campus to elect the Satellite Campus Officer.

8. Statements of Candidates

8.1 Candidate and Ticket Written Statements

8.1.1 Candidates and Tickets shall be required to provide either a written statement with their nomination, or in the case of nominating from the floor, a spoken statement with their nomination.

8.1.2 Written statements from:

a) Tickets are to be no more than two hundred (200) words outlining a platform and intention;

b) Candidates running on Tickets are to be no more than one hundred (100) words, briefly stating their background, platform, and reason for running;

c) Candidates running independently are to be no more than two hundred (200) words outlining their background,

platform, intent and reason for running.

8.1.3 All written statements shall be:

a) received from Candidates and Tickets before the close of nominations;

b) submitted to the Returning Officer at the postal or electronic address specified by them on the nomination form;

c) organised by the Returning Officer who will collate the Candidate statements with their Ticket statements, where applicable, and make them available; and

d) in the case of postal voting, included with the ballots if the Returning Officer deems it cost effective to do so.

8.1.4 All written statements shall be made available:

a) online on the SUPRA website at least three (3) days before any Electoral Meeting; or

b) online on the SUPRA website at least ten (10) days before the opening of polling;

c) in the case of in-person voting, in hard copy at the polls for voters to browse;

d) in the case of electronic voting, by provision of the website where the statements may be obtained;

e) in the case of postal voting, either by inclusion with the ballots, or where the Returning Officer has deemed it not cost effective to do so pursuant to paragraph 8.1.3 d) of these regulations, by the inclusion of a one page statement with the postal ballot stressing the importance of the statements and including where to find them online.

8.2 Candidate Spoken Statements

8.2.1 If the Candidates are not required to provide a written statement, they shall be granted an opportunity to provide spoken statements at the relevant Electoral Meeting where Candidates may nominate from the floor.

8.2.2 The Chair of any Electoral Meeting may allow for Candidates to give a spoken statement where:

a) necessary for the purposes of the election; or

b) upon the request of the membership of the Electoral Meeting.

8.2.3 The time available for Spoken Statements and relevant questions at any Electoral Meeting shall be no greater than

five (5) minutes per Candidate.

8.2.4 The method of questioning shall be determined by the Electoral Meeting or its Chair and shall:

a) be fair and equitable for all Candidates; and

b) provide a reasonable opportunity for all Candidates to reply to questions directed to them.

9. Preparation and Distribution of Ballots for the General Election

9.1 Preparation of Ballots

9.1.1 Council shall determine what kind of ballot method or combination of ballot methods to use prior to the call for nominations.

9.1.2 The Returning Officer or their Candidate must prepare ballots and notification of how to access a secure voting system that contains:

a) unambiguous instructions for completing the ballot, in clear English;

b) the names of all Candidates for election, arranged in an order determined by drawing lots; and

c) the name of the Ticket on which a Candidate is running, if any.

9.2 Distribution of Ballots and Electronic Notification

9.2.1 The Returning Officer or their Candidate must distribute to eligible voters a ballot or notification of how to access a secure electronic voting system, provided that:

a) eligible voters must be SUPRA members prior to the close of polling;

b) the Returning Officer must receive the list of SUPRA members from the Electoral Organiser, and a copy of the enrolled postgraduate students from the University;

c) the Returning Officer must confirm the eligibility for current SUPRA membership of each of those on the list of SUPRA members on the 5th day following the close of nominations;

d) in the case of in-person voting, two (2) days of on-campus voting must be allowed;

e) in the case of in-person voting, any person eligible for membership of SUPRA who becomes a member prior to the close of polling in a General Election shall be eligible to receive a ballot in that election;

f) in the case of electronic voting, notice of how to access a secure electronic voting system will only be distributed to those who have that status at the time the notice of access is issued.

g) in the case of postal voting, ballots will only be distributed to eligible voters who have that status at the time postal ballots are issued.

9.2.2 The Returning Officer or their Candidate must distribute to eligible voters a notice describing:

a) how the ballot must be completed;

b) the date and time by which the ballot must be returned to the Returning Officer or the electronic voting system completed;

c) in the case of postal voting, the address where the ballot is to be returned to the Returning Officer;

d) in the case of electronic voting, the website from which Candidates' and Ticket statements may be obtained or in the case of in-person voting a paper copy of Candidates' and Tickets' statements;

e) a declaration form requiring the voter to state their name and that they are eligible to vote;

f) in the case of postal voting, two (2) envelopes, one marked 'Voting Paper' and the other a reply paid returning envelope addressed to the Returning Officer.

10. Ballots

10.1 Ballot Method

10.1.1 A ballot shall be considered distinct from motions and general voting of Council, such that where a ballot is conducted during a meeting, the Chair shall be allowed to vote in the ballot in the manner of an ordinary member of the meeting.

10.1.2 The method of voting and counting the ballots shall be by single transferable vote as set out in Schedule 1 of the Constitution, with optional marking of preferences.

10.2 Remote Ballots

10.2.1 Where a postal ballot has been distributed, but has been lost, stolen or damaged, an individual can request a replacement ballot, and the Returning Officer shall ensure that a replacement ballot is sent expediently.

10.2.2 Where an in-person voting system is used, the Returning Officer is to offer a postal vote to all members by application, to ensure that access is made available to as many eligible voters as possible.

10.2.3 Where an electronic voting system is used, the Returning Officer is to ensure the secure hosting of the ballot, and the collection of the results in a manner that reduces fraudulent voting.

10.3 Informal Elections

10.3.1 Excepting for the General or Supplementary Election, any other Electoral Meetings shall hold a ballot in a manner determined by the meeting excepting that all ballots shall:

a) be conducted in secret;

b) be presided over by the appointed Returning Officer;

c) be conducted using the optional preferential system of voting; and

d) include a 'No Candidate' option.

10.4 Polling Booths

10.4.1 In the case of in-person voting:

a) polling booths for voting shall be set up and staffed from 11am to 7pm on each day of polling;

b) at least one polling booth shall be set up in or as close as possible to the SUPRA offices, and Council may set other voting booths up as appropriate;

c) a day of polling may not be a Saturday, Sunday or a Public Holiday;

d) polling days must be at a time when Coursework students are on campus.

10.5 Return of Postal Ballots

10.5.1 Postal ballots must be returned by post, or be delivered to the Returning Officer such that the Returning Officer shall receive it no later than the closing date for ballots specified in the electoral notification issued by the Returning Officer.

10.5.2 Postal ballots must be sealed by two envelopes, where:

a) the inner envelope encloses the ballot, and is itself labelled 'Voting Paper'; and

b) the outer envelope encloses the inner envelope and contains a signed declaration of the eligibility of the voter.

11. Counting and Scrutiny of Votes

11.1 Counting of Votes

11.1.1 The Returning Officer shall commence the counting of the first preferences of any election when:

a) the ballot boxes have been opened; or

b) when the electronic votes have been accessed.

11.1.2 The Returning Officer shall devise a method of clearly labelling parcels of votes transferred at each count.

11.1.3 A ballot shall be accepted as formal if it:

a) is legible;

b) is authorised in a verifiable way by an eligible voter;

c) expresses a preference for at least one Candidate.

11.1.4 In the case of a paper ballot, the signature of its voter shall verify the ballot.

11.1.5 In the case of an electronic ballot, a unique login and password of its voter shall verify the ballot.

11.1.6 For any ballot demonstrating preferential voting to be formal it must:

a) express a preference for as many of the Candidates as have been nominated; and

b) express an order of preference with numbers in a descending order of preference for Candidates starting from one (1) onwards.

11.1.7 In the instance that a ballot using preferential voting does not meet the requirements of a formal ballot pursuant to subclause 11.1.6 of these regulations, the first preference shall be considered formal and recognised to the extent that the voter's intention is clear.

11.1.8 In the instance that a ballot contains ticks, crosses, or other markings, the vote shall not necessarily be considered informal, and shall be recognised to the extent that the voter's intention is clear.

11.2 Scrutiny of Votes

11.2.1 Each Candidate shall be entitled to have a Scrutineer present through the counting of votes.

11.2.2 Scrutineers must:

a) be notified to the Returning Officer; and

b) not be Candidates for the election.

11.2.3 Scrutineers may:

a) ask to see any ballot;

b) challenge the inclusion or exclusion of any ballot.

11.2.4 Scrutineers shall not:

a) physically handle or interfere with any ballot;

b) cause any undue noise, disturbance or obstruction during the counting of the votes.

11.2.5 Scrutineers who are in persistent contravention of subclause 11.2.4 of these regulations shall be excluded from the counting room.

12. Declaration of Elections

12.1 Being Declared Elected

12.1.1 The Returning Officer shall issue the declaration of Candidates, their Nominators, and the name of their Ticket, if any:

a) no later than forty-eight (48) hours after the close of nominations; but

b) before any Electoral Meeting or the opening of polling.

12.1.2 The Returning Officer shall issue the declaration of election results no later than forty-eight (48) hours

after the close of a ballot or polling.

12.2 Election by Default

12.2.1 If the number of valid nominations is equal or less than the number of vacancies in a General or Supplementary Election, the Returning Officer shall declare those Candidates(s) duly elected.

13. Forbidden Practices

13.1 Fraudulent Conduct

13.1.1 A person shall not engage in any dishonest practice in relation to an election.

13.1.2 A person, in relation to an election, shall not make, cause or permit anything to be printed, published or distributed containing a statement that is:

a) untrue, misleading or deceptive;

b) discriminatory or offensive;

c) misrepresents or defames the personal character or conduct of a Candidate.

13.1.3 A person shall not:

a) vote more than once in the same election;

b) record a vote to which they are not entitled.

13.2 Candidate and Campaign Conduct

13.2.1 During the campaign:

a) Candidates and/or Tickets shall not plagiarise in their campaign correspondence and materials;

b) Candidates and/or Tickets may not act in ways that defame, discriminate or vilify.

13.3 Misconduct

13.3.1 A person shall not:

a) interfere with any ballot without the consent of the Returning Officer; or

b) hinder the Returning Officer, Electoral Organiser, or any other

person appointed to assist the Returning Officer in the execution of their duties.

13.3.2 No person shall damage or deface any public or private property whether inside or outside the University for the promotion of any Candidate or any Ticket in any election.

13.3.3 For the purposes of subclause 13.3.2 of these regulations, damage or defacement shall be taken to include stickers, posters and chalking which cannot be removed with water, and shall include spaces inside or outside of buildings, steps, handrails, footpaths, trees, poles, bins, signs or any part of the University and its surrounds or any place outside the University not specifically set aside for such purposes.

13.3.4 No person shall remove any promotional material of another Candidate and/or Ticket where it has been placed in accordance with subclause 13.3.3 of these regulations and University regulations.

13.3.5 No person shall hide or cover the promotional material of another Candidate and/or Ticket where it has been placed in accordance with subclause 13.3.3 of these regulations and University regulations.

13.3.6 A person shall not engage in physical or verbal intimidation (particularly abuse of a racist, sexist, ageist, or homophobic nature) of Candidates, campaigners or electoral staff during the election.

13.4 Expenditure of Election

13.4.1 No Candidate shall incur, or cause to be incurred, expenditure exceeding one hundred dollars ($100) for any purpose in connection with the Election.

13.4.2 Candidates must include all donations, contributions and gifts to them, except labour, as expenditure.

13.4.3 Donations, contributions, and gifts, except paper and printing, are to be valued at their cost of purchase in the general market.

13.4.4 Donations, contributions, or gifts of paper and printing are deemed to cost the rate charged by the general market.

13.4.5 A person may be required by the Returning Officer to provide evidence that the total expenditure which they have incurred, or caused to be incurred, did not exceed the relevant limit under this clause 13.4 of these regulations.

13.5 Election Materials

13.5.1 Any publication commenting in any way on any election held under these regulations shall carry on it the name, faculty and year of enrolment of the person authorising and taking responsibility for it.

13.5.2 No SUPRA resources may be used in the production of Candidates' or Tickets' election material, and shall include, but not be limited to computers, photocopiers, duplicators, fax machines, telephones, stationery, in any of the SUPRA or other student organisation offices.

13.5.3 No election material relating to Candidates and/or Tickets may:

a) be stored (that is, left unattended), or made visible on the premises of SUPRA; or

b) be distributed in the Fisher Library. Candidates must request permission from the relevant Librarian to distribute electoral materials in other University Library branches.

13.6 Breaches of Conduct

13.6.1 The Returning Officer may investigate any alleged offence with a view to establishing the facts of the matter.

13.6.2 The Returning Officer may deal with any offence as they see fit, including disqualifying Candidates.

13.6.3 If the Returning Officer forms the opinion that these regulations have been breached, but no person has alleged the specific breach in question, the Returning Officer may personally write an allegation of the breach.

13.6.4 If written questions are given to any person in the course of any formal enquiries under this clause 13.6 of these regulations, written answers to all of the questions must be submitted to the Returning Officer within forty-eight (48) hours of receipt of the written questions.

13.6.5 Any Candidate who knows of, consents to, commits, aids, or abets a breach of this clause 13.6 of these regulations shall be liable to be disqualified from the election and from any further election to any position or any office of SUPRA for a period of eighteen (18) months following such a breach.

13.6.6 Where a person is alleged to have breached paragraphs 13.1.2 a) and/or 13.1.2 b) of these regulations they shall have a legitimate defence to that allegation if they can prove that they did not know and could not reasonably have been expected to have known that the statement contained content proscribed under said paragraphs.

13.6.7 Where a person is alleged to have breached paragraph 13.1.2 c) of these regulations they shall have a legitimate defence to that allegation if they can prove that they had reasonable grounds for believing and did in fact believe the statement made or published by them to be true.

13.6.8 Where a Candidate or a person working on that Candidate's campaign and/or the campaign of their Ticket, is alleged to be have breached any of the provisions of clause 13.2 of these regulations, the Returning Officer may disqualify that Candidate and/or all Candidates running on that Ticket.

14. Arbitration of the Election

14.1 Electoral Arbitration

14.1.1 The Returning Officer is expected to make decisions, but any Candidate can appeal against the Returning Officer's decision to the Electoral Arbiter. Should the matter concern the Returning Officer then the Candidate should refer the matter directly to the Electoral Arbiter.

14.1.2 If a complaint is lodged with the Returning Officer, they may elect to refer the matter to the Electoral Arbiter. Should the matter concern the Returning Officer, the matter is to be referred directly to the Electoral Arbiter by the Returning Officer.

14.1.3 The Electoral Arbiter shall have seven (7) calendar days to dismiss the claim as frivolous or vexatious.

14.1.4 The Electoral Arbiter shall have seven (7) calendar days to schedule a time to meet with the complainant, the respondent, and any other person who they deem necessary.

14.1.5 The Electoral Arbiter will provide a report (which shall include their findings, and any action taken or recommended pursuant to paragraph 14.1.6 e) of these regulations) directly to a General Meeting of SUPRA members which shall be scheduled to be held at a time no later than thirty (30) calendar days after the matter was referred to the Electoral Arbiter.

14.1.6 Upon hearing the complaint, the Electoral Arbiter shall be able to take any one or more of the following actions:

a) dismiss the complaint;

b) rule in favour of the complainant and overturn any decision made regarding the matter, including overturning the result of the election;

c) dismiss the Returning Officer, and/or any deputies, and/or

any election assistants;

d) appoint a replacement Returning Officer;

e) make recommendations on any other action which the Electoral Arbiter deems appropriate.

14.1.7 The decision of the Electoral Arbiter with respect to any actions taken pursuant to paragraphs 14.1.6 a) to 14.1.6 d) inclusive of these regulations is final and shall be confirmed by the General Meeting following the provision of the report of the Electoral Arbiter pursuant to subclause 14.1.5 of these regulations.

14.1.8 The General Meeting will consider any recommendations made by the Electoral Arbiter pursuant to paragraph 14.1.6 e) of these regulations and make a decision regarding any action that should be taken by Council.

14.1.9 In the event there is an appeal relating to any decision made at the General Meeting pursuant to subclause 14.1.8 of these regulations, the Councilors hearing and determining the appeal shall be bound by the same clause 14.1 of these regulations as the Electoral Arbiter.

NOTES

SUPRA Electoral Regulations

Date ratified by Council:	23 August 2011
Date commenced:	23 August 2011
Date last amended:	28 January 2021
Administrator:	Vice-President, SUPRA
Review date:	28 January 2022

Amendment History

Dates amended:

1. 17 July 2013
2. 8 September 2014
3. 10 December 2014
4. 15 June 2015
5. 14 March 2017
6. 18 March 2020
7. 28 January 2021