



Tasmania University Union Inc.

Election Policy

Responsible Officer: Executive Officer
Approved By: Board of Management
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1. Background

The Tasmania University Union (TUU) holds annual student representative elections in semester 2 each year to elect positions on State Council and Subsidiary Councils for the following year as per the TUU Constitution and Regulations. This election is normally conducted by a manual ballot with the Tasmanian Electoral Commission (TEC) as returning officer.

A by-election may be held at any time during the year to fill vacant positions. The BigPulse on-line ballot system engaged by the University of Tasmania (UTAS) has been utilised in recent years to conduct any by-elections held.

2. Objective

The objective of this policy is to:

- Provide a framework to ensure a fair and equitable election for all candidates, irrespective of their decision to run as part of a ticket or independently, and their conditions of access to financial and other resources to assist with campaigning.
- Communicate clearly to candidates and their campaigners, election rules and consequences for breaching these rules.

3. Scope

This policy applies to:

- a) TUU student representative council candidates and their campaigners;
- b) Candidates and campaigners in other elections approved by the TUU Board of Management to be held in conjunction with TUU elections;
- c) Currently enrolled University of Tasmania students; and
- d) TUU election officers.

during the running of annual student representative elections and any subsequent by-elections.

4. Election Officers

The TUU Board of Management shall appoint the following:

- a) Returning Officer
 - may be internally appointed as per the TUU Constitution or outsourced.
 - Tasmania Electoral Commission (TEC) may be engaged as returning officer, however their functions and powers are limited to, and governed by Section 9 of the Electoral Act 2004. If engaged as returning officer their role would therefore be to accept nominations and conduct the ballot in accordance with the TUU Constitution and TUU Regulations.

- b) TUU Electoral Officer
 - Chair of TUU Election Tribunal
- c) TUU Election Tribunal
 - Appointed to receive complaints, investigate alleged breaches of electoral rules and determine appropriate disciplinary action.
 - Shall consist of TUU Electoral Officer, TUU Assistant Electoral Officer, and at least one other from a pool of appropriately skilled persons approved by the TUU Board of Management.
 - members of the tribunal selected to hear any particular complaint must declare any conflict of interest, in which case an alternate member of the tribunal pool will be selected to hear the complaint.

5. Election Procedures

Reference should be made to the TUU Constitution Part V and the TUU Regulations Part 3 for election procedures including the following:

- a) Student representative positions;
- b) Commission for elections;
- c) Returning Officer;
- d) Eligibility of candidates and voters;
- e) Nominations;
- f) Conduct of Ballot;
- g) Scrutineers;
- h) Determination of election result; and
- i) Casual vacancies, recounts and By-elections;

6. Election Rules

Candidates, campaigners and voters must follow directions given by the Returning Officer, TUU Electoral Officer or TUU Election Tribunal at all times. Failure to do this may result in penalties being imposed.

6.1 Electoral Material

All electoral material must comply with the following:

- a) any electoral material (print and digital) to be published or distributed must be authorised, including the name and student ID number or UTAS email address for the candidate or their agent.
- b) authorised material shall:
 - i) be clearly stamped with the TUU stamp by a TUU staff member; or
 - ii) receive approval in writing from the TUU Electoral Officer or the TUU

Assistant Electoral Officer.

- c) A candidate may appoint a person as their agent either on the nomination form, or by providing a written letter of appointment that:
 - i) is signed by the candidate; and
 - ii) states the name of the person to be appointed.
- d) A candidate may only have one person appointed as their agent at any one time.

6.2 Posters

Posters must specifically comply with the following requirements:

- a) Maximum size A3;
- b) Must be stamped at TUU contact centre;
- c) Only place on allocated TUU notice boards (as advised by TUU Contact Centre), or other UTAS authorised locations requested by the candidate;
- d) Correct method of adhesion must be used (as advised by TUU Contact Centre);
- e) Posters must only be placed in ‘booked’ sections of the Sandy Bay campus tunnel. Poster stamping and tunnel bookings can be done at the Contact Centre;
- f) Do not cover other candidates posters, remove them or deface them; and
- g) Posters must be removed immediately after the election, or at the request of the TUU Electoral Officer.

6.3 Campaigning

All campaigning by candidates and candidates’ supporters must comply with the following:

- a) Campaigning is not permitted within the designated exclusion zone around polling booths;
- b) Campaigning is not permitted within lecture theatres, computer labs, classrooms or libraries without express permission from the person in charge of that area;
- c) Do not make defamatory remarks about other candidates;
- d) Do not use photos of other candidates without owner’s permission;
- e) Do not make comments about other candidates without their permission;
- f) All campaigning material must be factual and able to be proven;
- g) No bulk emails that contravene the University of Tasmania Privacy Policy (ie email addresses cannot be used for any purpose other than the purpose for which they were collected without the consent of the student);
- h) No bullying or harassment of other candidates or voters;
- i) No TUU resources are permitted to be used by candidates, including the TUU logo;

- j) No campaigning at TUU events, including the wearing of campaigning clothing with the exception of any specific election event organised by the TUU;
- k) Permitting or authorising the printing, publishing or distribution of electoral material (print or digital) that has the capacity to mislead or deceive an elector in relation to recording his or her vote is prohibited;
- l) Any attempt to influence the vote of an elector or the results by way of bribery, intimidation, coercion, misinformation or other corrupt practices is prohibited. This includes elector gift giving and food/refreshments for voters;
- m) An organisation, person or party other than a candidate or the group of candidates that candidate is a part of, may not incur expenditure to promote or procure the election of a candidate;
- n) Only UTAS students permitted to campaign on behalf of candidates; and
- o) All candidates and campaigners must clearly display their current UTAS student ID card in a lanyard provided by the TUU while campaigning.

All candidates including current student representatives seeking re-election, may in their capacity as a candidate communicate with the media.

All UTAS/TUU policies must be adhered to. Candidates' attention is specifically drawn to the Privacy, ICT, Bullying and Harassment policies.

6.4 Polling

The following must be strictly adhered to by candidates, campaigners and voters during the polling period:

- a) Candidates and their campaigners must comply with all election rules during the polling period;
- b) Candidates and their campaigners must comply with directions given by the Returning Officer or other official election officers;
- c) Candidates and their campaigners must adhere to the designated exclusion zone around polling place; and
- d) Voters will only be allowed one at a time to enter the voting screen.

6.5 Other Offences

The following acts are generally prohibited:

- a) permitting or authorising the printing, publishing or distribution of electoral material (print or digital) that has the capacity to mislead or deceive an elector in relation to recording his or her vote;
- b) breaching the rules and policies of the University of Tasmania while campaigning; and
- c) breaching the rules and policies of the TUU while campaigning, except where specifically allowable under this Policy.

6.6 TUU Responsibilities

The TUU undertakes to perform the following during the election period:

- a) Advertise the timeline and locations for nominations and polling, including a bulk email to all UTAS students;
- b) Provide all relevant election forms and information on the TUU website prior to nominations opening;
- c) Provide events on main campuses to promote the election and allow candidates to engage with voters;
- d) Provide clear voting instructions and candidate statements at polling booths;
- e) Ensure adequate staffing of polling places;
- f) Enforce election rules and investigate allegations of breaches in a timely manner;
- g) Publish the results of the election on the TUU website for a minimum of two weeks following the declaration of the polls; and
- h) Conduct a post-election feedback survey provided to all candidates and any voters who wish to participate.

7. Complaints Process

Complaints regarding conduct during campaigning or alleged breaches of election rules should be directed to the TUU Electoral Officer as chair of the Election Tribunal who may issue, or delegate authority to a member of the Election Tribunal to issue an initial warning to a candidate who breaches election rules. Repeat breaches or more serious breaches will be referred to the TUU Election Tribunal for investigation, and if deemed necessary, appropriate penalties.

All complaints should be lodged with the TUU Electoral Officer at Tuu.elections@utas.edu.au and must be:

- a) in writing;
- b) state specific election rules breached;
- c) concise statement of the facts;
- d) supported by evidence of the breach;
- e) lodged before the declaration of the poll; and
- f) not be frivolous or vexatious.

8. Consequences of Breaches

Candidates, campaigners and voters must follow directions given by the Returning Officer, TUU Electoral Officer or TUU Election Tribunal at all times.

Penalties that may be imposed for the breach of any election rule will be determined by the TUU Electoral Tribunal, and may include the following depending on the seriousness of the breach:

- a) Official warning;
- b) Suspend candidate from campaigning for a period of time determined by the tribunal;

- c) Disqualify candidate from the election; or
- d) Disqualify candidate from being elected if election results already declared.

Candidates are responsible for the actions of any students authorised to campaign on their behalf.

Any breach of an election rule that is applicable to a nominated election ticket, may result in penalties for all candidates nominated as members of that ticket.

9. Appeal Process

A candidate may appeal a penalty imposed by the TUU Election Tribunal. Appeals will be heard by the TUU Board of Management, and should be forwarded to the secretary of the Board of Management and must be:

- a) in writing;
- b) state specific election rules breached;
- c) state penalty imposed;
- d) provide grounds for appeal;
- e) provide supporting evidence for appeal; and
- f) lodged within 24 hours of notification of penalty.

The appeal will be considered by the Board of Management and candidate advised of the decision, within 48 hours of the appeal being received.

10. Review

This policy will be reviewed annually, or as needed, by the Executive Officer. Any amendments deemed necessary will be approved by the TUU Board of Management.

11. Versioning

<u><i>Title</i></u>	<u><i>Para. Amended</i></u>	<u><i>BOM Approval Date</i></u>
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