

**AUSTRALIAN NATIONAL UNIVERSITY
LAW STUDENTS' SOCIETY**

ELECTORAL REGULATIONS

1. Interpretation

These Regulations aim to:

- a. promote equitable, fair and just elections;
- b. provide for a complaints and appeals process; and
- c. complement the substantive provisions relating to elections in Part 15 of the Constitution

- 1.1. These Regulations are subject to any directions regarding the conduct of elections provided for in Part 15 of the Constitution.

2. Candidacy

- 2.1. Candidates standing for an executive position must first contact the relevant Vice President or the President to be eligible.
- 2.2. Candidates standing for any position must be paid LSS members at time of nomination, as per s 5.3.1 of the Constitution

3. Conduct of Campaigners

- 3.1. No candidate may:
 - a. Set up polling stations. A polling station is defined as providing a physical mechanism to facilitate voting, such as providing your laptop to someone with the express purpose of them voting for you in the election.
 - b. Advertise, in the context of the election, any comments, remarks or insinuations designed to vilify or slander another candidate.
 - c. Make any comments, remarks or insinuations expressly recommending voters not to vote for another candidate. This does not include self-promotion, for example, asking voters to place you as first preference.
 - d. Candidates must not give money or give or sell food, drink, drugs, clothing, stickers, badges or any material which, in the opinion of the Returning Officer, is designed to promote his or her candidacy.
- 3.2. Candidates must not cause or encourage a non-candidate to act in a manner inconsistent with s3.1.
- 3.3. No candidate may:
 - a. Place advertising material around the ANU College of Law or associated areas without the express permission of the ANU College of Law

- b. Campaign during any lecture, tutorial, seminar or class conducted by the ANU College of Law; or any other area or time as designated by the Returning Officer.
- 3.4. No candidate may run on a ticket. A ticket is defined as more than one (1) candidate running under an express common name or organising co-promotion for the purposes of the election. Candidates may not make any reference to any other candidate for the purposes of the election in published material.

4. Candidate Statements

- 4.1. All candidates contesting for an Executive position must provide to the Administration Vice-President, no later than three days after receipt of request pursuant to Art 3.2, a written statement that:
 - a. does not exceed 200 words;
 - b. includes, but is not limited to, relevant experience and policy; and
 - c. does not expressly or impliedly refer to any other candidate running in the relevant position.
- 4.2. All candidates contesting for a Committee position must provide to the Administration Vice-President, no later than three days after receipt of request pursuant to Art 3.2, a written statement that:
 - a. does not exceed 150 words;
 - b. includes, but is not limited to, relevant experience and policy; and
 - c. does not expressly or impliedly refer to any other candidate running in the relevant position.
- 4.3. The Returning Officer shall, as soon as practicable following the close of nominations, send to all nominees a request for a Candidate Statement in accordance with ss 4.1 and 4.2.
- 4.4. The Returning Officer is to publish the Candidate Statements on:
 - a. The LSS website;
 - b. The LSS Facebook Election page;
 - c. The restrictions in 3.2(a) and 3.2(b) apply to the Returning Officer and any other Committee member present at the polling desk.
- 4.5. The Returning Officer shall not publish any material which, in the opinion of the Returning Officer, is, or could be perceived, as being defamatory, discriminatory or derogatory. The Returning Officer is not obliged to inform a candidate that such a determination has been made.

5. Vote Incentives

- 5.1. Candidates must not give money or give or sell food, drink, drugs, clothing, stickers, badges or any material which, in the opinion of the Returning Officer, is designed to promote his or her candidacy.

- 5.2. Candidates must not cause or encourage a non-candidate to give money or give or sell food, drink, drugs, clothing, stickers, badges or any material which, in the opinion of the Returning Officer, is designed to promote his or her candidacy.

6. Effect of breaches of these regulations

- 6.1. The Returning Officer shall determine whether, in his or her opinion, any conduct has breached these regulations.
- 6.2. Where the Returning Officer determines that a contravention has occurred, the consequence shall be:
- a. the disqualification of the breaching candidate;
 - b. a warning given to the candidate;
 - c. any other penalty or outcome the Returning Officer deems appropriate.
- 6.3. If the Returning Officer determines that a contravention has occurred, he or she shall notify the President, the Administration Vice-President, and the person held to have contravened these regulations as soon as is convenient.

7. Appeals Process

- 7.1. Candidates may appeal any decision of the Returning Officer in relation to breach of these regulations by written notice submitted to the Administration Vice-President.
- a. Candidates may appeal a decision of the Returning Officer in issuing a sanction against them.
 - b. Candidates may appeal on the basis of the Returning Officer not making a decision which, in their opinion, adversely impacted their chance of election.
 - c. A member of the society may appeal to Administration Vice-President a decision of the Returning Officer in issuing a sanction where they were affected by a contravention of these orders.
 - i. Such a contravention may be by a Candidate, the Returning Officer, or a delegate of the Returning Officer.
- 7.2. Application to appeal must be made to the Administration Vice-President within 24 hours of the candidate believing these regulations have been breached.
- 7.3. Appeals are to be made to an appeal committee, on a full merits review basis, made up of any three of the following:
- a. no more than one current member of the Executive not standing for election; or
 - b. a past member of the LSS executive; or
 - c. the immediate past president of the LSS; or
 - d. one member of the ANU College of Law academic staff; or one

past LSS Committee member currently registered as a legal professional in the ACT or NSW or admitted to practice before the High Court.

- 7.4. The appeal committee shall sit as soon as is reasonably possible after an appeal has been lodged.
- 7.5. On appeal, the appeal committee shall overturn a decision of the Returning Officer if, in its opinion, the decision is manifestly wrong. This is the only ground on which an appeal may be granted.
- 7.6. The Returning Officer must be able to be present at a meeting of the appeal committee and/or be able to make a submission to the committee.
- 7.7. Where an appeal is granted, the Appeal Committee, after taking submissions from the Returning Officer and the person lodging the appeal, shall determine the appropriate remedy. Such a determination is not subject to appeal.
- 7.8. In the event that the incumbent Administration Vice-President is a candidate for the election, procedures required under s 7 must be directed to the President.
 - a. In the event that the incumbent President is also a candidate in the elections, all appeals will be directed to the Immediate Past President.

Amendments

| Date of amendment | Author | Section | Details of amendment | Approval |
|--------------------------|---------------|-------------------------------------|---|--|
| 30 August 2015 | Dan Trevanion | Section 3 and relevant subsections. | Removal of polling place to acknowledge change to online voting | 8 in favour; 0 against; 0 abstentions (Executive vote in lieu of committee). |
| 21 August 2016 | Dan Trevanion | Section 3.4 | Banning of tickets | 28 in favour; 3 against; 2 abstentions (Committee Meeting). |