ELECTION REGULATIONS

1. These Regulations apply to all elections of members of the Senate and Academic Council, and to elections to any subordinate bodies as they may determine.

2. The University Secretary shall be the Returning Officer for all elections, or shall appoint someone to act in that capacity. The Returning Officer has sole responsibility for the conduct of an election and may prescribe any necessary procedures or forms for the conduct of the election, provided they are not inconsistent with the requirements of these Regulations.

Nominations

3. (a) Except for elections by Convocation, at least two weeks before the close of nominations, a notice calling for nominations will be:
   (i) sent to all persons entitled to vote (“electors”); and
   (ii) placed on an official notice board on each campus of the University.

   (b) For the purposes of sub-regulation 3(a), the notice:
   (i) will state the deadline for nominations and when and how electors may vote; and
   (ii) may, in the discretion of the Returning Officer, be sent by either post or email.

   (c) For elections by Convocation, at least three weeks before the close of nominations, all members of Convocation whose names appear on an electoral roll shall be sent a notice calling for nominations, which shall also state the deadline for nominations and when and how they may vote. Notices shall also be placed in one or more newspapers as determined by the Returning Officer.

4. Nominations shall be lodged in writing or by email with the Returning Officer no later than the time and the date specified in the above notice. No nomination shall be valid unless it contains the written or emailed consent of the candidate and is received by the Returning Officer before the close of nominations. The identity of a person who has nominated shall not be disclosed by the Returning Officer before the close of nominations.

5. Each candidate shall be invited to supply the Returning Officer with a biography or election statement not exceeding 250 words in length, and a photograph. The Returning Officer may edit any biography or statement if it exceeds 250 words, or delete parts which in her or his opinion are of a defamatory nature. The Returning Officer shall produce an election broadsheet containing the photograph and biography or statement submitted by each candidate (“broadsheet”).

6. If the number of candidates does not exceed the number of vacancies, they shall be declared elected. If the nominations received exceed the number of vacancies, a ballot shall be held.

Electronic Ballots

7. Ballots may be conducted by way of an electronic voting program and determined by way of an electronic vote counting program, where such programs have been approved for use by the University Secretary.

8. The University Secretary may approve an electronic voting program for use where he or she is reasonably satisfied that the program:
   (a) will allow an elector to show consecutive preferences starting at ‘1’;
   (b) gives an elector an opportunity to correct any mistakes before processing the elector’s vote;
   (c) will allow an elector to make an informal vote showing no preferences for any candidate; and
   (d) will not allow a person to find out how a particular elector cast his or her vote.

9. An electronic voting program shall include access for electors to a voting slip, and (either directly or by way of appropriate links), instructions on how to vote, and the content of the broadsheet.

10. The University Secretary may approve an electronic vote counting program for use where he or she is reasonably satisfied that the proper use of the program would give the same result in the scrutiny of votes in an election in accordance with these regulations as would be obtained if the scrutiny were conducted without computer assistance.

Conduct of the Ballot

11. Whenever a ballot is to be held, the Returning Officer shall:
(a) for staff elections:

(i) conduct a postal ballot, with each elector to be sent (at least 14 days prior to the close of voting) a voting paper slip, instructions on how to vote, details of the candidate the broadsheet, an envelope in which the completed voting paper slip is to be placed, and an outer envelope addressed to the Returning Officer; or

(ii) conduct an electronic ballot, with each elector to be sent (at least 14 days prior to the close of voting) a notice detailing the nature of the election and instructions on how to access the electronic voting program, and allow the opportunity for postal voting by electors who, due to special needs, are unable to access the program and who request such a vote.

(b) for student elections:

(i) hold voting at one or more polling places on each Campus of the University on at least three days on which teaching is scheduled, and allow the opportunity for reply-paid postal voting by students who are unable to attend the campus and who request such a vote; or

(ii) conduct an electronic ballot, with each student to be sent (at least 5 days prior to the close of voting) a notice detailing the nature of the election and instructions on how to access the electronic voting program, and allow the opportunity for reply-paid postal voting by students who, due to special needs, are unable to access the program and who request such a vote.

(c) for election of Senators by Convocation,

(i) conduct a postal ballot of those on the electoral roll, with each elector to be sent (at least 21 days prior to the close of voting) a voting paper slip, instructions on how to vote, details of the candidate the broadsheet, an envelope in which the completed voting paper slip is to be placed, and an outer envelope addressed to the Returning Officer; or

(ii) conduct an electronic ballot of those on the electoral roll, with each elector to be sent (at least 21 days prior to the close of voting) a notice detailing the nature of the election and instructions on how to access the electronic voting program, and allow the opportunity for reply-paid postal voting by electors who, due to special needs, are unable to access the program and who request such a vote.

Eligibility to vote is based on employment, enrolment status or registration on an electoral roll (for staff, student and Convocation elections respectively) on the day of the close of nominations. The Returning Officer shall produce a roll of all electors for each election.

Every voting paper slip shall contain the names of all candidates arranged in an order determined by the Returning Officer by lot, and shall specify the method of voting; and Paper based voting slips shall bear the initials of the Returning Officer. No elector shall be issued with more than one ballot paper based voting slip for any election, except where the Returning Officer is satisfied in relation to any paper based vote that the initial voting paper slip has been lost or destroyed.

Each candidate shall be invited to supply the Returning Officer with a biography or election statement not exceeding 250 words in length, to be supplied to those voting. The Returning Officer may edit the statement if it exceeds 250 words, or delete parts which in her or his opinion are of a defamatory nature. Each candidate for student elections shall also be invited to supply a photograph. For student elections, the Returning Officer shall produce an election broadsheet containing the photograph and biography, or election statement submitted by each candidate, and giving details of how to vote. Copies of this document shall be made available to voters at the polling booths, and shall be sent to all students exercising a postal vote.

Except where voting at a polling booth, In relation to any postal ballots or postal voting, every elector shall place her or his completed voting paper slip in the voting paper slip envelope, then place that in the envelope addressed to the Returning Officer, and complete the declaration (containing her or his name and signature) on the reverse of that envelope. The vote shall not be valid if the declaration is not completed.

Where any paper based voting takes place at one or more polling booths, the Returning Officer shall appoint a Presiding Officer responsible for the conduct of voting at each booth. Before issuing any voting paper slip, the Presiding Officer shall ascertain that the person appears on the electoral roll and has not already voted in this election, mark the name off the roll, and initial the ballot paper based voting slip. Completed voting paper slips shall be placed in a locked or sealed ballot box. Voting shall be by secret ballot. No election material, other than that printed on the authority of the Returning Officer, shall be displayed or distributed within five metres of the polling booth.

The Returning Officer may remove any election material on University property which in her or his opinion is
of a defamatory nature.

1316. The method of voting shall be optional preferential. The voter shall write the number 1 in the box opposite the name of the candidate who is the first preference, number 2 beside the second preference, and so on. For a vote to be valid, it must indicate at least a first preference; it is not compulsory to rank all candidates. Preferences must be indicated by numbers, except that, in relation to any paper based vote, the Returning Officer may accept a mark where there is only one position to be filled and only one box on the form has been marked. The decision of the Returning Officer on whether any mark is a clear indication of voting intentions shall be final.

1417. No elector shall vote more than once at an election. No voting paper slip shall be issued or accepted after the deadline for the close of voting.

Determination of the result

1518. The counting of votes shall take place as soon as is practicable after the close of voting. Each candidate may appoint a person who is an elector (but not a candidate) to act as a scrutineer at the counting of any paper based votes. Any candidate wishing to appoint a scrutineer must notify the Returning Officer before the close of voting. The Returning Officer shall rule on the validity of votes.

1619. Where there are only two candidates for one position, the candidate with the greatest number of first preference votes shall be duly elected. If the two candidates have received an equal number of votes, the candidate to be elected shall be determined by the Returning Officer by lot.

1720. Where there are more than two candidates for one position, the result of the election shall be determined by the following system of preferential voting:

(a) If one candidate has received an absolute majority (half plus one) of the valid votes, he or she shall be duly elected.

(b) If no candidate has an absolute majority, the Returning Officer shall eliminate the candidate with the fewest first preference votes and distribute these voting papers among the remaining candidates in order of the voters’ second preference. If one candidate then has an absolute majority of the remaining votes, he or she shall be duly elected.

(c) If no candidate then has an absolute majority, this process shall be repeated until one candidate has received an absolute majority, and this candidate shall be duly elected.

(d) Whenever two or more candidates have an equal number of votes, and one of them has to be eliminated from the vote, that candidate shall be determined by the Returning Officer by lot.

(e) Where the voting slip of an eliminated candidate does not indicate the voter’s next preference, that voting slip shall be deemed to be exhausted.

(f) Where there is any repetition of a figure or any break in the consecutive numbering of the preferences marked by a voter on a voting slip, only the preference(s) preceding such repetition or break shall be taken into account.

1821. Where an election is for two or more positions, the result of the poll shall be determined by the following system of proportional voting:

(a) The quota for election shall be the total number of valid first preference votes, divided by the number of positions plus one, with one added to this total.

(b) Any candidate(s) who have received first preference votes equal to or greater than the quota shall be duly elected.

(c) Where any candidate is declared elected with more votes than the quota, the excess votes shall be distributed among the remaining candidates in accordance with the next preference indicated on all the voting papers for that candidate. Each such voting paper shall have a discounted value, being the excess number of votes divided by the total votes for that candidate. If some ballot papers voting slips do not have further preferences, they shall be deemed to be exhausted; this does not affect the value of the remaining votes which are redistributed. Any candidate who reaches the quota after this transfer of votes, shall be declared elected. If that candidate's votes exceed the quota, the excess votes shall be distributed in the same manner and the process repeated.

(d) If any position(s) remain unfilled, the candidate with the least number of votes shall be eliminated. These voting papers shall be distributed among the remaining candidates in order of the voters' next preference; those which were first preference votes for that candidate shall retain their full value.

Where the voting paper slip of an eliminated candidate does not indicate the voter’s next preference,
that voting paper slip shall be deemed to be exhausted. Any candidate who reaches the quota after this transfer of votes, shall be declared elected. If that candidate’s votes exceed the quota, the excess votes shall be distributed in the manner outlined above.

(e) This process is continued until sufficient candidates have each obtained a quota and been elected.

(f) Whenever two or more candidates have an equal number of votes, and one of them has to be eliminated from the vote, the Returning Officer shall determine by lot which candidate is to be eliminated.

(g) Where there is any repetition of a figure or any break in the consecutive numbering of the preferences marked by a voter on a voting paper slip, only the preference(s) preceding such repetition or break shall be taken into account.

1922. After completion of the counting of votes, the Returning Officer shall declare the results of the election and arrange for these to be placed on an official noticeboard on each Campus of the University.

Transitional provision relating to elections

2023. Where it considers it necessary or desirable to do so, the Senate may, by a majority of the members present, resolve to defer calling an election for any of the elected positions to the Senate pending the enactment and implementation of legislation to amend section 12 of the Murdoch University Act 1973 in compliance with the National Governance Protocols.