



This Regulation is made pursuant to Statute 7.1 – *Elections and Meetings*.

In this regulation:

**“Chair”** means the person elected or appointed to preside at a Meeting of a University Body;

**“Election”** means the process by which persons are elected to a University Body;

**“Eligible Voter”** means a person who is entitled to vote in a specific Election;

**“Eligible Nominee”** means a person who is eligible to be elected in a specific Election;

**“Member”** means a person who is elected or appointed to a University Body or who is a member of that University Body by reason of the office held;

**“Returning Officer”** means the Deputy Vice-Chancellor (Academic)~~Vice-President~~ or his or her nominee appointed in relation to a particular Election; and

~~“Staff” means University staff whose appointments are 0.5 time fraction or more and of twelve months duration or more;~~

~~“Students” means students of the University whose names are entered on the University’s register of enrolled students on the date on which the notice of the election is published and who are not full time employees of the University; and~~

**“University Body”** means the Council, the Academic Board, Faculty Boards, Institute Boards and their committees, and such other boards and committees as the University may from time to time establish.

## Conduct of Elections

1. Subject to the *Deakin University Act 1974* 2009 (“the Act”), University statutes and university regulations, and resolutions of the Council, Elections shall be conducted in accordance with this Regulation and in the manner prescribed by the Deputy Vice-Chancellor (Academic)~~Vice-President~~:
  - (a) confidentially so that the identity of el~~e~~gible ~~v~~oters and ~~how many votes were recorded for any candidates~~ how an el~~e~~gible ~~v~~oter cast their vote will remain confidential; and
  - (b) in accordance with the optional preferential voting system.
2. The Returning Officer shall:
  - (a) keep rolls of electors containing all necessary information to enable an el~~e~~gible ~~v~~oter to cast a vote;
  - (b) publish a notice announcing the el~~e~~ction and calling for nominations whenever an Election is to be held;
  - (c) receive nominations from Eligible Nominees and publish a list of ~~nominees~~ the nominations received for the Election;
  - (d) where the number of nominations received:
    - (i) is equal to the number of vacancies, declare the nominated candidate or candidates elected;

(ii) is less than the number of vacancies, declare the nominated candidate or candidates elected, and make a subsequent call for nominations; and

(iii) is more than the number of vacancies, conduct an election;

(e) where the number of nominations received is less than the number of vacancies, and a subsequent call for nominations again fails to result in the required number of Members being declared or elected, the Returning Officer or delegate may co-opt additional Members, up to the number required in each category from a person or persons of as nearly like qualification as practicable;

~~(d)~~(f) be responsible for the Election process including the provision of safe storage of votes until the time fixed for the closing of the poll;

~~(e)~~(g) ensure that no person will be able to register a vote after the time fixed for the closing of the poll;

~~(f)~~(h) declare the result of the Election;

and may

(i) appoint members of Staff to act as Deputy Returning Officers; or

~~(e)~~(i) disclose how many votes were recorded for each candidate.

3. Any Eligible Voter person who is entitled to vote in an Election may seek invalidation of the Election by applying in writing to the Returning Officer. ~~The application must~~An applicant shall:

(a) specify the breach and the grounds ~~upon which~~ are alleged to have given rise to there has been a breach of this regulation; and

(b) make the application no later than 14 days after the date the Election result is declared.

4. In the event that there are exceptional circumstances which prevented the applicant making the application within the 14 day period, the applicant shall, no later than 930 days after the date the Election result is declared, apply in writing to the Vice-Chancellor requesting that the timeframe for accepting the Application be extended. If the Vice-Chancellor grants leave for the application to be submitted outside the 14 day period, it shall be considered by the Returning Officer be received by the Returning Officer:

~~(b) no later than 14 days after the date of the declaration of poll, unless the Vice-Chancellor determines that there are exceptional circumstances.~~

4.5. After receiving an application and undertaking a review, the Returning Officer shall make a determination in respect of the merits of the application and may declare an Election void if he or she is satisfied that:

(a) there has been a breach of this regulation; and

(b) the breach has materially affected the result of the Election.

~~(b)~~6. A determination and declaration by the Returning Officer under section 5 is final.

## **Vacancy**

~~5.7.~~ The office of an elected or co-opted Member of a University Body shall become vacant if ~~he or she:~~

(a) his or her elected term expires;

or he or she:

~~(a)~~(b) resigns in writing;

~~(b) is absent without leave from three consecutive meetings of the University Body;~~

~~(c) ceases to:~~

~~(i) hold the office, position, or qualification; or~~

~~(ii) be enrolled in a course;~~

~~(e) which entitled enabled him or her to be elected;~~

~~(d) is a Staff Member and ceases to hold the qualification or position which entitled that Member to be elected;~~

~~(e) is a Student Member and ceases to be enrolled in a course which entitled that Member to be elected;~~

~~(f)(d) dies or otherwise becomes unable to act; or~~

~~(g)(e) becomes entitled to be a Member thereof ex officio, in which case he or she shall be deemed an ex officio Member resulting in the vacation of that Member's former place.~~

6.8. Where a ~~Casual~~Vacancy occurs:

(a) three months or less before the expiration of the term of office, the ~~Casual~~Vacancy may not be filled;

(b) more than ~~3~~three months but less than 12 months before the expiration of the term of office of an elected Member, the ~~University Body~~Academic Board shall fill that vacancy by the co-option of a person of as nearly like qualification as practicable;

(c) more than 12 months before the expiration of a term of office of an elected Member of the ~~University Body~~Academic Board~~the body of persons who elected that Member shall elect a person to fill the vacancy~~ the Returning Officer shall conduct an Election in accordance with section 2.

7.9. A person who fills a ~~Casual~~Vacancy shall remain a Member of the University Body for the remainder of the term of the Member in respect of whom the ~~Casual~~Vacancy arose.

~~8. If, following Elections for Student Members of a University Body, the number of persons elected is less than the number required, the University Body may co-opt additional Students to be Members, up to the number required in each category.~~

### **The Faculty Board**

~~9. The Faculty Board term of office shall be:~~

~~(a) 2two years for an elected Staff Member; and~~

~~(b) 1one year for a Student Member.~~

### **The Academic Board Chair**

~~10. Where for any reason the Chair or Deputy Chair of the Academic Board ceases to hold that office during the term, the Academic Board shall elect a Member to fill the position of Chair, or Deputy Chair (as the case may be) for the balance of the term of office.~~

~~If the Chair of the Academic Board ceases to hold that office within 3three months of the expiration of the term, the Deputy Chair shall act as Chair until a new Chair is elected.~~

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