

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

In this regulation:

“**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 in accordance with the terms of reference applicable to the University Body and as stated in the Notice;

“**Eligible Nominee**” means a person who is eligible to be elected to a University Body in a specific Election in accordance with the terms of reference applicable to the University Body and as stated in the Notice;

“**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;

“**Notice**” means the notice of the Election published by the Returning Officer;

“**Returning Officer**” means the person appointed to conduct a particular Election by the Vice-Chancellor or his or her delegate but cannot be a candidate in the Election; 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.

## Elections

1. Subject to the *Deakin University Act 2009* (“**the Act**”), University Statutes and University regulations, and resolutions of the Council, Elections shall be conducted in accordance with this Regulation:
  - (a) confidentially so that the identity of individual voters and the casting of their votes will remain confidential; and
  - (b) in accordance with the optional preferential voting system.
2. The Returning Officer is responsible for the conduct of the Election and shall:
  - (a) keep rolls of electors in respect of an Election containing all necessary information to enable an Eligible Voter to cast a vote;
  - (b) publish a Notice announcing the Election and calling for nominations whenever an Election is to be held;
  - (c) receive nominations of Eligible Nominees and publish a list of the nominations received for the Election;
  - (d) conduct a poll where required;
  - (e) be responsible for the Election process including the provision of information to candidates and voters about how votes are stored and counted;
  - (f) ensure that no person will be able to register a vote after the time fixed for the closing of the poll;
  - (g) declare the result of the Election and disclose (upon request) how many votes were recorded for each candidate; and may

- (h) appoint members of Staff to act as Deputy Returning Officers.
3. The Returning Officer has powers to investigate and act on complaints to ensure that the Election and Election campaign are conducted with fairness and integrity. If the Returning Officer is the subject of a complaint, the complaint will be escalated to the Vice-Chancellor (or nominee).

### Appointments to Fill Vacancies

4. A University Body may co-opt students to be members in circumstances where:
- (a) the Returning Officer has published a Notice announcing the Election and calling for nominations of a student member; and
  - (b) no nominations from an Eligible Nominee have been received; and
  - (c) the term of the office has commenced.
5. The office of a Member of a University Body shall become vacant if:
- (a) his or her elected term expires; or
  - (b) he or she resigns in writing;
  - (c) her or she ceases to:
    - (i) hold the office, position or qualification; or
    - (ii) be enrolled in a course;which entitled him or her to be elected;
  - (d) dies or otherwise becomes unable to act; or
  - (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.

5.1 In the event that a person elected to an office declines or becomes disqualified from taking up or holding the office through a conflict of interest or other reason, the Returning Officer may offer the office to the next highest ranked candidate in the Election until a candidate accepts the position, provided that no more than six months have elapsed since the declaration of poll.

~~6. Where a vacancy occurs:~~

- ~~(a) less than 12 months before the expiration of the term of office of an elected Member, the University Body may fill that vacancy by the co-option of a person of as nearly like qualification as practicable;~~
- ~~(b)(f) more than 12 months before the expiration of a term of office of an elected Member of the University Body, the Returning Officer shall conduct an Election in accordance with section 2.~~

6. Where an elected position falls vacant before the expiry of the term, the Returning Officer shall conduct a fresh Election in accordance with section 2, unless:

- (a) the vacancy occurs less than 3 months after the declaration of poll for the original Election and the Returning Officer can fill the vacancy by offering the position for the balance of the term to the next highest ranked candidate in the Election until a candidate accepts the position;
- (b) the vacancy has a duration of less than 12 months, in which case the University Body may fill that vacancy by the co-option of a person of as nearly like qualification as practicable.

7. A person who fills a vacancy shall remain a Member of the University Body for the remainder of the term of the Member in respect of whom the vacancy arose.

Approved by Council on 16 April 2009 and incorporates amendments made by Legislation Committee on ~~7 June~~  
~~2016~~.