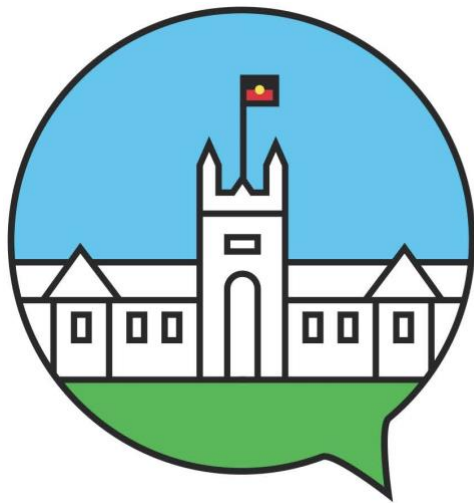


Students' Representative Council



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Constitution & Regulations

September 2023

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Constitution

SECTION ONE

THE STUDENT BODY:

- (a) The Student Body of the University of Sydney shall consist of the whole number of students, whether matriculated or unmatriculated, who:
 - i. Enrol in a Bachelor's degree, an undergraduate diploma, or as a non degree student; and
 - ii. Who choose to be part of the Student Body for the purposes of this Constitution.
- (b) The Council may not charge a fee for membership of the student body.

SECTION TWO

THE COUNCIL:

- (a) The name of the Council shall be "The Students' Representative Council of the University of Sydney". The Sydney University Undergraduates' Association, the Sydney University Women Undergraduates' Association and the Sydney University Evening Students' Association are incorporated in the Council.
- (b) The Council shall consist of the Representatives, the President and other Officers of Council as specified in Section 4 hereof and as defined in the Regulations, the Presidents of the Faculty Societies listed in the First Schedule, or their nominees, and of the holders for the time being of such offices as the Council shall from time to time determine.
- (c) The Council may proceed to the despatch of business, notwithstanding that any electoral group is not represented on the Council.
- (d) The Council shall meet at least once every month during both Semesters.
- (e) The presence of at least fifty per cent (50%) of Representatives eligible to be present shall be necessary to constitute a meeting of the Council for the exercise of the powers of the Council.
- (f) Questions arising in the Council shall be determined by a majority of votes of the Representatives or their proxies present and voting. When the votes are equal, the question shall pass in the negative.
- (g) The President and Representatives shall take office on the first day of December following the Annual Elections and subject to Sections 3(h), 4(e), 9(l), and 18 shall hold office until the last day of November thereafter. Provided that in the case of a by-election, the person or persons elected shall take office from the time at which the Electoral Officer declares the result of the election.
- (h) A member of the Council ex-officio shall cease to be a member if s/he ceases to hold office by virtue of which s/he became a member.

SECTION THREE

REPRESENTATION:

- (a) The number of representatives shall be calculated by providing for one representative for every one thousand (1000), students enrolled in an undergraduate degree, or part thereof, and if the result is an even number by then raising that number to the next odd number, provided that the number of representatives shall be no less than twenty nine (29).
- (b) The Electoral Officer shall determine each year prior to the Annual Elections in September, the number of Representatives under subsection (a) above, and the number so determined shall remain unchanged until the next Annual Elections.
- (c) The election of representatives shall be conducted each year in September in such a manner as the Council may prescribe, subject to this constitution, by an Electoral Officer appointed by the Council.
- (d) The representatives shall be elected by the student body voting as one electorate under the system of proportional representation set out in the Second Schedule.
- (e) No person shall be eligible for election as a representative who is not at the time their election a member of the student body and has paid affiliation fees to the Council.
- (f) Subject to subsection (g) below, if the place of any representative becomes vacant, the Council shall fill the vacancy by appointing to the position an unelected person on that representative's group at the time of the election, as nominated by the vacating member, subject to such nominee's consent. Where Council is unable to obtain such a nomination, it shall appoint a member of the student body who was on the ballot paper in the most recent election, as nominated by the vacating member, subject to such nominee's consent. Where the Council is not able to obtain such a nomination, it shall appoint a member of the student body who has paid affiliation fees to the Council to fill the vacancy, subject to such appointee's consent.
- (g) Should the number of casual vacancies filled under the provisions of subsection (f) above at any time during the term of office of any one Council be equal to or greater than one-third of the number of Representatives elected, a by-election for all those positions shall be conducted unless the last vacancy occurs during the Second Semester. The appointments made by the Council under sub-section (f) shall become void from the time of opening of nominations for the by-election.
- (h) A representative shall be dismissed by one of the following procedures:
 - i. delivery to the President or General Secretary of a petition signed by five hundred (500) members of the student body calling for their dismissal; followed by a two thirds majority voting at a duly convened General Meeting of the Student Body in favour of their dismissal.
 - ii. failure to fulfil attendance obligations as outlined in the regulations; followed by a two-thirds majority vote of the Representatives present and voting at a meeting of the Council convened in accordance with this Constitution and the Regulations.
 - iii. failure to pay affiliation fees to the Council in accordance with this Constitution and Regulations, followed by a two-thirds majority vote of the Representatives present and voting at a meeting of the Council convened in accordance with this Constitution and the Regulations.
- (i) Deleted 22nd August 2006

SECTION FOUR

THE PRESIDENT:

- (a) There shall be a President who shall be the Chief Executive Officer of the Council.

- (b) The President shall be elected each year by secret ballot of the members of the Student Body at the same time as the election of the Representatives. A preferential method of counting the papers shall be used for electing the President.
- (c) The President shall at the time of their nomination and election be a member of the Student Body who has paid affiliation fees to the Council.
- (d) Before or during any absence of the President, Executive may appoint a member of Council to be Acting President for the duration of such absence, provided that the Council may otherwise direct.
- (e) The President shall be dismissed from office only when:
 - i. a petition calling for their dismissal from office signed by at least five hundred (500) members of the student body has been received by the General Secretary, and;
 - ii. a motion for their dismissal has been carried by a two thirds majority of General Meeting of the Student Body, the quorum of which shall be two hundred (200), and which shall be conducted in accordance with Section 17 (d) of this constitution.
- (f) In the event of a vacancy in the office of President, a by-election shall be conducted as soon as possible and the person elected shall hold office for the remainder of the term of their predecessor. Provided that should such vacancy occur during Second Semester, no by-election shall be held and the Council shall appoint an Acting President for the remainder of the term of office.

SECTION FIVE

THE EXECUTIVE:

- (a) The Executive shall consist of the President, the Vice-President, the General Secretary and five ordinary members who shall be elected in the manner provided for in Section 7(a).
- (b) The Executive shall be empowered to make decisions on behalf of and to carry out the policy of the Council, provided that no decision shall be inconsistent with the policy of the Council, and all acts and decisions shall be reported to the next regular meeting of the Council.
- (c) The quorum for a meeting of the Executive shall be four (4).
- (d) When the position of an ordinary Executive member becomes vacant, the Council shall elect a Representative to fill the vacancy.
- (e) Where any of the positions of President, Vice President and General Secretary are jointly held by two or more persons, they shall jointly hold one vote on the Executive.
- (f) The Executive shall:
 - i. oversee the Council's performance;
 - ii. approve and monitor the Council's policy and other aspects of its strategic direction;
 - iii. establish and monitor the Council's annual budget and annual business plan;
 - iv. oversee risk management and risk assessment within the Council;
 - v. establish and monitor the Council's systems of control and accountability; and
 - vi. regularly review its own performance (in light of its powers and obligations under this Constitution).
- (g) The Executive shall engage a person with an appropriate financial background who will be accountable for ensuring that the Council is properly managed from a financial

perspective and who will provide advice and reports to the Executive on financial management of the Council

SECTION SIX

OFFICERS OF THE COUNCIL:

- (a) The Council shall include the following Officers:
 - i. a Vice-President;
 - ii. a General Secretary;
 - iii. deleted 22 August 2006;and such other Officers as Council shall establish by Regulation.
- (b) Deleted (date unknown)
- (c) No officer of the Council shall be removed from office without the consent of the Representatives present and voting at a meeting of the Council convened in accordance with this Constitution and the Regulations.
- (d) An Officer of the Council shall be removed from office by the following procedure only:
 - i. ten days notice of motion to dismiss the Officer shall be given in writing;
 - ii. such a motion shall state clearly the reason for which the mover considers that the officer should be removed; and
 - iii. the motion shall be included in the Motions on Notice section of the Agenda for the next meeting of the Council.
- (e) The Council may elect two or more qualified persons to any office. Persons so elected shall be designated Co-Officers as appropriate; and provisions of Section 6 (c) and (d) shall apply to them.

SECTION SEVEN

ELECTION OF OFFICERS AND THE EXECUTIVE:

- (a) Notwithstanding Section 2(g), the Representatives elect shall, following the Annual Elections and prior to the last day of Second Semester, meet for the purpose of electing:
 - i. five ordinary members of the Executive from amongst themselves;
 - ii. the Officers of Council from amongst the members of the Student Body who have paid their affiliation fees to the Council; and
 - iii. the members of such Committees of Council as may be prescribed by Regulation providing they have paid their affiliation fees to the Council.
- (b) Only the Representatives elect or their proxies appointed in the manner prescribed by Regulation shall be eligible to vote in these elections.
- (c) Quorum for the meeting shall be half the number of Representatives elect.
- (d) The meeting and the elections shall be conducted in a manner prescribed by Regulation.
- (e) The Officers of Council elected pursuant to subsection (a) above, shall take office on the first day of December following the Annual Elections and subject to Sections 6(c) and 6(d) shall hold office until the last day of November thereafter.

- (f) The ordinary members of the Executive shall take office on the first day of December following the Annual Elections and provided they remain Representatives, shall hold office until the last day of November thereafter.
- (g) Except as otherwise provided in this Constitution, when an Office of Council becomes vacant, or remains unfilled on the first day of December, the Council shall elect a member of the Student Body who has paid their affiliation fees to the Council to fill the vacancy. A person so elected shall, subject to Sections 6(c) and 6(d) hold office from the declaration of the election result until the last day of November thereafter.
- (h) When an ordinary position on the Executive becomes vacant, or remains unfilled on the first day of December, the Council shall elect a Representative to fill the vacancy. A Representative so elected shall hold office from the declaration of the election until the last day of November thereafter.

SECTION EIGHT

OBJECTS AND FUNCTIONS:

- (a) The Objects of the Council shall be to defend and advance the interests of students at Sydney University and in the community.
- (b) The Council shall represent the Student body and conduct its affairs.
- (c) The Council shall encourage the development of organisations formed within the University by members of the Student Body and may assist them in the furtherance and attainment of their objectives.

SECTION NINE

POWERS:

The Council shall have power to do all such things as may be incidental or conducive to the attainment of any of its objects, and in particular:

- (a) To summon and conduct a General Meeting of the Student Body.
- (b) To submit a proposal or question to the Student Body, or any part thereof and to take a vote thereon in such manner as the Council thinks proper.
- (c) To make representations to the University authorities on behalf of the Student body or any member of or group within the Student Body.
- (d) To publish and authorise the publication of any magazine, newspaper or printed matter on behalf of the Student Body.
- (e) Deleted 22nd August 2006
- (f) To delegate to a Sub-Committee any matter for investigation and report.
- (g) To appoint and prescribe the duties of any officer of the Council, insofar as it does no conflict with Section 4 of this Constitution.
- (h) To enter into and make arrangements, and to employ persons on such terms as the Council deems proper.
- (i) To acquire, manage, deal with and dispose of any property.

- (j) To invest any money(s) in any investment in which trustees are authorised by law to invest, and to vary, transpose and realise any such investments.
- (k) To borrow money and to give security over any property of the Council
- (l) To make Regulations not inconsistent with the Constitution, providing for the dismissal from Office of any member of Council, including the Representatives upon that member's failing to attend to their obligations, including their obligation to attend meetings.
- (m) To maintain a register of clubs and societies and to extend financial or other assistance to such student organisations which have been registered for at least six months and whose activities and future plans have been explained to the satisfaction of the Council.
- (n) To make regulations, not inconsistent with this Constitution prescribing any matters necessary or convenient to be prescribed for giving effect to this Constitution.

SECTION TEN

HONI SOIT:

The Council shall publish a journal to be known as Honi Soit, which shall be the official journal of the Students Representative Council. The editor/s of Honi Soit shall be elected at the annual elections each year. Editor/s at the time of nomination shall be member(s) of the student body who have paid their affiliation fees to the Council.

SECTION ELEVEN

ACCOUNTS:

The Council shall keep proper accounts of property of the Council and of all moneys received and expended by the Council, and cause the accounts to be audited once at least every year.

SECTION TWELVE

ANNUAL REPORTS:

- (a) The Council shall cause to be published in first semester, its Annual Report and Audited Accounts and shall present them for noting to the first Council meeting following publication.
- (b) The Council shall forward each year to the Senate its Annual Report and Audited Accounts.

SECTION THIRTEEN

MEMBERSHIP AND AFFILIATIONS:

- (a) The Council may set a fee structure for affiliation to the Council.
- (b) Where the Council sets an affiliation fee equal to \$0, every member of the student body shall be considered to have paid the affiliation fee to the Council.
- (c) The Annual Fee for affiliation to the Council shall be no more than one hundred (\$100) in 2006 and this cap shall increase each year thereafter at the Annual Rate of the Consumer Price Index as calculated by the Australian Bureau of Statistics at the thirtieth (30th) day of June in the preceding year.

(d) Deleted 22nd August 2006

(e) Deleted 22nd August 2006

SECTION FOURTEEN

OPERATION OF THE CONSTITUTION:

This Constitution and all regulations and decisions made by the Council under this Constitution shall be binding on every member of the Student Body. Decisions of any Council shall bind its successors unless and until they are superseded or rescinded.

SECTION FIFTEEN

REFERENDA:

- (a) Notwithstanding anything in this Constitution, the Student Body may by petition signed by at least four hundred and fifty members (450) of the Student Body require the Council to submit any decision which the Council has made in pursuance with this Constitution to a referendum of the Student Body which must meet the following criteria in order for it to bind the Council:
- i. The petition is submitted to the General Secretary within fourteen (14) days of the decision which the petitioners wish to submit to a referendum has been made by the Council.
 - ii. The question put to the referendum must be the same as that contained on the petition stated above.
 - iii. At least three thousand members of the Student Body must vote in such a referendum.
 - iv. Two-thirds of those voting in the referendum must approve of the question put.
 - v. The receipt of such a petition by the General Secretary shall delay the operation of the decision of the Council until it has been voted upon as aforesaid.
- (b) Notwithstanding anything this Constitution contains the Student Body may:
- a. By a petition of initiation signed by at least four hundred and fifty (450) members thereof propose any Referendum motion in connection with the affairs of the Student Body.
 - b. Every such petition shall contain the full text of the Referendum motion proposed and shall be lodged with the General Secretary to the Council.
 - c. Upon receipt of any such petition the Council shall submit the Referendum motion proposed to a referendum by ballot.
 - d. If at least three thousand (3,000) of the members for the time being of the Student Body vote upon such referendum and if such Referendum motion is approved by a majority of at least two-thirds (2/3) of the members voting thereon the Referendum motion as approved as aforesaid shall be deemed to be a decision of the Student Body and shall be binding upon the Council accordingly.
- (c) The Council may submit such motions as it sees fit to the student body in the form of a Referendum. Referenda shall comply with the provisions of Part Twelve of the SRC Regulations.
- (d) The Council and every member thereof shall be indemnified by the Student Body and also from the funds of the Council from and against all losses and liabilities which one Council or members thereof or any of them may incur or become liable to either directly or indirectly by reason of any abrogation or amendment of any of its decisions by the Student Body in pursuance of Section 15(a) hereof, or by reason of any decision of the Student Body made in pursuance of Section 15(b).

SECTION SIXTEEN

ALTERATION OF THE CONSTITUTION:

- (a) This Constitution shall not be altered unless the proposed alteration is submitted by the Council to the Student Body either at a General Meeting under Section Seventeen hereof or at a referendum under Section 15 hereof, and is approved by two-thirds (2/3) of the members voting on this question.
- (b) Whenever so requested by a petition signed by at least two hundred (200) members of the Student body, the Council shall submit to the Student Body any alteration of the Constitution therein proposed.
- (c) The Council shall give at least twenty-one (21) days notice of its intention to submit any alteration proposed under this section.

SECTION SEVENTEEN

GENERAL MEETINGS:

- (a) A General Meeting of the Student Body shall be convened by the President, or in their absence, the General Secretary:
 - (i) when it is required by the Constitution, Regulations, or the Council, or
 - (ii) on receipt of a requisition signed by at least two hundred (200) members of the Student Body and stating the business to be put to the meeting.
- (b) A General Meeting may be held in two or more divisions meeting at different locations provided that all divisions meet at the same time. The decisions of such a meeting shall be determined by a total of the votes cast in all divisions.
- (c) The quorum for a General Meeting of the Student Body shall be two hundred (200) members of the Student Body.
- (d) Where a General Meeting of the Student Body has been convened as part of an investigation into the SRC under Section Eighteen hereof, or in order to dismiss from office any Officer or Representative, or to call for a by-election, the General Meeting may be convened by any student, so long as the petition which has called for such a meeting or investigation identifies the person who shall be convening the meeting.

SECTION EIGHTEEN

RESERVE POWERS

- (a) based on the results of such investigation a General Meeting of the Student Body to be called by the Senate or the Chancellor may, by two-thirds (2/3) majority, take the following actions:
 - i. carry out a By-Election of all or any Representatives or office bearers under the supervision of an Electoral Officer appointed by the General Meeting of the Student Body, or under the supervision of the administration of the University.
 - ii. appoint for a specified period an external auditor for ongoing monitoring and appraisal.
 - iii. Appoint and administrator for a specified, temporary period.
- (b) This constitution is subject to Senate Resolution 284/06.

SECTION NINETEEN

INTERPRETATION:

In this Constitution any period of days or weeks shall not include days or weeks which are part of a University vacation as listed in the current University Calendar.

SECTION TWENTY

SAVING AND TRANSITIONAL:

Section 6(a) shall have effect from 1 December 1995

Sections 2(f), 2(h), 3(g), 4(e), 5(a), 6(a), 7(a)(i), 9(l), 10, 12(a), 13(b), 13(e), 15 (a)(iv), 15(a)(v), 15(b), 15(c), 16(c), 19 were altered at a quorate General Meeting of the Student Body held on 26th August 1992.

Sections 1, 3(h), 6(a), 6(b), 13(a), 16(b), 19 and Schedule One were altered at a quorate General Meeting of the Student Body held on 22nd August 1995.

Section 17(c) was altered at a quorate General Meeting of the Student Body held on 12th August 2006.

Sections 1(a)(i), 1(a)(ii), 1(b), 2(g), 3(a), 3(e), 3(f), 3(h)(i), 3(h)(ii), 3(h)(iii) 3(i), 4(c), 4(d), 4(e)(i), 4(e)(ii), 5(a), 5(e), 5(f)(i), 5(f)(ii), 5(f)(iii), 5(f)(iv), 5(f)(v), 5(f)(vi), 5(g), 6(a)(ii), 6(a)(iii), 7(a)(i), 7(a)(ii), 7(a)(iii), 7(g), 8(a), 9(e), 10, 13(a), 13(b), 13(c), 13(d), 13(e), 15(a)(i), 15(a)(ii), 15(a)(iii), 15(a)(iv), 15(a)(v), 15(a)(vi), 15(b)(ii), 15(b)(iv), 16(a), 17(a), 17(d), 18(a), 18(b)(i), 18(b)(ii), 18(b)(iii), 18(c), 19, 20 were altered at a quorate General Meeting of the Student Body held on 22nd August 2006.

Sections 5(e), 5(f) and 18(c) were altered; and Schedule Three was added at a quorate General Meeting of the Student Body held in 24th October 2006.

Schedule One to Constitution

Sydney University Agricultural Society
Sydney University Architecture Society
Undergraduate Arts Students Society
Sydney University Dental Undergraduates Association
Sydney University Economics Society
Sydney University Education Society
Sydney University Engineering Undergraduates Association
Sydney University Law Society
Sydney University Medical Society
Sydney University Nursing Society
Sydney University Pharmacy Association
Sydney University Science Society
Sydney Campus Undergraduate Law Society
Sydney University Social Work Students' Association
Sydney University Veterinary Society

Schedule Two to Constitution

PROPORTIONAL REPRESENTATION WITH THE SINGLE TRANSFERABLE VOTE METHOD OF COUNTING VOTES WHERE MORE THAN ONE POSITION IS TO BE FILLED:

1. The number of **first choices** recorded for each candidate shall be counted.
2. The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in Rule No. 9) no candidate shall be elected until he or she obtains a number of votes equal to or greater than **the quota**.
3. Any candidate who has, upon the **first choices** being counted, a number of such votes equal to **or greater than the quota** shall be declared elected.
4. Where the number of such votes obtained by anyone candidate is equal to the quota, **the proportion of votes in excess of the quota** shall be transferred to the other candidates not yet declared elected, next in order of the voters' preferences, in the following manner:-
 - (a) All the voting papers on which a first choice is recorded for the elected candidate shall be re-examined, and the number of second choices, or third or next consecutive choices recorded for each unelected candidate thereon shall be counted.
 - (b) The surplus of the elected candidate shall be divided by the total number of votes obtained by them on the counting of the first choice and the resulting fraction shall be the **transfer value**.
 - (c) The number of second or other choices ascertained in Rule 1., to be recorded for each unelected candidate, shall be multiplied by the transfer value.
 - (d) The resulting number shall be credited to each unelected candidate, and added to the number of votes obtained by them on the counting of the first choices.
5.
 - (a) Where, on the counting of the first choices, or on any transfer, more than one candidate has a surplus, the largest surplus shall be first dealt with. If then, more than one candidate has a surplus, the then largest surplus shall be first dealt with, and so on; provided that, if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with.
 - (b) Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer which they last had an unequal number of votes shall be first dealt with, and if they have had an equal number of votes at all preceding counts or transfers, the Returning Officer shall decide by lot which candidate's surplus shall be first dealt with.
6.
 - (a) Where the number of votes obtained by a candidate is raised up to, or above, the quota by a transfer as aforesaid, he or she shall thereupon be declared elected; and in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to her or him, but no votes of any other candidate shall be transferred to her or him.
 - (b) Where the number of votes obtained by a candidate is raised up to, but no above, the quota by a transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with.
 - (c) Where the number of votes obtained by a candidate is raised above the quota by a transfer as aforesaid, their surplus shall be transferred to the candidates next in order of the voters' respective preferences, in the following manner:-

- (i) The voting papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be re-examined, and the number of third or, in the case provided for in Rule 11, next consecutive choices recorded for each unelected candidate thereon counted.
 - (ii) The surplus of the elected candidate shall be divided by the total number of voting papers mentioned in paragraph (i) and the resulting fraction shall be the transfer value.
 - (iii) The number of second, or other, choices, ascertained in paragraph (i) to be recorded for each unelected candidate shall be multiplied by the last mentioned transfer value.
 - (iv) The resulting number shall be credited to each unelected candidate, and added to the number of votes previously obtained by her or him.
7. (a) Where, after the first choices have been counted, and all surpluses (if any) have been transferred as herein before directed, no candidate or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is the lowest on the pool shall be excluded, and all votes obtained by her or him shall be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in Rule 5.
- (b) The votes obtained by such excluded candidate as first choices shall be first transferred, the transfer value of each vote in this case being 1.
- (c) The other votes of such excluded candidates shall then be dealt with in the order of the transfers in which, and at the transfer value at which he or she obtained them.
- (d) Each of the transfers which takes place under the two previous clauses of this Rule shall be deemed for all purposes to be a separate transfer.
8. (a) Where the number of votes obtained by a candidate is raised up to or above the quota by any such transfer as aforesaid, he or she shall thereupon be declared as elected; and in such case, notwithstanding the fact that he or she may have reached the quota, such transfer shall be completed, and all the votes to which he or she is entitled therefrom be transferred to him or her, but no other votes shall be transferred to her or him.
- (b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota, by any such transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with.
- (c) Where the number of votes obtained by a candidate is raised above the quota by any such transfer as aforesaid, their surplus shall be transferred to the candidate next in the order of the voters' respective preferences in the same manner as directed in Rule 6, Clause (c); provided that such surplus shall not be dealt with until all the votes of the excluded candidates have been transferred.
- (d) Where any surplus exists, it shall be dealt with before any other candidate is excluded.
9. The same process of excluding the candidate lowest on the poll and transferring to other candidates their votes, shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the un-excluded candidates who have not already been so declared, shall then be declared elected.
10. Where at any time it becomes necessary to exclude a candidate and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be first excluded, and if they have had an equal number of votes at all preceding counts or transfers, the Returning Officer shall decide which candidate shall be first excluded.

11. In determining what candidate is next in the order of the voters' preferences, any candidates who have been declared elected shall not be considered, and the order of the voters' preferences shall be determined as if the names of such candidates had not been on the voting paper.
12. Votes shall be counted to the nearest hundredth part of a vote only, and transfer value calculated to the third decimal place only.

Schedule Three to Constitution

Senate Resolution 284/06, states:

Senate Resolution for Reserve Powers for certain Student Organisations

Each of the following student organisations is a student organisation ('Student Organisation') to which this Resolution applies: the Sydney University Postgraduate Representative Association and the Students' Representative Council.

The Vice-Chancellor may recommend to Senate that the internal auditor of the University or an appropriately qualified external expert with experience in the not-for-profit or community sector ('Investigator') carry out an investigation ('Investigation') into alleged financial, electoral or other governance irregularities concerning a Student Organisation of which the Vice-Chancellor becomes aware and which the Vice-Chancellor believes may be of a serious nature.

Before making any such recommendation to Senate, the Vice-Chancellor will consult with the governing body of the relevant Student Organisation.

Senate will consider any such recommendation by the Vice-Chancellor and may, if it believes it is appropriate to do so, authorise an Investigation.

Any authorisation by Senate of an Investigation must be reported by the Registrar of the University to the governing body of the relevant Student Organisation and, unless the Registrar believes there is good reason not to do so, to the members of the relevant Student Organisation.

Members of the governing body, staff and members of the relevant Student Organisation must provide the Investigator with all such information and documentation as the Investigator may reasonably require.

Upon completion of the Investigation, the Investigator must report findings and any recommendations to the Vice-Chancellor or the Vice-Chancellor's nominee, who may take any one or more of the following actions having regard to that report and/or recommendations:

- appoint, for a specified temporary period, an administrator with power to do all things necessary or convenient to be done for or in connection with or incidental to the management of the affairs of the relevant Student Organisation;
- direct the carrying out of a fresh election of all or any office bearers under the supervision of the University and/or an independent firm of accountants or lawyers or other appropriately qualified expert;
- appoint, for a specified temporary period, an external auditor for ongoing monitoring and appraisal of the relevant Student Organisation;
- implement such other steps which take account of the findings or recommendation of the Investigation.

The Vice-Chancellor will report, in a timely way as required by Senate, on any action taken or proposed to be taken pursuant to this Resolution to Senate; and will recommend how and to whom further reports will be made.

Note: It is not intended that the administrator, the Vice-Chancellor or the Vice-Chancellor's nominee have the capacity to determine the outcome of decisions about a Student Organisation's financial and operating policies.

Preliminary Schedule to the Regulations

This Preliminary Schedule to the regulations was adopted on the 31st July 2020.

SECTION ONE APPLICATION:

- (a) All provisions of this Preliminary Part apply to all other provisions of these Regulations.

Division 1 – Definitions

SECTION TWO DEFINITIONS:

Where used in these Regulations:

Altering the Constitution means:

- A. amending any part of the Constitution;
- B. repealing any part of the Constitution;
- C. adding new provisions to the Constitution;
- D. any combination of (i)–(iii); or
- E. replacing the Constitution with a new Constitution.

Altering the Regulations means:

- A. amending any part of the Regulations;
- B. repealing any part of the Regulations;
- C. adding new provisions to the Regulations;
- D. any combination of (i)–(iii); or
- E. replacing the Regulations with a new set of Regulations.

Annual Election Week means, in a given year, whichever is earlier:

- A. the week containing the last Thursday of September; or
- B. the week immediately before the mid-semester break in Semester 2, provided the Thursday of that week falls in September.

But if, and only if, applying either A or B would result in one or more polling days falling on a University or public holiday, then Annual Election Week is any other week in September chosen by the Electoral Officer, provided that it would be fair and efficient to hold the Annual Elections in that week

By-election means the election held to fill a casual vacancy with respect to:

- A. The Representatives – under section 3(g) of the Constitution; or
- B. The President – under section 4(f) of the Constitution.

Calendar day means a day of the week, including Saturday and Sundays, but excluding any day that is also a University holiday or public holiday. Each calendar day begins at 00:00:00 AEST and ends at 23:59:59 AEST.

Day means a day of the week, excluding Saturdays, Sundays and any day that is also a University holiday or public holiday. Each day begins at 00:00:00 AEST and ends at 23:59:59 AEST.

Elector means a person who is a member of the student body under section 1 of the Constitution and therefore eligible to vote in any SRC election or SRC referendum in which the student body votes as an electorate.

Electoral official means the Electoral Officer from time to time and any such Deputy Electoral Officers and Polling Booth Attendants as the Electoral Officer may appoint.

Members of the Council has the meaning given to it by section 2 of Part One.

Student body has the meaning given to it by section 1 of the Constitution.

Subordinate electoral officials means any Deputy Electoral Officers and any Polling Booth Attendants from time to time.

SRC election means any election that is conducted under Part Eight and in which the student body votes as an electorate.

SRC referendum means any referendum conducted under Part Twelve, in accordance with the Constitution, and in which the student body votes as an electorate.

Voter means a person, being an elector, who is in the process of or who has already voted in a given SRC election or SRC referendum.

Division 2 – Interpretation

SECTION THREE MEANING OF PROVISIONS:

- (a) In this section:
 - (i) **decision-maker** means any person or entity who is empowered to make decisions under these Regulations, including the Chairperson of the Standing Legal Committee.
 - (ii) an **interpretation** issued by the Chairperson of the Standing Legal Committee means an interpretation:
 - A. issued under section 6(d) of Part Nine; and
 - B. that has not been overruled under section 8 of Part Nine.
- (b) Any decision-maker, in the course of making a decision under the Constitution or Regulations, may determine the meaning of any provision of the Constitution or the Regulations.

- (c) If a decision-maker determines the meaning of any provision under subsection (a), their determination:
 - (i) only has effect with respect to the decision for the purpose of which the determination was made; and
 - (ii) is not binding on any other person.
- (d) Subsection (c) does not apply if the decision-maker is the Chairperson of the Standing Legal Committee issuing an interpretation under section 6(d) of Part Nine.
- (e) When determining the meaning of a provision of the Constitution or the Regulations, a decision-maker must comply with the following rules. The rules are to be applied in descending order, with earlier rules taking priority over later rules:

Rule 1: Interpretations of Chair of Standing Legal are binding

- (i) If:
 - A. the Chairperson of the Standing Legal Committee has issued an interpretation of a provision; and
 - B. the provision is still in force in substantially the same terms as when it was interpreted by the Chairperson

then the decision-maker is bound to determine the meaning of the provision in accordance with that interpretation, unless one of the following applies:

- 1) the decision-maker is the Chairperson and the decision they are making is to overrule the interpretation referred to in A.
- 2) the decision-maker is the Executive and the decision they are making is to overrule the interpretation referred to in A.
- 3) the decision-maker is Council and the decision they are making is to overrule the interpretation referred to in A.
- 4) the decision-maker is the Electoral Officer and either of the following provisions apply in respect of the interpretation referred to in A:
 - a. section 4(d) of Part Eight;
 - b. section 17(d) of Part Twelve.
- 5) the decision-maker is the Electoral Legal Arbiter and either of the following provisions apply in respect of the interpretation referred to in A:
 - a. section 4(d) of Part Eight;
 - b. section 17(d) of Part Twelve.

Rule 2: Plain and unambiguous meaning to be given effect

- (ii) If:
 - A. the words of a provision have an unambiguous meaning; and
 - B. that unambiguous meaning is consistent with any interpretation of the same provision issued by the Chairperson of the Standing Legal Committee

then the decision-maker must give effect to that unambiguous meaning when determining the meaning of the provision.

Rule 3: Unconstitutionality must be avoided in the case of ambiguity

- (iii) If:
- A. the words of a provision are ambiguous;
 - B. the Chairperson of the Standing Legal Committee has not issued an interpretation of that provision which explains how the relevant ambiguity is to be resolved; and
 - C. in determining the meaning of the ambiguous provision:
 - 1. one or more possible meanings is inconsistent with the Constitution; and
 - 2. one or more possible meanings is consistent with the Constitution

the decision-maker must:

- a. if there is only one possible meaning consistent with the Constitution – give effect to that meaning;
- b. if there is more than one possible meaning consistent with the Constitution – give effect to whichever of those meanings best satisfies Rule 4.

Rule 4: Resolving ambiguity

- (iv) If:
- A. the words of a provision are ambiguous; and
 - B. the Chairperson of the Standing Legal Committee has not issued an interpretation of that provision which explains how the relevant ambiguity is to be resolved

then the decision-maker must, in determining the meaning of the ambiguous provision, select a meaning which, subject to Rule 3, is most consistent with as many of the following as possible:

- 1) the provision's **context**, including:
 - a. the title of the section in which it appears;
 - b. the title of the Division in which it appears;
 - c. the title of the Part in which it appears;
 - d. the meaning of other provisions of the Regulations with which the ambiguous provision is related.
- 2) the provisions' **intention**, as explained by either:
 - a. any speech made about the provision at a meeting of Council held before the provision was adopted; or
 - b. any report of the Standing Legal Committee considering the provision before it was adopted.
- 3) **precedent**, with a view to maintaining consistency between the decisions of SRC decision-makers.
- 4) the **objects of the Council** set out in Section 8 of the Constitution.

SECTION FOUR
CALCULATING TIME:
Amended August 2021

When counting days between one event and another event, count the number of days inclusive of the first day but not the last day.

SECTION FIVE
Deleted July 2022

SECTION SIX
REFERENCES TO A NUMBERED 'PART' OR 'SECTION':

- (a) Unless the words of the provision manifest a contrary intention, a reference to a numbered Part is a reference to a Part of these Regulations.

Example:

The phrase 'Part Thirteen' means 'Part Thirteen of these Regulations'.

- (b) Unless the words of the provision manifest a contrary intention, a reference to a numbered section is a reference to a provision of the Part in which that reference appears.

Examples:

In Part Eight, the words 'section 4' appear with no further qualification. That is a reference to section 4 of *Part Eight of these Regulations*.

In Part Eight, the words 'section 4 of Part Twelve' appear. That is a reference to section 4 of *Part Twelve of these Regulations*.

Regulations

Part One- The Council

1. DEFINITION:

The Council shall consist of the Members of the Council gathered together in the manner prescribed by the Constitution and Regulations.

2. MEMBERS OF THE COUNCIL:

The members of the Council shall be The President, The Representatives, The Officers established by the Constitution, such Officers as are appointed by Regulation to be Members of the Council, and such other persons who are appointed ex-officio by the Regulations to be members of the Council

3. DEPARTMENTS OF THE COUNCIL:

(Added/Amended 2022)

(a) There are to be the following Departments of the Council:

- (i) Disabilities
- (ii) Education
- (iii) Environment
- (iv) Ethnocultural
- (v) First Nations'
- (vi) Global Solidarity
- (vii) Intercampus
- (viii) Interfaith
- (ix) International Students'
- (x) Mature Age Students'
- (xi) Queer
- (xii) Refugee Rights
- (xiii) Sexual Assault and Sexual Harassment
- (xiv) Social Justice
- (xv) Student Accommodation
- (xvi) Welfare
- (xvii) Women's

This list is not to be taken as exhaustive.

(b) Deleted September 2023

(c) Deleted September 2023

3A. OFFICERS:
(Amended 2023)

- (a) The following officer bearers in addition to those established by the constitution shall be members of the Council:
- (i) Deleted September 2023
 - (ii) One Education Officer position, which shall be held by a maximum of 2 persons as Co-Officers
 - (iii) One Women's Officer position, which shall be held by a maximum of 2 persons as Co-Officers
 - (iv) Two Disabilities Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (v) Two Environmental Officer position, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (vi) Two Ethnocultural Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (vii) Two First Nations' Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (viii) Two Global Solidarity Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (ix) Two Intercampus Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (x) Two Interfaith Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xi) Two International Student Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xii) Two Mature Age Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xiii) Two Queer Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xiv) Two Refugee Rights Student Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xv) Two SASH Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xvi) Two Social Justice Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xvii) Two Student Accommodation Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
 - (xviii) Two Welfare Officer positions, each of which shall be held by a maximum of 2 persons as Co-Officers
- (b) The above Officers, the five ordinary members of the General Executive and all members of standing committees, shall be elected by proportional representation at the special Council meeting of Representatives-Elect after the Annual Elections.
- (c) If any position remains or becomes vacant, an election for the vacant position shall be put on notice for the next regular Council meeting.
- (d) All Officers must be at the time of their election members of the student body who, if required, have paid affiliation fees to the Council.
- (e) The following positions shall not be shared: the 5 general members of the Executive, Chair of the Standing Legal Committee, all members of Committees and the Directors of Student Publications.
- (f) No individual may hold more than two office bearer positions simultaneously. Office bearers are taken to include the list at ss(a), the President, General Secretary and the Vice President
- (i) For avoidance of doubt: a member of the General Executive is the only Council member who may hold two Office Bearer positions in addition to their General

Executive position

- (g) Officers of Council, in their capacity as an Officer, may not provide advice to students (individually or in general) on matters pertaining to academic, welfare, legal, harassment, and/or discrimination matters. This is in order to avoid any unintended errors by an Officer and/or adverse consequences for a student recipient of the advice. Students seeking advice from an Officer should be immediately referred to the SRC Casework Department and/or Legal Service.
- (h) Similarly the content of campaigns, materials and publications published or distributed by an Officer pertaining to academic, welfare, legal, harassment, and/or discrimination matters should be fact checked and approved by the SRC Casework Department and/or Legal Service prior to publication or distribution in order to avoid any unintended errors and/or adverse effects on student recipients of that content.
- (i) Where general information is published and distributed by an Officer that may be misconstrued as advice, a disclaimer should be published with that information to the effect: "Disclaimer: The following is not intended as [financial, legal, policy] advice and is for general information only. You should obtain your own advice from a qualified person."
- (j) For the avoidance of doubt: Pursuant to Constitution Section 6(e), the council may elect two or more qualified persons to jointly hold an officer position as 'Co-Officers'. The council may alternatively elect a single qualified person to hold an officer position. (Added Sep 2023)
- (k) For the election of officers, the number of persons elected to hold an office shall be calculated inclusive of the maximum number of persons that may at a time hold the relevant position, whether jointly or individually. (Added Sep 2023)
- (l) Nominations for individually held officer positions shall be submitted individually. Nominations for a jointly held officer position shall be submitted jointly. (Added Sep 2023)

4. AFFIRMATIVE ACTION PROVISIONS:

(Replaced 2022)

- (a) At any time, any given Officer position, bar the General Executive, must be filled such that half (rounded up) the positions are filled by a student who does not identify as cis male.
NOTE: For example, the four Welfare Officers must include at least two non cis men.
- (b) If there is only one nomination for a position, (a) need not apply.
- (c) For the avoidance of doubt:
 - (i) If 2 students nominate for an office bearer position, at least one of them must not identify as a cis male.
 - (ii) If 3 students nominate for an office bearer position, at least two of them must not identify as a cis male.
 - (iii) If 4 students nominate for an office bearer position, at least two of them must not identify as a cis male.
- (d) Disabilities Officers - only students with a disability may nominate.
 - (i) This is defined by the UN Convention on the Rights of Persons with Disabilities (CRPD) as "those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others."
 - (ii) This includes but is not limited:
 - (1) people with mental, chronic, or terminal illnesses;
 - (2) people who are neurodivergent;
 - (3) people who are blind or partially sighted; or

- (4) people who are D/deaf or hard of hearing.
- (e) Ethnocultural Officers - only students who self-identify as Black, Indigenous or a Person of Colour shall nominate. This includes but is not limited to people who come from a minority ethnocultural background, are white-passing, are biracial, are Aboriginal and/or Torres Strait Islander, or have been marked or marginalised by white supremacy.
- (f) First Nations Officers - only students of Aboriginal and/or Torres Strait Islander background shall nominate.
- (g) International Students' Officers - only international students registered with the International Office shall nominate.
- (h) Inter-Campus Officer - at least one officer shall be a current student at a satellite campus of the University.
- (i) Mature-Age Student Officers - only students enrolled as mature-age in an undergraduate degree at the University may nominate.
- (j) Women's Officers - only students identifying as non-male shall nominate.
- (k) Queer Officers - only students who openly identify as queer shall nominate
 - (i) This includes but is not limited to:
 - (1) Gay, bisexual, asexual, pansexual
 - (2) Transgender or non-binary
 - (3) Intersex

4A. ACTIVE MEMBER REQUIREMENTS

(Added 2022)

Nominees for the position of Ethnocultural, Disabilities, First Nations, International Students, Women's, or Queer Officer must be active members of the respective Collective or Department of each office.

- (a) An active member of a Collective or Department is defined as a member who has attended two meetings of that Collective or Department in that Academic year.
- (b) Where a Collective has autonomously preselected a student to be nominated for the position of Ethnocultural, Disabilities, First Nations, International Students, Women's, or Queer Officer, the returning officer may only accept their nomination and no others, provided it also satisfies the requirements at s4 and s4A(a)-(b).
- (c) The active member requirement does not apply to a department where there are as many or fewer nominees as there are vacancies for the position of Officer of that Department or where the Department has been vacant for more than one month prior.

5. COMPLAINT RESOLUTION PROCEDURE

- (a) A full description of the Complaint Resolution Procedure shall be set out in the SRC Policy document.
- (b) The SRC shall ensure that fair and due process is afforded to all parties.
- (c) The SRC shall ensure that complaints are treated with confidentiality.
- (d) Any fees associated with an external mediator shall be paid by the SRC.
- (e) Any person involved in a complaint shall not be involved in its resolution.

- (i) Involvement in a complaint's resolution refers to arbitration, mediation, recommendations, or similar acts.
 - (ii) Involvement in a complaint refers to the person(s) making the complaint and the person(s) the complaint is made about.
- (f) Any person with a conflict of interest or where there is an apprehension of bias may not be involved in the resolution of a complaint.

6. EX-OFFICIO MEMBERS: DELETED

(Deleted 2022)

7. ORIENTATION WEEK CONVENOR(S):

- (a) **The Orientation Committee shall be appointed by the Executive at the first executive meeting of its term.** The Orientation Committee shall be responsible, subject to the decisions of the Executive, the Council, or a General Meeting, for the convening of university Orientation weeks or periods (which may include Enrolment periods).
- (b) The Orientation Committee shall be comprised of at least four members from the student body.
- (c) At least two of the members of the Orientation Committee must identify as non-cis males.
- (d) The Orientation Committee shall have the President as an ex-officio member.
- (e) The Orientation Committee shall be chaired by the General Secretary and deputy-chaired by the President.
- (f) The Orientation Committee shall be in charge of producing the Orientation Handbook, organising the SRC activities for each Orientation week or period, running membership drives during Orientation periods and liaising with other SRC officer-bearers and Honi Soit editors about Orientation activities.

8. DIRECTORS OF STUDENT PUBLICATIONS:

Six Directors of Student Publications shall be elected by proportional representation at the meeting of Representatives-elect. If any position of DSP remains or becomes vacant, an election for the vacant position shall be put on notice for the next regular Council meeting. The duties of the DSPs are set out in Part Six s.1 of these Regulations.

9. ELECTION OF THE STANDING LEGAL COMMITTEE:

(New Section: new numbering from this point till the end of Part One, added September 2023)

- a) The members and function of the Standing Legal Committee is enumerated in Regulations Part 9, Section 1.
- b) The Chairperson of the Standing Legal Committee shall be elected by proportional representation at the meeting of Representatives-elect after the Annual Elections. One (1) person may be elected as Chairperson, and the position is not to be held jointly. If the position of Chairperson of the Standing Legal Committee remains or becomes vacant, an election for the vacant position shall be put on notice for the next regular Council meeting.
- c) Two Representatives of the Council are to be elected as committee members of the Standing Legal Committee at the special council meeting of Representatives-Elect after the Annual Elections. Committee member positions are not to be held jointly. If one or both of the Standing Legal Committee member positions remains or becomes vacant,

an election for the vacant position(s) shall be put on notice for the next regular Council meeting.

10. COUNCIL MEETINGS:

(New numbering September 2023)

- (a) Ordinary Meetings of the Council shall be held once every month except in December and January. Special Meetings of the Council shall be held on the written request of one third of the Representatives addressed to the Secretary to Council, the General Secretary, or the President.
- (b) No new agenda items shall be discussed after midnight.

11. NOTICE OF MEETINGS:

(New numbering September 2023)

- (a) At least five working (5) days notice in writing of the meeting of the Council shall be given to each member thereof and the notice shall indicate the nature of the business intended to be brought forward at such meeting, provided that where in the opinion of the President it is expedient shorter notice may be given.
- (b) (The time and place of each meeting of the Council shall be advertised in *Honi Soit* and the SRC website. All motions of which due notice has been deemed to have been given under Section 13 of Part one of the Regulations, shall posted on the SRC website. These tasks shall be the responsibility of the Vice-President.

12. LAPSING OF MEETINGS:

(New numbering September 2023)
(amended 2021)

- (a) If quorum is not present thirty (30) minutes after the initial time for which the meeting is called, or if quorum is lost during the Meeting itself, the Secretary to Council will call for a vote by SRC Representatives or their proxies present to determine whether those present should continue to wait for quorum for a further thirty (30) minutes;
 - (i) This may be extended, by a vote of the Representatives or their proxies, a further thirty (30) minutes indefinitely.

13. PROXIES:

(New numbering September 2023)

- a) In the event of any representative being unable to attend any meeting or part thereof, of Council, they may, by notice in writing to the Secretary to Council or Chairperson, appoint a proxy for that meeting.
- b) A proxy is any person who would be eligible for election as representative, but cannot be an elected councillor. Proxies may only carry one vote.
- c) The appointing of a proxy shall be deemed to be valid when the representative concerned is not present at the meeting.
- d) The attendance of a proxy shall not be deemed to have been an attendance on the part of the representative concerned.

14. OPEN MEETINGS:

(New numbering September 2023)

All meetings of the Council shall be open to members of the Student body provided that any matters which in the opinion of a majority of the Representatives or their proxies present and voting should be dealt with *in camera* shall be so dealt with.

15. CHAIRPERSON:

(New numbering September 2023)

The chairperson for any meeting of the Council shall be the President. Should the President not be present, the chairperson shall be elected by the Council. The Deputy Chairperson shall be elected by the Representatives (or their proxies) present and voting.

16. RESCISSION NOTICE:

(New numbering September 2023)

(Amended 2022 – a and b swapped, title adjusted)

- (a) Due Notice shall be required for rescission of any motion passed at a previous meeting.
- (b) Due Notice shall be deemed to have been given when a written notice of the motion has been delivered seven days prior to the meeting to the President, the General Secretary, or the Secretary to Council.

17. ATTENDANCE AT MEETINGS:

(New numbering September 2023)

- (a) Attendance at Council Meetings is compulsory for all members of Council.
- (b) A member who is unable to attend either part or all of a meeting, may formally apologise for their absence. This may be done by way of:
 - (i) Notice of absence by letter or email to the Secretary to Council, and in their absence the General Secretary, to be received prior to the meeting; or
 - (ii) The appointment of a proxy; or
 - (iii) Notice of absence in person, during the meeting.
- (c) A member who formally apologises will not be deemed absent.
- (d) A member shall be deemed to be absent, unless they have signed the attendance book within thirty (30) minutes of the meeting being declared open.
- (e) A member who is deemed to be absent at two (2) meetings shall be suspended from Council and forfeit their voting rights for the remainder of the term of the Council.
- (f) A suspended member may appeal their suspension before a meeting of Council, and have their suspension overturned if Council passes a motion to that effect.
- (g) A member who is absent from two (2) consecutive normal meetings of Council or three (3) meetings across their term is deemed to have manifestly failed to fulfil their obligations under the Constitution and Regulations and will be eligible for dismissal from Council according to Section Three, 5. h. (ii) of the Constitution.

18. SPEAKING AND VOTING RIGHTS:

(New numbering September 2023)

(Amended 2022)

- (a) All members of the student body and staff of the SRC shall have full speaking rights at Council meetings.
- (b) Visitors may be granted speaking rights at the discretion of the Council.
- (c) All members of the student body shall be entitled to move or second motions and/or amendments to motions.
- (d) Only representatives or their proxies on Council have voting rights.

19. NO SMOKING, NO ALCOHOL:

(New numbering September 2023)

- (a) Smoking shall not be permitted in the Council chamber during Council meetings.
- (b) No alcohol shall be permitted in the Council chamber during Council Meetings, except for the final scheduled meeting of the current council.

20. SRC LEGAL SERVICE:

(New numbering September 2023)

(Amended 2022)

- (a) The Council shall establish, oversee and fund a wholly-owned proprietary limited-liability incorporated company named the "SRC Legal Service Pty Ltd" (the SRC Legal Service);
- (b) The directors of the SRC Legal Service shall include the Principal Solicitor of the SRC Legal Service (the Principal Solicitor), and the President and the General Secretary/ies of Council of that Council year
- (c) The main business of the SRC Legal Service shall be providing legal assistance and/or representation, but not limited to,
 - (i) The members and associate members of the SRC, and;
 - (ii) The SRC as an organisation. The President, the Vice-President and the General Secretary of Council shall represent the interests of Council in the SLS Committee.
 - (iii) Any other party at the discretion of its board of directors. Council may override the decisions of the board of directors.
 - (1) Council may override the decisions of the board of directors.

Part Two – Officers of Council

1. THE PRESIDENT:

The duties of the President shall be: -

- (a) To represent and speak on behalf of the Council at such meetings, functions, hearings and inquiries as the Council or Executive deem fit
- (b) To counsel, advise, and where suitable make representations on behalf of members of the Student Body;
- (c) To consult regularly with the following, drawing to the attention of the Council matters of concern to the Council;
 - (i) Vice-Chancellor and other officers of the University
 - (ii) The Staff Association
 - (iii) SUPRA
 - (iv) The University branches of the H. & R.E.A. and any other Unions of non-academic staff,
 - (v) And student members of the Senate, the Academic Board and the Faculties,
- (d) To meet the Vice-Chancellor prior to each meeting of the Senate to discuss the Agenda for that meeting and any other matters of concern;
- (e) To act as Trustee of the Bursary and Assistance Fund, where it is operational;
- (f) To attend all meetings of the Council, the Executive, and to be concerned with the activities of the Council and its Committees in all areas;
- (g) To report regularly to the Student Body through such avenues as *Honi Soit*;
- (h) To prepare and submit on behalf of the Council its Annual Report to the Student body and the Senate;
- (i) To supervise arrangements for SRC activities including permits for processions and arrangements for bail monies;
- (j) To ensure that resources and information are provided to all relevant sections of the University such that students receive accurate information about the SRC via University publications. Such publication may include the University Calendar and Student Mail;
- (k) To supervise the regular updating of the printed copies of the Constitution, Regulations and Resolutions of the SRC, and their distribution;
- (l) To maintain an overall supervision of the administration and finances of the Council, by
 - (i) Acting as a joint signatory for the Council's monies
 - (ii) Consulting with the General Secretary in the preparation of the Annual Budget
 - (iii) Consulting with the General Secretary in the selection of investment opportunities for the Council's finances
 - (iv) Negotiating in consultation with the General Secretary and any other relevant officer any commercial contract involving the Council and to report such negotiations to the Executive and Council;

- (m) To present to each meeting of the Executive and the Council a report of decisions made between such meetings, for ratification where necessary, and on the activities of the President and the Council on matters of concern to the Council;
- (n) To maintain files on matters of importance to the Council and supervise the maintenance of the Council's filing system;
- (o) To carry out the decisions of the Council which are not the specific responsibility of any other officer of the Council;
- (p) To be a co-signatory (with the General Secretary) to any contract, deed or other document which is to be signed on behalf of the Council, provided always that approval for such signature has previously been given by Council;
- (q) To perform all other duties as may from time to time be determined by the Council
- (r) To present both a written and verbal report to each regular Council meeting.
- (s) To accede to the [SRC Legal Service Directors Agreement] and act as a Director of the SRC Legal Service, where it is operational;
- (t) To attend to all duties and responsibilities as required of the President from time to time as set out in the [SRC Legal Service Directors Agreement];
- (u) Actively arrange for the next Council's President Elect, within 6 weeks of the last day of SRC Elections, to accede as a director of the SRC Legal Service when the President Elect takes office;
- (v) To actively arrange for each of the Council's Vice President and General Secretary to accede as a director of the SRC Legal Service within 5 working days from the start of Council term. Should either position be vacated and replaced within the Council term, the President has to actively arrange for the incoming Vice President or/and General Secretary to accede as a director of the SRC Legal Service within 5 working days from the day they take office.
- (w) The President shall be entitled to be a member *ex-officio* of any committee or sub-committee of the Council, and shall have a deliberative vote on every such committee except that the President shall not be a member *ex-officio* of the Staff Committee.
- (x) The President may at any time delegate to the Vice-President, and in exceptional circumstances to any other member of the Executive or Council, any or all of the duties and functions of the President.
- (y) In the event of a vacancy in the office of President, and where a by-election has been called in order to fill that vacancy, Council may elect an Acting President to fill the office of President until declaration of the results of the by-election. At least five days notice in writing shall be given of any meeting of the Council at which an Acting President shall be elected.

2. THE VICE-PRESIDENT:

The duties of the Vice-President shall be:

- (a) To liaise with the Faculty Societies
- (b) To liaise with the Student Consultative Committee.
- (c) To liaise with Officers of Council and amalgamated colleges to co-ordinate the work of the Council.

- (d) To liaise with other officer bearers and help with the organisation and promotion of the campaigns and events.
- (e) To liaise with staff and help with the organisation and promotion of campaigns, events and services.
- (f) To promote and publicise the SRC and its services for undergraduate students by collating information and coordinating a publicity campaign for the SRC over the year.
- (g) With the General Secretary and Education Officer, help to promote campaigns from the National Union of Students.
- (h) With the President, General Secretary, Education officer and Women's officer organise SRC week and its activities.
- (i) With the General Secretary, to be one of the core organisers for the SRC's Enrolment and Orientation Week activities each year.
- (j) With the General Secretary, Education officer and Women's officer, assist and deputise for the President in any other matter requested by the President.
- (k) To present both a written and verbal report to each regular Council meeting."
- (l) To periodically review the job description of all Officers of Council as set out in the policies of Council and provide recommendations to council for their revision;
 - (i) Publications Committee
 - (ii) Intercampus Committee
 - (iii) SLS Committee
- (m) To ensure the Honi Soit publicise the time and of any meetings

3. THE GENERAL SECRETARY:

The duties of the General Secretary shall be:

- (a) To report to Council on meetings of standing and ad hoc committees at which the Secretary to Council is not present;
- (b) To assist the President and Vice-President in such matters as they may deem fit;
- (c) To ensure that office bearers are briefed on the operation of the Front Office and SRC facilities;
- (d) To use any other means to acquaint Officers of the Council with the SRC at the discretion of the General Secretary;
- (e) To liaise with the Secretary to Council regarding provision of due notice of meetings, correspondence of the Council, and maintenance of the Constitution and Regulations;
- (f) To oversee arrangements for General Student Meetings as required.
- (g) To be a co-signatory (with the President) to any contract, deed or other document which is to be signed on behalf of the Council, provided always that approval for such signature has previously been given by Council.

- (h) To present both a written and verbal report to each regular Council meeting.
- (i) To be a signatory to the following SRC Accounts:
 - i. The Secondhand Bookshop Account
 - ii. The Bursary and Assistant Fund Account
 - iii. All other general SRC Bank Accounts
- (j) To present both a written and verbal report to each ordinary council and Executive meeting
- (k) To ensure the implementation of motions adopted at Executive or Council.
- (l) To accede to the [SRC Legal Service Directors Agreement] and act as a Director of the SRC Legal Service, where it is operational;
- (m) To attend to all duties and responsibilities as required of the General Secretary from time to time as set out in the [SRC Legal Service Directors Agreement];
- (n) To direct and supervise the keeping of proper books of account of the finances and property of the Council;
- (o) To direct and supervise the receipt and payment of all monies payable to and by the Council, to supervise the collection of outstanding monies due to Council, to supervise the prompt banking of monies received and the prompt payments of accounts by the Council.
- (p) To supervise the preparation each year by the Auditors of a Balance Sheet and Statement of Income and Expenditure for inclusion in the Annual Report;
- (q) To prepare each year, in consultation with the President for submission to the earliest possible Council meeting, a draft Annual Budget stating that basis on which it is prepared and including detailed estimates for the year December to November;
- (r) To ensure that Portfolio Officers are briefed on the respective budget allocations to each portfolio.
- (s) With the Vice-President and Education Officer, help to promote campaigns from the National Union of Students.
- (t) To liaise with staff and help with the organisation and promotion of campaigns, events and services.
- (u) To promote and publicise the SRC and its services for undergraduate students by collating information and coordinating a publicity campaign for the SRC over the year.
- (v) To provide information and support to the President and all other SRC officers around marketing and membership issues.
- (w) To liaise with other student organisations, including the Unions, the Sports Union, and organisations on other campuses around membership and marketing issues.
- (x) With the President, Vice-President, Education officer and Women's officer organise SRC week and its activities.
- (y) With the President, Vice-President, Education officer and Women's Officer, liaise with Officers of Council and amalgamated colleges to co-ordinate the work of the Council.
- (z) With the Vice-President, Education officer and Women's officer, assist and deputise for the President in any other matter requested by the President.

(aa) With the Vice-President, to be one of the core organisers for the SRC's Enrolment and Orientation Week activities each year.

(bb) To be a member of the following committees:

- i. The Staff Selection Committee
- ii. The Publications Committee
- iii. The Inter Campus Committee
- iv. The SLS Committee
- v. The Standing Legal Committee
- vi. The Orientation Committee, as Chair

(cc) With the President, oversee the distribution and placement of offices within the SRC

(dd) With the Education Officers, organise and edit the SRC Counter Course Handbook

4. WOMEN'S OFFICER:

The duties of the Women's Officer shall be to:

- (a) Convene "Growing Strong" Collective organise production, solicit articles, facilitate Collective
- (b) Organise "Growing Strong" Launch
- (c) Organise celebration of IWD on campus (March)
- (d) Organise Women's Week
- (e) Publicise Health Issues on campus (e.g. Pap Smear)
- (f) Attend meetings such as Union Women's Committee and NUS State Women's Committee etc.
- (g) Liaise with Sexual Harassment officer
- (h) Convene the Wom*n's Collective and maintain a contact list of wom*n students interested in the collective and wom*n's issues.
- (i) Liaise with the female Queer Officer/s in organisation of campaigns and events.
- (j) Act as organiser for all women on Council
- (k) Act as organiser for all women on campus
- (l) Organise NOWSA – either attendance, funding, travel to conference, or actual conference if to be held in Sydney
- (m) Act as contact/spokesperson on women's issues
- (n) Lobby around issues of Women and Education, Security on campus, "Right to Choose" campaigns
- (o) Organise "Reclaim the Night" activity and advertise on campus
- (p) Act to ensure that women and feminist issues are adequately represented on Council

- (q) Liaise and convene collective with the female editors of Honi Soit to produce the Women's edition of Honi Soit
- (r) Facilitate education and social activities on campus about women.
- (s) With the Education Officer and General Secretary assist and deputise for the President in any other matter requested by the President.
- (t) With the Education Officer and General Secretary liaise with Officers of Council and amalgamated colleges to co-ordinate the work of the Council.
- (u) Present both a written and verbal report to each regular Council meeting.
- (v) With the President, Education Officer and General Secretary organise Faculty Welcomes from the SRC during O-Week
- (w) With the President, Education Officer and General Secretary organise SRC week and its activities.
- (x) Attend all SRC executive meetings and give regular reports

5. EDUCATION OFFICER:

The duties of the Education Officer shall be:

- (a) Support and fight for quality free public Education and actively organise to defend the rights of students
- (b) Create material, campaigns, and collate information to improve the conditions, quality and access to education experienced by students.
- (c) To create and maintain contact with representatives and societies from faculties and departments helping them in campaigning for issues effecting students in their area of study.
- (d) To provide information and support to the president and all other SRC officers around education issues effecting their portfolio's
- (e) To convene the Education Action Group and maintain a contact list of students interested in the collective and Education issues
- (f) Publicise the Education Action Group as widely as possible. Advertising the group in Honi Soit, and via posters and leaflets (at O-Week as well as during the year)
- (g) Write regular articles for Honi Soit around university condition and changes to the higher education sector.
- (h) Attend cross-campus Education networks and establish links with Education Officers from the National Union of Students and other campuses
- (i) To help promote national and state campaigns, where applicable
- (j) Publicise and encourage students to run for Faculty boards
- (k) Promote the Students Representative Council and the benefits of universal membership to student organisations
- (l) Liaise with the Undergraduate Senator, the president and other members of the University senate to advocate for outcomes from the University Senate that benefit

students

- (m) Attend University Senate Meetings and write a report for council and Honi Soit about any changes that affect students or staff.
- (n) With the Women's Officer and General Secretary assist and deputise for the President in any other matter requested by the President.
- (o) With the Women's Officer and General Secretary liaise with Officers of Council and amalgamated colleges to co-ordinate the work of the Council.
- (p) Present both a written and verbal report to each regular Council meeting.
- (q) With the President, Women's Officer and General Secretary organise Faculty Welcomes from the SRC during O-Week
- (r) With the President, Women's Officer General Secretary organise SRC week and its activities.
- (s) Attend all SRC executive meetings and give regular reports.
- (t) Organise and edit the SRC Counter Course Handbook

6. OFFICERS:

- (a) The Officers (as defined in the Constitution and in Part One s.3 of these Regulations) shall act in accordance with job descriptions as set out in the policy of the Council
- (b) The duties of the Officers who are elected to act as convenors of Departments shall be as set out in Part Seven of these Regulations
- (c) Officers shall be required to attend all meetings of their Department. If an Officer fails to attend, without apology, two consecutive Department meetings or three Department meetings overall, there shall be grounds for complaint under the Complaint Resolution Procedure, in accordance with Part 1.5 of these Regulations.

7. STIPENDS:

Stipends shall be paid to the following officers of the SRC:

- (a) The President shall receive a stipend, which shall be the Federal Minimum Wage
- (b) The Education officer shall receive a stipend which shall be 1/2 of the President's stipend. Where the Education Officer position is shared between two persons, they shall jointly receive a stipend which shall be 2/3 of the President's stipend.
- (c) Where the Women's Officer position is shared between two, they shall jointly receive a stipend which shall be 2/3 of the President's stipend.
- (d) The General Secretary shall receive a stipend which shall be 1/2 of the President's stipend. Where the General Secretary position is shared between two or more persons, they shall jointly receive a stipend which shall be 2/3 of the President's stipend.
- (e) Stipends for other positions shall be set by Executive.

8. THE PRESIDENT-ELECT:

The duties of the President Elect shall be:

- (a) To enter into the [SRC Legal Service Directors Agreement] as an Incoming Director [as defined in the SRC Legal Service Directors Agreement] within 6 weeks of the last day of SRC Elections. According to the [SRC Legal Service Directors Agreement] the President Elect shall accede as a Director to the SRC Legal Service on the first day of the new Council.

Part Three – The Executive

1. FUNCTION:

The Executive shall conduct the business of the Council between meetings of the Council and subject to any decision of the Council to the contrary, may exercise the powers of the Council in accordance with the policy of the Council.

The duties of the General Executive shall be:

- (a) To promote the SRC within the University and to the wider community
- (b) To promote and publicise the SRC as the representative organisation of undergraduate students at the University of Sydney.
- (c) To promote the benefits of universal membership of student organisations.
- (d) To inform students of the services, welfare, advocacy and representation offered by the SRC.
- (e) With the President and General Secretary, assist in the day-to-day operations of the SRC
- (f) Be a point of contact for collectives and Office Bearers and assist them with their duties within SRC, including administration procedures and council attendance.
- (g) To liaise with Office Bearers and help with the organisation and promotion of campaigns and events.
- (h) Conduct mid-year consultations with all Office Bearers during June/July of each Council term and compile a report with findings, suggestions for change and any problems Office Bearers voice in these consultations. Minutes will be taken and passed onto the President.
- (i) Liaise with Officers of Council and to co-ordinate the work of the Council.
- (j) With the President & General Secretary, organise the SRC's presence at O-Week.
- (k) Attend all meetings of the Executive and Council.

2. MEETINGS OF THE EXECUTIVE:

- (a) The Executive shall meet regularly and if possible weekly during semester.
- (b) Any member of the Executive may summon a meeting of the Executive by giving to the Secretary to Council forty-eight (48) hours notice of the nature and the business to be brought forward at such meeting, and provided that where in the opinion of the President, or in their absence the Vice-President, it is expedient, shorter notice may be given. Members of the Executive shall be given written notice of the time and place of each Executive meeting.
- (c) The President shall chair every meeting of the Executive, in the absence of the President that the meeting shall be chaired from a person elected from among those members present.
- (d) A quorum for a meeting of the Executive shall be four (4) members of the Executive. If quorum be not present thirty (30) minutes after the time for which the meeting was called, the meeting shall be adjourned until such time as may be determined by the members present. Those not present shall be advised of the time and date of the

adjourned meeting.

- (e) A substantive motion shall require in order to be carried by the Executive in addition to a simple majority of members present and voting, the assent of at least four members.
- (f) The Agenda for meetings of the Executive shall be as follows:
 - 1. Acknowledgement of Country
 - 2. Attendance and Apologies
 - 3. Minutes of the last meeting of the Executive
 - 4. Business Arising from the Minutes being a report on further action on decisions of the last meeting;
 - 5. Workplace Health & Safety Report
 - 6. President's Report;
 - 7. Vice-President's Report
 - 8. General Secretary's Report
 - 9. Report of the Administration Manager
 - 10. Report of the Casework and Policy Manager
 - 11. SRC Legal Service Report
 - 12. Financial, including Approval of Payments
 - 13. Any Other Reports
 - 14. Other Business

3. MINUTES AND REPORTS OF THE EXECUTIVE:

- (a) Full minutes of meetings of the Executive shall be kept and after adoption and signing at the next Executive meeting, shall be presented to the Council for noting.
- (b) Minutes of the Executive shall be signed by the President when they are confirmed by the Executive.
- (c) A full report of all decisions and recommendations of the Executive, including a report on matters currently under consideration by the Executive, and Proceedings of the Executive not otherwise reported on, shall be made to each ordinary meeting of the Council.

4. RESCISSION MOTIONS:

The following procedures shall be observed in relation to notices of rescission of motions carried at Executive meetings:

- (i) Any member of the Executive may give notice to rescind a motion carried at an Executive meeting.
- (ii) Such notice must be received in writing within four (4) days of the Executive meeting by the President or General Secretary; or, during the meeting, by the Chairperson of that meeting; the rescission motion shall be placed on notice for the next meeting of the Executive.
- (iii) Except as provided in sub-section (iv) such notice of rescission shall not in any way affect the observance or carrying out of the motion in question.
- (iv) Where the notice in writing referred to in sub-sections (i) and (ii) contains the signatures of three (3) members of the Executive the motion that is placed on rescission shall not in any way be observed or acted upon unless and until the rescission motion is defeated.
- (v) A rescission motion may only be moved once, for any given motion.

5. NO SMOKING AND NO ALCOHOL:

- (a) Smoking shall not be permitted in the meeting room during Executive meetings.
- (b) No alcohol shall be permitted in the meeting room during Executive meetings

6. ATTENDANCE AT MEETINGS:

- (a) Attendance at Executive Meetings is compulsory for all members of the Executive

FORMAL APOLOGIES:

- (b) A member of the Executive who is unable to attend either part or all of a meeting, having not expressed their intention of resigning their membership, may formally apologise for their absence, either:
 - (i) By letter or email (or other written communication, at the discretion of the Executive Committee), to the President or Secretary to Council, and in their absence the General Secretary or the Vice President, to be received prior to the meeting; or
 - (ii) In person, during the meeting.
- (c) A member who formally apologises will not be deemed absent.

ABSENCE:

- (d) A member of the Executive shall be deemed to be absent, unless they have signed the attendance book both:
 - (i) Within fifteen (15) minutes of the meeting being declared open; and
 - (ii) During General Business.

DISMISSAL:

- (e) A member of the Executive who is deemed to be absent at two (2) consecutive Executive meetings or three (3) Executive meetings in total and where that member of the Executive received at least forty-eight (48) hours notice of all meetings where they have been deemed absent shall be eligible for dismissal from the Executive.
 - (i) Their dismissal takes effect upon the passing, via simple majority, of a motion calling for their dismissal.
 - (ii) Council shall then elect a representative to fill the vacancy according to Section 5 d of the Constitution.

Part Four – Staff

1. GENERAL:

- (a) In pursuance to Section 9 (g) of the Constitution, the Council shall be Council, to perform the duties of the staff prescribed below and of such other positions empowered to employ and discharge persons on conditions to be determined by the as the Council may from time to time establish.
- (b) At the time of appointment of a permanent or contract full- or part-time member of staff the full terms of appointment including conditions and duties shall be reduced into a written agreement between the Council and the appointee.

2. ADMINISTRATION MANAGER:

- (a) There shall be a Administration Manager whose duty statement shall be kept in the records of Council.
- (b) The Administration Manager shall be responsible to the President when neither the Council nor Executive is meeting for the performance of their duties in accordance with the directions and policies of the Council.

3. SECRETARY TO COUNCIL:

There shall be a Secretary to Council whose duty statement shall be kept in the records of Council.

4. BOOKSHOP MANAGER:

There shall be a SRC Secondhand Bookshop Manager, whose duty statement shall be kept in the records of Council. The Bookshop Manager shall report to the Executive at least monthly with the Bookshop financial statements and any other relevant matters. The Bookshop Manager shall be responsible for the day-to-day administration of the Bookshop and shall liaise with the General Secretary and Executive where appropriate.

5. FRONT OFFICE STAFF:

Council may appoint Front Office staff, whose duty statements shall be kept in the records of Council.

6. PUBLICATIONS MANAGER:

The Council shall employ a Publications Manager, whose duty statement shall be kept in the records of Council.

7. CASEWORK & POLICY MANAGER:

The Council shall employ a Casework and Policy Manager whose duty statement shall be kept in the records of Council.

STAFF SELECTION PROCEDURE:

8. SELECTION COMMITTEE:

- (a) When the Council determines to fill a permanent or contract full- or part-time staff position, the Executive shall appoint a Selection Committee to consider Terms of Appointment, Advertisement and Selection for the position. The Committee shall consist of the President, General Secretary, one other member of the Executive, a member of the staff of the SRC (nominated by the Staff Committee) and one member of staff from each relevant department (nominated by the Head of Department). The Selection Committee shall report on
 - (i) Proposed duties of the appointee
 - (ii) Proposed conditions of appointment; and
 - (iii) Terms of advertisement.
- (b) In special circumstances, the Executive may decide to create a smaller Selection Committee of the President, General Secretary and one member of staff nominated by the Staff Committee. If the Staff Committee cannot meet in time, the Executive will automatically nominate a member of SRC staff.
- (c) Advertisements shall state in outline:
 - (i) The duties of the appointee;
 - (ii) The conditions of appointment; and
 - (iii) The qualifications and experience sought; and shall also state the time of closing of applications and the source for further information.
- (d) The following are guidelines for the procedure of the Committee:
 - (i) All applications shall be circulated to Committee members in confidence together with the report of the terms Committee;
 - (ii) The Committee shall first discuss general considerations for the position and then select candidates for interview;
 - (iii) After interviews, the Committee shall determine upon a short list and shall then, if necessary, conduct second interviews;
 - (iv) The Committee shall then determine upon its recommendation to the Council.
- (e) The Committee may appoint a subcommittee to conduct first interviews and report back to the Committee on such interviews as it conducts.
- (f) The Committee shall report to the Council stating:
 - (i) the number and dates of its meetings and attendance at them;
 - (ii) whether an interviewing committee was appointed and if so its composition;
 - (iii) the number of applications received, the number interviewed and the number shortlisted;
 - (iv) the preferred candidate;
 - (v) the Committee's reasons for preferring him or her, including its reasons for feeling that his or her qualities best suit the position;
 - (vi) the Committee's recommendation
 - (vii) where applicable the details in (d) (e) and (f) above for any alternate recommendation.

9. STAFF COMMITTEE:

- (a) There shall be a Staff Committee which shall consist of the permanent members of the SRC Staff and which shall advise the Council and Executive on matters relating to staff conditions. Part Two Section 2 of the Regulations shall not apply to the Staff

Committee.

- (b) The distribution and placement of offices within the SRC shall be jointly decided by the President, the Administration Manager, and the General Secretary in consultation with the Staff Committee.

Part Five – Finance

DIVISION ONE – GENERAL:

1. ACCOUNTS:

The following banking accounts of the Council shall be maintained:

- (a) The General Account, which shall be used for all transactions not provided for in (b) and (c) below;
- (b) The Bursary and Assistance Fund Account, which shall be used solely for loans, payments and repayments to and from the Bursary and Assistance Fund;
- (c) The Secondhand Bookshop Account, which shall be used for the transactions of the Secondhand Bookshop, but the funds of which may be transferred from and to the General Account. At the end of each month, any funds in excess of \$5,000 shall be transferred from the Secondhand Bookshop Account to the General Account.
- (d) Any other accounts as Council shall from time to time determine.
- (e) Cheques will be kept and prepared only by the Administration Manager.
- (f) Only the Administration Manager shall have access to the SRC's Internet Banking facilities.

2. SIGNATORIES:

The signatories to all SRC bank accounts except the Secondhand Bookshop account and the Bursary and Assistance Fund account shall be the President, Vice-President, General Secretary, Administration Manager and one member of the administrative staff as approved by the Executive.

- (a) Each cheque shall be signed by one of the Executive office-bearers listed in (a) above, plus one of the administrative staff as listed in (a) above, provided that in an emergency any two of the signatories may sign a cheque for a payment which has previously been approved by the Executive.
- (b) The signatories to the Secondhand Bookshop Account shall be the Bookshop Manager, the President, the Vice-President, the General Secretary, the Administration Manager and one member of the administrative staff as approved by the Executive. Cheques drawn on the Bookshop Account shall be signed by any two of the above signatories, *except that* the Executive may give authority for the Bookshop Manager to be sole signatory on cheques up to the value of \$250.
- (c) The signatories to the Bursary and Assistance Fund account shall be the President, the Vice-President, the General Secretary, the Administration Manager, the Administrative Officer responsible for the Bursary and Assistance Fund, and one member of the administrative staff as approved by the Executive. Each cheque shall be signed by one

of the Executive office-bearers plus one of the administrative staff, as listed above.

- (d) Where these Regulations direct that any office-bearer shall be signatory for one of the Council's bank accounts, and the Council appoints co-office-bearers, then unless the Council otherwise directs, the Bank shall be given specimen signatures of both or all such co-office-bearers and instructed to accept as the signature of that office any one of these signatures.'

3. BOOKS OF ACCOUNT:

The following books of account shall be kept by the Administration Manager: Cash Receipts Book, Cash Payments Book and such other records as the Auditors, the Council.

4. THE AUDITORS:

- (a) The Auditors shall be appointed at the first meeting of each Council or as soon thereafter as possible and shall be eligible for re-appointment.
- (b) The financial records of the Council shall be inspected by the Auditors from time to time, who shall have access to the books, records or documents for this purpose and shall prepare financial statements each year for submission to the Council and Senate.
- (c) The Auditors may be requested by the Council to investigate and report on the financial position of the Council or any aspect of it at any time.

5. PAYMENTS:

- (a) No monies of the Council shall be expended without the specific approval of the Executive or of the Council. Any proposed payment which the Executive does not approve shall be submitted by it to the Council, whose decision shall be final. Payments shall be made by cheque, except as provided in Sections 6 (a) to (e) below.
- (b) At each ordinary meeting of the Executive, the General Secretary shall present a detailed list of all proposed payments together with supporting details, so that the Executive may either approve such payment or refer it to Council.
- (c) Any proposed payment shall be in the form which shall be kept in the Council Records, and signed by the officer requesting payment.
- (d) Notwithstanding Section 8 above, any two of the President, the General Secretary and the Administration Manager may on the grounds of urgency authorise an essential payment by cheque and report such payment and the reasons for it to the next meeting of the Executive.
- (e) The Council shall have sole power to approve grants.
- (f) Section 5 (a) and (b) above shall not apply to the salaries of the employees of the Council, which shall be paid by the Administration Manager when they fall due.

6. PETTY CASH:

- (a) There shall be a petty cash float of not more than \$100, payments from which shall be recorded in the Petty Cash Book.
- (b) Payments from Petty Cash shall be for the purpose of reimbursing a member of staff or Council for out-of-pocket expenses.

- (c) No payment from Petty Cash shall exceed \$20.
- (d) Payments from Petty Cash shall be authorised by the Administration Manager or the President.
- (e) Payment for reimbursement of the petty cash float shall be approved by the Executive.

7. SETTING ASIDE FUNDS:

At the end of April each year, the Council shall set aside 20% of the funds received from the University in the financial year to date, to be held in a fixed term account to mature on the first day of the term of office of the next Council.

8. FINANCIAL YEAR:

The financial year of the Council shall end on the Thirtieth (30th) day of November in each year.

DIVISION TWO – BURSARY AND ASSISTANCE FUND:

9. GENERAL:

- (a) There shall be a Bursary and Assistance Fund
- (b) The fund shall be managed by the Trustees, the Administration Manager, and the General Secretary. The Trustees shall be the President, the Chairman of the Academic Board, and one other member of the staff of the University nominated by the Council.
- (c) The SRC Administration Manager shall be Secretary of the Fund.
- (d) Subject to these Regulations, the Trustees may make resolutions for the operation of the Fund, which shall be tabled before the Council for approval
- (e) The Fund shall be used to provide financial assistance to students, who, in the opinion of the President, subject always to the opinion of the Trustees, are in sufficient need of such assistance.

Part Six – Publications

1. DIRECTORS OF STUDENT PUBLICATIONS (DSP):

- (a) There shall be six Director of Student Publications (DSP) whose duties shall be:
 - (i) To act as Publisher of all publications of the Council;
 - (ii) To exercise a censorship over all publications issued by the Council, provided that such censorship shall be restricted to matters which in their opinion:
 - (1) May involve the Council in civil or criminal liability, (including but not limited to defamation, contempt, obscenity, indecency, pornography and copyright), or
 - (2) Are discriminatory on the basis of sex, sexuality, race and ethnicity or disability.
 - (3) Promote a candidate running in any student election at the University of Sydney, unless that candidate has been endorsed by Council.
 - (iii) To perform such other duties as may be determined from time to time by the Council.
- (b) The Letters to the Editor section of *Honi Soit* may be censored only in so far as it may involve the Council in breach of any legislation, or in civil or criminal liability.
- (c) If the DSPs censor any part of a publication of the Council under s.1 (a)(ii) above, the Editor of that publication may appeal to the President, who shall have final jurisdiction after consultation with the relevant parties.
- (d) The DSPs shall be indemnified by the Council for all liability incurred in that capacity as a result of their acts which are *bona fide* and without negligence.

2. PUBLICATIONS COMMITTEE:

- (a) There shall be a Publications Committee which shall consist of the Directors of Student Publications, who shall preside, the President, Vice-President, the General Secretary, the Publications staff, the Editors of *Honi Soit* and the Editor/s of any other publication then published by the Council.
- (b) The Publications Committee shall make recommendations to Council on any matters affecting the publications of the Council.

3. PUBLICATIONS MANAGER:

There shall be a Publications Manager who shall be employed by the Council on such terms as the Council may from time to time determine, and whose duties shall be to arrange and conduct the business of publications of the Council subject to decisions of the Council, the Publications Committee and the DSPs, including:

- (a) Arrangements for the printing of publications;
- (b) Obtaining and invoicing advertising in publications;
- (c) Delivery of publications;
- (d) Recording and despatching subscriptions to publications.

4. HONI SOIT:

- (a) The Council shall publish not less than fortnightly during semester, a journal to be known as *Honi Soit*, which shall be the official Journal of the Students' Representative Council.
- (b) The Editor(s) of *Honi Soit*, comprising between one and ten persons, will be elected annually by the student body.
- (c) The Editor(s) shall be solely responsible for the production of *Honi Soit*, ^{[[1]]}_{SEP} subject to any decision of the Executive or the Council.
- (d) The President shall present the editors of *Honi Soit* with a written report prior to the publication of each issue. The report shall be printed on a facing page within the first nine pages *Honi Soit*, and shall be a minimum of ten point typesetting.

Autonomous Editions:

- (e) One issue of *Honi Soit* each year shall be entitled the '*Honi Soit* Women's Edition' and shall be organised as follows:
 - (i) Women's edition of *Honi Soit* shall be organised, where possible, to coincide with Women's Week.
 - (ii) In the two editions prior to the copy deadline for the Women's edition, a notice advertising a place and time for meeting of any interested women to be involved in the writing, production and layout of the Women's Edition shall be placed in *Honi Soit*.
 - (iii) The issue shall be co-ordinated by the women editors of *Honi Soit* and edited by an open collective of interested women students.
 - (iv) Contributions, layout, design and production of material for the '*Honi Soit* Women's Edition' shall be done solely by women.
 - (f) One issue of *Honi Soit* each year shall be titled *Honi Soit* Queer Edition and shall be organised as follows:
 - (i) The Queer edition of *Honi Soit* shall, where possible, be organised to coincide with Pride Festival.
 - (ii) In the two editions prior to the copy deadline for the Queer edition, a notice advertising a place and time for meeting of any interested queer-identified or questioning students to be involved in the writing, production and layout of the Queer Edition shall be placed in *Honi Soit*.
 - (iii) The issue shall be coordinated by the Queer Officers and edited by an open collective of interested queer-identifying or questioning students.
 - (g) One issue of *Honi Soit* each year shall be titled *Honi Soit* Indigenous Edition and shall be organised as follows:
 - (i) The Indigenous edition of *Honi Soit* shall be organised, where possible, to coincide with Reconciliation Week.
 - (ii) In the two editions prior to the copy deadline for the Indigenous edition, a notice advertising a place and time for meeting of any interested students to be involved in the writing, production and layout of the Indigenous Edition shall be placed in *Honi Soit*.
- (Renumbered from here to (k) to accommodate new (h) and (i))**
- (h) The issue shall be coordinated by the Indigenous Officers and edited by an open collective of interested Indigenous students.
One issue of *Honi Soit* each year shall be titled *Honi Soit* Disabilities Edition (*Disabled Honi*) and shall be organised as follows:
 - (i) The Disabilities edition of *Honi Soit* shall, where possible, be organised to coincide with Disability Inclusion Week.

- (ii) In the two editions prior to the copy deadline for the Disabilities edition, a notice advertising a place and time for meeting of any interested disabled students to be involved in the writing, production and layout of the Disabilities Edition shall be placed in *Honi Soit*.
- (iii) The issue shall be coordinated by the Disabilities Officers and edited by an open collective of interested disabled students.
- (i) One issue of *Honi Soit* each year shall be titled ACAR Honi (or Ethnocultural Honi) and shall be organised as follows:
 - (i) In the two editions prior to the copy deadline for the ACAR edition, a notice
 - (ii) advertising a place and time for meeting of any interested disabled students to be involved in the writing, production and layout of the ACAR Edition shall be placed in *Honi Soit*.
 - (iii) The issue shall be coordinated by the Ethnocultural Officers and edited by an open collective of interested Ethnocultural/BIPOC students.

Casual Vacancies:

- (j) An *Honi Soit* editor will cease to hold office if the editor:
 - (i) Dies; OR
 - (ii) Resigns in writing to the President or Secretary to Council.
- (k) In cases of serious misconduct, Council may dismiss a sitting *Honi Soit* editor through the following procedure:
 - (i) Notice of motion to dismiss the editor shall be given in writing not less than ten (10) working days before a meeting of the Council;
 - (ii) The motion shall be included in the Motions on Notice section of the Agenda for the meeting of the Council;
 - (iii) ~~Deleted 2020.~~
 - (iv) The consent of at least two-thirds of *Honi Soit* editors shall be required for an editor to be dismissed.
 - (v) Council may appoint *Honi Soit* editors to fill casual vacancies in the *Honi Soit* editorial team through the following procedure:
 - (1) A majority of remaining *Honi Soit* editors must sign a motion calling for the appointment of a specified new *Honi Soit* editor to fill a casual vacancy;
 - (2) Council may choose to ratify or reject the motion through a simple majority vote;
 - (3) This motion may be moved at a Council meeting without prior notice.
 - (vi) *Honi Soit* editors appointed to fill casual vacancies will have the same rights and privileges as directly elected *Honi Soit* editors, including receipt of the shared stipend.

5. EDITORS:

- (a) The elected editors of *Honi Soit* shall be paid a stipend.
- (b) The Editor(s) shall be solely responsible for the production of *Honi Soit*, subject to any decision of the Executive or the Council.

6. OTHER PUBLICATIONS:

The Council shall publish other publications at such times as it deems fit, appointing an Editor at such times who shall be responsible for the production of those publications.

7. ORIENTATION HANDBOOK:

The Council shall publish each year before Orientation Week an 'SRC Orientation Handbook' which shall have the following functions:

- (a) Be organised and written by members of the Orientation Committee and other SRC office-bearers
- (b) Provide information to incoming students (both new and continuing) on various aspects of University life, including student organisations, financial assistance, students' rights, welfare, academic rights, and general information on the student experience
- (c) All office-bearers for that Council year must submit a report to the Orientation Committee to be included in the Orientation Handbook.

8. COUNTER-COURSE HANDBOOK:

The Council shall publish each year before Enrolments at the beginning of the year an SRC 'Counter-Course Handbook' which shall have the following functions:

- (a) Be organised and written by the Education Officers of that Council year
- (b) Provide information on courses, units of study and more general information about education, teaching and learning at the University of Sydney that has been gathered from a survey of the student body at the conclusion of the previous Council year
- (c) The editors of the Counter-Course Handbook shall include the Education Officer(s), General Secretary(s), and the general members of the student body elected to be members of the Orientation Committee at the annual Reps-Elect meeting for the Council year.

9. COMPILING OF INFORMATION:

The information for the Counter-Course Handbook shall be gained by circulating a questionnaire to all undergraduate students on students' perceptions of courses and units of study at the University of Sydney. The questionnaire shall be circulated via all-student email or through other means that the President, Executive or Council may deem appropriate. The President of the current year shall be responsible for circulating the survey, which shall be sent out no later than the beginning of Stuvac in Semester 2 of that year. The Education Officer(s) of the Council which takes office on December 1st of that year shall be responsible for compiling the information received from the survey into a Counter-Course Handbook for the new Council year.

10. DISTRIBUTION OF THE COUNTER COURSE-HANDBOOK:

The Counter-Course Handbook shall be distributed to enrolling students at the time of their enrolment, and to all departments. The Counter-Course Handbook shall also be distributed to students during Orientation Week.

Part Seven –Officers and Committees

1. FUNCTIONS AND DUTIES:

The function and duties of the Officers of the SRC shall be:

- (a) To promote the SRC within the University and to the wider community
- (b) To devise policy for adoption by Council and to assist in implementation of policy
- (c) To promote and work through democratic, participatory organisational structures
- (d) To organise campaigns in accordance with SRC policy and relevant to the officers portfolio
- (e) To work with NUS and cross campus networks where applicable
- (f) To liaise with other student organisations of Sydney University
- (g) To include affiliated campuses in collective activities, including attempting to rotate collective meetings between campuses
- (h) To publicise activities of the officer and collective in publications on main campus and on satellite campuses
- (i) To report to Council on activities of the department
- (j) To prepare, in consultation with the General Secretary, a budget for the department, and to report to the mid-year budget review
- (k) To comply with accountability measures as required by Council; in particular to ensure that funding from the department's budget is requested in a verbal or written report to Council or Executive, and that documentation is provided in relation to all funding received. Collectives can apply for budget funding and expenditure without the support of the relevant officer,
- (l) To promote the SRC in Orientation Week and SRC Week.
- (m) Where possible to convene an open collective of students around issues relevant to the portfolio
- (n) To publicise the collective and its activities in publications on main campus and on satellite campuses
- (o) To maintain contact lists of students interested in the collective and activism around issues relevant to the portfolio
- (p) To act as first point of contact for the Collective
- (q) To call Collective meetings, at least fortnightly during semester
- (r) To ensure written reports are provided to Council on a regular basis
- (s) To ensure members of the Collective attend Council meetings regularly

- (t) To ensure files are kept on issues relating to the Portfolio
- (u) To ensure information is passed on to incoming Officers from the next council.
- (v) To maintains regular contact with satellite campuses.

2. AD HOC COMMITTEES:

The Council may from time appoint Committees to consider such matters as the Council may direct by terms of reference. Details of membership and function of such committees shall be kept in the policy records of the Council. The Council may at any time decide, by majority vote, to dissolve such Committees.

- (a) The Orientation Committee shall be created as an Ad Hoc Committee.

3. OTHER STANDING COMMITTEES:

In addition to such other Committees as are established elsewhere in these Regulations, there shall be the following Standing Committees of the Council:

- (a) The **Faculty Societies Committee**, which shall advise the Council on matters of concern relating to the various Faculties and which shall consist of the Vice-President, who shall preside, the President and the General Secretary, and the Presidents of all Faculty Societies.
- (b) The **Inter Campus Committee**
 - (i) The membership of this Committee shall include:
 - (1)The Inter-Campus Officer(s) one of whom shall preside,
 - (2)The President,
 - (3)The Vice-President,
 - (4)The General Secretary
 - (5)Two other Representatives elected by the Council
 - (6)Ex Officio members of the committee including the Presidents associated listed in 7.3 (c) (ii).
 - (ii) The duties of this committee shall be to advise Council on matters affecting inter campus relations and activities and liaise with
 - (1) Cumberland Student Guild,
 - (2) Conservatorium of Music Students' Association,
 - (3) Students' Association of Sydney College of the Arts,
 - (4) Any other relevant Faculty- or Department-based Societies
 - (iii)The committee shall meet at least once per semester.
- (c) The SLS Committee, which shall consist of the President as chair, the Vice-President, the General Secretary and the Principal Solicitor. This committee shall oversee the running of the SRC Legal Service and provide the Executive and Council with regular reports
- (d) The Standing legal committee, which is described in Part 9
- (e) The Orientation Committee, which is described in Part 1.6-A. (Deleted 03/02/16)

4. PROCEDURE:

- (a) Decisions of a Standing Committee or an ad hoc Committee shall be made by a simple majority vote. Any member of a Standing or ad hoc Committee who is unable to attend any meeting of such Committee may, by notice in writing to the Secretary to Council or the President, appoint as a proxy for such meeting any member of the student body who has paid affiliation fees to the Council; provided that no person present at such meeting may hold more than one vote.
- (b) The quorum for a meeting of a Standing Committee or an ad hoc Committee shall be one half of the members of the Committee.
- (c) Procedures at Standing or ad hoc Committees shall follow the Standing Orders for Council so far as is applicable.
- (d) Reports of Committees shall be presented to the Council by the President or the Convenor as applicable.

5. GENERAL:

The Secretary to Council shall ensure that a complete list of membership of Management and other Standing Committees is available for Council at the earliest possible meeting of the Council following the appointment of all these Committees.

6. NO SMOKING NO ALCOHOL:

- (a) Smoking shall not be permitted in the meeting room during any Committee Meetings.
- (b) No Alcohol shall be permitted in the meeting room during and Committee Meetings.

Part Eight – Elections

Below is Part Eight of the regulations adopted on the 31st July 2020.

1. DEFINITIONS:

In this Part:

Authorisable material has the meaning given to it by section 43.

Ballot means any one of the four different types of election in which the student body votes as an electorate. Each ballot is for the election of a different role within the SRC. The ballots are:

- A. the ballot for President
- B. the ballot for the Representatives
- C. the ballot for the delegates to the NUS
- D. the ballot for the Editor(s) of Honi Soit.

Ballot paper means any method by which voters indicate their choice of candidate in a ballot.

Brand means any of the following:

- A. Two or more tickets whose candidates agree to present themselves in such a way that a reasonable elector would identify them as belonging to the same grouping.

Campaigning means any act which a reasonable elector would construe as an encouragement to vote for or against any candidate, ticket or brand, and includes distributing leaflets, making public statements, wearing campaign shirts and making online posts or comments.

Candidate means any person, being an elector, who is standing for election to the role of President, Representative, Editor of Honi Soit or delegate to the NUS. Unless otherwise specified, 'candidate' means a **validly nominated candidate**, which has the meaning given to it by section 23(g).

Election material means any published communication which a reasonable elector would construe as having been published for the purpose of campaigning.

Governing documents of the NUS has the meaning given to it by section 1 of Part Thirteen.

Governing documents of the NUS' successor body has the meaning given to it by section 1 of Part Thirteen.

Lone candidate means a candidate who is not a member of any group ticket. All lone candidates are deemed to be a ticket of one person

Manager means any person, being an elector, chosen by a candidate, ticket or brand to:

- A. assist that candidate, ticket or brand in organising their effort to become elected; and
- B. represent that candidate, ticket or brand in liaising with electoral officials and other candidates, tickets or brands.

Nomination fee has the meaning given to it by section 22.

Provisional candidate has the meaning given to it by section 19(h).

Prospective candidate means an elector seeking nomination as a candidate in any ballot, but who is not yet a provisional candidate or a validly nominated candidate.

Ticket means two or more candidates who, in any ballot, agree to be listed under the same group-name on the ballot paper. Under section 19A, a lone candidate is deemed to be a ticket of one person.

1A. PROVISIONS APPLY TO ANY SRC ELECTION

(a) In this Part, a provision applies to both the Annual Elections and by-elections, unless it is clear from:

- (i) the words of the provision;
- (ii) the words of any provisions related to that provision;
- (iii) context

that the provision is intended to apply to only one of the two types of election.

Division 1 – Scheme of SRC Elections

2. ANNUAL ELECTIONS

(a) Every year, the Annual Elections must be conducted in Annual Election Week and consist of the following ballots:

- (i) the ballot for President;
- (ii) the ballot for the Representatives;
- (iii) the ballot for the Editor(s) of Honi Soit; and
- (iv) if section 3 of Part Thirteen applies, the ballot for the NUS Delegates.

(b) All voting in the Annual Elections must be by secret ballot.

3. BY-ELECTIONS

(a) Deleted August 2021

(b) The Electoral Officer must prescribe the dates for the by-election, where those dates are:

- (i) between one and three consecutive days;
- (ii) a Tuesday, Wednesday and/or Thursday;
- (iii) not a University holiday or public holiday;
- (iv) more than 20 days away from the date on which the Electoral Officer prescribes the time for the by-election; and

(c) Deleted August 2021

(d) otherwise as soon as reasonably practical after a by-election becomes necessary.

- (i) In deciding whether the by-election should be held over one, two or three days, the Electoral Officer must consider what is fair and efficient, with regard to the number of casual vacancies to be filled.
- (ii) As soon as the Electoral Officer has determined the date or dates of the by-election, they must cause the date or dates of the day or days to be advertised on the SRC website and through all SRC social media channels, even if the Notice of Election is not yet due to be given.
- (iii) All voting in a by-election must be by secret ballot.

4. CONSTITUTION AND REGULATIONS TO APPLY TO SRC ELECTIONS

- (a) The Annual Elections and by-elections must be conducted:
 - (i) in accordance with the Constitution; and
 - (ii) in accordance with all Regulations, including this Partas they stand at the time of the opening of nominations. *(Amended August 2021)*
- (b) *Deleted August 2021*
- (c) Except for as provided for in subsection (d), the Electoral Officer and the Electoral Legal Arbiter are not bound by any instruction given to them by Council, the Executive, any member of the Council, any member of the Executive, any member of SRC staff, or any member of the student body.
- (d) The Electoral Officer and the Electoral Legal Arbiter are bound by any interpretation of the Constitution, Regulations or Policy Document issued under section 6(d) of Part Nine by the Chairperson of the Standing Committee, provided that:
 - (i) the interpretation was issued before the opening of nominations;
 - (ii) the interpretation was not overruled by the Executive or Council before the opening of nominations for that election; and
 - (iii) the interpretation was not overruled, at any time, by the Electoral Legal Arbiter, in accordance with section 80A.
- (e) If section 3 of Part Thirteen applies, the ballot for the NUS Delegates must be conducted in accordance with the Constitution and Regulations and:
 - (i) if Council is still affiliated with the NUS – the governing documents of the NUS;
 - (ii) if Council is affiliated with a successor-body to the NUS under section 1(a)(ii) of Part Thirteen – the governing documents of the NUS' successor-body.

5. PARTICIPANTS IN ELECTIONS TO BE ELECTORS

Amended August 2021

- (a) In all SRC elections, every voter, candidate, campaigner, or campaign manager must be an elector

Division 2 – Electoral Officials

6. APPOINTMENT OF THE ELECTORAL OFFICER FOR THE ANNUAL ELECTIONS

- (a) Each year, the Council must appoint an eligible person to be Electoral Officer at least 50 days before the close of voting in the Annual Elections.
- (b) The Electoral Officer for the Annual Elections holds office from their date of appointment until whichever of the following is the later to occur:
 - (i) the Electoral Officer tables their report on the election before Council;
 - (ii) the meeting of Representatives-elect elects all members of the Executive and all Officers of the Council for the calendar year following that in which the Electoral Officer was appointed.
- (c) *Deleted August 2021*

Remuneration

- (d) for by-elections works in the same manner as 8.6(d-e), with the exception that there is no minimum remuneration (Amended August 2021)
- (e) Deleted August 2021

7. APPOINTMENT OF THE ELECTORAL OFFICER FOR A BY-ELECTIONS

- (a) When a by-election becomes necessary under the Constitution or Regulations, the Executive must meet as soon as possible to appoint an eligible person to be Electoral Officer with respect to that by-election, subject to subsection (c).
- (b) The Electoral Officer for a by-election holds office as Electoral Officer for that by-election from the date of their appointment until the Electoral Officer tables their report on the election before Council.
- (c) Nothing in subsection (a) or (b) prevents the Executive from appointing as Electoral Officer for a given by-election a person who is already serving as:
 - (i) the Electoral Officer for the Annual Elections;
 - (ii) the Electoral Officer with respect to another by-election; or
 - (iii) the Electoral Officer with respect to a referendum under section 18 of Part Twelve.

Remuneration

- (d) Upon the appointment of an Electoral Officer for a by-election, the Executive must determine the legal relationship between that Electoral Officer and the Council. For the avoidance of doubt, nothing in these Regulations requires the Electoral Officer for a by-election to be an employee of the Council.
- (e) The Electoral Officer for a by-election must be remunerated for work undertaken in pursuit of their duties under section 12(a) and (c). The Executive must determine the form such remuneration is to take.

8. PERSONS INELIGIBLE TO SERVE AS ELECTORAL OFFICER

Amended August 2021

- (a) A person is ineligible to be appointed as Electoral Officer if they are:
 - (i) under eighteen years old,
 - (ii) currently
 - A. A member of Council,
 - B. Delegate to the NUS, or
 - C. Editor of Honi Soit;
 - (iii) within the previous 24 months, a candidate for any election of the
 - A. SRC,
 - B. USU, or
 - C. SUPRA.

9. ELECTORAL OFFICER TO MAKE AND PRESIDENT TO RELAY CERTAIN DECLARATIONS

- (a) Before being appointed as Electoral Officer, a person must declare to the President:
 - (i) any conflict that a reasonable observer would perceive between the person's political, financial or personal interests and the duties of the Electoral Officer; and
 - (ii) their membership of any political party listed in either:

- A. the register provided for in s 125 of the *Commonwealth Electoral Act 1918* (Cth); or
 - B. the register provided for in s 58 of the *Electoral Act 2017* (NSW).
- (b) If a person makes a declaration under subsection (a), the President must:
- (i) before the person is appointed as Electoral Officer, transmit the contents of the person's declaration to all members of the Council; and
 - (ii) if the person is appointed as Electoral Officer, make the contents of the declaration known to the electors by whatever means are reasonable and efficient.

10. ELECTORAL OFFICER DISQUALIFIED FROM DOING CERTAIN THINGS

- (a) The Electoral Officer for a given SRC election must not do any of the following:
- (i) become a candidate in that election;
 - (ii) nominate a candidate in that election;
 - (iii) campaign for a candidate, ticket or brand in that election;
 - (iv) manage a candidate, ticket or brand in that election; and
 - (v) assist in any other way a particular candidate, ticket or brand in their efforts to become elected during that election.
- (c) The person appointed Electoral Officer for a given SRC election is not eligible for election as a member of the Executive or Officer of the Council for 12 months after they have issued the Declaration of Final Results.
- (d) All subordinate electoral officials are also subject to this section.

11. ELECTORAL OFFICER TO BE IMPARTIAL

- (a) The Electoral Officer must be impartial.
- (b) The Electoral Officer must genuinely consider all matters for decision under this Part and decide them in accordance with the provisions of this Part and the Constitution.
- (c) When taking any action, the Electoral Officer must not be motivated by:
- (i) their political beliefs or aspirations; or
 - (ii) any factor which is irrelevant to the procedures prescribed by this Part.
- (d) The Electoral Officer's decisions under this Part must not be such that a reasonable elector might conclude:
- (i) the Electoral Officer is biased against or towards any particular candidate, ticket or brand; or
 - (ii) the Electoral Officer reached a decision without giving the matter genuine consideration.
- (e) All subordinate electoral officials are also subject to this section.

12. DUTIES OF THE ELECTORAL OFFICER

- (a) With respect to any SRC election they conduct, the Electoral Officer's duties are, subject to the Constitution and Regulations, to provide for the fair and efficient conduct of the election by:

- (i) giving written reasons for any of their decisions, when requested to do so by an elector affected by the decision;
- (ii) issuing the Notice of Election to electors;
- (iii) issuing other notices to electors, as required by this Part;
- (iv) issuing notices to candidates, as required by this Part;
- (v) facilitating the nomination process;
- (vi) determining whether nominations are valid;
- (vii) drawing up the ballot paper;
- (viii) ensuring that, both and during the campaigning period, candidates adhere to the Constitution and the Regulations;
- (ix) arbitrating disputes between candidates, tickets or brands, and making any necessary orders;
- (x) investigating breaches of the Regulations and making any necessary orders;
- (xi) making provisions for Absentee Voting;
- (xii) supervising and editing the Election Edition of Honi Soit;
- (xiii) registering voters;
- (xiv) authorising ballot papers;
- (xv) ensuring that all ballot papers are protected from loss, tampering or destruction;
- (xvi) counting the ballot papers after the close of polling;
- (xvii) determining whether ballot papers are formal;
- (xviii) conducting further scrutiny of certain ballot papers;
- (xix) auditing election expenses incurred by candidates, tickets or brands;
- (xx) declaring the Provisional Results;
- (xxi) declaring the Final Results;
- (xxii) ~~deleted August 2021~~
- (xxiii) anything else necessary for the fair and efficient conduct of the election.

(b) In the case of the Annual Elections, the Electoral Officer's additional duties are, subject to the Constitution and Regulations, to provide for the fair and efficient conduct of the election by:

- (i) determining the number of Representatives; and
- (ii) acting as Chair and Returning Officer for the special meeting of the Representatives-elect under these Regulations.

(c) In the case of any by-election, the Electoral Officer's additional duties, are, subject to the Constitution and Regulations, to provide for the fair and efficient conduct of the election by:

- (i) determining the day(s) on which the by-election will be held, under section 3(c) of this Part.

13. ELECTORAL OFFICER TO GIVE WRITTEN REASONS WHEN REQUESTED

(a) If asked by an elector affected by a decision of the Electoral Officer, the Electoral Officer must provide a written rationale for that decision within 24 hours. (~~Amended August 2021~~)

14. DEPUTY ELECTORAL OFFICER(S)

(a) The Electoral Officer may appoint one or more Deputy Electoral Officers.

(b) ~~Deleted August 2021~~

- (c) The Electoral Officer may fully delegate any of their functions, as provided for in this Part, to a Deputy Electoral Officer, except for the following, which the Electoral Officer must exercise personally:
- (i) prescribing the date or dates of a by-election under section 3(c);
 - (ii) determining the number of Representatives under section 17;
 - (iii) issuing the Notice of Election under section 18;
 - (iv) drawing up the ballot paper under section 32;
 - (v) writing an editorial under section 38;
 - (vi) removing a candidate, ticket or brand from the ballot paper;
 - (vii) disqualifying a candidate, ticket or brand;
 - (viii) disqualifying a person from holding office under the Constitution or Regulations;
 - (ix) ordering a new election;
 - (x) liaising with the Electoral Legal Arbitrator;
 - (xi) all functions provided for in Division 5 of this Part;
 - (xii) all functions provided for in Division 14 of this Part; and
 - (xiii) all functions provided for in Division 15 of this Part.
- (d) For the avoidance of doubt, a Deputy Electoral Officer may assist the Electoral Officer in carrying out any of the Electoral Officer's functions, including those listed in subsection (c).
- (e) The Electoral Officer must provide training and instructions to any Deputy Electoral Officers.
- (f) Deleted August 2021

15. POLLING BOOTH ATTENDANTS

- (a) The Electoral Officer may appoint one or more Polling Booth Attendants to assist in the conduct of the election.
- (b) Deleted August 2021
- (c) Polling Booth Attendants may:
- (i) facilitate the operation of a polling booth;
 - (ii) register voters;
 - (iii) authorise ballot papers;
 - (iv) supervise the casting of ballot papers by voters;
 - (v) ensure ballot papers are protected from loss, tampering or destruction; and
 - (vi) assist the Electoral Officer with the counting of votes after the close of polling.
- (d) Polling Booth Attendants must comply with all lawful directions, not inconsistent with the Constitution and Regulations, issued to them by the Electoral Officer or a Deputy Electoral Officer.
- (e) Deleted August 2021

16. ELECTORAL LEGAL ARBITER

- (a) There must, at all times, be an Electoral Legal Arbitrator.
- (b) Whenever the office of Electoral Legal Arbitrator becomes vacant, the Council must, subject to subsection (h), appoint an eligible person to serve as Electoral Legal Arbitrator.

- (c) The office of Electoral Legal Arbiter becomes vacant when:
- (i) the current Electoral Legal Arbiter resigns; or
 - (ii) the current Electoral Legal Arbiter's term expires, as provided for in subsection (d).
- (d) The Electoral Legal Arbiter's term expires 12 months after the day on which they were appointed.

Eligible persons

- (e) A person is eligible for appointment as Electoral Legal Arbiter if the person is a judicial officer, or a barrister or solicitor of the Supreme Court of New South Wales who:
- (i) holds a current practicing certificate; and
 - (ii) has been a barrister or solicitor of any Australian Supreme Court for at least three years.

Outgoing ELA must continue to hear part-heard matters

- (f) If a new person is appointed to the role of Electoral Legal Arbiter, the outgoing Electoral Legal Arbiter must continue to hear and determine:
- (i) any appeal that was lodged under section 78(a) before the appointment of the new Electoral Legal Arbiter; and
 - (ii) any appeal that has been partly heard under section 79 by the outgoing Electoral Legal Arbiter.

ELA may appoint temporary replacement

- (g) If:
- (i) the serving Electoral Legal Arbiter when exercising any of their functions; or
 - (ii) the outgoing Electoral Legal Arbiter when exercising their functions under subsection (f)

becomes unable to fulfil their functions, they may appoint a person eligible for appointment as Electoral Legal Arbiter to assume their functions for a specified period of time.

Savings Provision

- (h) If, when this Part comes into effect, an eligible person already holds the office of Electoral Legal Arbiter, that person will continue to serve as Electoral Legal Arbiter, until the office of Electoral Legal Arbiter becomes vacant under subsection (c).

Division 3 – Preparing for Elections

A Timeline of the Annual Elections

<u>Time</u>	<u>Event</u>
No earlier than 1 day before the Issue of the Notice of Elections	<i>EO to determine number of Representatives</i>
No later than 10 days before the Close of Nominations	<i>EO to issue Notice of Elections</i>

No later than 15 days before the first day of polling	<i>Close of nominations</i>
Four days after Close of Nominations	<i>Last day for provisional candidates to sign candidates' declarations and pay nomination fee</i>
As soon as possible after the day that is four days after the Close of Nominations	<i>EO to draw up ballot paper</i>
No later than 10 days before the publication of Election Honi	<i>Last day for candidates to submit optional additional information</i>
The Wednesday of the week before the week in which physical campaigning begins	<i>Online campaigning begins</i>
Monday of the week before Annual Election Week	<i>Physical campaigning begins</i>
No later than the first day of physical campaigning	<i>Publication of Election Honi</i>
Between the first day of physical campaigning and the first polling day	<i>The EO may establish pre-polling booths</i>
Annual Election Week	<i>Tuesday, Wednesday and Thursday are polling days</i>

A Timeline of a By-Election

<u>Time</u>	<u>Event</u>
No later than 10 days before the Close of Nominations	<i>Issue of the Notice of Elections</i>
No later than 10 days before the first day of polling	<i>Close of Nominations</i>
The 2nd day after the Close of Nominations	<i>Last day to sign candidates' declarations</i>
Two days after the Close of Nominations	<i>Last day for candidates to submit optional additional information</i>
As soon as possible after the day that is two days after the Close of Nominations	<i>EO to draw up ballot</i>
No later than the last Wednesday before the week containing the by-election	<i>Online campaigning begins</i>
No later than five days before the first day of polling	<i>Publication of the Election Honi Supplement</i>
No later than the Monday of the week containing the by-election	<i>Physical campaigning begins</i>
Between the first day of physical campaigning and the first polling day	<i>The EO may establish pre-polling booths</i>

The day(s), chosen by the EO, for the by-election	<i>The days chosen for the by-election are the polling days</i>
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17. NUMBER OF REPRESENTATIVES TO BE ELECTED

Annual Elections

- (a) Before the Annual Elections each year, the Electoral Officer must, in accordance with section 3(a) of the Constitution, determine the number of Representatives to be elected at that year's Annual Elections.
- (b) In determining the number of Representatives to be elected at that year's Annual Elections, the Electoral Officer must:
 - (i) determine the number of Representatives no earlier than 1 day before issuing the notice of elections; and
 - (ii) rely on the most recent, available data on the number of undergraduate students enrolled at the University.
- (c) A subsequent change in the number of enrolled undergraduates does not invalidate a determination made under (a) and (b). **(Amended August 2021)**
- (d) **Deleted August 2021**
- (e) **Deleted August 2021**
- (f) **Deleted August 2021**

17A. NUMBER OF NUS DELEGATES TO BE ELECTED

- (a) Before the Annual Elections each year, the Electoral Officer must determine the number of NUS Delegates to be elected at that year's Annual Elections, in accordance with section 3(b) of Part Thirteen.
- (b) The Electoral Officer must determine the number of Nus delegates no earlier than 1 day before issuing the notice of elections.
- (c) If, in determining the number of NUS delegates to be elected, the number of students enrolled at the University of Sydney is in any way relevant, the Electoral Officer must rely on the most recent, available data on the number of students enrolled at the University.
- (d) Once the Electoral Officer has, in accordance subsection (a), validly determined the number of NUS Delegates to be elected, their determination is not made invalid by a subsequent change in the circumstances relevant to that determination.
- (e) For the avoidance of doubt, subsection (d) does not prevent any elector from appealing the Electoral Officer's determination under subsection (a) to the Electoral Legal Arbiter, provided that it is in no case a ground of appeal that circumstances relevant to the determination of the number of NUS delegates changed after the Electoral Officer made their determination under subsection (a).
- (f) For the avoidance of doubt, Council does not have the power to determine the number of NUS delegates to be elected at a given year's Annual Elections.

17B. ONLY ONE VACANCY IN THE BALLOT FOR HONI SOIT AND PRESIDENT

Deleted August 2021

18. NOTICE OF ELECTIONS

- (a) The Electoral Officer must publish a Notice of Elections as early as reasonably possible, but in any case, at least 10 days before the close of nominations.
- (b) In order to be published, for the purpose of subsection (a), the Notice of Elections must be:
 - (i) printed as an advertisement in Honi Soit;
 - (ii) displayed on the SRC website;
 - (iii) displayed on the Honi Soit website;
 - (iv) advertised through the SRC's social media channels; and
 - (v) dispatched by certified mail and email to the Electoral Legal Arbiter and National General Secretary of the NUS.
- (c) The Electoral Officer must ensure that, after its publication, the Notice of Elections continues to be widely advertised through whatever means are reasonable and efficient.
- (d) The Notice of Elections must, with respect to the SRC election to which it relates, state:
 - (i) the ballots which are to be conducted;
 - (ii) the number of positions to be filled in each ballot;
 - (iii) the dates, times and places for voting under section 47 and 50;
 - (iv) where an online copy of the Constitution and Regulations may be found;
 - (v) the means by which nominations will be accepted under section 19;
 - (vi) *deleted August 2021*
 - (vii) *deleted August 2021*
 - (viii) the date and time nominations will close under section 19(a);
 - (ix) *deleted August 2021*
 - (x) *deleted August 2021*
 - (xi) *deleted August 2021*
 - (xii) the means by which decisions of the Electoral Officer may be appealed under section 78; and
 - (xiii) *deleted August 2021*
- (e) If the Electoral Officer has stipulated under section 23(e)(ii) that all provisional candidates will be required to sign their election declaration and pay any nomination fee using an alternative arrangement, then, instead of subsection (d)(viii), the Electoral Officer must specify the details of that alternative arrangement in the Notice of Elections.
- (f) Nominations open upon publication of the Notice of Elections.

19. NOMINATIONS

(Amended and re-lettered/numbered in 2022)

- (a) Nominations open upon publication of the Notice of Elections
- (b) Nominations for the Annual general election close on a date and time chosen by the Electoral Officer that must:
 - (i) be a day in Semester 2;

- (ii) be at least 15 days before the first day of polling;
 - (iii) promote the fair and efficient conduct of the election.
- (c) Nominations for a by-election, if called, close on a date and time chosen by the Electoral Officer that must:
- (i) be at least 10 days before the first day of polling;
 - (ii) promote the fair and efficient conduct of the election.
- (d) The Electoral Officer may determine the manner in which nominations are submitted, provided that it:
- (i) conveys to prospective candidates all information required to comply with the candidate provisions of this Division;
 - (ii) allows for the correction of minor errors after nomination by the Electoral Officer, and;
 - (iii) promotes the fair and efficient conduct of the election.
- (e) To be nominated, a prospective candidate must submit the following information before the close of nominations:
- Personal information*
- (i) the role to which the prospective candidate is seeking nomination;
 - (ii) the candidates first name and surname as shown on their student identification card;
 - (iii) preferred name to display on ballot, if different to the name on the candidate's student identification card;
 - (iv) student identification number, as shown on their student identification card;
 - (v) Degree;
 - (vi) year of study;
 - (vii) University email address;
 - (viii) mobile phone number;
- Ticket information*
- (ix) the prospective candidate's ticket name, if any;
 - (x) the names of any other prospective candidates on the same ticket ('ticket members'), if any;
 - (xi) the order in which any prospective candidates on the same ticket are to appear on the ballot paper; if relevant;
 - (xii) the names of the electors nominating the prospective candidate, if required by subsection (d);
 - (xiii) the candidate's campaign manager, if any; and
 - (xiv) candidates declaration as per s21
 - (xv) any other details the Electoral Officer may require at their discretion
- (f) The information required in section (e) may be submitted for a whole ticket by a ticket member or campaign manager through a bulk nomination form at the Electoral Officer's discretion.
- (g) A prospective candidate for the role of President must be nominated by ten other members of the student body.
- (h) A prospective candidate for the role of President must not, when completing their nomination form:
- (i) specify the name of a ticket on which they purport to be contesting the election, and;

- (ii) name any other prospective candidates for President as though they were members of a ticket contesting the ballot for President.
- (i) A prospective candidate for the role of President, Representative or NUS delegate must not complete a nomination form for the ballot of Editor of Honi Soit.
- (j) A prospective candidate for the role of Editor of Honi Soit must not complete a nomination form for any other ballot.

19A. LONE CANDIDATE TO BE TREATED AS A TICKET OF ONE

Deleted August 2021

20. EFFECT OF NOMINATION

(Amended and retitled 2022)

- (a) The Electoral Officer may allow a provisional candidate up to 2 days after the close of nominations to correct any minor errors in the information provided under s19(e) provided the original nomination was submitted on time.
- (b) At the close of nominations, and after the correction of any errors a prospective candidate who complies with ss19(e), and, as relevant, ss19(d)–(g), becomes a provisional candidate.

21. CANDIDATES' DECLARATIONS

(Amended 2022)

- (a) In this section and section 23, ***candidate's declaration*** means a written declaration that must be signed by each provisional candidates in order to be validly nominated.
- (b) Provisional candidates contesting the same ballot must all sign the same form of candidate's declaration.
- (c) The Electoral Officer may prescribe the exact format of the declaration provided that in the declaration, each candidate confirms:
 - (i) they will abide by the Constitution and Regulations; and
 - (ii) they will, if elected, dutifully perform the duties of the role to which they are seeking election.
- (d) subject to (b) and (c), the Electoral Officer may prescribe a different declaration for each ballot

22. NOMINATION FEE

(Amended 2022)

- (a) **Nomination fee** means any fee that:
 - (i) is not an affiliation fee,
 - (ii) provisional candidates are required to pay in order to become validly nominated candidates.
- (b) The Council may require provisional candidates to pay a nomination fee.
- (c) This fee must not exceed \$10 per candidate.

- (d) The amount of the nomination fee must be specified by the Council and listed in the Policy Document.
- (e) Nothing in this section mandates that Council require the payment of a nomination fee by provisional candidates

23. PROVING IDENTITY (Amended and retitled 2022)

- a. Deleted July 2022
- b. A provisional candidate must, before the close of nominations:
 - i. agree to a candidate's declaration and submit it to the Electoral Officer;
 - ii. pay the nomination fee (if any); and
 - iii. (Deleted 2021)
- c. Upon sighting a provisional candidate's nomination, the Electoral Officer must determine whether:
 - i. the provisional candidate is an elector; and
 - ii. the provisional candidate's full name and student identification number, as submitted, matches a full name and student identification number appearing on the University's undergraduate student records.
- d. If there is any discrepancy between the provisional candidate's provided identification and the University's records, the Electoral Officer should contact the provisional candidate for clarificatory information.
- e. If, and only if:
 - i. a provisional candidate complies with subsection (a);
 - ii. the Electoral Officer has verified that:
 - 1. the provisional candidate is an elector; and
 - 2. the provisional candidate's full name and student identification number, as submitted under section 19(b)(ii), matches the full name and student identification number appearing on the University's undergraduate student records.
 the provisional candidate becomes a **validly nominated candidate**.
- f. Deleted July 2022
- g. Deleted July 2022
- h. Deleted July 2022
- i. Deleted July 2022
- j. Deleted July 2022

24. WITHDRAWING A NOMINATION

- (a) A candidate for the ballot for President may withdraw their nomination by sending a written and signed statement of withdrawal to the Electoral Officer at any time before the ballot paper is drawn up.
- (b) A candidate in the ballot for Representatives, Honi Soit Editors or NUS Delegates may withdraw their nomination by sending a signed statement of withdrawal to the Electoral Officer at any time before the Declaration of Final Results. (Amended 2022)
- (c) Deleted July 2022

- (d) Deleted August 2021
- (e) Deleted August 2021
- (f) Deleted August 2021
- (g) Deleted August 2021
- (f) Deleted August 2021

24A. DEATH OF A CANDIDATE

- (a) If, at any time after submitting their nomination form, but before the Declaration of Final Results, a candidate dies, the Electoral Officer must:
 - (i) declare that candidate to be no longer eligible for election in any ballot; and
 - (ii) where possible remove that candidate's name from the ballot paper in respect of each ballot that candidate was contesting.
- (b) Deleted August 2021
- (c) Deleted August 2021
- (d) Deleted August 2021

24B. WHEN A CANDIDATE OR TICKET'S NAME CANNOT BE REMOVED

- (a) This section applies if, and only if, it is not reasonably possible to remove a candidate or ticket's name from the ballot paper (amended August 2021)
- (b) Deleted August 2021
- (c) Deleted August 2021
- (d) Deleted August 2021

In the ballot for President

- (e) If this section applies during the ballot for President, the Electoral Officer must:
 - (i) determine a result in the ballot as normal;
 - (ii) if a candidate no longer eligible for election in that ballot would have been elected, declare the position that would have been held by that candidate to be vacant; and
 - (iii) conduct a by-election for the vacant position.

In the ballot for Representatives and NUS

- (f) If a ticket or candidate(s) is ineligible, the ballot count will be run as if the ticket or candidate(s) did not nominate, with any votes for the ticket or candidate(s) distributed according to preferences made by the voter. (amended August 2021)
- (g) Deleted August 2021
- (h) Deleted August 2021
- (i) Deleted August 2021

25. OPTIONAL ADDITIONAL DETAILS FOR PUBLICATION

Aamended August 2022 re-lettered/numbered)

- (a) A prospective, provisional or validly nominated candidate may submit additional details to the Electoral Officer for publication in the Election Edition of Honi Soit, including:
 - (iii) a photograph of themselves;
 - (iv) a policy statement; and
 - (v) a curriculum vitae

- (b) In a given election, the Electoral Officer may stipulate word limits or other practical limitations on the additional details that may be submitted, provided those word limits or practical limitations are fair and efficient.
- (c) When making a stipulation under subsection (b), the Electoral Officer:
 - (i) must apply the same word limits or other practical limitations to all candidates contesting the same ballot;
 - (ii) must not set word limits or practical limitations which, in effect, deny any or all candidates a reasonable amount of publicity.
- (d) Before exercising their powers under subsection (b) or (c), the Electoral Officer must take into account submissions from the Editors of Honi Soit.
- (e) Optional additional details must be submitted before the close of nominations in a method specified by the Electoral Officer, provided that the method promotes the fair and efficient conduct of the election.
- (f) A candidate may request revisions to their submitted optional additional details up to ten working days before the publication of those details in the Election Edition of Honi Soit:
 - (i) for the Annual Elections – 10 days before the publication of the Election Edition of Honi Soit.
 - (ii) for a by-election – 2 days after the close of nominations.
- (g) The Electoral Officer must provide for a method by which candidates may submit optional additional details, provided that the method promotes the fair and efficient conduct of the election.

Division 4 – Tickets, Brands and Branding

26. CANDIDATES TO APPEAR ON ONLY ONE TICKET IN EACH BALLOT

Deleted in August 2021

26A. SPECIAL PROVISIONS WITH RESPECT TO CANDIDATES FOR PRESIDENT

Deleted in August 2021

27. SPECIAL PROVISIONS WITH RESPECT TO CANDIDATES FOR HONI SOIT

Amended in August 2021 and 2022

- (a) A person may not promote, campaign, or distribute any election material for an Honi Soit candidate or ticket at the same time as promoting, campaigning, or distributing any election material for a candidate, ticket, or brand in the President, Representatives, or Delegates elections
 - (i) The meaning of “at the same time” includes, for example, “in the same act, interaction, or content.”
- (b) A candidate for the role of President or tickets and brands in the Representative and NUS Delegate elections must not promote, campaign, or distribute election material for any Honi Soit candidate or ticket;
- (c) A candidate or ticket for Editor of Honi Soit must not promote, campaign, or distribute any election material for any Presidential, Representative or NUS candidate, ticket, or brand;

- (d) Deleted 2022
- (e) Candidates, managers, tickets, and brands in the Presidential, Council, or NUS elections must not direct any campaigners to promote, campaign, or distribute election material for any Honi Soit ticket, and vice versa.

27A. NO DEALS BETWEEN HONI SOIT CANDIDATES ETC AND CANDIDATES ETC IN OTHER BALLOTS

Deleted in August 2021

28. LIMITS ON NUMBER OF CANDIDATES APPEARING ON A TICKET

- (a) The maximum number of candidates on a single ticket is:
 - (i) in the ballot for Representatives – 8 candidates;
 - (ii) in the ballot for Editor(s) of Honi Soit – 10 candidates;
 - (iii) in the ballot for NUS Delegates – a number of candidates that is the same as the total number of Delegates to be elected at that year's Annual Election under section 17A(a).

29. LIMITS ON THE NUMBER OF TICKETS UNDER A BRAND

Amended in August 2021

- (a) The maximum number of tickets under a single brand is:
 - (i) for the ballot for Representatives – a number that is one more (rounded up) than half the total number of Representatives to be elected at that election;
 - (ii) for the ballot for delegates to the NUS – a number that is one more (rounded up) than half the total number of Representatives to be elected at that year's Annual Elections
- (b) A brand must contain no more than one candidate contesting the ballot for President.

30. PROHIBITED NAMES, SLOGANS OR LOGOS

- (a) The name provided by any candidate, ticket or brand must not exceed 30 characters, including spaces, in length.
- (b) In any ballot:
 - (i) any slogan or logo used by a candidate; or
 - (ii) any name, slogan or logo used by a ticket or brandmust not:
 - (iii) be racist, sexist, ableist, homophobic, transphobic, classist or vilify a person in any way; or
 - (iv) be so similar to the name, slogan or logo of any person or organisation that a reasonable elector might incorrectly conclude the candidate, ticket or brand was endorsed by that person or organisation.
- (c) Subsection (b) does not apply if a candidate, ticket or brand proves that they have in fact been endorsed by the relevant person or organisation.

Violations and remedies

- (d) If, at any time after the close of nominations, the Electoral Officer is satisfied:
- (i) that the name of a candidate, ticket or brand violates subsection (a); or
 - (ii) that the slogan or logo of a candidate violates subsection (b);
 - (iii) that the name, slogan or logo of a ticket or brand violates subsection (b)

the Electoral Officer must give that candidate, ticket or brand a reasonable opportunity to amend (as relevant) their name, slogan or logo.

- (e) If a candidate, ticket or brand refuses to amend their name, slogan or logo under subsection (d), the Electoral Officer must take any action provided for by section 73(a) they consider necessary to prevent the candidate, ticket or brand using the impugned name, slogan or logo.
- (f) For the avoidance of doubt, the Electoral Officer is not required to conduct an investigation under section 71 in order to exercise their powers under this section.

31. SIMILAR NAMES, SLOGANS, LOGOS AND COLOURS

- (a) For the purposes of this section, a name, slogan, logo or colour is the **same as** another name, slogan, logo or colour if:
- (i) Deleted August 2021
 - (ii) the first name, slogan, logo or colour is so similar to the second name, slogan, logo or colour that a reasonable elector would find difficulty in distinguishing between the two names, slogans, logos or colours.

Candidates

- (b) A candidate must not use the same slogan, logo or colour as:
- (i) any other candidate, except other candidates who are members of the candidate's ticket or brand, as relevant;
 - (ii) any ticket except the candidate's ticket or those tickets that are part of the candidate's brand, if relevant; or
 - (iii) any brand, except the candidate's brand if relevant.
- (c) Deleted August 2021

Tickets

- (d) A ticket or brand must not use the same name, slogan, logo, or colour as:
- (i) any candidate who is not a member of that ticket or brand;
 - (ii) any other ticket, as relevant;
 - (iii) any other brand, as relevant.
- (e) Deleted August 2021
- (f) Deleted August 2021
- (g) Deleted August 2021
- (h) Deleted August 2021

Remedies: Tickets or brands claiming candidate's name

- (i) If, at any time after the close of nominations, the Electoral Officer is satisfied that:
- (i) ticket has used a candidate's name in violation of subsection (d)(i); or
 - (ii) a brand has used a candidate's name in violation of subsection (g)(i)

the Electoral Officer must:

- (iii) give the ticket or brand a reasonable opportunity to amend their name; and
- (iv) if the ticket or brand refuses to amend their name – take any action provided for by section 73(a) that the Electoral Officer considers necessary to prevent the ticket or brand using the name.

Remedies: Two or more entities claiming the same name, slogan, logo or colour

- (j) If, , at any time after the close of nominations, the Electoral Officer is satisfied that more than one candidate, ticket, or brand claim the same name, slogan, logo, or colour, (as relevant) as another candidate, ticket, or brand, the Electoral Officer must give all of those tickets or brands a reasonable opportunity to amend their name, slogan, logo, or colour (as relevant).
- (k) Deleted August 2021
- (l) If, under subsection (k) or (l), all relevant candidates, tickets or brands refuse to amend (as relevant) their names, slogans, logos or colours, the Electoral Officer must:
 - (i) decide which candidate, ticket or brand has, in all the relevant circumstances, the best claim to the name, slogan, logo or colour;
 - (ii) declare that the candidate, ticket or brand with the best claim to the name, slogan, logo or colour is the only candidate, ticket or brand which may use that name, slogan, logo or colour; and
 - (iii) take any action provided for by section 73(a) that the Electoral Officer considers necessary to prevent other candidates, tickets or brands from using the name, slogan, logo or colour.
- (m) For the purpose of subsection (m)(i), **relevant circumstances** in favour of a candidate, ticket or brand's claim to a disputed name, slogan, logo or colour include, but are not limited to:
 - (i) that the candidate, ticket or brand has used the disputed name, slogan, logo or colour during a previous election;
 - (ii) that the candidate, ticket or brand has a genuine connection to the disputed name, slogan, logo or colour.
- (n) The Electoral Officer is not required to conduct an investigation under section 71 in order to exercise their powers under this section.

Division 5 – The Ballot Paper

32. ELECTORAL OFFICER TO DRAW UP THE BALLOT PAPERS

Amended August 2021

- (a) The Electoral Officer must prescribe the form of the ballot papers, subject to this section and provided that there is a separate ballot paper for each ballot.
- (b) The Electoral Officer must prescribe the form of the ballot papers as soon as possible after:
 - (i) in the case of the Annual Elections – the day that is four days after the close of nominations; or
 - (ii) in the case of a by-election – the day that is two days after the close of nominations.

- (c) The ballot paper must display instructions on how to cast a valid vote.
- (d) The ballot paper must be such that voters vote by ranking, in order of preference, as many candidates as they choose to rank; and
- (e) The order of the tickets for the Honi Soit, Council, and NUS elections must be randomised and the order of names for the Presidential election must be randomised.
- (f) For the Council and NUS elections, there must be provision for both Above The Line and Below The Line voting.

32A. ALTERNATIVE NAMES MAY APPEAR ON THE BALLOT PAPER (Deleted)

Deleted July 2022

33. BALLOT PAPER TO BE PUBLISHED

- (a) As soon as the final draft of the ballot paper for a given ballot is drawn up, the Electoral Officer must:
 - (i) email a digital copy of the ballot paper to every candidate and manager of a candidate contesting that ballot;
 - (ii) if, in the Electoral Officer's opinion, it is safe to do so, invite all candidates contesting that ballot and their managers to inspect the ballot paper in person on the SRC premises (*amended August 2021*)
- (b) As soon as the Electoral Officer is satisfied, with respect to the ballot paper for a given ballot:
 - (i) all candidates and their managers have had a reasonable opportunity to inspect the final draft of the ballot paper;
 - (ii) the final draft of the ballot paper contains information that is correct in every respect; and
 - (iii) the final draft of the ballot paper complies with these Regulations in every respect

the Electoral Officer must publish a copy of the ballot paper in the following places:

- (iv) on the SRC premises, in such a way that the ballot paper and list is visible without entering any building;
- (v) on the SRC website.

34. ELECTORAL OFFICER TO DETERMINE WHETHER TO CONDUCT ELECTIONS

- (a) During the course of drawing up the ballot paper, the Electoral Officer will determine whether to conduct elections.
 - (i) For a given ballot, if the number of candidates is equal to or less than the number of vacancies, the EO must declare those candidates elected, declare any remaining vacancies as casual vacancies, and conduct a by-election for those casual vacancies.
 - (ii) For a given ballot, if the number of candidates is greater than the number of vacancies, the EO must conduct an election
- (b) *Deleted August 2021*
- (c) *Deleted August 2021*
- (d) *Deleted August 2021*
- (e) *Deleted August 2021*

Division 6 – Publications

35. ELECTORAL OFFICER TO SUPERVISE PUBLICATIONS

- (a) In this section, **a person responsible** is any member of the Council, Editor of Honi Soit or member of the SRC staff who:
- (i) has published; or
 - (ii) intends to publish
- any material in any SRC publication.
- (b) All publications issued by the Council between the close of nominations and the close of polling must not:
- (i) involve the Council in civil or criminal liability;
 - (ii) breach the Constitution or Regulations;
 - (iii) endorse any one candidate, ticket or brand.
- (c) The Electoral Officer must, as far as this Division allows them, ensure that all publications issued by the Council, including Honi Soit, do not breach subsection (a).
- (d) In order to fulfil their functions under subsection (b), the Electoral Officer is, between the close of nominations and the close of polling, entitled to do any of the following that the Electoral Officer considers necessary:
- (i) review any material which a person responsible intends to publish;
 - (ii) advise the person responsible that they should not carry out the intended publication of certain material;
 - (iii) advise the person responsible that material that is already published should be retracted;
 - (iv) advise the President that the intended publication of certain material should not be carried out;
 - (v) advise the President that material that is already published should be retracted;
 - (vi) consult the Electoral Legal Arbiter for advice relating to any material that is published or is intended for publication and provide the Electoral Legal Arbiter's advice to the person responsible and to the President.
- (e) Nothing in subsections (b), (c) or (d) gives the Electoral Officer the power to directly prevent the publication of written material or retract any written material that is already published.

36. HONI SOIT EDITORS WITH CONFLICTS OF INTEREST

- (a) For the purposes of this Division, **a conflict of interest** means any real political, financial or personal interest in the electoral success or failure of a particular candidate, ticket or brand, and includes, but is not limited to:
- (i) currently being a candidate;
 - (ii) currently being a nominator for a candidate;
 - (iii) currently being a campaigner, negotiator or manager for a candidate, ticket or brand;
 - (iv) currently being part of a political grouping associated with a particular candidate, ticket or brand.
- (b) Nothing in subsection (a) allows the Electoral Officer to conclude that a person has a conflict of interest on the sole basis that the person has:

- (i) previously been involved with a political grouping; or
 - (ii) previously been involved in any SRC election in any way.
- (c) Before the close of nominations, any Editor of Honi Soit with a conflict of interest relating to that election must declare that conflict to the Electoral Officer.
- (d) Between the close of nominations and the close of polling:
- (i) all copies of Honi Soit; and
 - (ii) all online Honi Soit articles relating to the election

must declare, in reasonably sized font, which Editors, if any, have declared conflicts of interest and the nature of those conflicts.

Excluding an Editor from commenting on elections

- (e) If an Editor has a declared conflict of interest, the Electoral Officer may, if they consider it fair and efficient to do so, exclude that Editor from writing or editing material relating to any SRC election.
- (f) If an impartial observer could reasonably conclude an Editor has a conflict of interest relating to an election, the Electoral Officer may, if they consider it fair and efficient to do so, exclude that Editor from writing or editing material relating to any SRC election.
- (g) The Electoral Officer may exercise their powers under subsection (e) or (f) either on their own motion or after receiving a complaint from any elector.
- (h) Before deciding to exercise their powers under subsection (e) or (f), the Electoral Officer must seek and consider written submissions from the Editor in question and, if relevant, from the complainant.
- (i) For the avoidance of doubt, the Electoral Officer may exercise their powers under subsection (e) or (f) without conducting an investigation in accordance with section 71.

37. HONI SOIT CONTRIBUTORS WITH CONFLICTS OF INTEREST

- (a) Any Honi Soit contributor who, though not being an Editor, comments on an election must declare any conflict of interest relating to that election to the Electoral Officer.
- (b) Between the close of nominations and the close of polling, all articles (both print and online):
 - (i) relating to the election; and
 - (ii) written by a contributor with a declared conflict of interest

must declare, in reasonably sized font, the existence and nature of that conflict.

Excluding a contributor from commenting on elections

- (c) If a contributor has a declared conflict of interest, the Electoral Officer may, if they consider it fair and efficient to do so, exclude that contributor from writing material relating to any SRC election.
- (d) If an impartial observer could reasonably conclude a contributor has a conflict of interest relating to an election, the Electoral Officer may, if they consider it fair and efficient to do so, exclude that contributor from writing material relating to any SRC election.

- (e) The Electoral Officer may exercise their powers under subsection (c) or (d) either on their own motion or after receiving a complaint from any elector.
- (f) Before deciding to exercise their powers under subsection (c) or (d), the Electoral Officer must seek and consider written submissions from the contributor in question and, if relevant, from the complainant.
- (g) For the avoidance of doubt, the Electoral Officer may exercise their powers under subsection (d) or (e) without conducting an investigation in accordance with section 71.

38. ELECTORAL OFFICER MAY PUBLISH EDITORIAL IN HONI SOIT

- (a) If any person has breached the Regulations in any way, the Electoral Officer may write an editorial in Honi Soit:
 - (i) explaining the nature of the breach;
 - (ii) outlining any person's undeclared conflicts of interest, if relevant to the breach;
 - (iii) correcting any misinformation relevant to the breach;
 - (iv) explain the effect of the breach on the conduct of the elections;
 - (v) explain what steps have been taken to remedy the breach; and
 - (vi) anything else the Electoral Officer considers relevant.
- (b) An editorial written under this section is to be printed in Honi Soit and posted on the Honi Soit website.
- (c) The Electoral Officer may only use their powers under this section:
 - (i) if they have conducted an investigation in accordance section 71 and 72;
 - (ii) if they are convinced, under section 72, that the relevant breach has, on the balance of probabilities, occurred; and
 - (iii) if it is in accordance with section 73 to write an editorial.

39. ELECTION EDITION OF HONI SOIT

- (a) ***Election Edition of Honi Soit*** means:
 - (i) before the Annual Elections – a special issue of Honi Soit:
 - A. created by the Editors of Honi Soit;
 - B. edited and supervised by the Electoral Officer;
 - C. to be published on a day decided by the Electoral Officer, but no later than the first day of physical campaigning;
 - (ii) before a by-election – a supplement to an edition of Honi Soit:
 - A. created by the Editors of Honi Soit;
 - B. edited and supervised the Electoral Officer;
 - C. to be published on a day decided by the Electoral Officer, but no later than five days before the first polling day.
- (b) The Election Edition of Honi Soit must contain:
 - (i) the full name, faculty and year of all candidates in the same order as they appear on the ballot paper;
 - (ii) any optional additional information provided by a candidate or ticket under section 25;
 - (iii) the names of the electors nominating each candidate for President;
 - (iv) where a copy of the Constitutions and Regulations may be obtained;

- (v) an explanation of the ordinary preferential and quota-preferential proportional representation voting systems;
 - (vi) polling places and times;
 - (vii) how the Electoral Officer may be contacted;
 - (viii) how decisions of the Electoral Officer may be appealed; and
 - (ix) any other information the Electoral Officer considers relevant.
- (c) At a reasonable time determined by the Electoral Officer, candidates and managers may inspect a final proof of the Election Edition of Honi Soit before it is sent for printing.
- (d) The Editors of Honi Soit may comment on any ballot within the Election Edition, provided that such comment is fair and balanced.
- (e) If, in the Election Edition, the Editors of Honi Soit decide to review a candidate, ticket or brand seeking election in a ballot, they must also review all other candidates, tickets or brands seeking election in the same ballot.
- (f) At least 6 copies of the Election Edition of Honi Soit must be made available at every polling booth on polling days.

Division 7 – Campaigning

40. CAMPAIGNING PERIODS

Annual Elections

- (a) In Annual Elections, any elector may engage in:
- (i) physical campaigning – at any time after 00:00 AEST on the Monday of the week before Annual Election Week.
 - (ii) online campaigning – at any time after 00:00 AEST on the last Wednesday before the Monday on which physical campaigning commences.

By-elections

- (b) In a by-election, any elector may engage in:
- (i) physical campaigning – after a time chosen by the Electoral Officer, provided the time chosen is no later than 00:00 AEST the Monday of the week containing the polling day(s).
 - (ii) online campaigning – after a time chosen by the Electoral Officer, provided the time chosen is:
 - A. no later than the 00:00 AEST of the last Wednesday before the week containing the polling day(s); and
 - B. no later than the time after which physical campaigning may take place under subsection (b)(i).

41. PLACES FOR CAMPAIGNING

- (a) Physical campaigning may occur in any place, except:
- (i) (any University library, with the exception that t-shirts and other campaign markings may be openly worn;
 - (ii) the premises of the SRC.
- (b) Deleted August 2021

42. CAMPAIGNERS AND MANAGERS

Campaigners

- (a) Deleted August 2021
- (b) Any person campaigning in an election may be required by an electoral official to prove they are an elector, by:
 - (i) presenting a current and valid undergraduate student card; or
 - (ii) presenting any other form of evidence the Electoral Officer has decided to allow.
- (c) If a person:
 - (i) is not an elector; and
 - (ii) is campaigning for a candidate, ticket or brand

the Electoral Officer may, if they consider it fair to do so, hold that candidate, ticket or brand responsible for the actions of the person.
- (d) A person who is physically campaigning must display markings by which a reasonable elector would be able to determine:
 - (i) that the person is a campaigner; and
 - (ii) the candidate, ticket or brand for which the person is campaigning, if any.
- (e) For the purposes of subsection (d), the Electoral Officer may stipulate certain markings or types of markings be worn.

Managers

- (f) A candidate, ticket or brand may appoint any elector to be the manager of that candidate, ticket or brand.
- (g) If a candidate, ticket or brand has appointed a manager:
 - (i) the manager may communicate with any person on behalf of that candidate, ticket or brand; and
 - (ii) the Electoral Officer may communicate with the manager instead of communicating directly with the candidates represented by that manager.

Managers not to manage both an Honi Soit ticket etc and a ticket etc in another ballot

- (h) A person appointed as a manager for a candidate or ticket contesting the ballot for Editors of Honi Soit must not become a manager for a candidate, ticket or brand contesting any other ballot.
- (i) A person appointed as a manager for a candidate, ticket or brand contesting the ballot for President, Representatives or NUS Delegates must not become a manager for a candidate or ticket contesting the ballot for Honi Soit Editors.

43. AUTHORISATION OF COMMUNICATIONS

- (a) Deleted August 2021
- (b) Except for as provided by section 44, any person publishing election material must ensure the material carries the name and student identification number of the elector authorising that material.

- (c) All candidates, tickets and brands must ensure that all election material relating to themselves is authorised.
- (d) The elector authorising the material is responsible for that material, along with the person who created the material.

44. EXCEPTIONS TO THE REQUIREMENT FOR AUTHORISATION

(a) If election material:

- (i) is created by a candidate or campaigner;
- (ii) bears that candidate or campaigner's name;
- (iii) will be published by its creator and by no other person; and
- (iv) will be published to no more than ten other people

then that material does not require authorisation.

(b) The Electoral Officer may, if in their opinion it would promote the fair and efficient conduct of the election to do so, exempt any type of election material from the requirement for authorisation, provided that all exemptions made under this subsection meet the following conditions:

- (i) election material which does not bear the name of its actual creator must, in every case, be authorised;
- (ii) it must, in every case, remain reasonably possible for the Electoral Officer to determine:
 - A. whether the person who actually created the election material is associated with a candidate, ticket or brand; and if so
 - B. which candidate, ticket or brand that person is associated with.

45. POSTERING AND CHALKING

(a) A candidate or ticket not belonging to a brand must not cover any more than 25 per cent of any notice board with their election material.

(b) Candidates and tickets belonging to the same brand must not, together, cover more than 25 per cent of any notice board with their election material.

(a) Any person who decides to convey election material using chalk must:

- (i) only apply chalk to a horizontal and uncovered surface; and
- (ii) only use chalk that can be removed with water.

Division 8 – Polling

46. ELECTORS ARE ENTITLED TO VOTE

(a) All electors are entitled to vote in any ballot.

47. POLLING DAYS

(a) For the Annual Elections, the official polling days are Tuesday, Wednesday and Thursday of Annual Election Week.

- (b) For a by-election, the official polling day or days are the election date or dates prescribed by the Electoral Officer under section 3(c).

48. NOTICE OF VOTING DATES, TIMES AND PLACES

- (a) The Electoral Officer must, no later than the first day of online campaigning, publish a **Notice of Voting Dates, Times and Places**.
- (b) In order to be published under subsection (a), the Notice must be:
 - (i) printed as an advertisement in Honi Soit;
 - (ii) displayed on the SRC and Honi Soit website; and
 - (iii) displayed on the SRC's social media channels.
- (c) The Notice must set out:
 - (i) the dates of the official polling days;
 - (ii) the dates on which pre-polling will be available, if any;
 - (iii) the times during which voting booths will be open, including for any pre-polling;
 - (iv) the locations of polling booths, including for any pre-polling; and
 - (v) how voters may apply for Absentee Voting.
- (d) The Notice must be non-partisan, and must not make any mention of any candidate, ticket or brand running in the election.
- (e) The Electoral Officer must ensure the Notice is widely publicised, so as to encourage the student body to vote in the elections.

49. VOTER'S DECLARATION FORM

- (a) **Voter's Declaration Form** means a form to be filled out and declared by certain voters, if they wish their vote to be accepted for counting.
- (b) The Electoral Officer must prescribe the form to be taken by the Voter's Declaration Form, subject to subsection (c).
- (c) Voters who agree to complete a Voter's Declaration Form must, using the Voter's Declaration Form, provide:
 - (i) their name;
 - (ii) their student identification number;
 - (iii) their University of Sydney email address;
 - (iv) their contact number;
 - (v) their signature or digital signature; and
 - (vi) any other information the Electoral Officer considers necessary.
- (d) Nothing in these Regulations requires a voter to complete a Voter's Declaration Form.
- (e) However, when, in accordance with these Regulations, a voter is asked to complete a Voter's Declaration Form, their ballot paper will not be accepted for counting if they do not do so.
- (f) The Electoral Officer must ensure that there is a sufficient number of Voter's Declaration Forms, in all the circumstances, for the number of voters expected to be required to complete a Voter's Declaration Form.

50. VOTING TIMES AND PLACES

Polling booths during Annual Elections

- (a) During the polling days of the Annual Elections, the Electoral Officer must establish
 - (i) on Tuesday, a polling booth at or around:
 - A. Jane Foss Russell Building between 8:45am and 5:15pm;
 - (ii) on Wednesday, a polling booth at or around:
 - A. Jane Foss Russell Building between 8:45am and 5:15pm;
 - B. Fisher Library between 8:45am and 5:15 pm;
 - C. Manning House between 10:45am and 3:15pm;
 - D. Conservatorium of Music between 10:30 am and 3:30 pm;
 - (iii) on Thursday, a polling booth at or around:
 - A. Jane Foss Russell Building between 8:45am and 5:15pm;
 - B. Fisher Library between 8:45am and 5:15pm;
 - C. Cumberland campus between 10:45am and 3:15pm;
 - D. Peter Nicol Russell Building between 10:45am and 3:15pm.

Polling booths during by-elections

- (b) During the day or days of polling in the by-elections, the Electoral Officer must establish one or more polling booths as the Electoral Officer sees fit, provided that:
 - (i) the polling booth(s) remain open for an amount of time that promotes the fair and efficient conduct of the elections;
 - (ii) the location of the polling booth(s) promotes the fair and efficient conduct of the election; and
 - (iii) the location of the polling booth(s) does not obstruct a thoroughfare to an unreasonable degree.
- (c) If, due to events outside the Electoral Officer's control, one or more polling booths cannot be established at the time or place stipulated by this section, the Electoral Officer must make alternative arrangements to replace the polling booth or booths affected.

Pre-polling booths

- (d) The Electoral Officer may, if they are satisfied it would promote the fair and efficient conduct of the election to do so, establish one or more pre-polling polling booths:
 - (i) between the first day of physical campaigning and first official polling day;
 - (ii) in a location or locations that does not obstruct a thoroughfare to an unreasonable degree.

Savings Provision

- (e) Subsections (e) and (f) apply to the conduct of the Annual Elections only.
- (f) Before issuing the Notice of Voting Dates, Times and Places, the Electoral Officer must make enquiries to determine whether the majority of students in the Faculty of Health Sciences have moved from the Cumberland campus to the Susan Wakil Health Building.
- (g) If, after making such enquiries, the Electoral Officer is satisfied the majority of students in the Faculty of Health Sciences have moved to the Susan Wakil Health Building, the Electoral Officer must:
 - (i) not establish a polling booth at the Cumberland campus; but
 - (ii) instead establish a polling booth, to open on polling days, at or around either:

- 1) the Susan Wakil Health Building; or
 - 2) the Charles Perkins Centre.
- (h) In the event of any University of Sydney staff industrial action (strikes, pickets, or stop work actions) scheduled on a polling day, the Electoral Officer must cease operations of polling booths for the duration of the industrial action and, if feasible, make arrangements for replacement pre-poll booths.

51. EXCLUSION ZONES

- (a) The Electoral Officer must create an exclusion zone of no less than 10 metres' radius around all polling booths.
- (b) Campaigning must not take place in an exclusion zone, as provided by:
 - (i) section 70(b); and
 - (ii) section 70(c).

52. BALLOT PAPERS TO BE AUTHORISED

- (a) To be valid, a ballot paper must be authorised by an electoral official.
- (b) Before a ballot paper is conveyed to a voter, an electoral official must authorise that ballot paper.
- (c) The Electoral Officer must prescribe any method of authorising ballot papers that, in the opinion of the Electoral, will promote the fair and efficient conduct of the elections, provided that the method chosen:
 - (i) allows electoral officials to easily determine whether or not ballot papers have been authorised; and
 - (ii) does not allow any person to determine how a given voter has voted.

53. PROCEDURE FOR VOTING

- (a) The Electoral Officer may, in a given SRC election, prescribe any procedure to be followed by voters in order to cast a valid vote, provided that the procedure selected promotes the fair and efficient conduct of the election. **(Amended August 2021)**
- (b) The procedure must be such that:
 - (i) the identities of those who have voted are recorded in some way;
 - (ii) there is some system to prevent voters from voting twice in the one election;
 - (iii) voters who fail to prove they are electors are asked to complete a Voter's Declaration Form;
 - (iv) a Voter's Declaration Form completed under subsection (iii) is attached to the voter's ballot paper in some way;
 - (v) voters will be given a new ballot paper if they request one at any time before submitting their old ballot paper for counting;
 - (vi) voters are informed they can request a new ballot paper at any time before submitting their old ballot paper for counting;
 - (vii) spoiled ballot papers are marked as spoiled in some obvious way, or else immediately destroyed;

- (viii) voters are able to indicate their preferences in accordance with the requirements of preferential voting under the Constitution and Regulations
 - (ix) voters are required to submit their ballot paper to some kind of receptacle (including an electronic receptacle), where it will be kept safe until counting; and
 - (x) the secrecy of the ballot is at all times maintained.
- (c) Under subsection (b)(iii), a voter fails to prove they are an elector if:
- (i) they fail to produce a valid student identification card; or
 - (ii) they fail comply with some other procedure prescribed by the Electoral Officer for ascertaining whether a person is an elector.
- (d) Under subsection (b)(v), a ballot paper is spoiled if:
- (i) the voter using that ballot paper is given a new ballot paper; or
 - (ii) the voter using that ballot paper abandons it without submitting it to the receptacle provided for by subsection (b)(vii).

Division 9 – Absentee Voting

54. ELIGIBILITY FOR ABSENTEE VOTING

(Amended July 2023)

- (a) An elector is only eligible to become an **absentee voter** if they are unable to attend a polling booth on all polling days.
- (b) An elector is unable to attend a polling booth on all polling days, if and only if:
 - (i) the elector will, on all polling days, be unable to attend a polling booth because of illness or infirmity, or approaching childbirth; or
 - (ii) on all polling days, the elector will be unable to attend a polling booth because they will be occupied with caring for another person; or
 - (iii) the elector is a person with a physical, mental, intellectual or sensory disability that will prevent them from attending a polling booth on all polling days; or
 - (iv) on all polling days, the elector will be outside Greater Sydney without any reasonable means of returning to Greater Sydney in time for any polling day; or
 - (v) On all polling days, the elector is unable to attend polling booths as a result of being required to attend to work responsibilities; or
 - (vi) If an elector indicates a preference for absentee voting and establishes another reason why it would not be reasonably practicable for them to attend a polling booth on any of the polling days, subject to approval from the EO.
- (c) An elector is not unable to attend a polling booth on all polling days if they are able to attend a pre-polling polling booth established under section 50(d).
- (d) (deleted)
- (e) (deleted)

55. ABSENTEE VOTER APPLICATIONS

(Amended July 2023)

- (a) The Electoral Officer must prescribe an **absentee voter application form**.

- (b) The absentee voter application Form must require applicants to state:
 - (i) their name;
 - (ii) their student identification number;
 - (iii) their email address; and
 - (iv) if in the given SRC election the EO has made both postal and online absentee voting available, the applicant must state if they wish to apply to be:
 - A. a postal absentee voter; or
 - B. an online absentee voter
 - (v) the grounds on which they are applying as an absentee voter;
 - (vi) any other detail the Electoral Officer considers necessary.
 - (vii) A declaration that the information provided is true and accurate
- (c) The absentee voter application form must be:
 - (i) advertised in Honi Soit;
 - (ii) displayed on the SRC website;
 - (iii) advertised through SRC social media; and
 - (iv) where possible, advertised in some other way the Electoral Officer considers fair and efficient for the purposes of advertising absentee voting.
- (d) An elector who wishes to apply to be an absentee voter may apply to the Electoral Officer to become an absentee voter by filling out the absentee voter application form and returning it to the Electoral Officer.
- (e) The deadline for applications is a day determined by the Electoral Officer that:
 - (i) is no later than ten days before the last day of polling; and
 - (ii) provides for the fair and efficient conduct of the election in all the circumstances, including the practicalities of absentee voting.
- (f) The Electoral Officer may receive late applications if they consider it fair and efficient to do so.
- (g) The Electoral Officer may, if they consider it fair and efficient to do so, accept an application for absentee voting that does not use the absentee voter application form.

56. DETERMINING WHO IS AN ABSENTEE VOTER

(Amended July 2023)

- (a) If the Electoral Officer receives an application for absentee voting, they must determine whether the applicant is:
 - (i) an elector; and
 - (ii) eligible for absentee voting under Division 9, Clause 54
- (b) The Electoral Officer may require the applicant to provide any evidence that the Electoral Officer requires.

Rejecting an application

- (c) If the Electoral Officer is not satisfied that the applicant is an elector, they must reject the applicant's application to be an absentee voter.
- (d) If the Electoral Officer rejects an application, they must inform the applicant that they may appeal the decision to the Electoral Legal Arbiter.

If the applicant has applied for postal absentee voting

- (e) If:
- (i) the applicant applied to be a postal absentee voter; and
 - (ii) the Electoral Officer determines that the applicant is an elector
- the Electoral Officer must declare the applicant a postal absentee voter.

If the applicant has applied for online absentee voting

- (f) If:
- (i) the applicant has applied to be an online absentee voter;
 - (ii) the Electoral Officer is satisfied:
 - A. the applicant is an elector; and
 - B. the applicant is eligible to be an online absentee voter
- the Electoral Officer must declare the applicant an online absentee voter.

- (g) If:
- (i) the applicant has applied to be an online absentee voter;
 - (ii) the Electoral Officer is satisfied the applicant is an elector; and
 - (iii) the Electoral Officer is not satisfied the applicant is eligible to be an online absentee voter
- the Electoral Officer must instead declare the applicant a postal absentee voter.

EO to notify applicants of outcome

- (h) When making any declaration under this section, the Electoral Officer must:
- (i) immediately notify the applicant of the substance of the declaration; but
 - (ii) not inform any other person, unless that person is an electoral official, that the declaration has been made.

57. POSTER ABSENTEE VOTING

- (a) This section applies in respect of electors who have been declared postal absentee voters under section 56(e) or 56(g).
- (b) When notifying an elector that they are a postal absentee voter, the Electoral Officer must inform the elector that, in order to proceed with a postal absentee vote, they must provide details of their residential address to the Electoral Officer.
- (c) A postal absentee voter is not required to provide their residential address to the Electoral Officer.
- (d) If a postal absentee voter does not provide details of their residential address to the Electoral Officer, they will not be entitled to cast a postal absentee vote.
- (e) If a postal absentee voter provides details of their residential address to the Electoral Officer, the Electoral Officer must send the postal absentee voter a postal voting package no later than seven days before the last polling day.
- (f) Provided a postal absentee voter's vote is valid in all other respects, that postal absentee voter's vote will not be invalid merely because the Electoral Officer sent the postal absentee voter their postal voting package later than seven days before the last polling day.

- (g) A **postal voting package** must contain:
- (i) ballot papers, authorised by the Electoral Officer, for each of the ballots in which the absentee voter is an elector;
 - (ii) a print copy of the Election Edition of Honi Soit, or an explanation of where an online copy may be found;
 - (iii) a Voter's Declaration Form;
 - (iv) instructions on how to cast a postal vote;
 - (v) a stamped and addressed envelope for the return of voting materials to the Electoral Officer; and
 - (vi) anything else the Electoral Officer considers necessary for the fair and efficient conduct of the election.
- (i) The instructions provided under subsection (g)(iv) must:
- (i) ask the postal absentee voter to complete the included Voter's Declaration Form; and
 - (ii) inform the postal absentee voter that their ballot paper(s) will not be accepted for counting if they do not complete the Voter's Declaration Form.
- (j) After completing their ballot papers and the Voter's Declaration Form, the postal absentee voter must return the same to the Electoral Officer, using the envelope provided under subsection (g)(v).
- (k) To be accepted for counting, a postal absentee vote must be:
- (i) received before the close of voting; and
 - (ii) accompanied by a Voter's Declaration Form.

58. ONLINE ABSENTEE VOTING

- (a) This section applies in respect of electors who have been declared online absentee voters under section 56(f).
- (b) The Electoral Officer must allow an online absentee voter to vote using an Online Voting System.
- (c) The Electoral Officer must, for the purposes of this section, select an Online Voting System which the Electoral Officer considers appropriate for the fair and efficient conduct of the election.
- (d) The Electoral Officer must not select an Online Voting System unless they are satisfied the system will:
- (i) in some way register the identities of those who have cast an online absentee vote;
 - (ii) provide online absentee voters with instructions on how to cast a valid vote;
 - (iii) allow online absentee voters to indicate their preferences in accordance with the requirements of preferential voting under the Constitution;
 - (iv) prevent online absentee voters from voting more than once in a given ballot;
 - (v) prevent a person from voting if they are not an online absentee voter;
 - (vi) not allow any person to determine how an online absentee voter has voted;
 - (vii) ensure that votes cast using the Online Voting System can be tallied together with the normal method of voting used during that election; and
 - (viii) comply with the Constitution and Regulations.
- (e) By 9 am on the first polling day, the Electoral Officer must:

- (i) explain to all online absentee voters where an online copy of the Election Edition of Honi Soit may be found;
 - (ii) provide all online absentee voters with the means of using the Online Voting System selected for absentee voting for that election;
 - (iii) provide all online absentee voters with instructions on how to use the Online Voting System;
 - (iv) ask all online absentee voters to submit a Voter's Declaration Form along with their online absentee vote; and
 - (v) inform all online absentee voters that their vote will not be accepted for counting if they do not submit a Voter's Declaration Form along with their vote.
- (f) To be included in the count, all online absentee votes cast using an Online Voting System must be received by the close of voting on the last polling day of the election.
- (g) This section will be automatically repealed on November 30 2020.

Division 10 – Determining and Announcing the Result

59. COUNTING THE VOTES

- (a) Deleted August 2021
- (b) As soon as possible after the close of voting, the Electoral Officer and electoral officials must access the ballot papers and proceed to count them.
- (c) The Electoral Officer must ensure that the ballot papers are counted in a place that is appropriate, in all the circumstances, for the counting of the ballot papers.

60. FORMAL BALLOT PAPERS

Amended August 2021

- (a) A ballot paper is formal if it is authorised by an electoral official and has a clear indication of the voter's first preference. (Amended august 2021)
- (b) If a voter has voted using a sign or symbol other than those stipulated by the instructions on the ballot paper, the ballot paper must be treated as formal to the extent that the voter's intention is reasonably clear.
- (c) Deleted August 2021
- (d) Deleted August 2021
- (e) If there is a break in the order of preferences recorded on a ballot paper, the ballot paper must be treated as if any preferences after the break had not been recorded on the ballot paper.

Informal ballot papers to be removed

- (f) If an electoral official is satisfied that a ballot paper is informal, they must remove that ballot paper from the count.
- (g) The Electoral Officer must keep a tally of informal ballot papers.

61. SCRUTINEERS

- (a) Each candidate, ticket or brand contesting any election may have present in the place where ballots are being counted up to 4 scrutineers.

- (b) Any scrutineers must be nominated in writing signed by a candidate or the manager of a ticket or brand and sent to the Electoral Officer. *(Amended August 2021)*
- (c) A scrutineer must not be a candidate in any ballot but need not be an elector. *(Amended August 2021)*
- (d) Any electoral official must allow a scrutineer to inspect any ballot paper, if the scrutineer requests to do so.
- (e) A scrutineer may challenge any electoral official's decision to include or to exclude a ballot paper from the count. The challenge must take the form of:
 - (i) if the decision maker is a subordinate electoral official – an application for review by the Electoral Officer under section 76;
 - (ii) if the decision maker is the Electoral Officer – an appeal to the Electoral Legal Arbiter under section 78.
- (f) A scrutineer must not do any of the following:
 - (i) obstruct any electoral officer in the course of their duties;
 - (ii) attempt to influence any electoral official to act in a way that is inconsistent with the Regulations;
 - (iii) touch or otherwise interfere with any ballot paper;
 - (iv) cause any disturbance or obstruction in the place where ballot papers are being counted.
- (g) If the Electoral Officer believes, on reasonable grounds, that a scrutineer has breached subsection (f), the Electoral Officer may, without conducting an investigation under section 71: *(Amended August 2021)*
 - (i) caution a scrutineer;
 - (ii) temporarily remove a scrutineer from the place where ballot papers are being counted; or
 - (iii) ban a scrutineer from the place where ballot papers are being counted until after the conclusion of the count.
- (h) Electoral Officer shall communicate clearly with all present scrutineers regarding the process of counting the ballots.
- (i) *Deleted August 2021*

62. FURTHER SCRUTINY OF BALLOT PAPERS

Deleted August 2021

62A. DETERMINING THE RESULTS

Amended August 2021

- (a) For a single vacancy election, the method of counting the votes shall be the method set out in Schedule Two to the Constitution as if it referred to a single vacancy election.

63. ANNOUNCING THE RESULTS

- (a) As soon as possible after the conclusion of counting, the Electoral Officer must publish a Declaration of Provisional Results on the SRC and Honi Soit Websites and by communicating the results to candidates and managers. *(Amended August 2021)*

- (b) Once 72 hours have elapsed since the Declaration of Provisional Results, the Electoral Officer must publish a Declaration of Final Results as soon as all of the following conditions are met:
- (i) the Electoral Officer is satisfied that no breaches of the Regulations have occurred;
 - (ii) all candidates', tickets' and brands' expenses have been audited under section 66;
 - (iii) the Electoral Officer has determined the outcome of any investigation under section 67 or Division 13;
 - (iv) the Electoral Legal Arbiter has heard and determined any appeal arising from any decision of the Electoral Officer;
 - (v) the Electoral Officer has no reasonable grounds to believe an appeal will be lodged against any of their decisions within the next 72 hours.
- (c) If, between issuing the Declaration of Provisional Results and issuing the Declaration of Final Results, the Electoral Officer is satisfied either:
- (i) that the Declaration of Provisional Results does not reflect the correct result of one or more ballots; or
 - (ii) that, because of some intervening event, the Declaration of Provisional Results no longer reflects the correct result of one or more ballots
- the Electoral Officer must:
- (iii) revoke the Declaration of Provisional Results in part or in full;
 - (iv) do anything required of them by the Regulations;
 - (v) determine the correct result in the relevant ballot or ballots; and
 - (vi) issue a new Declaration of Provisional Results, once the new result has been determined.
- (d) After publishing the Declaration of Final Results, the Electoral Officer must table at the next meeting of Council a copy of the Declaration of Final Results. (amended August 2021)

Division 11 – Campaign Expenditure

64. EXPENDITURE LIMITS APPLYING TO TICKETS, CANDIDATES AND BRANDS

Expenditure limits applying to candidates and tickets

- (a) The expenditure limit for the ballot for the Representatives is:
- (i) where a ticket contains three or fewer candidates – \$100 per candidate; or
 - (ii) where a ticket contains four or more candidates – \$400 for the entire ticket.
- (b) The expenditure limit for the ballot for NUS Delegates is \$100 per ticket.
- (c) The expenditure limit for the ballot for President is \$750 per candidate.
- (d) The expenditure limit for the ballot for Editor(s) of Honi Soit is \$1500 per ticket.

Expenditure limit applying to brands

- (e) A brand must, in total, spend no more than the aggregate of the expenditure limits applying to each of the candidates and tickets actually contained by that brand, subject to subsection (f).

- (f) However, for the purpose of calculating a brand's expenditure limit under subsection (e), a brand is deemed to contain:
 - (i) if the brand actually contains 6 or more tickets contesting the ballot for the Representatives – 5 tickets contesting the ballot for the Representatives; and
 - (ii) if the brand actually contains 4 or more tickets contesting the ballot for NUS Delegates – 3 tickets contesting the ballot for NUS Delegates.
- (g) Either or both of subsection (f)(i) and (f)(ii) may apply, as relevant, to the same brand.
- (h) Deleted August 2021
- (i) A candidate or ticket contesting the ballot for Editors of Honi Soit cannot pool its expenditure limit with any other candidate, ticket or brand. (Amended August 2021)

65. ITEMS AND THEIR COSTING

- (a) In this section, an item or service was bought in the **general market** if:
 - (i) the seller of the item or service publicly advertised that item or service; and
 - (ii) the price at which the item or service was sold would have been offered to an ordinary person who:
 - A. was seeking to buy the same quantity of that item or service; and
 - B. had no pre-existing relationship to the seller.
- (b) In this section, an item or service is acquired for a candidate, ticket or brand's **electoral use** if the item or service was eventually used by that candidate, ticket or brand for the purpose of campaigning.

Items and services requiring costing

- (c) Subject to subsection (c), all candidates, tickets and brands must cost as electoral expenses:
 - (i) all items bought for that candidate, ticket or brand's electoral use;
 - (ii) all items hired or borrowed for that candidate, ticket or brand's electoral use;
 - (iii) all items donated or given to that candidate, ticket or brand for its electoral use; and
 - (iv) all services bought for that candidate, ticket or brand's electoral use.
- (d) Candidates, tickets and brands are not required to cost as electoral expenses:
 - (i) any item that an ordinary person would usually own;
 - (ii) any item that an ordinary person would easily be able to borrow; and
 - (iii) any service donated or given to the candidate, ticket or brand.
- (e) For the avoidance of doubt, subsection (c) means that candidates, tickets or brands are not required to cost computers, staplers, pens, pencils, glue or volunteer labour. This list is not exhaustive.

Cost of items and services

- (f) Subject to subsection (i), all items requiring costing must be costed:
 - (i) if they were bought in the general market – at their actual purchase price; or
 - (ii) if they were bought but not in the general market – at their lowest available purchase price in the general market;
 - (iii) if they were donated or given – at their lowest available purchase price in the general market.

- (g) Subject to subsection (h) and (i), all services requiring costing must be costed:
- (i) if they were bought in the general market – at their actual purchase price; or
 - (ii) if they were bought but not in the general market – at their lowest available purchase price in the general market.

Cost of printing

- (h) Despite subsection (g), any printing services obtained by a candidate, ticket or brand must be costed:
- (i) if the SRC offers printing services to candidates, tickets and brands – at the price charged for that service by the SRC; or
 - (ii) if the SRC does not offer printing services to candidates, tickets or brands – at the lowest available purchase price of printing services in the general market.

Electoral Officer may deem electoral cost of item or service

- (i) If the Electoral Officer is satisfied that it is in the interests of the fair and efficient conduct of the election to do so, then despite subsections (f)–(g), the Electoral Officer may deem the price of any item or service.
- (j) When exercising their power under subsection (i), the Electoral Officer must deem a price that is as close as reasonably possible to that item or service’s lowest available purchase price in the general market.
- (k) If the Electoral Officer exercises their power under subsection (i), they must communicate the deemed price to all candidates, tickets, brands and their managers no later than 10 days before the first day of physical campaigning.
- (l) If the price of a given item or service has been deemed under subsection (i), all candidates, tickets and brands must cost that item or service at its deemed price.

66. AUDITS

- (a) All brands and tickets not in brands, or their managers, must submit a statement of electoral expenses and genuine receipts proving the accuracy of their statement within three days after the close of polling. (Amended August 2021)
- (b) Deleted August 2021

67. INVESTIGATIONS INTO EXPENDITURE AND OUTCOMES

- (a) At any time, the Electoral Officer may launch an investigation of a candidate, ticket, or brand’s electoral expenditures using the process specified in section 8.71. (Amended August 2021)
- (b) Despite anything in section 73, the Electoral Officer must disqualify a candidate, ticket or brand if:
 - (i) the Electoral Officer is actually persuaded that the candidate, ticket or brand exceeded their expenditure limit by more than a trivial amount; or
 - (ii) a candidate, ticket or brand continues to breach section 66 despite being
 - A. given a reasonable opportunity to comply with section 66; and
 - B. warned of the effect of this subsection. (Amended August 2021)
- (c) Deleted August 2021
- (d) Deleted August 2021

Division 12 – Prohibited Practices

67A. ATTEMPTS, ABETTING AND CONSPIRACY ARE BREACHES OF THE REGULATIONS

Deleted August 2021

68. DISHONEST, UNTRUE, DEFAMATORY OR DISCRIMINATORY PRACTICES

- (a) A person must not, in relation to an election, communicate to another person anything that:
 - (i) is untrue; or
 - (ii) Misleading or deceptive, in the sense that it seriously misrepresents a member of the student body, a member of Council, or a member of the SRC staff. *(amended July 2022)*
 - (iii) *Deleted July 2022*
- (b) Deleted July 2022*
- (c) It is a defence to subsection (a) if the person proves that they had reasonable grounds for believing and did in fact believe the communication they made was true.
- (d) A person must not engage in behaviour that is discriminatory on any basis, including, but not limited to, gender, sexuality, race, ethnicity, disability or religion.
- (e) A person must not engage in any dishonest practice in relation to an election, including, but not limited to:
 - (i) bribery;
 - (ii) threats, whether directed at voters, electoral officials, candidates, campaigners, managers or SRC staff members;
 - (iii) impersonating an electoral official or another person;
 - (iv) forgery; or
 - (v) tampering with ballot papers.

Meaning of bribery

- (f) **Bribery** means offering something of value to a person in order to obtain preferential treatment from some person.

Bribery may occur at any time, whether before or after an election, and be done by any person and towards any person.

Preferential treatment includes, but is not limited to:

- (i) a candidate or candidate-elect acting in a way that benefits the briber;
 - (ii) an elector voting in a particular way or refraining from voting in order to benefit the briber;
 - (iii) an electoral official violating the Regulations or established procedures in order to benefit the briber.
- (g) A person does not commit bribery solely by:
 - (i) promising that they will put into effect some policy if they are elected to a particular position; or
 - (ii) promising to a candidate, ticket or brand (or their manager or campaigners) that they will support that candidate, ticket or brand to contest any election.

69. PROHIBITED PRACTICES RELATED TO CAMPAIGNING

- (a) A person must not come into physical contact with any other person, unless that contact is consensual.
- (b) A person must not act towards any other person in a way which actually causes them to feel intimidated.
- (c) It is a defence to subsection (b) if a person proves the actions which caused another person to feel intimidated were:
 - (i) directed towards a candidate or campaigner;
 - (ii) done for the purpose of campaigning; and
 - (iii) the person has not previously been warned by an electoral official not to do similar acts towards the candidate or campaigner referred to in subsection (c)(i).
- (d) A person must not make it impractical or unsafe for any person to move through a public space.
- (e) A person must not physically campaign before the commencement of the physical campaigning period.
- (f) A person must not campaign online before the commencement of the online campaigning period.
- (g) A person who is not an elector must not campaign in any election.
- (h) A person must not cross-campaign in any way that violates section 27.
- (i) A person must not enter into a deal in a way that violates section 27A.
- (j) A person must not publish any authorisable material, within the meaning of section 43(a) and unless exempted by section 44, without legibly displaying on the material the name and student identification number of the person authorising it.
- (k) A person must not campaign in a language other than English (**LOTE**).
- (l) A person must not produce materials in LOTE, unless any words or sentences in the LOTE are accompanied by an English translation which is:
 - (i) accurate;
 - (ii) legible when viewed from the distance at which a reasonable elector would view the material; and
 - (iii) displayed in such a way that it is reasonably obvious the English text is a translation of text in the LOTE.
- (m) A person must not remove, cover, destroy, damage or otherwise interfere with election material of a candidate, ticket or brand where it has been placed in accordance with the Regulations and University rules.
- (n) A person must not campaign, or store, or leave unattended, or make visible any election material, in:
 - (i) any University library, with the exception that t-shirts and other campaign markings may be openly worn; and
 - (ii) the premises of the SRC.
- (o) A person must not use any SRC resources for the electoral benefit of a candidate, ticket or brand. Such resources include, but are not limited to, materials, devices, tools, data, symbols, communication channels and, for the purposes of this regulation,

the resources of any collective funded by the SRC or the resources of any club or society registered with the University of Sydney Union (USU). (Amended July 2022)

- (p) A person may not use SRC premises as a location for producing election material or conducting any work in relation to the running of campaigns.
- (q) A person must not damage, destroy or deface any public or private property inside or outside the University. For the purposes of this subsection, **defacing property** includes but is not limited to:
 - (i) using adhesive to attach stickers or posters to any surface not set aside for the purpose of displaying stickers or posters;
 - (ii) applying chalk:
 - A. to any vertical surface;
 - B. to any surface that is not exposed to the open sky; or
 - C. in such a way that the chalk cannot be removed with water
- (r) A person must not put any item in any place where the item may make it impractical or unsafe for any person to move through a public space.
- (s) A person must not, by piloting any remotely piloted aircraft for any purpose in relation to the election, violate the *Civil Aviation Safety Regulations 1998* (Cth).
- (t) Attempting, abetting, or conspiring to breach these regulations are breaches of the regulations.

70. PROHIBITED PRACTICES RELATED TO VOTING

- (a) A person must not do any of the following:
 - (i) vote if they are not an elector;
 - (ii) interfere with the free exercise of an elector's right to vote;
 - (iii) interfere with any ballot paper without the consent of the Electoral Officer;
 - (iv) hinder or interfere with an electoral official in the execution of their duties;
 - (v) interfere with networks, software, computers, or other things that are in any way related to any form of polling;
 - (vi) hinder the conduct of polling;
 - (vii) incite others to hinder the conduct of polling.
- (b) While inside an exclusion zone, a person must not:
 - (i) campaign to any person;
 - (ii) display or distribute any election material, including, but not limited to, posters, flyers or shirts.
- (c) While outside an exclusion zone, a person must not campaign by any means to any person inside an exclusion zone.

Division 13 – Investigations of Breaches of the Regulations

71. THE ELECTORAL OFFICER MAY LAUNCH AN INVESTIGATION

- (a) The Electoral Officer may investigate whether a person has breached the Regulations if:
 - (i) the Electoral Officer believes on reasonable grounds that that person has breached the Regulations; or

- (ii) an elector complains, in writing, that that person has breached the Regulations, provided that:
 - A. the complaint is lodged no later than 72 hours after the Declaration of Provisional Results; and
 - B. the complaint is not so unreasonable that are no prospects a breach of a Regulation will be uncovered.
- (b) The Electoral Officer may dispense with the requirement that a complaint be submitted in writing, where it seems in the interests of the fair and efficient conduct of the election to do so.
- (c) If the investigation is launched in response to a complaint, the complainant must submit all supporting evidence at the same time as the complaint.
- (d) If a complaint is made without evidence, then the Electoral Officer may conclude the complaint is so unreasonable there are no prospects of uncovering a breach of the Regulations.
- (e) If a complaint is made, the Electoral Officer must, as quickly as reasonably possible, inform the complainant whether or not there will be an investigation.
- (f) If an investigation is launched in response to a complaint, the Electoral Officer must inform the complainant of the outcome of the investigation.

72. CONDUCT OF THE ELECTORAL OFFICER'S INVESTIGATION

- (a) The Electoral Officer must complete investigations as quickly as reasonably possible in all the circumstances.
- (b) The Electoral Officer must presume there has been no breach of the Regulations, until they are convinced otherwise by probative evidence.
- (c) The Electoral Officer must seek submissions from the person(s) subject to investigation.
- (d) If the Electoral Officer puts written questions to a person, the person must give a written response within 48 hours of receiving the questions.
- (e) Deleted August 2021
- (f) If the Electoral Officer is not satisfied that, on the balance of probabilities, there has been a breach of the Regulations, then the investigation will be closed with no further action to be taken.

73. OUTCOMES OF AN INVESTIGATION

- (a) Where the Electoral Officer is satisfied that, on the balance of probabilities, a breach of the Regulations has occurred, they must do any of the following things that seem necessary to protect the integrity of the election:
 - (i) dismiss the matter;
 - (ii) caution any person;
 - (iii) require any person to apologise to any other person;
 - (iv) remove and/or confiscate an item;
 - (v) impose a limitation on the production or distribution of any election material;
 - (vi) suspend a person or any group of people from campaigning for any period of time;
 - (vii) reject the nomination of a prospective candidate or ticket;

- (viii) temporarily remove a person from the place where ballot papers are being counted;
 - (ix) ban a person from the place where ballot papers are being counted until after the conclusion of the count;
 - (x) write an editorial in Honi Soit under section 38;
 - (xi) remove any candidate or ticket from the ballot paper;
 - (xii) disqualify any candidate or ticket from election in any ballot, even if the votes have already been counted;
 - (xiii) disqualify any person from election to any office or position under the Constitution and Regulations for up to 18 months;
 - (xiv) order a new election to be held with respect to any ballot.
- (b) When taking any course of action under subsection (a), the Electoral Officer must consider:
- (i) the severity of the breach of the Regulations;
 - (ii) the intentions of the person who breached the Regulations;
 - (iii) the damage caused by the breach of the Regulations; and
 - (iv) precedent, with a view to maintaining consistency across decisions made by the Electoral Officer.
- (c) The Electoral Officer may, if it is fair and efficient to do so, hold a candidate, ticket or brand responsible for the actions of one of their campaigners, managers or scrutineers, and take a course of action under subsection (a) accordingly.
- (d) The Electoral Officer may only order a new election in respect to any ballot if they find on reasonable grounds, that:
- (i) the breach of the Regulations was so serious or so extensive that a reasonable elector would, if they knew about the breach, have no faith in the results of the relevant ballot or ballots; and
 - (ii) had the breach not occurred, the outcome of the relevant ballot or ballots would have been substantially different.
(Amended July 2022)
- (e) If any candidate, ticket or brand is affected by a decision under this section, the Electoral Officer must notify that candidate, ticket or brand or their manager.
(Amended July 2022)
- (f) Before:
- (i) removing a candidate or ticket from the ballot paper;
 - (ii) disqualifying a candidate or ticket; or
 - (iii) disqualifying a person from any office under the Constitution and Regulations
- the Electoral Officer must feel actually persuaded that the breach of the Regulations occurred.
- (g) The Electoral Officer may only order a new election in respect to any ballot if they are actually persuaded, on reasonable grounds, that:
- (i) the breach of the Regulations was so serious or so extensive that a reasonable elector would, if they knew about the breach, have no faith in the results of the relevant ballot or ballots; and
 - (ii) had the breach not occurred, the outcome of the relevant ballot or ballots would have been substantially different.
- (h) If any candidate, ticket or brand is affected by a decision under this section, the Electoral Officer must notify that candidate, ticket or brand or their manager.

- (i) Deleted August 2021

74. EFFECT OF ORDERS

Deleted and replaced with the following in August 2021

- (a) In any ballot, if a candidate or ticket is disqualified before the Declaration of Final Results, the ballot count will be run as if the ticket or candidate(s) did not nominate, with any votes for the ticket or candidate(s) distributed according to preferences made by the voter.
- (b) If the Electoral Officer orders a new election, they must:
 - (i) specify a date that the election is to be conducted;
 - (ii) direct any reasonable departures from these Regulations, including ordinary notice requirements;
 - (iii) if fresh elections cannot be concluded before 1 December of that year, order that the candidates declared elected in the Declaration of Provisional Results hold office a caretaker role; and
 - (iv) make any other reasonable orders and directions.

Division 14 – Appeals and Interpretation

75. PETITION FOR A RECOUNT

- (a) A scrutineer or candidate may petition for a recount at any time before the Declaration of Final Results. *(Amended August 2021)*
- (b) The Electoral Officer may, at their discretion, conduct a recount in any ballot upon receipt of a written petition from a scrutineer or candidate complaining either:
 - (i) that an identified error, including a failure to observe the Regulations, affected the original count in any ballot; or
 - (ii) that, in any ballot, the difference between the number of votes received by a successful candidate and the number of votes received by the last candidate excluded from the count was less than 1 per cent of the total number of votes cast in that ballot; *(Amended August 2021)*
- (c) After receiving such a petition, the Electoral Officer must conduct a recount if:
 - (i) in any ballot – if the error identified by a valid petition is so serious or so extensive that a reasonable elector would, if they knew about the error, lose confidence in the outcome of that ballot; or
 - (ii) in the ballot for President or Honi Soit Editors – if the difference between the number of votes received by the successful candidate and the number of votes received by the last candidate excluded from the count was less than 1 per cent of the total number of votes cast in that ballot. *(Amended August 2021)*
- (d) Within two (2) days of receiving a petition for a recount, the EO shall, in writing on the website, either set out any reasons why a recount should not occur or announce the time of starting the recount. *(Amended August 2021)*
- (e) No later than 2 days after receiving a valid petition for a recount, the Electoral Officer must, in writing published on the SRC website, either:
 - (i) explain why a recount should not occur; or
 - (ii) revoke the Declaration of Provisional Results in full or in part and announce the time for the recount.
- (f) At the conclusion of any recount, the Electoral Officer must issue a new Declaration of Provisional Results in accordance with section 63(a).

- (g) If the Electoral Officer conducts a recount with respect to one ballot (*impugned ballot*), they are not required to conduct a recount in another ballot (*the other ballot*), unless they are also convinced that:
 - (i) the error affecting the count in the impugned ballot also affects the other ballot; or
 - (ii) the error affecting the count in the impugned ballot is so serious or so extensive that, if a reasonable elector knew about the error, they would lose confidence in the results of the other ballot.

76. APPEALING THE DECISIONS OF SUBORDINATE ELECTORAL OFFICIALS

- (a) Any elector may make an appeal to the Electoral Officer regarding any decision by a Deputy Electoral Officer or Polling Booth Attendant, using a process relevantly similar as the investigation process in 8.71. (Amended August 2021)
- (b) The outcome of this process is that the Electoral Officer will determine whether the decision was correct, and will either confirm or vary the decision as necessary. (Amended August 2021)
- (c) Deleted August 2021
- (d) Deleted August 2021
- (e) Deleted August 2021
- (f) Deleted August 2021
- (g) Deleted August 2021
- (h) Deleted August 2021

77. ADVISORY INTERPRETATION BY THE ELECTORAL LEGAL ARBITER

- (a) An **advisory interpretation** is an advisory ruling on the correct interpretation of any provision(s) of the Regulations or Constitution.
- (b) The Electoral Officer may, of their own motion, seek an advisory interpretation from the Electoral Legal Arbiter at any time during their term as Electoral Officer.
- (c) When issuing an advisory interpretation, the Electoral Legal Arbiter must not determine the outcome of any investigation before the Electoral Officer.
- (d) Notwithstanding subsection (c), if an advisory interpretation is reasonably likely to influence the way in which the Electoral Officer determines the outcome of an ongoing investigation, then the Electoral Officer must give the subject of that investigation an opportunity to make submissions to the Electoral Legal Arbiter.
- (e) Any submissions made under subsection (d) must only address the question of the correct interpretation of the provision(s) of the Regulations with respect to which the Electoral Officer is seeking an advisory interpretation
- (f) The Electoral Legal Arbiter must consider any submissions provided under subsection (d).
- (g) An advisory interpretation is advisory only and does not bind the Electoral Officer or any other person.
- (h) When the Electoral Officer receives their Electoral Legal Arbiter's advisory interpretation under this section, they must transmit the text of that ruling to the SRC staff member responsible for maintaining the Policy Document under section 2(d) of Part Nine.

77A. ELECTORAL OFFICER MUST MAKE ELECTORAL LEGAL ARBITER'S DETAILS AVAILABLE ON REQUEST

- (a) The Electoral Officer, President, Vice-President, or General Secretary must make the Electoral Legal Arbitrator's contact details available on request.
- (b) Deleted August 2021
- (c) Deleted August 2021

78. APPEALS TO THE ELECTORAL LEGAL ARBITER

- (d) Any elector may appeal any decision (the **impugned decision**) made by the Electoral Officer, by lodging their appeal to the Electoral Legal Arbitrator.
- (e) To lodge an appeal to the Electoral Legal Arbitrator, an elector may either:
 - (i) send their appeal, in writing, directly to the Electoral Legal Arbitrator; or
 - (ii) send their appeal, in writing, to the Electoral Officer, who must immediately transmit the appeal to the Electoral Legal Arbitrator. For the avoidance of doubt, an appeal is lodged under this subsection as soon as it is sent to the Electoral Officer.
- (c) All appeals must be lodged no later than 72 hours after the Electoral Officer made the impugned decision.
- (d) The appellant must prove that, when making the impugned decision, the Electoral Officer committed one or more of the following **decision-errors**:
 - (i) they failed to take into account relevant considerations;
 - (ii) they took into account irrelevant considerations;
 - (iii) they acted with an improper purpose;
 - (iv) they failed to follow the procedures set out in the Regulations;
 - (v) they misinterpreted the Regulations;
 - (vi) they were motivated by bias
 - (vii) they reached a decision that was so unreasonable that no reasonable decision maker could have reached it;
 - (viii) they acted in a way that obviously did not promote the fair conduct of the elections.

79. CONDUCT OF AN APPEAL BEFORE THE ELECTORAL LEGAL ARBITER

- (a) In any matter on appeal, the Electoral Legal Arbitrator must take submissions from:
 - (i) the Electoral Officer; and
 - (ii) the appellant.
- (b) The Electoral Legal Arbitrator may take submissions from any other person who desires to make submissions, so long as they:
 - (i) are an elector; or
 - (ii) have a sufficiently close interest in the matter under appeal.
- (c) The Electoral Legal Arbitrator may put written questions to any person.
- (d) The Electoral Legal Arbitrator may prescribe a time and place for a hearing, if the Electoral Legal Arbitrator is satisfied that a hearing will promote the fair and efficient disposal of the appeal.

- (e) The Electoral Legal Arbiter may prescribe any other procedure, not inconsistent with these Regulations, necessary for the fair and efficient disposal of the appeal before them.

Certain appeals to be given priority

- (f) Where an appeal pertains in whole or in part to an order to hold new elections, the Electoral Legal Arbiter must give all priority to determining the outcome of that appeal.
- (g) Where an appeal pertains solely to whether a ballot paper is formal, the Electoral Legal Arbiter must:
 - (i) give the appeal priority above other matters on appeal, except an appeal pertaining to an order to hold new elections;
 - (ii) determine the appeal as quickly as reasonably possible; and
 - (iii) determine the appeal without a hearing, unless they are satisfied the outcome of the appeal will be grossly unfair unless a hearing is held.

80. OUTCOMES OF APPEALS TO THE ELECTORAL LEGAL ARBITER

- (a) Where the Electoral Legal Arbiter is satisfied, on the balance of probabilities, that the impugned decision of the Electoral Officer was affected by one or more of the decision-errors contained in section 78(d), they must take one of the following courses of action:
 - (i) allow the appeal and remit the matter to the Electoral Officer for fresh consideration;
 - (ii) allow the appeal and substitute or vary the decision of the Electoral Officer;
 - (iii) allow the appeal but confirm the decision of the Electoral Officer;
 - (iv) order a new election in any or all ballots.

Substituting or varying a decision

- (b) When substituting or varying a decision of the Electoral Officer, the Electoral Legal Arbiter can only make such orders as the Electoral Officer, under these Regulations, is empowered to make.

Confirming a decision

- (c) The Electoral Legal Arbiter may only confirm the decision of the Electoral Officer under subsection a(iii) if the impugned decision would have been substantially the same even if the decision-error had not been made.

Ordering a new election

- (d) The Electoral Legal Arbiter may only order a new election with respect to a ballot or ballots if:
 - (i) the Electoral Officer ordered a new election and the Electoral Legal arbiter is satisfied that, notwithstanding the existence of a decision-error, it is appropriate under subsection (c) to confirm that decision; or
 - (ii) the Electoral Legal Arbiter is satisfied that, because of the existence of a decision-error, the Electoral Officer failed to order a new election in circumstances where, under these Regulations, the Electoral Officer ought to have done so; or
 - (iii) the Electoral Legal Arbiter is satisfied that, whatever the nature of the Electoral Officer's impugned decision:

- A. the decision-error made by the Electoral Officer was so serious that a reasonable elector would, if they knew about the decision-error, have no faith in the results of the relevant ballot or ballots; and
 - B. had the Electoral Officer not made the decision-error, the outcome of the relevant ballot or ballots would have been substantially different.
- (e) Where the Electoral Legal Arbiter is not satisfied, on the balance of probabilities, that the impugned decision of the Electoral Officer was affected by one or more of the decision-errors contained in section 78(d), they must dismiss the appeal.
- (f) The Electoral Legal Arbiter must give written reasons for their determination of the appeal and accompanying orders, and transmit those reasons to:
 - (i) the Electoral Officer;
 - (ii) the appellant; and
 - (iii) any other person from whom the Electoral Legal Arbiter took submissions during the conduct of the appeal.
- (g) The outcomes of any appeal decided in accordance with this section is final and cannot be overturned by the Electoral Officer, Council or any members of the Council.
- (h) Notwithstanding subsection (g), if, when determining an appeal, the Electoral Legal Arbiter gives an interpretation of any part of the Constitution or Regulations:
 - (i) that interpretation only remains binding until the Electoral Officer issues the Declaration of Final Results in the election out of which the appeal arose; and
 - (ii) after the Declaration of Final Results is issued, the interpretation is not binding on any person.

80A. ELECTORAL LEGAL ARBITER MAY OVERRULE INTERPRETATIONS BY CHAIR OF STANDING LEGAL

- (a) When the Electoral Legal Arbiter is exercising their powers to:
 - (i) under section 77 – issue advisory interpretations; or
 - (ii) under section 80 – determine the outcome of an appeal

the Electoral Legal Arbiter may overrule any interpretation of the:

 - (iii) Constitution;
 - (iv) Regulations; or
 - (v) any text in the Policy Document

issued by the Chairperson of the Standing Legal Committee if the Electoral Legal Arbiter considers that interpretation to be plainly wrong.
- (b) An interpretation is **plainly wrong** if there are no reasonable grounds on which that interpretation could be based.
- (c) Deleted August 2021
- (d) Deleted August 2021
- (e) Deleted August 2021

Division 15 – Online Elections

81. EXPIRATION OF THIS DIVISION

- (a) This Division will be automatically repealed on November 30 2021, subject to subsection (b).
- (b) Part Nine sections 6 and 7 do not apply to the repeal of this Division in accordance with subsection (a).

82. EXECUTIVE MAY RECOMMEND AN ONLINE ELECTION

Annual Elections

- (a) Before the start of semester 2, the Executive may recommend to Council that the Annual Elections be held online.
- (b) The Executive may only make a recommendation under subsection (a) if:
 - (i) physical elections cannot be held without contravening a policy, resolution or by-law of the University; or
 - (ii) physical elections cannot be held without contravening any law; or
 - (iii) the number of students present on campus during Annual Election Week is reasonably expected to be so low that the number of votes cast in the ballot for the President is likely to fall below 500.

By-elections

- (c) When a by-election becomes necessary, the Executive may recommend to Council that the by-election be held online.
- (d) The Executive may only make a recommendation under subsection (c) if:
 - (i) a physical election cannot be held without contravening a policy, resolution or by-law of the University; or
 - (ii) a physical election cannot be held without contravening any law; or
 - (iii) the number of students present on campus on the day(s) of the by-election is reasonably expected to be so low that the number of votes cast in the by-election is likely to fall below 200.

83. COUNCIL MAY RATIFY THE EXECUTIVE'S RECOMMENDATION

- (a) After Council receives a recommendation under section 82(a) or (c), it must consider at its next meeting whether the recommendation should be ratified.
- (b) The Chair will put a motion on the question of whether the Executive's recommendation should be ratified. No mover or seconder will be required.
- (c) The recommendation will be ratified if a simple majority of Representatives, present and voting, vote in favour of the motion.
- (d) If the recommendation is ratified, the ratified recommendation will be transmitted to the Electoral Officer.

84. ELECTORAL OFFICER TO ACCEPT OR REJECT RATIFIED RECOMMENDATION

- (a) The Electoral Officer must decide whether to accept or reject the ratified recommendation.
- (b) The Electoral Officer must not accept the ratified recommendation if:

- (i) fewer than two-thirds of Representatives duly elected and eligible to vote or their proxies voted in favour of the motion at the meeting of Council in which the Executive's recommendation was considered; or
 - (ii) the Executive have revoked their recommendation under subsection (c).
- (c) The Executive may, subject to subsections (d) and (e), revoke their recommendation at any time before the Electoral Officer's decision under subsection (a) by notifying the Electoral Officer in writing that they have revoked their recommendation.
- (d) With respect to the Annual Elections, the Executive must not revoke their recommendation under subsection (c) unless:
 - (i) physical elections can be held without contravening a policy, resolution or by-law of the University; and
 - (ii) physical elections can be held without contravening any law; and
 - (iii) A sufficient number of students is reasonably expected to be present on campus during Annual Election Week, such that the number of votes cast in the ballot for the President is likely to be above 500.
- (e) With respect to a by-election, the Executive must not revoke their recommendation under subsection (c) unless:
 - (i) physical elections can be held without contravening a policy, resolution or by-law of the University; and
 - (ii) physical elections can be held without contravening any law; and
 - (iii) a sufficient number of students is reasonably expected to be present on campus on the day(s) of the by-election, such that the number of votes cast in by-election is likely to be above 200.
- (f) If the Electoral Officer accepts the ratified recommendation, the election to which that recommendation applies is an Online Election.
- (g) If the Electoral Officer rejects the ratified recommendation, the election to which the recommendation applies will be conducted as a normal, on-campus election.

85. REVOKING A DECLARATION OF ONLINE ELECTION

- (a) This section applies when an election has been declared an Online Election.
- (b) No less than 15 days before the last day of polling, the Executive may recommend to the Electoral Officer that the declaration of an Online Election be revoked.
- (c) With respect to the Annual Elections, the Executive must not make a recommendation under subsection (b) unless:
 - (i) physical elections can be held without contravening a policy, resolution or by-law of the University; and
 - (ii) physical elections can be held without contravening any law; and
 - (iii) a sufficient number of students is reasonably expected to be present on campus during Annual Election Week, such that the number of votes cast in the ballot for the President is likely to be above 500.
- (d) With respect to a by-election, the Executive must not make a recommendation under subsection (b) unless:
 - (i) physical elections can be held without contravening a policy, resolution or by-law of the University; and
 - (ii) physical elections can be held without contravening any law; and

- (iii) a sufficient number of students is reasonably expected to be present on campus on the day(s) of the by-election, such that the number of votes cast in by-election is reasonably likely to be above 200.
- (e) The Electoral Officer may reject the Executive's recommendation if:
- (i) it is not reasonably possible, in all the circumstances, to make preparations for an on-campus election; and/or
 - (ii) an on-campus election would pose an extreme risk to the safety of members of the student body and SRC staff, and that risk cannot be mitigated with appropriate measures.
- (f) If the Electoral Officer accepts the Executive's recommendation, they must immediately notify the student body, through all available means, that they have revoked the declaration of an Online Election.
- (g) If the Electoral Officer refuses the Executive's recommendation, they must immediately notify the student body, through all reasonable means, that they have decided to refuse a recommendation to revoke the declaration of an Online Election.
- (h) Within 72 hours of notice being issued under subsection (f) or (g) any elector may send an urgent appeal to the Electoral Legal Arbiter against the Electoral Officer's decision either to revoke the declaration of an Online Election or to refuse to revoke the declaration of an Online Election.
- (i) Any such appeal will be dealt with as quickly as possible under section 78, 79 and 80 of this Part. For the avoidance of doubt, only the Electoral Officer's decision is appealable, and not the recommendation of the Executive.

Effect of revocation

- (j) If:
- (i) the Electoral Officer issues a notice under subsection (f) that they have revoked the declaration of an Online Election; or
 - (ii) in determining any appeal from a decision under subsection (f) and (g), the Electoral Legal Arbiter orders that the declaration of Online Election be revoked

then the election which was to be held as an Online Election ceases to be an Online Election and will instead be held as a normal, on-campus election.

86. EFFECT OF DECLARATION OF ONLINE ELECTION

- (a) If an SRC election is an Online Election, the following provisions of this Part have no effect with respect to that election:
- (i) section 50
 - (ii) section 53
 - (iii) division 9
- (b) If, and only if, an SRC election is an Online Election, the following provisions of this Part will apply to that election:
- (i) section 87
 - (ii) section 88
 - (iii) section 89
 - (iv) section 90
 - (v) section 91 (section 91 was deleted August 2021)

- (vi) section 92
- (c) All other provisions of this Part apply to an Online Election, except to the extent that they are inconsistent with anything in this Division.

87. ONLINE VOTING SYSTEMS

- (a) During an Online Election, all votes must be cast using an Online Voting System.
- (b) The Electoral Officer must select an Online Voting System that will:
 - (i) ensure a fair and efficient conduct of the election;
 - (ii) maintain the secrecy of the ballot;
 - (iii) not allow any person to determine how a given voter has voted;
 - (iv) record the identities of all persons who have voted, but not in a way that makes it possible to determine the contents of any one voter's vote;
 - (v) prevent voters from voting more than once in any ballot;
 - (vi) prevent a person from voting if that person is not an elector;
 - (vii) provide electors with instructions on how to cast a valid vote;
 - (viii) allow voters to indicate their preferences in accordance with the requirements of preferential voting under the Constitution and Regulations; and
 - (ix) comply with the Constitution and Regulations.
- (c) Deleted August 2021
- (d) Once the Electoral Officer has chosen an Online Voting System, they must publicise on the SRC website:
 - (i) the name of the chosen Online Voting System;
 - (ii) the name of the Online Voting System's maker;
 - (iii) information about the chosen Online Voting System which would allow a reasonable elector to judge whether the Online Voting System meets the requirements set out in subsection (c)(i)–(viii).
- (e) The Electoral Officer may prescribe any method(s) of ascertaining whether a person is eligible to vote, so long as they consider the chosen method(s) to be fair and efficient.
- (f) The Electoral Officer may require voters:
 - (i) to leave a digital signature on their online ballot paper; and
 - (ii) to make any declarations the Electoral Officer considers fair and efficient for the purposes of the online election.

88. NOTICE OF ONLINE ELECTIONS

- (a) The Electoral Officer must, as soon as possible after the close of nominations, send a Notice of Online Election via email to all persons eligible to vote in the election.
- (b) The Notice of Online Election must state:
 - (i) the days and times during which voting will be open;
 - (ii) how votes may be cast;
 - (iii) the online location of the Election Edition of Honi Soit;
 - (iv) the eligibility requirements for voting;
 - (v) how a person may contact the Electoral Officer;
 - (vi) how an elector may appeal a decision of the Electoral Officer; and
 - (vii) any other information the Electoral Officer considers appropriate.

89. ONLINE POLLING DAYS, TIMES AND PLACES

- (a) The **online polling days** are:
 - (i) for the purposes of the Annual Elections – those specified in section 47(a).
 - (ii) for the purposes of a by-election – those specified in section 47(b).
- (b) All votes must be cast on an online polling day.
- (c) In a given online election:
 - (i) voting will open at 9 am on the first online polling day;
 - (ii) voting will close at 6 pm on the last online polling day.
- (d) Voters will be permitted to vote at any time between the opening and the closing of voting.
- (e) If Electoral Officer becomes aware of extraordinary circumstances which have prevented a substantial number of electors, who otherwise would have voted, from casting their vote on the online polling days, the Electoral Officer may keep polling open beyond the time stipulated in subsection (d), provided that:
 - (i) an extension of polling must not last for longer than 24 hours after the original close of voting stipulated by subsection (d); and
 - (ii) all candidates, tickets and brands and their campaigners are permitted to campaign until the new close of polling.
- (f) Voters will not be required to be in any particular place in order to cast their votes.

90. HYBRID POLLING IN ONLINE ELECTIONS

- (a) The Electoral Officer may establish one or more polling booths on any University campus, provided that:
 - (i) it is obviously safe to do so;
 - (ii) it is obviously legal to do so;
 - (iii) it is obviously not in contravention of a University policy, resolution or by-law to do so; and
 - (iv) in the Electoral Officer's opinion, it promotes the fair and efficient conduct of the election to do so.
- (b) Notwithstanding that one or more polling booths have been established under subsection (a):
 - (i) voters must remain able to cast their vote using the Online Voting System selected for that election; and
 - (ii) no voter will be required to cast their vote at any polling booth.
- (c) When a polling booth has been established under subsection (a), the Electoral Officer must prescribe whether voters who choose to vote at that polling booth are to cast their votes either:
 - (i) using the Online Voting System selected for that election; or
 - (ii) using some method other than the Online Voting System.

- (d) Under subsection (c)(ii), the Electoral Officer may only prescribe some method other than online voting if they are convinced that method will promote the fair, efficient and safe conduct of the election.
- (e) If the Electoral Officer prescribes some method other than online voting under subsection (c)(ii), they must:
 - (i) ensure that votes cast using that other method can be tallied together with votes cast using the Online Voting System;
 - (ii) ensure that, notwithstanding the existence of some method other than online voting, voters remain able to cast their votes using the Online Voting System, if they so choose; and
 - (iii) instruct all persons campaigning in the election to inform prospective voters of the existence of the Online Voting System.

91. CAMPAIGNING IN ONLINE ELECTIONS

Deleted in August 2021

92. PROHIBITED PRACTICES IN ONLINE ELECTIONS

- (a) *Deleted August 2021*
- (b) An elector must not provide any other person with the means of casting a vote on their behalf;
- (c) An elector must not allow another person to vote on their behalf.
- (d) A person must not ascertain the contents of a voter's vote.
- (e) A person must not require a voter to reveal evidence, electronic or otherwise, of the contents of their vote.
- (f) A person must not hinder the operation of the Online Voting System.
- (g) A person must not tamper with the contents of any vote cast using the Online Voting System.
- (h) A person must not, by tampering with the Online Voting System in any way, alter the outcome in any ballot
- (i) If a person breaches subsection (g) or (h), the Electoral Officer must disqualify that person from holding any office under the Regulations or Constitution for a period of 18 months.

Part Nine – Law

1. STANDING LEGAL COMMITTEE:

There shall be a Standing Legal Committee whose powers shall be purely advisory, and which shall consider such matters as are referred to it by the Council and in particular shall report on proposed changes to the Constitution or to these Regulations.

- (a) The Committee shall consist of the Chairperson of the Committee, the President, Vice-President, and General Secretary *ex-officio*, and two representatives of Council elected at the special Council meeting of Representatives-elect, according to Part 1, Section 9 of these Regulations. (Amended Sep 2023)

2. REPORTING BACK TO COUNCIL:

The Legal Committee shall report back to the Council on any matters referred to it within such a time as the Council may specify.

3. STANDING LEGAL MINUTES:

The minutes of meetings of the Legal Committee shall be tabled at meetings of the Council.

4. PROCEDURE FOR ALTERATION OF THE CONSTITUTION:

The Council shall give at least twenty-one (21) days notice of its intention to submit a proposed alteration to the Constitution to a General Meeting or a Referendum. Any student may submit to the General Meeting or the Referendum an amendment to the proposed alteration in accordance with the following procedure:

- (a) The student may present to the General Secretary a petition setting out the proposed amendment to the Council's proposed alteration to the Constitution. The petition must be signed by at least 300 students and contain each student's name, signature and student identification number, and must be presented not less than eight (8) days before the proposed General Meeting or Referendum.
- (b) Upon receipt of the petition the General Secretary shall give notice of the proposed amendment, and shall submit the proposed amendment to the General Meeting along with the Council's proposed alteration.
- (c) Such actions of the General Secretary shall be deemed to be the actions of the Council.

5. ALTERATION OF THE CONSTITUTION:

In connection with a proposed alteration to the Constitution the Legal Committee shall report on:

- (a) Whether the proposed alteration contradicts any other part of the Constitution.
- (b) The text of the proposed alteration.

It shall also recommend:

- (c) Any alterations to the motion which it considers desirable on account of its findings under sub-section (a) or (b) of this Section.

6. PROCEDURE FOR ALTERATION OF THE REGULATIONS:

Notwithstanding all else contained in these Regulations, the procedure for the alteration of these Regulations shall be as follows:

- (a) The member of Council moving the alteration shall give the notice at least ten (10) working days before the next meeting of the Council;
- (b) The Secretary to Council shall refer the alteration to the Legal Committee for its consideration;
- (c) The General Secretary shall include the proposed alterations in the notice of the meeting sent to members of Council. For the purpose of this subsection it shall be sufficient for the Secretary to Council to give notice in terms in which they received the motion in the first instance;
- (d) The Secretary to Council shall make available at the appropriate meeting of the Council the reports of the Legal Committee on the proposed alteration.

7. ALTERATION OF THE REGULATIONS:

In connection with a proposed alteration of Regulations the Committee shall report on:

- (a) Whether the proposed new Regulation (or amendment) is Constitutional;
- (b) Whether it contradicts existing Regulations;
- (c) The text of the proposed alteration;
- (d) Any alterations to the motions which it considers desirable on account of its findings under sub-sections (a), (b) and (c) of this Section.

8. POLICY OF THE SRC

Council shall maintain a policy document that sets out the practices and positions of Council.

9. PROCEDURE FOR ALTERATION OF THE POLICY OF THE SRC

Notwithstanding all else contained in these Regulations, the procedure for the alteration of Policy shall be as follows:

- (a) The member of Council moving the alteration shall give the notice at least ten (10) working days before the next meeting of the Council;
- (b) The Secretary to council shall refer the alteration to the Standing Legal Committee for its consideration;
- (c) The Secretary to Council shall include the proposed alterations in the notice of the meeting sent to members of Council. For the purpose of this clause it shall be sufficient for the Secretary to Council to give notice in terms in which they received the motion in the first instance;
- (d) The Secretary to Council shall make available at the appropriate meeting of the Council the reports of the Legal Committee on the proposed alteration.

10. ALTERATION OF THE POLICY OF THE SRC

In connection with a proposed alteration of Policy the Committee shall report on:

- (a) Whether the proposed new Policy (or amendment) is Constitutional;
- (b) Whether it contradicts existing Regulations or Policy;
- (c) The text of the proposed alteration;
- (d) Any alterations to the motions which it considers desirable on account of its findings under sub-sections (a), (b) and (c) of this Section.

11. MISCELLANEOUS:

If at any meeting of the Council a motion is passed appointing any new Officer or Standing Committee, the Secretary to Council shall without further direction from Council or the Executive refer the motion to the Standing Legal Committee who shall draw up an appropriate Regulation to be presented to the next meeting of the Council for adoption as part of those Regulations; for the purpose of these Regulations, the passing of the motion establishing the Office or Committee shall be sufficient notice for addition to the Regulations of such regulation prepared by the Standing Legal Committee to a subsequent meeting.

12. NO SMOKING NO ALCOHOL:

- (a) Smoking shall not be permitted in the meeting room during Standing Legal Committee meetings.
- (b) The Consumption of alcohol shall not be permitted in the meeting room during Standing Legal Committee meeting

13. INTERPRETATION OF THE CONSTITUTION, REGULATIONS AND POLICY:

The Chairperson of the Standing Legal Committee shall be the sole interpreter of the Constitution, Regulations, and Policy.

- (a) The Executive may overrule a decision of the Chairperson of the Standing Legal Committee on the interpretation of the Constitution, Regulations and Policy, provided that to overrule an interpretation, a majority of the members of the Executive present and voting shall be necessary in accordance with Part Three section 6 of the Regulations.
- (b) The Council may overrule a decision of the Chairperson of the Standing Legal Committee on the interpretation of the Constitution, Regulations and Policy, provided that to overrule an interpretation, a simple majority of the Representatives or their proxies present and voting shall be necessary.

Part Ten - Standing Orders

1. ORDER OF BUSINESS:

The Agenda for any ordinary meeting of the Council shall be in the following form:

- A. **Election of Chairperson**
- B. **Acknowledgement of Country**
- C. **Apologies, Proxies and Leave of Absence**
- D. **Changes to Membership** Report on any changes to the membership of Council, including changes to voting rights.
- E. **Electoral Report**
 - 1. Report on any elections conducted
 - 2. Consideration of any resignations
 - 3. Election of the Electoral Officer for the SRC Annual Elections and Election of NUS Delegates
- F. **Minutes**
 - 1. Adoption and signing of the minutes of the last ordinary meeting of the Council
 - 2. Adoption and signing of the minutes of any special meeting of the Council
- G. **Business Arising from the Minutes**, being a report on action on the decisions of the last ordinary meeting and any special meeting of the Council.
- H. **Question Time**, of fifteen (15) minutes, which may be extended by resolution for a further fifteen (15) minutes.
- I. **Visitor's Business**, being business brought forward by any person not being a member of the Council, but not including debate on resolutions.
- J. **Report of the Undergraduate Senate Fellow**
- K. **Elections**
- L. **Report of the President and Executive**
 - 1. **Executive Minutes**, being the minutes of all meetings of the Executive.
 - 2. **Report of the Executive**, being the Executive's Report of its decisions and recommendations under Section 10 of Part Three of the Regulations.
 - 3. **President's Report**.
- M. **Report of the Vice-President**
- N. **Report of the General Secretary**
 - 1. Minutes of any General Meeting of the Student Body
 - 2. Report of the General Secretary
 - 3. Report of the Standing Legal Committee
 - 4. Correspondence, to be tabled at the meeting
 - 5. Statement of Income and Expenditure for the preceding month
- O. **Reports of other committees and officers**
 - 1. Report of the Education Officer(s)
 - 2. Reports of any other Committees and Officers in the order in which they are received by the Secretary to Council.
- P. **Special Business** appearing on the notice paper.
- Q. **Motions on Notice**, being motions for which seven (7) days notice has been given.
- R. **General Business**, being any other business.

2. ORDER OF BUSINESS FOR A SPECIAL MEETING

The Agenda for any Special Meeting of the Council shall be in the following form:

- A. Acknowledgement of Country
- B. Apologies, Proxies and Leave of Absence
- C. Business of which due notice has been given
- D. Any Other Business brought forward which the meeting chooses to discuss.

3. THE COUNCIL: - ADJOURNMENT

All Council proceedings shall be adjourned automatically for fifteen minutes after every two and a half hours of meeting, after all discussion on the current Agenda item has been completed.

4. THE COUNCIL: - MINUTES

Full minutes shall be kept for each meeting of the Council and shall be adopted and signed as a correct record, subject to any amendments, at the next regular meeting. The President shall sign the minutes when they are confirmed by the Council.

5. THE COUNCIL: - CHAIRPERSON

- (a) The Chairperson shall be heard without interruption.
- (b) The Chair may exclude any person at the meeting with or without forewarning for ⁽¹⁾the following reasons:
 - (i) Being unruly
 - (ii) Making sexist, racist, homophobic, transphobic, ablist, classist, or suchlike remarks
 - (iii) Abusing another individual or individuals in the room

The Chair may give warning by 'naming' a person entitled by Regulation to speak at the meeting up to three times before exclusion. Any person not entitled by Regulation to speak at the meeting shall not be given warnings but shall be excluded forthwith.

- (c) Should the Chairperson decide to take part in the debate on any question they shall vacate the Chair and call upon the Deputy Chairperson until the conclusion of the debate and the vote (if any) thereon.
- (d) Subject to the provisions of Part One Section 16, persons desiring to speak shall address the Chair.
- (e) Where two or more persons desire to speak, the Chairperson shall either:
 - (i) Call upon the person who, in their opinion, first indicated such desire; or,
 - (ii) Employ a progressive speaking list, which prioritises those who have not ⁽¹⁾spoken or spoken less
 - (1) 9(b) may not be employed should Council go to formal debate as per 10.10

6. THE COUNCIL: - SPEAKING RIGHTS

- (a) No person shall speak more than once on any motion without the permission of the Chairperson.
 - (i) The mover of any motion but a procedural motion shall have the right of reply before Council goes to vote.

7. THE COUNCIL: - MOTIONS

- (a) Motion shall be decided by show of hands.
 - (i) Any representative or their proxy may call for the vote to be retaken.

- (ii) A recorded vote shall be taken on request of any representative or their proxy provided that such request is made to the Chair prior to the motion being first put.
 - (iii) If six members demand a secret ballot it shall be taken.
- (b) In cases where a recorded vote and a secret ballot are both called for, the request that was first made shall be put to the Chair as a procedural motion and voted upon. If it is lost, then the request which was made second shall be acted upon.
- (c) No person shall speak to any motion after it has been put by the Chairperson and the vote taken. Once the Chair has put a motion, any call for a quorum count shall not be considered until after the vote on that motion has been completed.
- (d) When a member has given notice of a motion and that member is not present at the meeting any member present may move such a motion.
- (e) A motion may be amended or withdrawn by the mover with the consent of the seconder. A motion may be withdrawn without the consent of a seconder but in such event the seconder shall have a primary option to move the motion as originally proposed.
- (f) A motion or amendment not seconded shall not be further discussed.
- (g) A motion shall be set aside on the motion 'That the Council proceed to the next business' being resolved in the affirmative and no further discussion shall be allowed on such motion set aside.
- (h) A motion shall not be voted on upon the motion 'That the previous question be not put' being resolved in the affirmative and no further discussion shall be allowed on such a motion not to be put.
- (i) A motion shall be stood over for further consideration on the motion 'That the motion lie on the table' being resolved in the affirmative.
- (j) A debate may be closed on the motion 'That the question be now put' being resolved in the affirmative. The Chairperson need not accept such a motion if they think that there has not been sufficient discussion on the question, but if it is accepted, it shall be put forthwith without debate. If that motion is carried, the motion on which debate was closed shall be put forthwith without debate provided however that the mover of the original motion shall retain the right of reply.

8. THE COUNCIL: - QUESTIONS

- (a) Should questions arise involving the procedure at Council meetings, the ruling of the Chairperson shall determine the matter provided.
 - (i) Any ruling of the Chairperson may be overruled by a motion moved and seconded: 'That the Council dissents from the Chairperson's ruling'.
 - (ii) On such motion being proposed and seconded the Chairperson shall vacate the Chair.
 - (iii) The mover of the motion shall speak in favour of it, followed by the Chairperson's reply, at which point the motion shall be put.
- (b) Motions to overrule the interpretations of the Constitution and Regulations by the Chairperson of the Standing Legal Committee shall as far as possible follow the same procedure outlined in s 10(20) without limit on the number of speakers, unless the Council otherwise directs.

- (c) Should questions arise which involve the decision by the Chairperson as to whether a motion is procedural motion the Chairperson shall use the following rules for guidance in making a decision thereon:
- (i) There is no general rule that a procedural motion must be voted on without discussion. Certain motions shall be put without debate:
 - (1) That a particular person should or should not be heard;
 - (2) That a person no longer be heard;
 - (3) That the question be now put;
 - (4) That we proceed to the next business.
 - (5) That the proxy be noted.
 - (ii) The following notions shall, if members so wish, be debated:
 - (1) That the question be not put;
 - (2) That the debate be adjourned;
 - (3) That the meeting be adjourned;
 - (4) That the question lie on the table;
 - (5) That the matter be discussed;
 - (6) That a secret ballot be taken;
 - (7) That a recorded vote be taken;
 - (8) That the meeting move *in camera*.
 - (iii) In the case of any motion whether set forth in clause (a) or (b) hereof, or otherwise the Chairperson shall use their discretion as to whether it is primarily of a substantive or of a procedural nature and in the latter case will put it to the vote without discussion subject always to the right of Council to dissent from their ruling.

9. THE COUNCIL: - SUSPENSION OF STANDING ORDERS

Any of the Standing Orders or any part of the Standing Orders may be suspended for the time being by a resolution of the Council 'That so much of Standing Orders be suspended as is necessary to allow....' (the latter part of the motion stating succinctly the purpose for which it is moved); EXCEPT THAT Standing Orders may not be suspended for the purpose of changing the position of an election on the Agenda

10. THE COUNCIL: - AMENDMENTS

Amendments shall be put in the order in which they are received by the Chair.

11. THE COUNCIL: - RESCISSION MOTIONS

The following procedures shall be observed in relation to notices of rescission of motions carried at SRC meetings:

- (a) Any member of Council may give notice to rescind a motion, carried at an SRC meeting;
- (b) Such notice must be received in writing within five (5) working days of the Council meeting by the Secretary to Council, President, or the General Secretary;
- (c) Notice may be given during a meeting to the Secretary to Council, President, or the General Secretary the rescission motion shall be placed on notice for the next meeting of the Council;
- (d) Such notice of rescission shall not in any way affect the observance or carrying out the motion in question, excepting the condition expressed in 10.11 (e)

- (e) Where the notice in writing referred to in 10.11 (a) – (c) contains the signatures of one third of SRC representatives, the motion that is placed on rescission shall not in any way be observed or acted upon unless and until the rescission is defeated.
- (f) A rescission motion may only be moved once, for any given motion.

12. ELECTIONS:

When Council proceeds to the election of persons to positions, the procedure laid down in the following regulations shall be followed.

- (a) Where the meeting in question is the Representatives-Elect meeting, the [SEP] Returning Officer shall be the Electoral Officer appointed by Council to [SEP] conduct that year's elections.
- (b) Where necessary, the Council shall appoint a Returning Officer or, if [SEP] Council so determines, two co-Returning Officers.
 - (i) Such appointments shall be made by a motion in the form 'That X [SEP] (and Y) be appointed Returning Officer(s)'.
 - (ii) Such Returning Officers may only hold office for the extent of that [SEP] meeting.
- (c)
 - (i) Nominations for positions shall be called for by notice in at least one issue of *Honi Soit* within one week before the meeting at which the election is to be held.
 - (ii) Nominations for a position shall close immediately prior to the election for that position; the time of closing of nominations shall be included in the notice calling for nominations. The Returning Officer(s) shall declare nominations immediately after they have closed.
 - (iii) If there are fewer nominations received than there are vacancies, those persons nominated shall be declared elected. The Returning Officer(s) shall call for nominations to any remaining vacant positions for the next meeting of Council.
- (d) If the number of vacancies and the number of nominations received is equal, those persons nominated shall be declared elected.
- (e) If there are more nominations received than there are vacancies, then an election shall be held as laid down in section 10.12 (e) (i - ix)
 - (i) Before voting commences, each candidate, in alphabetical order, shall be entitled to speak to the meeting and answer questions from members of Council present for a period not exceeding five (5) minutes; except that Council may vary this time limit.
 - (ii) After the procedure in Section 33 has been completed, there may be one supporting speaker for each candidate, speaking in anti-alphabetical order of the candidates in whose support they are speaking, for a period not exceeding two (2) minutes, subject to variation by the Council.
 - (iii) No candidate shall remain in Chambers while any other candidate is speaking or answering questions, or when a supporting speech for them or any other candidate is being made.
 - (iv) After supporting speeches have been heard, the Returning Officer(s) shall distribute ballot papers initialed by them or them to each elector, who shall copy onto the ballot paper the names of all the candidates in alphabetical order, and place a number indicating their preferences beside each name. The Returning Officer(s) shall then collect and count the ballot papers.
 - (v) Each candidate shall be entitled to nominate one scrutineer.

- (vi) If there is one vacancy only, the method of counting the ballot papers shall be preferential.
- (vii) If there is more than one vacancy, the method of voting and counting the papers shall be proportional representation as laid down in the Second Schedule to the Constitution.
- (viii) The Returning Officer(s) shall declare a poll as soon as counting has been completed, but this shall be subject to protest until the report of the Returning Officer(s) is adopted by Council, which shall be after all elections to be held at that meeting have been completed and declared, and all protests have been determined.
- (ix) Protests shall be determined by the Returning Officer(s). An appeal shall lie to the Chairperson of the Standing Legal Committee. Their decision shall be overruled by a simple majority of those representatives and proxies present and voting, in which case a re-election shall be held.

Part Eleven – General Meetings

1. GENERAL:

The President, or in the President's absence, the Vice-President, shall convene a General Meeting of the Student Body in accordance with s.16-17 of the Constitution.

2. NOTICE:

The following notice shall be given of any General Meeting of the Student Body:

- (a) Written notice, including the motion(s) to be put to the meeting shall be posted not later than twenty-one (21) days prior to the meeting on SR notice Boards and the SRC Offices.
- (b) Notice shall be placed in one (1) issue of *Honi Soit* prior to the meeting. The notice in *Honi Soit* shall include in the full, the motions to be put to the meeting.
- (c) An electronic message of notice shall be sent to as many members of the student body as possible. For the purposes of this clause, such a message includes SRC and university email, website and social media communication channels.

3. LAPSE OF MEETING:

No General Meeting shall lapse for want of a quorum until at least thirty (30) minutes have passed from the time at which the meeting was to commence.

4. BUSINESS OF THE MEETING:

At any General Meeting of the Student Body no business other than that set out in the Notice of Meeting shall be discussed except that amendments to motions on notice may be accepted in accordance with the provisions of s.11 of Part Nine of the Regulations.

5. VOTING:

- (a) Voting on all matters at any General Meeting of the Student Body shall be done by show of hands.
- (b) If any twenty (20) members in any one location ask for a division of the vote shall be conducted at all locations by a secret ballot. In the case of a division, the production of a valid Student Card to vote.

6. MINUTES:

Minutes shall be taken for all General Meetings and shall be signed by the President and witnessed.

7. DIVISION OF MEETING:

Where a General Meeting is held in separate divisions, the President shall appoint persons to preside at the various divisions, and shall not declare the results of any vote until those presiding officers have presented to them their reports in writing on the results of their respective divisions, which shall be included in the result of the meeting.

Part Twelve – Referenda

1. GENERAL:

All Referenda whether called by the student body under Section 15 of the Constitution or called by the Council shall be conducted under the personal supervision of the Electoral Officer, and, if they deem necessary, of Deputies appointed by them in writing whether in a general or specific purpose capacity.

2. THE ELECTORAL OFFICER:

The Electoral Officer:

- (a) Shall be appointed by the Council at least twenty (20) days before the close of polling;
- (b) Shall hold office in accordance with Section 3(b), (c), (d), (g) and (h) of Part Eight.
- (c) Shall not be the mover or seconder of the Referendum motion.

3. REFERENDUM

Each Referendum motion submitted to a Referendum shall be accorded a title by the Electoral Officer, and the title shall reflect in a non-partisan manner the general substance of the Referendum motion.

4. PROMOTION OF REFERENDUM

There shall be printed in *Honi Soit* prior to the referendum cases submitted both supporting and opposing the proposed measure. In addition:

- (a) Equal maximum space shall be made available to both the supporting and opposing cases;
- (b) Editorial content alone shall be exempt from the aforesaid allocation; and
- (c) The Electoral Officer shall ensure the observance of sub-sections (a) and (b) by calling for submissions and choosing among them.

5. VOTING

Voting and the counting of votes shall be done by the Electoral Officer and their assistants in accordance with the provisions of sections 14 and 18 of Part Eight of the Regulations.

- (a) Polling booth attendants shall be chosen by the Electoral Officer and shall have duties in accordance with the provisions of sections 22 and 23 of Part Eight of the Regulations.
- (b) Scrutineers, being the author of each case published in *Honi Soit* and/or up to eight nominees thereof, as nominated in writing to the Electoral Officer, shall be entitled to be present throughout the counting of votes.
- (c) Counting of votes shall be in accordance with Section 24 of Part Eight, except that votes shall be counted by the first-past-the-post method.
- (d)

- (i) Voting in a Referendum shall remain open for two days, unless the Referendum coincides with Annual Elections, in which case voting shall remain open for at least two days.
- (ii) Polling booths shall be in accordance with Section 15(b) to (d) inclusive of Part Eight as if a reference to Annual elections was a reference to the Referendum.

6. POSTAL VOTING

- (a) Postal voting shall be in accordance with Sections 19, 20(a) and 21 of Part Eight of the Regulations.
- (b) Where a postal vote is allowed, the Electoral Officer shall cause to be posted or delivered to the address notified not later than six (6) days prior to the close of the ballot:
 - (i) A ballot paper for the Referendum;
 - (ii) A photocopy of the *Honi Soit* articles supporting and opposing the Referendum question under Section 3 of this Part;
 - (iii) A declaration, in the form to be determined by the Electoral Officer;
 - (iv) A stamped, addressed envelope for return of the votes to the Electoral Officer.

The ballot paper shall be in typed form, stamped on the back with the prescribed stamp of the SRC and initialled by the Electoral Officer.

7. RESULTS

- (a) The result of the Referendum shall be announced in accordance with the provisions of Section 25(a) and (c) of Part Eight of the Regulations.
- (b) Any member of the student body may in writing ask the Electoral Officer for a recount up to 48 hours after the completion of the counting of the votes and not thereafter. The petition setting out the grounds for a recount must include allegations of specific error or wrongdoing.

8. COMPLAINTS

For the purposes of complaints, disputes and appeals, the Electoral Legal Arbiter as under Part Eight Section 27, shall deal with all matters arising.

9. CHALLENGES

- (a) From the time when the Referendum is first called, until seventy-two (72) hours after publication of the voting figures (as specified in Section 7(a) herein), any person may in writing allege to the Electoral Officer that these Regulations have been breached.
- (b) Section 28(b), (c) and (d) and Section 29(a) and (b) of Part Eight shall apply to Referenda.
- (c) Sections 30 and 31 of Part Eight shall apply to Referenda.
- (d) Sections 32(a) and 32(c) of Part Eight shall apply as if a reference to election(s) was a reference to Referendum (a).
- (e) Subject to the Constitution and Regulations, the ELA may take any action deemed just, including dismissal of the matter(s), calling for a new Referendum, disqualification of

offenders under Section 10(b) of this Part, and reporting to Council on the estimated impact of the matter(s) on the outcome.

10. PRACTICES FORBIDDEN

- (a) Practices forbidden shall be in accordance with the following from Part Eight Section 26:
- (b) Except for (iii), (c), (d), (h);
- (c) Any person who commits or aids or abets a breach of this Section shall be liable to be disqualified from any election to any position or any office of the SRC for a period of up to eighteen (18) months following such a breach.

Part Thirteen – Election of NUS Delegates

Below is Part Thirteen of the regulations adopted on the 31st July 2020.

1. DEFINITIONS

Governing documents of the NUS means the Constitution, Regulations and By-Laws of the NUS, as in force and as amended.

Governing documents of the NUS' successor body means all documents setting out that successor body's composition, purpose, powers and basic procedures, as well as the method by which delegates to that successor body are elected.

2. APPLICATION

- (a) Section 3 applies so long as the Council remains affiliated with:
- (i) the National Union of Students (NUS), or
 - (ii) if the NUS no longer exists, any organisation which:
 - A. has substantially similar functions as the NUS;
 - B. the Council has recognised as the successor-body to the NUS; and which
 - C. requires affiliate-organisations to send delegates to that successor-body's governance-meetings.
- (b) If the NUS adopts a new name, any reference in these Regulations to the 'National Union of Students' must be read as though the words 'National Union of Students' were substituted with the new name.
- (c) If Council is affiliated with a successor-body to the NUS that meets the description in subsection (a)(ii), any reference in these Regulations to 'National Union of Students' must be read as though the words 'National Union of Students' were substituted with the name of the successor body.
- (d) If, for whatever reason, Council is no longer affiliated with the NUS or a successor-body meeting the description in subsection (a)(ii), elections for NUS Delegates will not be carried out, notwithstanding anything in Part Eight.

3. ELECTIONS FOR DELEGATES TO THE NUS OR ITS SUCCESSOR BODY

- (a) During each year's Annual Elections, the members of the student body will elect delegates to the NUS or its successor-body, in accordance with:
- (i) the Constitution and Regulations of the SRC; and
 - (ii) as relevant, either:
 - A. the governing documents of the NUS; or
 - B. the governing documents of the NUS' successor-body.
- (b) The number of delegates to be elected under subsection (a) is the same as the number of delegates the SRC, as a member-organisation of the NUS or its successor-body, is to elect under (as relevant) either:
- (i) the governing documents of the NUS; or
 - (ii) the governing documents of the NUS' successor-body.

Resolutions of Senate relating to student organisations

SPORTS UNIONS, SRC, SUPRA AND THE UNIONS

There shall be the following societies which shall be governed by their respective constitutions subject to the Resolutions: The Students' Representative Council, the University of Sydney Union, the Sydney Postgraduate Representative Association, the Sydney University Sports Union, the Sydney University Women's Sports Association and the Cumberland College of Health Sciences Students' Union.

1. REGULATIONS

1. Except as provided in Section 3, the Senate requires a student, other than a student enrolled in the Faculty of Health Sciences, who seeks to enrol –
 - a. For a degree of Bachelor; or
 - b. As an undergraduate diploma or non-degree student;to be a member of the following organisations provided that the relevant society or societies remain on the list in Section 1:
The student body that elects the Students' Representative Council, the University of Sydney Union and, for a male student, the Sydney University Sports Union, and, for a female student, the Sydney University Women's Sports Association.
2. Except as provided in Section 3 (1)(b) or (c), the Senate requires a student, other than a student enrolled in the Faculty of Health Sciences, who seeks to enrol –
 - a. For a degree or diploma other than those mentioned in Section 2 (1);
 - b. As a Master's Preliminary student; or
 - c. As a postgraduate non-degree or non-diploma student;to be a member of the following organisations provided that the relevant society or societies remain on the list in Section 1:
The Sydney University Postgraduate Representative Association, the University of Sydney Union, and for a male student, the Sydney University Sports Union, and, for a female student, the Sydney University Women's Sports Association.
3. Except as provided in section 3(1)(b) or (c), the Senate requires a student in the Faculty of Health Sciences, who seeks to enrol –
 - a. For a degree of Bachelor; or
 - b. As an undergraduate diploma or non-degree student;to be a member of the following organisation provided that the relevant society or societies remain on the list in section 1:
The student body that elects the Students' Representative Council and the Cumberland College of Health Sciences Students' Union.
4. Except as provided in section 3, the Senate requires a student in the Faculty of Health Sciences, who seeks to enrol –
 - a. For a degree or diploma other than those mentioned in section 2(3);
 - b. As a Master's Preliminary student; or (
 - c. As a postgraduate non-degree or non-diploma student;to be a member of the following organisations, provided that the relevant society or societies remain on the list in section 1:

The Sydney University Postgraduate Representative Association and the Cumberland College of Health Sciences Students' Union.

5. A student required to be a member of any of the organisations listed in sections 2(1) – (4) shall, prior to the completion of enrolment, pay the subscriptions approved by the Senate in accordance with section 5.