

James Cook University Student Association – Election Guidelines

These James Cook University Student Association – Election Guidelines (Guidelines) have been prepared to assist in the efficient and effective conduct of Elections, pursuant to Part 8- Elections of the James Cook University Student Association Regulations (Regulations).

The Guidelines share the Part 2 Interpretation of the Regulations. The Guidelines are subordinate to the Regulations. Where there is any inconsistency or discrepancy the Regulations take precedence in so far as the inconsistency or discrepancy applies.

These Guidelines are divided into parts as follows:

1. Addition and amendment
2. Tickets
3. Social and Electronic Media
4. Proportional representation counting process

1 Addition and amendment

- 1.1 These Guidelines may be added to or amended by the Association Council by resolution. No addition or amendment shall be allowed for 4 weeks prior to the call for nomination of an election or by-election, or subsequent to that call until the election has been declared.

2 Tickets

- 2.1 If a number of Students wish to stand for election on a common platform, one of those students may apply to register a ticket name with the Electoral Officer. This person shall be deemed the Ticket Registrant.
- 2.2 The application must contain the signature of at least ten (10) Students. Following registration of a ticket, should one of the Students wish to withdraw their support or cease to be a Student, the Ticket Registrant will have 48 hours to provide an alternate Student signature. During this period the ticket can continue activities as per normal provisions.
- 2.3 Ticket application must be received by the Returning Officer prior to the close of nominations.
- 2.4 No student may sign more than one application and no candidate standing on a ticket may sign an application for a different ticket.
- 2.5 If the proposed name of a ticket includes the name of an affiliated Club or Society, the application must include:
 - 2.5.1 A copy of a resolution passed by the club or society approving the use of the name, and

- 2.5.2 The signature of the president or secretary of that club or society certifying the passing of the resolution.
- 2.6 If the proposed name of a ticket includes the name of a ticket used in any Association election in the past three (3) years, the application must include the written consent of the person who most recently registered the ticket.
- 2.7 The Electoral Officer may refuse to permit a ticket name which is misleading, offensive or sufficiently similar to be confusing, and shall give the applicant the option of choosing another name.
- 2.8 Each Student standing on a ticket must sign and return to the Electoral Officer acknowledgement that their name is included on a ticket. Where the student signed as part of the ticket registration, this is not required.
- 2.9 A Student may not stand on more than one ticket.
- 2.10 All Electoral Material, including flyers, posters, banners, etc that include the authorising candidate's name, should also include the ticket name.
- 2.11 Ballot papers will include candidate name and where applicable ticket name.
- 2.12 Any direction or information given by the Electoral Officer or Deputy Electoral Officer to the Ticket Registrant shall be deemed to be given to all candidates nominated on that ticket.
- 2.13 A ticket may lodge a statement setting out the order in which preferences are to be distributed.
- 2.13.1 Preferences may not be split
- 2.13.2 Each ticket must preference candidates registered with their own ticket before another candidate
- 2.13.3 Statements must be received by the Electoral Officer three (3) days prior to the close of polling

3 Social and Electronic Media

Appreciating the nature of social and electronic media, these Guidelines are provided in addition to the approval and authorisation requirements set out in the Regulation. The Guidelines are subordinate to the Regulations. Where there is any inconsistency or discrepancy the Regulations take precedence in so far as the inconsistency or discrepancy applies.

It should be noted that when using electronic media and disseminating information that students remain bound by Conditions for Use of University Computing and Communication Facilities as well as *Spam Act 2003 (Cth)* and associated *Spam (Consequential Amendments) Act 2003 (Cth)*.

- 3.1 Where practical social and electronic media will be treated in the same manner as other election material.
- 3.2 For web published information, including but not limited to dedicated websites, web articles, blog posts, etc the material will require approval prior to publishing. In addition the URL (Uniform Resource Locator) of the hosting site is to be provided to the Electoral Officer within twenty-four (24) hours of publication and/or edit.
- 3.3 Brief status updates and posts on Facebook and similar social media sites and microblogging sites by candidates and third parties will not require separate prior authorisation, provided that the following conditions are met:
 - 3.3.1 The post is limited to an encouragement to vote for a particular candidate and/or ticket, and does not introduce any new material beyond what has already been authorised;
 - 3.3.2 The post makes no comment of any sort on any opposing candidate or ticket;
 - 3.3.3 The post does not seek to deceive or mislead in any way. This includes maintaining clarity of any ticket affiliation the candidate may have.
 - 3.3.4 The post either appears on or contains a link to the main site for the candidate or ticket, and that site has been duly authorised and carries an authorisation line in a position visible at first sight.
 - 3.3.5 Posts that do not meet the above conditions may still be permitted, but authorisation will have to be separately applied for.
 - 3.3.6 This ruling does not apply to paid advertisements on Facebook and other social media sites, which must also be separately authorised.
- 3.4 Any social or electronic media material or comment must be removed as quickly as practicable by the publisher at the earlier of the Returning Officer's request or conclusion of the election.
- 3.5 The making of election-related posts on the pages of political opponent's is prohibited.

4 Proportional Representation counting process

Note that currently there are no multiple positions within the Association. As such proportional representation counting is not required for Association Election. However elections for National Union of Students (NUS) positions are often conducted in parallel by the same Electoral Officer.

- 4.1 Proportional Representation is to be applied where multiple vacant positions are to be filled
- 4.2 A candidate is elected after obtaining a quota of the formal vote. The exception is the final vacancy where two candidates remain in the count and neither has a quota; in this situation the candidate with the largest number of votes is elected.

- 4.3 The quota is calculated by dividing the total number of formal ballot papers by one more than the number of vacancies, disregarding any fractional remainder and adding one.

$$\text{Quota} = (\text{no of formal ballot papers} / (\text{no of vacancies} + 1)) + 1$$

- 4.4 Each 1st preference on a ballot paper is worth one vote. The formal ballot papers are counted to determine the number of 1st preferences (votes) each candidate has received.
- 4.5 If a candidate:
- 4.5.1 Has received a number of votes which equal or exceed the quota, the candidate is elected;
 - 4.5.2 Is elected with exactly the same number of votes as the quota these ballot papers are set aside as finally dealt with as there is no surplus (votes in excess of the quota) to distribute;
 - 4.5.3 Gains more votes than the quota, the surplus votes are not wasted, but transferred on to continuing candidates (candidates not already elected or excluded from the count) providing there are still vacancies to fill
- 4.6 Surplus ballot papers are transferred to continuing candidates according to the next available preference indicated on the ballot papers. If two or more candidates are elected at the same stage of the count, the candidate with the largest surplus is said to be elected first.
- 4.7 The surplus votes of a candidate elected at any earlier count are always transferred before the surplus of a candidate elected at a later count.
- 4.8 Surplus ballot papers when transferred do not keep the original value of 1. The value of each transferred ballot paper is calculated by dividing the surplus votes of the successful candidate by the total number of ballot papers received by that candidate.
- Transfer Value (TV)** = no of elected candidates surplus votes (in excess of quota) / no of ballot papers received
- 4.9 After all surpluses of elected candidates have been distributed and if vacancies remain, the candidate with the least number of votes is excluded and removed from the count. The preferences on his or her ballot papers are examined and the ballot papers passed on to the candidates remaining in the count according to the next available preference.
- 4.10 If the ballot papers being transferred were excluded candidates 1st preference ballot papers, they are transferred at the vote value of 1.
- 4.11 If the ballot papers were received as a result of the transfer of a surplus, each ballot paper is passed on at the same vote value as they were received (ie at the transfer value).

- 4.12 During an exclusion, each parcel of ballot papers received by the excluded candidate at different stages of the count process is transferred to continuing candidates at a separate count. If a ballot paper cannot be transferred to a continuing candidate as it does not contain any further consecutive preference (ie the ballot paper has been partially completed), the ballot paper is exhausted and removed from the count.
- 4.13 The process of distributing surpluses of elected candidates and excluding candidates continues until all vacancies have been filled or until only two candidates remain in the count. At this stage, if neither candidate has a quota, the candidate with the highest number of votes is elected. This is the only situation where a candidate can be elected below quota
- 4.14 Any direction or information given by the Electoral Officer or Deputy Electoral Officer to the Ticket Registrant shall be deemed to be given to all candidates nominated on that ticket.

Summary of counting procedure

The Electoral Officer (or nominee) shall:

- Set aside the informal ballot papers
- Sort the formal ballot papers according to 1st preference expressed by the elector
- Count the total 1st preferences for each candidate and obtain a total number of all formal ballot papers
- Determine the quota
- Record as elected any candidate who receives a quota or an excess of the quota
- Transfer the surplus of any elected candidates, record as elected any other candidates who now reach quotas and transfer any surpluses. If two candidates are elected at the same stage or count, the candidate with the largest surplus is distributed first
- Exclude in turn candidates with the least number of votes and transfer their votes at the transfer value at which they received to continuing candidates
- Record as elected any further candidate who now reach a quota and transfer their surpluses
- Continue to exclude candidates with the least votes and to transfer surpluses until all vacancies are filled

JCU Student Association counting instructions for Council ballot

General counting rules and etiquette apply.

A scrutineer for each team should be able to witness the count. They should not be able to use any recording devices, touch or interfere with any of the ballot papers. They will be expected to have furnished the count supervisor, returning officer or nominee appropriate nomination as a scrutineer prior to the close of polling. The nomination should clearly state and be signed by who they are scrutineering on behalf of.

Any scrutineer can be removed from the counting room by the count supervisor, returning officer or nominee for failing to adhere to instruction.

Vote validity

In general a vote is counted as valid if the intent is clear. Which means that:

- a tick or a cross in one box counts can be considered an intent
- numbers don't have to be in sequence, but where the same number appears multiple times, preferences from that point on are considered invalid
- because it is 'optional preferential' it is not essential that every box is filled in
- if someone marks above and below the line and they are consistent, it should be counted as a valid vote. If the marks are inconsistent then the vote should be considered invalid for the elements that are inconsistent.
- If scrutineers from both sides agree, then probably ok

Any questionable ballot papers should be kept to the side for potential double checking later.

Process

- Utilise tallysheet (attached)
- Double check scrutineer credentials and confirm behaviour expectations
- Double check ballot box seals
- Open ballot boxes onto table
- With all positions on one ballot paper, counting will need to proceed sequentially for each position.
- Work through ballot paper to separate ballot paper containing an above the line only vote and separate into teams.
- Then count each position, in turn for below the line votes. Separate into piles and count each pile.
- Tally position above and below line votes and complete tally sheet
- Upon completion of tallysheet, phone Returning Officer and provide information

Note that poll declaration may need to be delayed until after postal votes have closed.

JCU Student Association

Counting instructions for NUS ballot

In general, scrutineering and counting remain consistent with Council Ballot.

Preference counting will need to be closely linked between counting rooms (either phone, mobile or email).

Process

- Utilise tallysheet (attached)
- Complete ballots issued, informal and valid vote numbers
- Complete the valid above the line votes, and set these papers aside
- Separate remaining ballot papers (below the line) into separate piles for each candidate. Count them and complete the 1st count tally in Table 1
- Forward this information to the main count room
- Await instruction for preference counting
 - o Preference counting will be counting next preferences for specific candidates in a particular order. Order will need to be determined based on total votes