Statute 8.4 - Elections to the Committees of Academic Board

(1) The committees of the Academic Board may but are not obliged to include in their membership elected representatives; where such positions are included, this will be stipulated in the committee's Terms of Reference. The process for electing members to such positions is detailed in this Statute.

(2) The Secretary shall have the management and supervision of all elections to the committees of the Academic Board and shall appoint from time to time a suitable person (hereinafter referred to as the "Electoral Officer") who shall to that end have and exercise all the powers and duties of a returning officer.

(3) Except where otherwise stipulated in the Terms of Reference for the committee for which election is required, the electorate for an election of members of academic staff to the committees of the Academic Board shall consist of all continuing and fixed-term full-time and part-time academic staff of the University, as defined in clause 32.1 of the Constitution (Academic Staff Electorate).

(4) Except where otherwise stipulated in the Terms of Reference for the committee for which election is required, the electorate for an election of professional staff members to the committees of the Academic Board shall consist of all continuing and fixed-term full-time and part-time members of the professional staff of the University, as defined in clause 32.1 of the Constitution (Professional Staff Electorate).

(5) Except where otherwise stipulated in the Terms of Reference for the committee for which election is required, the electorate for an election of student members to a committee of the Academic Board shall consist of all enrolled Students (including undergraduate, postgraduate coursework and postgraduate research degree students) who meet the eligibility criteria in clauses (6) and (7).

(6) All Students currently enrolled in and currently undertaking at least one (1) unit in an award course of study or who are actively enrolled in a Higher Degree by Research award course at ACU are eligible to nominate and vote for the position of student member of a committee of the Academic Board.

(7) A Student who is also a fixed term or continuing employee of the University is precluded from holding a position on a committee of the Academic Board. A Student who is an employee of the University on a casual contract is not precluded from holding a position on a committee of the Academic Board.

(8) An elected student must remain enrolled in an award course at the University for the entirety of the term of office for the position to which they have been elected. A student who ceases to be enrolled (whether through withdrawal from studies, qualifying to graduate or due to any other cause) is no longer eligible to serve as a Student member of a committee of the Academic Board.

(9) The Electoral Officer shall not during the period of their appointment as such be eligible to stand for election to a committee of the Academic Board.

(10) When a vacancy occurs in an elected position on a committee of the Academic Board pursuant to clauses (3), (4) or (5) above, where the vacancy occurs six (6) months or less than the end of the term of office of the vacating member, the position shall be filled as a casual vacancy pursuant to clause (25) of this Statute.

(11) When a vacancy occurs in a position on a committee of the Academic Board pursuant to clauses (3), (4) or (5)

above, where the vacancy occurs more than six (6) months from the end of the term of office of the vacating member, the position shall be filled by an election pursuant to this Statute and the Electoral Officer shall:

a. appoint an election date; and
b. call for nominations of members of the relevant electorate by an Election Notice published not later than five (5) weeks before the election date.

(12) Nominations must:

a. be made by a proposer and seconder who are members of the relevant electorate;
b. be in the form or to the effect of Schedule A: Nomination Form (completed as may be appropriate); and
c. be received at the office of the Electoral Officer not later than 4:00pm (stated in AEST or AEDT) on the date specified in the call for nominations being a day at least three (3) weeks before the election date.

(13) If the number of qualified persons duly nominated is less than or equal to the number of positions available, (or remains so after all the others have withdrawn or ceased to be qualified) the Electoral Officer shall declare those persons duly elected.

(14) If the number of qualified persons duly nominated exceeds the number of positions available, the Electoral Officer shall conduct an election. If before the election date, a person so nominated withdraws their nomination or ceases to be qualified then in either case the Electoral Officer shall remove the name of that person from the election.

(15) Elections may be conducted electronically at the discretion of the Secretary.

(16) The Electoral Officer shall cause the election to be advertised by a Notice of Election in the form of Schedule B: Notice of Election (completed as appropriate) ("the Election Notice") published not later than two (2) weeks before the election date.

(17) Any notice or advertisement required by this Statute shall be published:

a. by email sent to members of the relevant electorate; and
b. by such additional means as the Electoral Officer thinks fit.

(18) Voting papers shall be distributed to all persons qualified to vote by such means as the Electoral Officer may specify in the Election Notice.

(19) The expression "voting papers" in this Statute shall mean:

a. a Candidate Statement for each person nominated; and
b. a ballot paper in the form or to the effect of Schedule C: Ballot Paper (completed as appropriate), which may be provided electronically.
c. a candidate may also provide a suitable photograph to accompany their candidate statement (suitability to be determined by the Electoral Officer).

(20)

a. In order to be considered valid, a ballot paper must indicate a preference for at least one candidate; preferences for additional candidates may be indicated but are not required. A preference is to be indicated by placing the number one against the name of the most preferred candidate. If the voter wishes to record additional preferences, they may do so by placing the number two against the name of the next preferred candidate, the number three against the name of the next preferred candidate and so on sequentially for some or all of the remaining candidates.

b. The ballot may be cast electronically.

(21)

a. Subject to paragraph (b), no vote cast after 4:00pm (stated in AEST or AEDT) on the election date shall be examined or counted in the election.
b. Should any two of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and President and the Secretary form the opinion in respect of a particular election that the operation of any part of this Statute has been affected by any strike, lockout or similar action, they may direct that ballot papers received up to a time nominated by them, being no more than seven days after 4:00pm (AEST or AEDT) on the election date, may be examined and counted in the election.
c. The votes may be counted electronically at the discretion of the Secretary.

(22) The manner of counting the votes shall be as follows:

a. Voting instructions will be provided during the election process and only wholly valid ballot papers shall be counted.
b. For each vacancy there shall be a process of counting the votes cast ("a ballot").
c. Ballots shall be counted using an optional preferential system. The first preference votes for each candidate shall be tallied and if any candidate has a clear majority of votes, that candidate shall be declared elected.
d. If, following the count of first preference ballots no candidate has more than half of the votes, the candidate with the fewest votes shall be excluded. This candidate's votes are transferred to the other candidates according to the second preferences of voters for the excluded candidate. If still no candidate has more than half the votes, the candidate who now has the fewest votes shall be excluded and the votes transferred according to the next preference shown. This process continues until one (1) candidate has more than half the total number of formal votes and this candidate shall be declared elected.
e. If no candidate receives more than half of the votes, all preferences shall be counted and the candidate with the most votes shall be declared elected.
f. If the election is for more than one position, the process of distributing preferences is continued in accordance with (a) and (b) until only the number of candidates required to fill the vacancies remain.
g. If there is a tie and the number of tied candidates is greater than the number of vacancies remaining unfilled, the ballots allocated to each such tied candidate shall be compared and the tied candidate with the greatest number of first preference votes shall be elected, or if no one tied candidate has a greater number of first preference votes than any other tied candidate then the tied candidate with the greatest number of second preference votes shall be elected; and so forth until candidates are elected.
h. If, following steps (c) to (g) above there is a tied outcome, then the successful candidate is to be determined by the drawing of lots by the Electoral Officer. The name first drawn shall be declared elected.

(23) In the event that there are no nominees for the election of staff as identified in clause (3) and / or clause (4) of this Statute or a casual vacancy arises, the Chair, Academic Board shall appoint a member to fill any vacant position following such consultation as they deem appropriate. Any such person appointed to a committee of the Academic Board in accordance with this clause (23) shall hold that position as if that person were duly elected in accordance with this Statute.

(24) In the event that there are no nominees for the election of the Student members as identified in clause (5) of this Statute or a casual vacancy arises, then the Chair, Academic Board shall appoint members to fill any vacant position following such consultation as they deem appropriate.

(25) Casual vacancies shall be filled according to the provisions in clause (23) and / or clause (24) as appropriate.

(26) A member appointed to fill a casual vacancy shall hold office for the remainder of the vacating member's term of office.

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Responsible Manager	Diane Barker Chief Legal Assurance and Governance Officer
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