

# **QUT Student Guild Regulations**

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## **Part 1 – Standing Orders**

### **R1 Application**

- 1.1 These Standing Orders shall apply to all meetings of Guild bodies.
- 1.2 Where inconsistencies exist between these Standing Orders and any other Part of these Regulations, the other Part of the Regulations shall prevail.

### **R2 Suspension of Standing Orders**

- 2.1 These Standing Orders may be suspended by resolution of the Guild body.
- 2.2 Unless there has been a suspension of the Standing Orders, matters shall be dealt with in the order they appear on the agenda.

### **R3 Order of Business**

- 3.1 The regular order of business for Guild Council shall be as follows:
  - 1. Opening and Credentials:
    - 1.1 Leave of Absence
    - 1.2 Apologies
  - 2. Additions/Deletions to the Agenda
  - 3. Confirmation of Minutes
  - 4. Business and Reports Arising from Minutes
  - 5. Acceptance and Endorsement of Correspondence
  - 6. Presentation of Financial Reports and Ratification of Expenditure
  - 7. Announcements of Members
    - 7.1 Elections and Appointments of Members
    - 7.2 Resignations of Members
  - 8. Amendments to the Constitution, Regulations or Policy
  - 9. Presentation of Reports and Papers
  - 10. Question Time:
    - 10.1 Questions on Notice
    - 10.2 Questions without Notice
  - 11. Motions with Notice
  - 12. General Business (Motions without Notice)
  - 13. Closure
    - 13.1 Date, Time and Location of Next Meeting

3.2 The regular order of business at an Annual General Meeting shall be as follows:

1. Opening and Credentials
2. Confirmation of Minutes of the Previous Annual General Meeting of the Guild
3. In due order the tabling and consideration of:
  - 3.1 The Annual Report of the Guild;
  - 3.2 The Audited Balance Sheet and Auditor's Report;
  - 3.3 The Annual Budget for the Following Financial Year.
4. Business Pending for the Following Financial Year
5. Reports of Elected Officers
6. General Business (Motions without Notice)

3.3 The regular order of business for the Executive Committee and Clubs and Societies Committee will be the same as for Guild Council, except:

- (a) for the Executive Committee, items 8 and 10 will not apply; and
- (b) for the Clubs and Societies Committee, items 8 and 10 will not apply and item 6 will read, "Ratification of Expenditure".

#### **R4 Procedure**

4.1 The Chair shall preside over the debate and ensure that the Standing Orders are followed.

4.2 The Chair will interpret the Standing Orders, whose ruling shall be final subject to Rule 4.13.

4.3 No proxies shall be permitted at meetings of Guild bodies.

4.4 Meetings may be held in person, or by phone, video link or such other means whereby the members of the Guild body are able to directly communicate with each other without being physically present together in the one place, provided always that the means of the meeting is approved by the Guild body. In the case that a member uses a phone linkup, two members of the Guild body must confirm that the person on the line is the member of the Guild body.

4.5 When the Chair speaks any person then speaking or offering to speak shall cease to do so.

4.6 Any person desiring to speak must indicate this by raising his or her hand and shall wait to be called by the Chair.

4.7 Where two or more persons indicate to the Chair that they desire to speak, the Chair shall call the person who first indicated their desire to speak.

4.8 All remarks shall be addressed to the Chair.

4.9 Any student may at any time rise and address the Chair on a point of order. A point of order shall mean a question as to whether the present proceedings are in order or proper pursuant to these Standing Orders.

- 4.10 A point of order may be raised subject to the following:
- (a) That student must at once state he or she is taking a point of order and shall confine his or her remarks to the point of order raised;
  - (b) The point of order must be taken immediately following the alleged breach of the Standing Orders; and
  - (c) The Chair shall then make a ruling on the point of order.
- 4.11 Any student may at any time rise and address the Chair on a point of information. A point of information shall mean information offered to or asked of the person currently speaking to the matter before the meeting, and shall not consist of any argument.
- 4.12 A point of information may be raised subject to the following:
- (a) The student must at once state he or she is taking a point of information;
  - (b) The remarks must be confined to the point of information raised;
  - (c) There shall be no debate on the matter;
  - (d) The point of information should be taken immediately upon it becoming relevant to the debate; and
  - (e) The Chair has the discretion as to whether or not to allow the point of information.
- 4.13 A student may move dissent in any ruling of the Chair. On such motion being moved the following shall apply:
- (a) The Chair shall vacate the chair;
  - (b) In the case of Guild Council, the Deputy Chairperson shall take the chair. If the Deputy Chairperson (in the case of Guild Council) is absent or refuses to chair the meeting, or where a deputy chair is not specified under these Regulations (in the case of the Executive Committee or the Clubs and Societies Committees), the Guild body must elect a person present to temporarily chair the meeting;
  - (c) The Chair shall have the option of speaking to the dissent motion;
  - (d) The mover shall speak;
  - (e) The motion “That the Chair’s ruling be dissented in” shall then be put without further debate;
  - (f) If the motion is lost the Chair shall resume the Chair and business shall continue;
  - (g) If the motion is carried the Chair shall resume the Chair and business should continue as if the Chair had given the opposite ruling to the ruling dissented in.

## **R5 Member Conduct**

- 5.1 Every person in attendance at a meeting of a Guild body shall remain seated unless standing to speak.

- 5.2 All debate must be relevant to the matter before the meeting.
- 5.3 No person may personally insult another person in attendance or use offensive or disorderly language at the meeting. Such conduct shall be dealt with according to the following:
- (a) The Chair shall ask the offending person to withdraw the insult or offensive or disorderly language and to apologise;
  - (b) If a person has drawn the attention of the Chair to an insult or offensive or disorderly language, the Chair shall make a ruling on whether or not the comments were insulting, offensive or disorderly and rule whether they should be withdrawn and an apology given;
  - (c) The Chair may name a person who insults another person in attendance or who uses offensive or disorderly language.
- 5.4 The Chair may also name a person if that person has:
- (a) obstructed the proceedings of the meeting;
  - (b) refused to observe Standing Orders;
  - (c) disregarded a ruling of the Chair; or
  - (d) has otherwise acted in a disorderly manner.
- 5.5 The Chair's naming of any person shall be minuted.
- 5.6 If the Chair names a person three times, that person shall remove themselves from the meeting and may no longer participate in the meeting.
- 5.7 No person shall interrupt another person whilst that person is speaking, unless to:
- (a) call attention to a point of order or point of information;
  - (b) call attention to a want of quorum;
  - (c) call attention to the presence of visitors; or
  - (d) move a procedural motion.
- 5.8 The Chair may adjourn a meeting on his or her own initiative where the meeting is becoming so disorderly that it appears impossible for business to be properly transacted. Such an adjournment may be for a short time or the Chair may request that the meeting be rescheduled.

## **R6 Motions**

- 6.1 All motions proposed without notice shall be delivered in writing to the Chair at the commencement of the meeting, or during discussion of the relevant agenda item, unless the Constitution and Regulations requires otherwise.
- 6.2 All motions shall be determined in the following manner:
- (a) Any motion, other than a procedural motion, not seconded shall lapse and shall not be further discussed;

- (b) The mover of the motion shall not speak longer than 5 minutes at the time of moving the motion, to present argument in support of the motion and 5 minutes to reply. Reply must be limited to answering arguments advanced against the motion. No further discussion shall take place after the mover has replied;
- (c) The seconder of such motion and all other speakers shall be limited to 5 minutes;
- (d) The seconder may reserve his or her right to speak, until a later stage of the debate;
- (e) The meeting may resolve to extend the time of any speaker, but such additional time shall not exceed 5 minutes (i.e. a maximum 10 minutes of speaking, including the initial 5 minutes);
- (f) After a motion or amendment has been moved and seconded, no more than two students shall speak in succession on one side, either for or against the motion. If there are no further speakers on one side of the debate after there have been two speakers on the other side of the debate the motion will be put to the meeting, subject to the mover's reply;
- (g) If at the conclusion of the seconder's remarks no student speaks against the motion, the motion or amendment shall be put to the meeting after the mover has exercised any reply.

6.3 No person shall speak twice to a motion before the meeting, except:

- (a) in explanation of a point of information;
- (b) where the person is the mover of the motion before the Chair, in right of reply;
- (c) in personal explanation of their own previous statement, keeping strictly to the point misunderstood, with express permission of the Chair; or
- (d) otherwise with express permission of the Chair.

6.4 Debate on a motion is deemed to be closed if any motion has been discussed for 35 minutes. At such time the Chair shall call on the mover to reply. The meeting may resolve to continue the debate, but in no instance shall the debate exceed one hour. At such time the Chair shall call on the mover to reply.

6.5 All resolutions of a Guild body shall be made by a simple majority unless otherwise prescribed by the Constitution or Regulations.

6.6 In the event of a vote being tied, a resolution shall be declared lost.

6.7 When a vote has been taken, the Chair shall announce whether or not the motion has been carried.

6.8 A mover or seconder may withdraw their support for a motion or amendment. If such support is withdrawn, other students present may move and second the motion or amendment in question.

6.9 When a student has given notice of a motion but is not present, another student may move and second the motion.

- 6.10 Once a motion has been carried it becomes a resolution and may not be debated further. A resolution may not be rescinded except by a motion on notice at another meeting of the Guild body.
- 6.11 The Chair will not accept a motion of the same substance to one that has already been put during the same meeting, including a motion that is inconsistent with a previous resolution of the meeting.
- 6.12 The Chair may divide any motion, except a procedural motion, containing two or more separate items into separate motions, provided that each motion must have a mover and seconder.

## **R7 Amendments to Motions**

- 7.1 At any time during the debate on any motion, motion may be amended by the mover with the consent of the seconder.
- 7.2 At any time during the debate on any motion, an amendment may be proposed subject to the following:
- (a) All proposed amendments must be delivered in writing to the Chair;
  - (b) The Chair shall not accept amendments to motions on notice that are not within the scope of the notice or which could commit the Guild to greater financial obligations than the notice specified;
  - (c) The Chair shall not accept an amendment, the effect of which is to establish a direct negative to the question contained in the motion, or which does not preserve the substance of the motion;
  - (d) The Chair shall not accept an amendment that if carried, would make the substantive motion unintelligible.
- 7.3 Amendments are to be dealt with in accordance with the following:
- (a) Only one amendment shall be debated at a time and such amendment must be considered by the meeting before any further amendment is considered;
  - (b) The Chair shall not accept an amendment to an amendment before the Chair;
  - (c) All amendments shall be put before the substantive motion is put;
  - (d) If the mover of the substantive motion accepts the amendment, the amendment shall become part of the substantive motion and debate shall continue;
  - (e) If the mover of the substantive motion does not accept the amendment, the Chair shall call for a seconder to the amendment. If there is no seconder to the amendment, the amendment lapses and debate on the substantive motion shall continue. If there is a seconder, the meeting shall debate the amendment as it would any other motion, subject to (f) and (g) below;
  - (f) The mover of the amendment may speak to that amendment notwithstanding he or she has spoken already on the substantive motion;



- (g) The mover of the amendment has no right of reply in respect of the amendment, but may, in accordance with these Standing Orders, speak to the substantive motion, once the amendment has been put;
- (h) If the amendment is carried, the substantive motion shall be so amended, and debate shall continue on the substantive motion;
- (i) Should an amendment put to the meeting be lost, debate shall continue on the substantive motion, or the next amendment as the case may be.

## **R8 Motions on Notice**

- 8.1 Students may deliver written motions to have placed on the agenda of a Guild body to be debated at its next meeting. Written motions must be delivered to the person appointed to receive such motions for the Guild body, who must ensure that the motion appears on the agenda. Such motions shall be signed by the mover and seconder.
- 8.2 To appear on the agenda of the next meeting, the motion must be delivered to the appointed person one clear day before the agenda is sent to members of the Guild body.

## **R9 Procedural Motions**

- 9.1 The mover of a procedural motion may give a brief explanation of the reason for which the motion is moved.
- 9.2 A procedural motion does not require a seconder.
- 9.3 Except as provided pursuant to the Standing Orders, a procedural motion shall not be debated.
- 9.4 A procedural motion shall be put immediately on receipt by the Chair.
- 9.5 For the purposes of the Standing Orders, the following motions are procedural motions:
  - (a) “That the motion be now put”;
  - (b) “That the meeting proceed to the next business”;
  - (c) “That the motion lie on the table”;
  - (d) Motions relating to adjournment of debate;
  - (e) Motions relating to the adjournment of the meeting;
  - (f) Motions relating to limitation of debate;
  - (g) Motions relating to temporary adjournments;
  - (h) Motions relating to the extension of time limits;
  - (i) “That the speaker no longer be heard”;
  - (j) “That the matter be referred to the relevant committee”;
  - (k) “That the matter be referred back to the relevant committee”;

- (l) Motions to consider matters en bloc;
- (m) Motions of dissent in a ruling of the Chair;
- (n) Motions to move in camera.

## **R10 Roll Call**

- 10.1 Voting shall be by show of hands unless the Constitution or Regulations specify otherwise.
- 10.2 A roll call can be directed by the Chair or may be requested by at least 25 per cent of votes exercisable by those present.
- 10.3 When a vote has been taken by a show of hands, 25 per cent of votes exercisable by those present may, by rising in their seats, require that the vote be confirmed by roll call.
- 10.4 Where a roll call is taken, it shall be conducted in such a manner as the Chair shall decide and the nature of each member's vote shall be recorded in the minutes.
- 10.5 Roll calls will not be taken for procedural motions.

## **R11 Question Time**

- 11.1 Where question time exists on the agenda, students may ask questions relating to the affairs of the Guild through the Chair to any relevant elected officer.
- 11.2 The Chair may disallow any question which he or she thinks should not be put, specifically if the Chair deems the question to be frivolous or irrelevant.
- 11.3 Matters contained in answers to questions shall not be debated during question time.
- 11.4 Question time shall last no longer than 40 minutes during each meeting.
- 11.5 Questions may be placed "on notice", that is, tabled in the agenda stating the text of the question, to whom it is asked and by whom it is asked.
- 11.6 All questions on notice must be given to such person as appointed to receive such questions for the Guild body no less than one clear day before the agenda for the meeting is sent to members of the body.
- 11.7 The elected officer to whom a question is asked may, if he or she does not have the immediate information with which to answer the question, request of the Chair to place the question on notice for the next ordinary meeting.
- 11.8 The reply to a question on notice shall be given to the person appointed to receive such replies for the Guild body. A copy of that answer shall also be supplied to the student who asked the question.
- 11.9 A student asking such a question and who has received a copy of the reply may ask the question in the meeting and have the reply read.
- 11.10 Questions to elected officers may only relate to the affairs for which the elected officer is officially connected, or to a matter of administration for which they are responsible, or to any proceeding matter in the meeting that is relevant to that elected officer.

- 11.11 Any questions seeking detailed answers should be placed on notice.
- 11.12 The Chair will stop students from asking questions that are excessively long in delivery, or that are in effect a speech.
- 11.13 The Chair may request that a question asked be divided into separate questions.
- 11.14 Questions may not contain arguments, inferences, imputations or expressions of hypothetical matters, and may not ask for expression of legal opinion.
- 11.15 A member may answer a question in such a way as he or she thinks fit, although any answer given must be relevant to the question asked.
- 11.16 The Chair may at their discretion, permit supplementary questions to be asked in order to elucidate an answer given to a previous question.

## **R12 In-Camera Sessions of Meetings**

- 12.1 Only members and those persons approved by the meeting may attend the in camera session.
- 12.2 Minutes taken at an in camera session shall be confirmed only at an in camera session of the Guild body.
- 12.3 Members present at an in camera session shall be required to observe that such proceedings are confidential.

## **R13 Reports and Papers**

- 13.1 Any reports given must be noted in the Minutes.
- 13.2 If a member that is required to report to the meeting does not do so, the absence of such a report, and any reason given for such absence, shall be noted in the minutes.
- 13.3 Upon the presentation of a report or paper, the meeting must consider a motion to either accept, note or reject the report or paper or let the report or paper “lie on the table”.

## **R14 Minutes**

- 14.1 All proceedings of Guild bodies shall be minuted. Such minutes shall record members’ votes on motions and amendments, the attendance status of members, any roll calls, the presentation of reports and papers, and questions.
- 14.2 Only students present at the meeting of those minutes to be confirmed can vote on the confirmation of those minutes.

## **Part 2 – Guild Bodies**

### **R15 Meetings of Guild Council**

- 15.1 The Chair shall chair meetings of Guild Council in accordance with the Constitution and Regulations.
- 15.2 The Chair shall be entitled to the use of such Guild resources that enables the Chair to carry out the Chair's duties as defined in the Constitution and Regulations.
- 15.3 Meetings of Guild Council shall be convened a minimum of eight times in each year provided that the first meeting of each Guild Council shall occur within 90 days of its term commencing.
- 15.4 For each meeting of Guild Council, the Guild Secretary shall give not less than seven days' notice of the meeting and its agenda to the members of Guild Council, provided that Guild Council may by resolution accept additional business at any meeting other than an extraordinary meeting.
- 15.5 If a quorum is not present within 30 minutes of the time specified in the notice of meeting, the meeting may not be opened.
- 15.6 If a meeting loses quorum after having attained quorum, it may continue to consider business for up to 10 minutes without a quorum being present, but no motion may be put to a vote. If a quorum is not again present within that 10 minutes, the meeting closes.
- 15.7 The Guild Secretary is responsible for:
- (a) causing full and accurate minutes of all meetings of Guild Council to be kept;
  - (b) receiving motions on notice for Guild Council;
  - (c) receiving questions on notice for Guild Council; and
  - (d) receiving replies to questions on notice for Guild Council.

### **R16 Extraordinary Meetings of Guild Council**

- 16.1 A requisition under C10.3 must state the specific business which is to be dealt with at the meeting, together with any motions on notice, and be accompanied by any supporting documentation necessary to be considered by the meeting.
- 16.2 The business of an extraordinary meeting of Guild Council shall be restricted to those matters specified in the requisition for such meeting.

### **R17 Annual General Meeting**

- 17.1 The Annual General Meeting of Guild Council must be held in each calendar year on or before 31 December.
- 17.2 The following must be presented to the Annual General Meeting of Guild Council:
- (a) the audited financial statements for the last completed financial year;

- (b) the auditor's report on those financial statements;
  - (c) the annual report for the last completed financial year; and
  - (d) the Guild Budget for the forthcoming financial year.
- 17.3 The Guild Secretary shall invite, in writing, the previous year's elected officers, to attend the Annual General Meeting.
- 17.4 The provisions of Rule 15 shall apply to Annual General Meetings of Guild Council.

**R18 Executive Committee**

- 18.1 There shall be a Guild body called Executive Committee. The membership of the Executive Committee shall be the elected officers. C15.5 shall apply to the Executive Committee as if references to Guild Council were references to the Executive Committee.
- 18.2 Executive Committee shall exercise the powers of Guild Council and administer the affairs of the Guild between meetings of Guild Council, except for such functions as are required by the Constitution to be exercised only by Guild Council, and subject always to the power of Guild Council to review the decision of Executive Committee.

**R19 Meetings of Executive Committee**

- 19.1 Meetings shall be called at such times and places as the Guild Secretary determines.
- 19.2 The President shall chair the Executive Committee.
- 19.3 Where the President is absent, or declines to occupy the chair, or leaves the chair, the Executive Committee must elect a person present to temporarily chair the meeting.
- 19.4 A quorum at meetings of the Executive Committee shall be an absolute majority of members.
- 19.5 If a quorum is not present within 30 minutes of the time specified in the notice of meeting, the meeting may not be opened.
- 19.6 If a meeting loses quorum after having attained quorum, it may continue to consider business for up to 10 minutes without a quorum being present, but no question may be put to a vote. If a quorum is not again present within that 10 minutes, the meeting closes.
- 19.7 For each meeting of the Executive Committee, the Guild Secretary shall give not less than three days' notice of the meeting and its agenda, provided that the Executive Committee may by resolution accept additional business at any meeting other than an extraordinary meeting.
- 19.8 The Guild Secretary is responsible for:
- (a) causing full and accurate minutes of all meetings of the Executive Committee to be kept; and
  - (b) receiving motions on notice for the Executive Committee.

**R20 Extraordinary Meetings of Executive Committee**

- 20.1 Upon receiving a requisition in writing for an extraordinary meeting of the Executive Committee from:

- (a) the President; or
- (b) members of Executive Committee comprising an absolute majority of the Executive Committee,

the Guild Secretary must, by the conclusion of the next business day, convene and give notice of the meeting in accordance with the requisition.

- 20.2 Where the Guild Secretary fails to give notice of, and convene, an extraordinary meeting of the Executive Committee under Rule 20.1, any member of Executive Committee may give notice of, and convene the meeting.
- 20.3 A requisition for a meeting must state the specific business which is to be dealt with at the meeting, together with any motions on notice, and be accompanied by any supporting documentation necessary to be considered by the meeting.
- 20.4 The business of an extraordinary meeting of Executive Committee shall be restricted to those matters specified in the requisition for such meeting.
- 20.5 The provisions of Rule 19, with such changes as may be necessary, shall apply to extraordinary meetings of the Executive Committee.

## **R21 Register of Members' Interests**

- 21.1 A member of Guild Council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by Guild Council, must as soon as possible, disclose the nature of the interest at a meeting of Guild Council. Such disclosures shall be reported in the minutes of the meeting of Guild Council, and the member of Guild Council shall not take part in any decision or deliberation of the Guild Council with respect to the matter.
- 21.2 The Guild Secretary shall cause to be kept and updated from time to time a register of member's interests.
- 21.3 The register shall contain the following information concerning each current member of Guild Council:
  - (a) any interests in real property;
  - (b) sources of income, including those from investments and shares;
  - (c) interests and positions held in business, professional and community organisations;
  - (d) interests and positions held in affiliated bodies of the Guild;
  - (e) interests held in any business or profit making venture; and
  - (f) any other disclosures as the member may wish to declare.
- 21.4 The register shall be open only for inspection to each current member of Guild Council.
- 21.5 Information contained in the register concerning past members of Guild Council shall be kept by the Guild for three years from the date that the member concerned last held office.

21.6 Each member of Guild Council must supply the Guild Secretary with the required information by no later than 21 days into their respective term, and must ensure that information so held is up to date and as accurate as possible.

## **R22 Leave of Absence**

22.1 A member of Guild Council who intends to be absent for any period during which time they shall not perform the duties attached to their respective position must seek a leave of absence from the Executive Committee or Guild Council prior to such leave, or in circumstances of emergency, from the Guild Secretary.

## **R23 Clubs and Societies Committee**

23.1 The Clubs and Societies Committee shall hold a general delegated authority from Guild Council for the affiliation of clubs and societies with the Guild and for deciding funding of affiliated bodies.

23.2 Without limiting general application of Rule 23.1, the Clubs and Societies Committee shall hold delegated authority from Guild Council for the following powers with respect to affiliated bodies:

- (a) affiliation of clubs and societies;
- (b) deciding funding for affiliated bodies, both ordinary and special applications;
- (c) developing and maintaining policy documents regarding affiliation of the bodies;
- (d) hearing and deciding disputes and grievances regarding affiliated bodies;
- (e) disciplinary action of affiliated bodies; and
- (f) disaffiliation of affiliated bodies.

23.3 The Clubs and Societies Committee may exercise any power of Guild Council which is required to exercise a power within its delegated authority.

23.4 The Clubs and Societies Committee must create and maintain policy regarding:

- (a) affiliation of clubs and societies;
- (b) funding for affiliated bodies;
- (c) disputes between and grievances by affiliated bodies;
- (d) disciplinary action against affiliated bodies; and
- (e) disaffiliation of affiliated bodies.

23.5 Policy created and varied by the Clubs and Societies Committee is subject to ratification by the next Guild Council.

23.6 Members of the Clubs and Societies Committee shall be:

- (a) Chair (casting vote);

- (b) Vice-President (Campus Culture) (voting);
  - (c) Vice-President (Sport) (voting);
  - (d) Four students elected by and from the presidents of affiliated bodies (voting);
- 23.7 The Chair shall be appointed by the President, and shall hold a casting vote.
- 23.8 Each voting member shall exercise one full vote subject to C15.5, which shall apply to the Vice-President (Campus Culture) and the Vice-President (Sport).
- 23.9 The Vice-President (Campus Culture) shall have the following responsibilities:
- (a) Liaising between the Clubs and Societies Committee, affiliated bodies and the Executive Committee; and
  - (b) Circulating policy changes to affiliated bodies.
  - (c) Circulating meeting agendas and minutes to affiliated bodies

**R24 Election of Clubs and Societies Committee Members**

- 24.1 The Vice-President (Campus Culture) shall open nominations for the positions in Rule 23.6(d) to be conducted annually.
- 24.2 Notice of nominations shall be given in writing to the presidents of affiliated bodies and nominations shall remain open for 7 days.
- 24.3 Nomination forms shall be submitted in writing to the Vice-President (Campus Culture), who shall provide a receipt.
- 24.4 The Vice-President (Campus Culture) shall be responsible for determining whether a nomination is valid, pursuant to Rule 23.6.
- 24.5 If there are 4 nominations or fewer, the nominees will be declared members to the positions in Rule 23.6(d) and the remaining positions will be Clubs and Societies Committee vacancies. If there are 5 nominations or more, a rotating membership system shall be implemented.
- 24.6 The nominees at the close of nominations shall be listed in random order. From this list, four members shall be selected in order to sit at each Clubs and Societies Committee meeting and membership is rotated through this list.
- .
- 24.7 A person ceases to hold an office described in Rule 23.6(d) or (e) and a Clubs and Societies Committee vacancy arises where:
- (a) they die;
  - (b) they resign by written notice to the Chair;
  - (c) at any time during their term they cease to be eligible to stand as a candidate for that office if an election was held at that time;
  - (d) they contravene Rule 25.10 or 25.11; or



- (e) they are absent from two consecutive Clubs and Societies Committee meetings without leave of absence approved by the Chair.

24.8 If a Clubs and Societies Committee vacancy arises, the Vice-President (Campus Culture) shall notify the president of each affiliated body and seek nominations for the vacant position with the Clubs and Societies Committee. The nomination procedure shall proceed as described in Rule 24.2, Rule 24.3, Rule 24.4, Rule 24.5 and Rule 24.6.

24.9 A person elected to fill a vacancy shall become a member at the close of the Clubs and Societies Committee meeting at which they are elected, and will hold office until nominations under Rule 24.1 are opened again.

## **R25 Meetings of Clubs and Societies Committee**

25.1 The Chair shall cause the meeting to be conducted in such a way that is conducive to resolving issues on the agenda.

25.2 Vice-President (Campus Culture) is responsible for convening and giving notice of meetings.

25.3 The Clubs and Societies Committee will meet as regularly as is required to achieve its functions in Rule 23.1.

25.4 For each meeting of the Clubs and Societies Committee, at least 7 days' notice must be given of the meeting and its agenda to the members of the Committee, provided that the Committee may by resolution accept additional business at any meeting.

25.5 Quorum shall be an absolute majority.

25.6 If quorum is not present within 30 minutes after the appointed time for commencement of the meeting, or for any 30 minute period during the meeting, the meeting shall lapse.

25.7 Until three clear academic days or seven clear days, whichever is the lesser, after the close of a Clubs and Societies Committee meeting:

- (a) any two of the following:

- (i) President;
- (ii) Guild Secretary; or
- (iii) Treasurer; or

- (b) 10 members of Guild Council; or

- (c) 50 students,

may appeal to Guild Council against any decision made by the Clubs and Societies Committee by delivering a signed notice of appeal to the Guild Secretary.

25.8 Guild Council must determine the appeal at its next meeting. The determination is by way of a complete reconsideration of the motion and the form it was considered by the Clubs and Societies Committee.

25.9 Decisions that have been appealed are suspended until the appeal has been determined.

- 25.10 Meetings of the Clubs and Societies Committee are confidential, and no further disclosure than that required to give effect to resolutions of the Committee may be made.
- 25.11 Conflicts of interest arising on an agenda must be disclosed to the Chair as soon as practicable before the commencement of the meeting, or as soon as it becomes apparent after the commencement of the meeting. The Chair shall decide how best to deal with the conflict of interest.
- 25.12 Vice-President (Campus Culture) is responsible for:
- (a) causing full and accurate minutes of all meetings of the Clubs and Societies Committee to be kept; and
  - (b) receiving motions on notice for the Clubs and Societies Committee.

## **R26 Notice**

- 26.1 Serving of notices means:
- (a) delivering it to the student by hand;
  - (b) sending it through the post in a prepaid envelope addressed to the student at their address; or
  - (c) where the student has provided the Guild Secretary with an email address, by sending it to the student at that email address.
- 26.2 A notice sent through the post shall be deemed to have been served at the time when it would have been delivered in the ordinary course of the post.
- 26.3 It is the responsibility of all members of Guild bodies to advise and keep the Guild Secretary updated of their current:
- (a) postal address;
  - (b) email address; and
  - (c) telephone number.
- 26.4 Where a member of a Guild body fails to comply with Rule 26.3, notice sent to the most recent contact details for that member kept on file by the Guild Secretary shall be deemed to be valid.

## **Part 3 – Affiliated Bodies**

### **R27 Interpretation**

27.1 For the purposes of this Part, “body” shall mean a society, club, association or community group with objects that include the provision of educational, cultural, social, political, religious, sporting or recreational related activities.

### **R28 Affiliation by the Guild**

28.1 Subject to Rule 28.2, Guild Council may decide to affiliate the Guild to any body to promote or advance the Guild objects set out in C2.

28.2 The Guild shall not affiliate or subscribe to, or affiliate or subscribe to the platforms of:

- (a) any political party or religious organisation; or
- (b) any person, organisation or body corporate that affiliates with or provides funds to any political party or religious organisation.

### **R29 Affiliated Bodies**

29.1 Bodies that have a membership that is comprised substantially of students may apply for affiliation to the Guild.

29.2 All affiliated bodies shall comply with such rules and policy as the Clubs and Societies Committee and Guild Council may from time to time accept.

29.3 The Guild shall provide a copy of the constitutions of affiliated bodies for perusal by students at the Guild office during ordinary office hours.

29.4 It is a condition of affiliation that all promotional material and publications, including membership cards, of affiliated bodies shall include:

- (a) the logo of the Guild; and
- (b) the name “QUT Guild”.

29.5 The Executive Committee can authorise and/or direct the use of publications and/or promotional material that does not bear the Guild’s logo and/or its name.

29.6 Affiliated bodies will ensure that all promotional material and external publications are provided to the Guild’s Clubs and Sports Administrator.

29.7 Affiliated bodies must have a constitution in the form set out by the Clubs and Societies Committee, unless otherwise permitted by the Clubs and Societies Committee to vary the form.

29.8 The constitution of an affiliated body may only be altered with the approval of the Vice-President (Campus Culture). In the event that an affiliated body amends their constitution without consent, the affiliated body may be disaffiliated or disciplined.

29.9 An affiliated body shall submit their annual report and financial statements to the Vice-President (Campus Culture) following the body's annual general meeting. Copies of all such reports and financial statements shall be retained by the Guild for a period of 6 years.

## **Part 4 – Members of Guild Council**

### **R30 President**

- 30.1 The President shall be the chief executive officer of the Guild and shall be responsible to Guild Council and the Executive Committee for:
- (a) promoting the objects of the Guild;
  - (b) the planning and setting of goals and strategies for the Guild;
  - (c) acting as the spokesperson for the Guild;
  - (d) issuing and authorising press and media releases as required;
  - (e) coordinating cross-campus media and publications and approving and acting as publisher in their publication;
  - (f) representing and promoting the Guild to its members and other parties;
  - (g) promoting and being responsible for the overall coordination of the Guild’s activities, campaigns, and services;
  - (h) ensuring, in conjunction with the Guild Secretary, that the responsibilities of the elected officers are executed;
  - (i) reporting, in conjunction with the Guild Secretary, to Guild Council on the affairs of the Guild;
  - (j) attending and chairing the Executive Committee;
  - (k) being the liaison between the Guild, the University and other bodies, specifically liaising with University administration on matters such as student representation on non-academic University committees and bodies, capital works projects and joint ventures, and any other issues as directed by the Executive Committee;
  - (l) presenting reports and statements, in accordance with the Constitution and Regulations or the Act to QUT Council;
  - (m) acting in accordance with the Constitution and Regulations; and
  - (n) performing such other tasks and duties as from time to time may be prescribed by Guild Council or the Executive Committee.

### **R31 Guild Secretary**

- 31.1 The Guild Secretary shall be the chief operations officer of the Guild and shall:
- (a) be responsible to Guild Council and the Executive Committee for:
    - (i) convening and giving notice of meetings of the Guild Council and the Executive Committee as prescribed in the Constitution and Regulations;

- (ii) preparing agendas for meetings of Guild Council and the Executive Committee and ensuring minutes of meetings are prepared and circulated to members of Guild bodies as prescribed in the Constitution and Regulations;
  - (iii) preparing correspondence as directed by Guild Council or the Executive Committee;
  - (iv) advising Guild Council on current Guild policies and regulations and maintaining a current register of Guild policies and regulations;
  - (v) ensuring the preparation and keeping of such reports as may be required by the Constitution and Regulations;
  - (vi) the implementation of all policies of the Guild;
  - (vii) coordinating the day to day administrative operations of the Guild;
  - (viii) ensuring that all administrative action requested by Guild Council is attended to;
  - (ix) acting in accordance with the Constitution and Regulations; and
  - (x) managing and preparing the business of the Executive Committee and Guild Council.
- (b) be responsible to Guild Council and the Executive Committee, in conjunction with the President, for negotiating all agreements and/or industrial instruments relating to Guild staff.
  - (c) be responsible, in conjunction with the Treasurer, for the commercial operations of the Guild.
  - (d) perform such other tasks and duties as from time to time may be prescribed by Guild Council or the Executive Committee.

### **R32 Treasurer**

32.1 The Treasurer shall be the chief financial officer of the Guild and shall:

- (a) be responsible to Guild Council and the Executive Committee for:
  - (i) preparing for each financial year a budget of projected income and expenditure of the Guild's funds for approval by Guild Council before the commencement of the financial year;
  - (ii) implementing the Budget of the Guild;
  - (iii) causing the preparation and keeping of such accounting and associated reports by staff as may be required by the Executive Committee, Guild Council and QUT Council;
  - (iv) acting in accordance with the Constitution and Regulations; and

- (v) presenting the audited financial records, reports and statements to Guild Council for approval for adoption and subsequent forwarding to QUT Council.
- (b) report to Guild Council and the Executive Committee on the financial affairs of the Guild, including the commercial operations.
- (c) supervise the day to day financial functions of the Guild.
- (d) perform such other tasks and duties as from time to time may be prescribed by Guild Council.

**R33 Vice-President (Student Rights)**

33.1 The Vice-President (Student Rights) shall:

- (a) be responsible to Guild Council and the Executive Committee for:
  - (i) the formulation of all policies relevant to the portfolio;
  - (ii) the planning and setting of goals and strategies for the portfolio;
  - (iii) representing the Guild to the University community on academic and welfare issues;
  - (iv) ensuring the Guild has representatives on all available boards and committees;
  - (v) monitoring of academic and welfare rights and standards and the provision of disability services at the Guild and the University, and to report to the Executive Committee and Guild Council on developments and needs in these areas;
  - (vi) advising the Guild of any academic or welfare policy changes proposed or implemented;
  - (vii) dissemination and maintenance of academic and welfare information across all campuses;
  - (viii) encouraging, promoting and assisting students in accessing Guild support services for academic or welfare issues;
  - (ix) initiating and assisting with education campaigns on issues such as university fees and teaching and learning quality;
  - (x) initiating and overseeing Guild welfare campaigns across all campuses and in particular those campaigns relating to health, student finances, equity issues and transport;
  - (xi) consulting with students on academic and welfare issues and ensuring their concerns are being addressed;
  - (xii) overseeing the development and maintenance of academic and welfare resources and libraries across all campuses;

- (xiii) acting in accordance with the Constitution and the Regulations; and
  - (xiv) reporting on the affairs of the portfolio to Guild Council and the Executive Committee.
- (b) be responsible to Guild Council, in conjunction with the Treasurer, for the formulation and implementation of a budget of projected income and expenditure of the Guild's funds for the portfolio taking into account the requirements of the portfolio.
  - (c) be responsible for the day to day management of staff engaged in support services delivery.
  - (d) carry out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

**R34 Vice-President (Campus Culture)**

34.1 The Vice-President (Campus Culture) shall:

- (a) be responsible to Guild Council and the Executive Committee for:
  - (i) the formulation of all policies relevant to the portfolio;
  - (ii) the planning and setting of goals and strategies for the portfolio;
  - (iii) encouraging the active involvement of students in affiliated bodies;
  - (iv) assisting in and encouraging affiliation of bodies to enable students to access facilities, funding, grants and subsidies etc;
  - (v) promoting affiliated bodies across all campuses of the University;
  - (vi) ensuring affiliated bodies are aware of, and follow, the Constitution, Regulations and the Guild's policies;
  - (vii) developing, compiling and maintaining clubs and societies publications and resources;
  - (viii) creating and advertising cultural events to increase campus life at the University;
  - (ix) acting in accordance with the Constitution and the Regulations; and
  - (x) reporting on the affairs of the portfolio to Guild Council and the Executive Committee.
- (b) be responsible to Guild Council, in conjunction with the Treasurer, for the formulation and implementation of a budget of projected income and expenditure of the Guild's funds for the portfolio taking into account the requirements of the portfolio.
- (c) be responsible for the day to day management of staff engaged in clubs and societies and event management.
- (d) carry out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

### **R35 Vice-President (Sport)**

35.1 The Vice-President (Sport) shall:

- (a) be responsible to Guild Council and the Executive Committee for:
  - (i) the formulation of all policies relevant to the portfolio;
  - (ii) the planning and setting of goals and strategies for the portfolio;
  - (iii) coordinating, encouraging and promoting the operation of Guild sport across all campuses of the University, including social sport, university games and sporting clubs and societies;
  - (iv) dissemination of sport information across all campuses;
  - (v) acting in accordance with the Constitution and the Regulations; and
  - (vi) reporting on the affairs of the portfolio to Guild Council and the Executive Committee.
- (b) be responsible to Guild Council, in conjunction with the Treasurer, for the formulation and implementation of a budget of projected income and expenditure of the Guild's funds for the portfolio taking into account the requirements of the sport portfolio.
- (c) be responsible for the day to day management of the Clubs and Sports Administrator and any other staff engaged in sports delivery.
- (d) carry out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

### **R36 Vice-President (Gender & Sexuality)**

36.1 The Vice-President (Gender & Sexuality Rights) shall:

- (a) be responsible to Guild Council and the Executive Committee for:
  - (i) the formulation of all policies relevant to the portfolio;
  - (ii) the planning and setting of goals and strategies for the portfolio;
  - (iii) encouraging and promoting gender and sexuality services of the Guild across all campuses of the University;
  - (iv) monitoring the provision of gender and sexuality services, by both the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in these areas;
  - (v) initiating and overseeing the conduct of Guild gender and sexuality campaigns across all campuses and to ensure that the planning, coordination and conduct of the campaigns involves consultation with students;
  - (vi) overseeing the development and maintenance of gender and sexuality resources and libraries across all campuses;



- (vii) manage day-to-day operation and administration of the portfolio;
  - (viii) providing advice and assistance to any officer of the Guild providing gender and sexuality related services to students;
  - (ix) providing relevant and accessible information and referral to students questioning their sexuality or sexual identity;
  - (x) responding to incidents of homophobia and discrimination on QUT campuses by liaising with relevant University bodies, community organisations and groups;
  - (xi) acting in accordance with the Constitution and the Regulations; and
  - (xii) reporting on the affairs of the portfolio to Guild Council and the Executive Committee.
- (b) be responsible to Guild Council, in conjunction with the Treasurer, for the formulation and implementation of a budget of projected income and expenditure of the Guild's funds for the portfolio taking into account the requirements of the portfolio.
  - (c) be responsible for the day to day management of any staff engaged in gender and sexuality services delivery.
  - (d) carry out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

### **R37 Guild Newspaper Editor**

37.1 The Guild Newspaper Editor shall be responsible to Guild Council and the Executive Committee for:

- (a) overseeing the production of the Guild Newspaper;
- (b) managing and being responsible for the editing team;
- (c) liaising with relevant members of Executive; and
- (d) acting in accordance with the Constitution and Regulations.

### **R38 Environment Officer**

38.1 The Environment Officer shall, in conjunction with the other elected officers, be responsible to Guild Council and the Executive Committee for:

- (a) coordinating, encouraging and promoting environmental sustainability and conservation across all campuses of the University;
- (b) disseminating information about environmental sustainability and conservation across all campuses;
- (c) initiating and overseeing environmental campaigns;

- (d) monitoring environmental issues both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (e) liaising with relevant members of Executive regarding environmental issues;
- (f) acting in accordance with the Constitution and the Regulations; and
- (g) carrying out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

**R39 Caboolture Campus Officer**

39.1 The Caboolture Campus Officer shall, in conjunction with the other elected officers, be responsible to Guild Council and the Executive Committee for:

- (a) circulating information from the Guild to the students at Caboolture Campus as required;
- (b) representing the views of students enrolled at Caboolture campus to Guild Council;
- (c) liaising with relevant members of the Executive Committee regarding issues relating to Caboolture students;
- (d) promoting the Guild amongst students at Caboolture campus;
- (e) monitoring issues relevant to Caboolture students both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (f) acting in accordance with the Constitution and Regulations; and
- (g) carrying out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

**R40 Indigenous Officer**

40.1 The Indigenous Officer shall, in conjunction with the other elected officers, be responsible to Guild Council and the Executive Committee for:

- (a) circulating information from the Guild to the indigenous students as required;
- (b) representing the views of indigenous students to Guild Council;
- (c) liaising with relevant members of the Executive Committee regarding indigenous issues;
- (d) promoting the Guild amongst indigenous students;
- (e) monitoring indigenous issues both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (f) acting in accordance with the Constitution and Regulations; and

- (g) carrying out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

#### **R41 International Students Officer**

41.1 The International Students Officer shall, in conjunction with the other elected officers, be responsible to Guild Council and the Executive Committee for:

- (a) circulating information from the Guild to the international students as required;
- (b) representing the views of international students to Guild Council;
- (c) liaising with relevant members of the Executive Committee regarding international issues;
- (d) promoting the Guild amongst international students;
- (e) monitoring issues relevant to international students both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (f) maintaining regular contact with international organisations and institutions with similar international background and educational concern;
- (g) acting in accordance with the Constitution and Regulations; and
- (h) carrying out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

#### **R42 Postgraduate Students Officer**

42.1 The Postgraduate Students Officer shall, in conjunction with the other elected officers, be responsible to Guild Council and the Executive Committee for:

- (a) circulating information from the Guild to the postgraduate students as required;
- (b) representing the views of postgraduate students to Guild Council;
- (c) liaising with relevant members of the Executive Committee regarding postgraduate issues;
- (d) promoting the Guild amongst postgraduate students;
- (e) monitoring postgraduate issues both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (f) acting in accordance with the Constitution and Regulations; and
- (g) carrying out such other duties as from time to time may be prescribed by Guild Council or the Executive Committee.

#### **R43 Councillors**

43.1 Councillors shall be responsible to Guild Council for:

- (a) circulating information from the Guild to students enrolled in their faculty as required;
- (b) representing the views of students enrolled in their faculty to Guild Council;
- (c) liaising with relevant members of the Executive Committee regarding issues of students enrolled in their faculty;
- (d) promoting the Guild amongst students enrolled in their faculty;
- (e) monitoring issues of students enrolled in their faculty both within the Guild and the University and advising the Executive Committee and Guild Council on developments and needs in this area;
- (f) acting in accordance with the Constitution and Regulations; and
- (g) carrying out such other duties as from time to time may be prescribed by Guild Council.

43.2 Councillors shall be entitled to the use of such Guild resources that are necessary to enable them to carry out their duties pursuant to the Constitution and Regulations.

#### **R44 Reimbursements and Honorarium**

44.1 Elected officers are entitled to such reimbursements as resolved by Guild Council, including:

- (a) reimbursement for travel expenses incurred in order to conduct official Guild business; and
- (b) reimbursement for out of pocket expenses.

44.2 Guild Council may resolve to award an elected officer a wage in exchange for productive work completed, provided that the wage be set at the appropriate 'national minimum wage' of the day.

#### **R45 Acting Elected Officers**

45.1 If a casual vacancy arises or an elected officer has a leave of absence under Rule 22:

- (a) if the elected officer is the President, the Guild Secretary (or if the Guild Secretary is absent or unable to act, the Treasurer) may exercise the powers and responsibilities in Rule 30;
- (b) if the elected officer is other than the President, the President may exercise the powers and responsibilities of the elected officer.

45.2 Rule 45.1 applies until the next meeting of Guild Council or the Executive Committee, whichever is first in time.

45.3 If the next meeting under Rule 45.2 is Guild Council, Guild Council must:

- (a) in the case of a casual vacancy, hold a casual vacancy election;
- (b) otherwise, appoint a student to exercise the power and responsibilities of the elected officer position until the leave comes to an end.

45.4 If the next meeting under Rule 45.2 is the Executive Committee, the Executive Committee may appoint a student to exercise the powers and responsibilities of the elected officer position until:

- (a) in the case of a casual vacancy, the casual vacancy is filled by Guild Council; or
- (b) otherwise the leave of absence comes to an end.

45.4 The Secretary may temporarily appoint a currently serving member of the executive committee to a temporary casual vacancy when notified of a leave of absence under Rule 22 until the next meeting of the Guild Council, or Executive Committee, pursuant to Rule 45.2 where the temporary arrangement will be noted, and if continuing should be passed at the respective meeting.

## Part 5 – Guild Publications

### R46 Guild Newspaper

- 46.1 The President and/or the Executive Committee may direct the Guild Newspaper Editors to comply with the following requirements:
- (a) Editing at least 4 issues of the Guild Newspaper in the year of the term of office;
  - (b) Ensuring the Guild Newspaper has content relating to the activities of the Guild as submitted by the elected officers and/or the councillors;
  - (c) A complete copy of each edition of the Guild Newspaper must be available for the President to approve at least three days prior to it going to print;
  - (d) Ensuring content of the Guild Newspaper is consistent with the Guild’s resolutions and any policy formulated of which notice has been given to the Guild Newspaper Editors;
  - (e) Ensuring contents of the Guild Newspaper are not discriminatory on the grounds of race, lawful sexual orientation, religion, gender or other attribute prohibited by the Anti-Discrimination Act 1991;
  - (f) Complying with legal requirements to report such items as election and referendum details and other items as specified by the Constitution and Regulations;
  - (g) Ensuring that editions of the Guild Newspaper are timetabled appropriately to report the activities of the Guild;
  - (h) Ensuring the content of the Guild Newspaper is not defamatory, a breach of copyright or otherwise inconsistent with any law;
  - (i) Ensuring the Guild Newspaper must at all times appear to be neutral on matters relating to any election and/or a candidate or electoral group in any election;
  - (j) Ensuring the Guild Newspaper shall not contain any reference to support for or against a candidate or electoral group in any election;
  - (k) Reporting to Guild Council and the Executive Committee on the affairs of the Guild Newspaper;
  - (l) Liaising with external organisations to seek appropriate advertising and to promote the Guild Newspaper;
  - (m) Complying with all lawful requests of the Executive Committee and Guild Council;
  - (n) Carrying out such other duties as from time to time may be prescribed by Guild Council.
- 46.2 Each issue of the Guild Newspaper must be authorised by the President prior to production. The President may not unreasonably withhold authorisation.

## **Part 6 – Policy**

### **R47 Guild Policies**

- 47.1 Guild Council may adopt policy for the Guild, provided that where the Guild has no policy the Executive Committee may adopt policy between meetings of Guild Council but subject always to the ratification of Guild Council.
- 47.2 At least seven days' notice must be given for all motions that adopt, amend or withdraw policy.
- 47.3 All policy made shall be published in a manner as determined by the Guild Secretary, and shall take effect from the day of adoption or, where a date for commencement is specified, from the date specified therein.

### **R48 Staffing Policies**

- 48.1 At the first meeting of Guild Council in any term, Guild Council shall consider all policies applying to the employees of the Guild and shall:
- (a) approve;
  - (b) amend; or
  - (c) withdraw,
- such policies after taking into account the Guild's legal and industrial obligations.
- 48.2 Staffing policies may otherwise be approved, amended or withdrawn in accordance with Rule 47.
- 48.3 No full-time or part-time Guild staff member may canvass support for or against, and/or campaign for or against a candidate in any election under the Constitution or Regulations. Any full-time or part-time Guild staff member found to be in breach of this rule may be terminated on such period of notice as prescribed in the staff member's terms and conditions of employment.
- 48.4 The Guild Secretary will remind all Guild staff members of Rule 48.3 within 1 week after the opening of nominations for the annual elections.

### **R49 Access to Guild Information**

- 49.1 Every student shall have the right to obtain access, in accordance with these Regulations, to any record in the possession of the Guild other than exempt records as specified in Rule 49.7.
- 49.2 A student who wishes to obtain access to a record may make a written request to the Guild Secretary, specifying the record to be accessed.
- 49.3 Within 14 days of receiving a request, the Guild Secretary shall give the applicant a decision on whether it should be granted. The Guild Secretary has the discretion of refusal of access or deferment of access.

- 49.4 Where the Guild Secretary approves a request properly made in accordance with these Regulations, the Guild Secretary will give the access to the record within 14 days of the approval.
- 49.5 Appeals against a decision to refuse or defer access to Guild information may be made to the Executive Committee, in writing, within seven days of the decision being made. The Executive Committee's decision to grant, deny or defer access shall be final.
- 49.6 Access shall mean a reasonable opportunity to inspect the record, or, if the Guild Secretary determines, provision of a copy of the record.
- 49.7 Records exempt from access shall include the following:
- (a) records that are commercially confidential, including contracts with external bodies;
  - (b) records that have not been ratified or confirmed and are required to be ratified or confirmed;
  - (c) legal records, including records that contain legal advice;
  - (d) records relating to personal or staffing matters, including records containing private details of another student, or of a staff member of the Guild;
  - (e) minutes of an “in camera” session of a Guild body;
  - (f) records relating to business affairs, that if disclosed, could be deemed to adversely affect the interests of the Guild;
  - (g) records the disclosure of which would be, in the opinion of the Executive Committee, contrary to the interests of the Guild;
  - (h) records the disclosure of which would prejudice the conduct of an inquiry or investigation;
  - (i) records the disclosure of which may adversely affect the financial position of the Guild;
  - (j) records the disclosure of which would constitute a breach of confidence or would otherwise be unlawful; or
  - (k) documents relating to a matter which deals with a legal proceeding, undertaken by the Guild.
- 49.8 The Guild shall not be liable for expenses of photocopying or electronic transmission of documents.
- 49.9 The Guild Secretary shall cause to be published and/or to be made available for perusal:
- (a) the Constitution and Regulations;
  - (b) the policies of the Guild;
  - (c) the annual reports of the Guild; and



- (d) the minutes and agenda papers of Guild Council meetings, incorporating financial statements and reports.

## **Part 7 – Finance and Legal**

### **R50 Guild Budget**

- 50.1 The Treasurer shall be responsible for preparing the Budget, and for recommending the Budget to Guild Council. The Treasurer will issue explanatory notes when recommending the Budget to Guild Council.
- 50.2 The Treasurer shall be responsible for the form in which the Budget is prepared, and presented to Guild Council, provided that the Budget shall indicate the proposed expenditure by headings specifying departmental allocations, programs and/or policy areas.
- 50.3 The Budget shall contain estimates of expected income and expenditure and will include provision for:
- (a) interest and redemption of any loan liability incurred by the Guild;
  - (b) depreciation of its capital assets;
  - (c) provision for replacement of capital assets; and
  - (d) repairs and maintenance of properties.
- 50.4 All monies shall be expended in accordance with the Budget.
- 50.5 Notwithstanding Rule 50.4, where a determination is made by the Executive Committee that expenditure should be made for which there is no appropriation in the Budget, Guild Council may authorise that such expenditure be made.
- 50.6 Funds appropriated shall only be available for the financial year of approval. At the close of each financial year, all authorisations of expenditure as adopted in the Budget, shall lapse.

### **R51 Income and Expenditure**

- 51.1 The Treasurer shall be responsible for preparing and maintaining a Financial Procedures Manual, which shall specify:
- (a) internal control procedures covering financial delegations;
  - (b) a chart of the accounts of the Guild;
  - (c) procedures for identification and accounting of losses;
  - (d) procedures for petty cash and reimbursement for incidental expenses;
  - (e) information as to the financial administration of the Guild;
  - (f) the financial forms, practices and procedures to be used or followed by the Guild for cash management, asset management (i.e. recording and administration of Guild assets), insurance, banking, financial records, financial information systems, payroll, recording receipts and payments, purchasing, inventories, matters concerning investments, and all other matters deemed relevant;

- (g) a register of accountable documents, authorised employees and elected officers, specifying the limits of authority for each employee and elected officer;
- (h) subject to approval of Guild Council, the Executive Committee may establish additional accounts as required, and may close any fund accounts so established;
- (i) Guild Council may invest monies that are temporarily surplus in any account kept by it, provided that no such investment shall have a term in excess of 6 months, notwithstanding that Guild Council may, from time to time, establish amounts of monies to be invested as Guild Council deems fit;
- (j) no liabilities for expenditure of Guild moneys shall be incurred, unless they are necessary for the attainment of the objects of the Guild, and duly authorised by Guild Council, and such liabilities shall be promptly identified, assessed and recorded; and
- (k) any motion authorising the expenditure of the moneys of the Guild shall state the maximum amount of money the expenditure of which is authorised and shall also state the purpose for which the said money is to be used.

51.2 The Financial Procedures Manual must be consistent with the following principles:

- (a) All documentation supporting authorised payments must be filed in chronological order;
- (b) Authorised employees and elected officers shall be responsible for the correctness, regularity and propriety of expenditures authorised by them, and shall not delegate their authority;
- (c) An authorised employee or elected officer shall not authorise a payment unless after making such checks that are necessary, the authorised employee or elected officer is satisfied that moneys are available for the payment of that amount and the account for payment has been properly raised;
- (d) All expenditure, in any financial year, from Guild accounts shall be charged to the appropriate line item of expenditure, as outlined in the Budget;
- (e) Payments shall be disbursed by cheques drawn on the Guild bank account or by electronic funds transfer, except for amounts not exceeding \$100.00, which may be paid from petty cash;
- (f) For the purposes of making petty cash disbursements, there shall be an imprest account with a maximum of \$1000.00;
- (g) No payment shall be made by the Guild whether for goods, services, a capital or other item, or for any other purpose, in excess of \$15,000.00 without the prior approval of Guild Council or the Executive Committee provided that any such payment made without prior approval may be ratified by the Executive Committee or Guild Council;
- (h) Depreciation shall be charged at a rate considered by the Guild Auditor to be appropriate;
- (i) No portion of the income or property will be distributed, paid or transferred by way of dividend, bonus or otherwise amongst the Guild's members;

- (j) All income shall be duly and promptly receipted and recorded, and deposited in the appropriate authorised Guild accounts; and
  - (k) All expenditure must be withdrawn from Guild accounts, and shall be duly and promptly identified and recorded.
- 51.3 The Financial Procedures Manual must be consistent with the Constitution and Regulations.
- 51.4 The Financial Procedures Manual shall be approved by the Executive Committee.
- 51.5 All elected officers and employees of the Guild shall comply with the Financial Procedures Manual.
- 51.6 An elected officer or employee of the Guild shall not cause or permit any expenditure except by way of, or for the purposes of, a payment that:
- (a) has been properly authorised; and
  - (b) has correct supporting documentation,
- as stipulated by the Financial Procedures Manual.

**R52 Powers and Responsibilities of the Guild Auditor**

- 52.1 The Guild Auditor is to report on and in respect of the annual financial statements as prepared for presentation to the Annual General Meeting, and may report in respect of other statements of account prepared on behalf of the Guild, whether or not:
- (a) they have received all the information and explanation required by them;
  - (b) such statements are in the form required and are in agreement with the accounts; and
  - (c) in the Guild Auditor's opinion:
    - (i) the requirements of the Constitution and Regulations have been complied with in all material respects related to the establishment and keeping of proper accounts; and
    - (ii) the statements have been drawn up so as to present a true and fair view of the transactions of the Guild for the financial year just ended, and of the financial position as at the close of that year.
- 52.2 The Guild Auditor is to transmit the auditor's report on the annual financial statements and other such statements to Guild Council.
- 52.3 The Guild Auditor shall, at all reasonable times, have full and free access to all accounts required to be audited and to all property relating to such accounts.
- 52.4 The Guild Auditor may require any person having responsibility with respect to accounts that are subject to audit, to furnish them such information, advice or explanation as the Guild Auditor thinks necessary, with respect to the audit, and a person so required must furnish the information, advice or explanation required to be furnished.
- 52.5 The Guild Auditor has a general duty to prepare a full and accurate report on any audit performed under the Constitution and Regulations.

**R53 Common Seal**

53.1 The Common Seal shall only be used under the authority of a resolution of Guild Council.

53.2 Each instrument to which the seal is affixed must be signed by any two of:

- (a) President;
- (b) Guild Secretary; or
- (c) Treasurer.

## **Part 8 – Elections**

### **R54 Applicability**

- 54.1 This Part applies to the annual elections for the election period.
- 54.2 References in the Constitution to “Regulations applying to elections” means this Part.

### **R55 Appointment of Returning Officer**

- 55.1 The Returning Officer shall be appointed by Guild Council.
- 55.2 The Returning Officer may not be a person who is or was, or has nominated or seconded, a candidate in the current or previous annual elections.
- 55.3 The Returning Officer may be an individual or organisation appropriately qualified.
- 55.4 The term of appointment for the Returning Officer is twelve months, unless the Returning Officer dies, resigns or their appointment is terminated by Guild Council.
- 55.5 The Returning Officer shall be entitled to:
- (a) such terms and conditions of engagement as resolved by Guild Council at the time of appointment; and
  - (b) the use of such Guild resources that enables the Returning Officer to carry out the Returning Officer’s duties as defined in the Constitution and Regulations.

### **R56 Responsibilities of Returning Officer**

- 56.1 The Returning Officer:
- (a) is responsible for the conduct of the annual elections;
  - (b) must act only in accordance with the Constitution and Regulations; and
  - (c) is subject to direction only by the Electoral Tribunal.
- 56.2 The Returning Officer is not disqualified from voting if eligible to vote in elections.

### **R57 Assistant Returning Officers and Poll Clerks**

- 57.1 The Returning Officer may appoint and remove:
- (a) assistant returning officers; and
  - (b) poll clerks.
- 57.2 Assistant returning officers and poll clerks are subject to the direction of and have the responsibilities determined by the Returning Officer and the Electoral Tribunal. Where directions of the Electoral Tribunal and Returning Officer conflict, the directions of the Electoral Tribunal shall prevail.

- 57.3 Assistant returning officers are delegated such powers of the Returning Officer as determined by the Returning Officer. However, assistant returning officers may only exercise those powers as directed by the Returning Officer.
- 57.4 Any decision made by an assistant returning officer is taken to be a decision of the Returning Officer.
- 57.5 Any assistant returning officer or poll clerk shall be entitled to:
- (a) such terms and conditions of engagement as resolved by Guild Council from time to time; and
  - (b) the use of such Guild resources that enables the assistant returning officer or poll clerk to carry out their duties as defined in the Constitution and Regulations.

## **R58 Opening of Nominations**

- 58.1 For the annual elections, nominations for all elected officer and councillor positions open on the Monday 21 days before polling commences.
- 58.2 After the nominations open, the Guild Secretary will issue the reminder in Rule 48.4.

## **R59 Notice of Election**

- 59.1 The Returning Officer shall open nominations at the time of giving notice of the annual election, which shall be by way of placing a notice on the Guild Noticeboard.
- 59.2 If practical, the Returning Officer must also give notice of the annual election in an edition of the Guild Newspaper published at least five days before the opening of nominations. Failure to comply with this provision does not make the annual election invalid.
- 59.3 The notice of annual election must be in the form of Schedule One.

## **R60 Form of Nomination**

- 60.1 Nominations must be in the form of Schedule Two.
- 60.2 To be accepted by the Returning Officer, a nomination in the form of Schedule Two must be complete in every respect and include:
- (a) the full legal name of the candidate, their nominator and their seconder;
  - (b) the original signature of each of the candidate, their nominator, and their seconder; and
  - (c) a printed copy of the current enrolment advice of the candidate, nominator and seconder, as obtained from QUT Virtual.
- 60.3 A candidate may neither nominate nor second his or her own candidacy.
- 60.4 By signing the nomination, the candidate agrees to comply with the conditions set out in Schedule Two.
- 60.5 From the opening of nominations, the Returning Officer must make nomination forms available:

- (a) from the Guild reception, C Block, QUT Kelvin Grove; and
- (b) by mail or email if requested by a student.

## **R61 Receipt of Nominations**

- 61.1 Nominations must be given or sent to the Returning Officer or left for the Returning Officer in the locked box provided for that purpose at the Guild reception.
- 61.2 Within one academic day after the close of nominations, the Returning Officer must give or send the nominee:
- (a) an acknowledgement in the form of Schedule Three; and
  - (b) a copy of this Part of the Regulations.
- 61.3 Before accepting a nominee's nomination, the Returning Officer must verify that the nominee and the people nominating or seconding the nominee are eligible to stand for the nominated position or to nominate or second a nominee to stand for the nominated position.
- 61.4 The Returning Officer shall, in the Returning Officer's discretion, accept such proof of eligibility to stand under C18.8 and C18.9 as the Returning Officer considers appropriate.
- 61.5 If a nomination does not comply with these Regulations and is rejected, the Returning Officer must notify the person concerned or have sent notification to the person by 9:00am one academic day following receipt of the nomination. The notification must state the reasons for the rejection and include the email address of the Electoral Tribunal Registrar. If a telephone number has been included on the nomination form the Returning Officer must attempt to notify the person by telephone.
- 61.6 No decision of the Returning Officer to reject a nomination may be appealed to the Electoral Tribunal after 5.00pm two academic days after the close of nominations.
- 61.7 The Returning Officer must not, prior to the close of nominations, make available any information about nominations received. This Regulation does not apply to confirmation of the receipt of a nomination or the notification of any rejection of a nomination to the nominee personally.
- 61.8 As soon as possible after the close of nominations, the Returning Officer shall display on the Guild Noticeboard a list of nominations received.

## **R62 Electoral Groups**

- 62.1 Candidates may only form an electoral group for annual elections in accordance with Rule 62.
- 62.2 An electoral group for the annual elections may only be registered by giving or sending a nomination in the form of Schedule Five to the Returning Officer or left for the Returning Officer in the locked box provided for that purpose at the Guild reception before the close of nominations. The nomination must:
- (a) state the name of the electoral group;
  - (b) contain the name, original signatures and student numbers of candidates for at least 24 offices in the annual elections. The 24 candidates must include candidates for the following offices:



- (i) President;
- (ii) Guild Secretary;
- (iii) Treasurer;
- (iv) Caboolture Campus Officer;
- (v) International Students Officer; and
- (vi) Postgraduate Students Officer.

- 62.3 Candidates cannot register the name or the colour of an electoral group already registered at that annual election.
- 62.4 Candidates cannot register the name or the colour of an electoral group that is protected by the lodgement with the Returning Officer of a Schedule Nine form, other than in accordance with the terms and conditions set out in that form. A Schedule Nine form is, once lodged, intended to be a self-governing document regarding the use of that electoral group name and colour and must be read in conjunction with this Regulation.
- 62.5 An electoral group may nominate to protect their electoral group name and colour by submitting the form in Schedule Nine with their electoral group nomination, or at any time up to the opening of nominations at the next election period. The electoral group name and colour must have been accepted at the annual election for the Schedule Nine form to become binding on the name and colour.
- 62.6 Upon the lodgement of a completed Schedule Nine form, the use of the electoral group name and colour will be governed by the conditions set out within that electoral group's completed Schedule Nine form. The conditions in the electoral group's completed Schedule Nine form will be binding upon that name for a period of ten years after the lodgement of the form, unless a longer or shorter period is stated within the completed Schedule Nine form.
- 62.7 In the case where a completed Schedule Nine form is silent on altering the terms governing the use of an electoral group name and colour, the conditions set down in the most recent previous Schedule Nine form, if any, registering the name and colour must be adhered to.
- 62.8 The Electoral Tribunal Registrar will be responsible for the creation and maintenance of a register of electoral group names and the conditions (if any) surrounding their use. This register shall be used by the Returning Officer to ensure compliance with this Regulation.
- 62.9 The name of an electoral group must be no longer than five words, including any acronym.
- 62.10 The name of an electoral group must not include any words that are or are a substantial part of:
- (a) a registered trademark of the University;
  - (b) the names of businesses at the University;
  - (c) the names of the University's faculties or schools; or
  - (d) the name of an affiliated body.
- 62.11 The name of an electoral group must not:

- (a) be one that a reasonable person would think suggests that the electoral group can or cannot provide a good or service, or a thing by which a person may obtain a good or service, free of charge or at a significant discount;
- (b) be one that a reasonable person would think suggests that the electoral group can or cannot provide a means by which students do not have to pay, or incur a debt with respect to, some or all of the costs of attending the University;
- (c) be one that a reasonable person would think suggests that the electoral group supports or opposes a means by which students do not have to pay, or incur a debt with respect to, some or all of the costs of attending the University;
- (d) include the name, or an abbreviation, variation or derivative of the name, of another electoral group;
- (e) include a word that so nearly resembles the name, or an abbreviation, variation or derivative of the name, of another electoral group, that it may be confused with or mistaken for that name;
- (f) be one that a reasonable person would think suggests that a connection or relationship exists between the electoral group and another electoral group, or between the electoral group and any of the items referred to in Rule 62.10 or Rule 78;
- (g) include the words "independent", "non-aligned" or "voucher", or some abbreviation, variation or derivative thereof;
- (h) be obscene; or
- (i) bring the Guild into disrepute.

62.12 In Rules 62.11(d)-(f), the use of the phrase 'electoral group' includes electoral group names that are protected by the lodgement of a Schedule Nine form.

62.13 An electoral group may only stand for office as many candidates for an office as the total number of positions to be filled.

62.14 A complete list of all candidates who are members of an electoral group and the offices for which they are standing, must be submitted to the Returning Officer by the close of nominations.

62.15 An electoral group may submit before the close of nominations a list of its candidates for councillor who are members of that electoral group and the order in which they are to appear on the Ballot Paper.

62.16 If a nomination for an electoral group does not comply with these Regulations and is rejected, the Returning Officer must notify the campaign manager by telephone, if a telephone number has been included on the nomination form, or, if the campaign manager cannot be contacted by telephone, send notification to the campaign manager by 9:00am one academic day following receipt of the nomination. The notification must state the reasons for the rejection and include the email address of the Electoral Tribunal Registrar.

62.17 No decision of the Returning Officer to reject a nomination for an electoral group may be appealed to the Electoral Tribunal after 5.00pm two academic days after the close of nominations.

- 62.18 The Returning Officer must not, prior to the close of nominations, make available any information about electoral group registrations received for that annual election. This Regulation does not apply to confirmation of receipt of a registration to the campaign manager of the electoral group, or advising a campaign manager in accordance with Rule 62.16.
- 62.19 As soon as possible after the close of nominations, the Returning Officer must display on the Guild Noticeboard a list of electoral group registrations received.

### **R63 Campaign Managers**

- 63.1 Candidates who register an electoral group must nominate the name and all contact details required by Schedule Five of a student to be the campaign manager for the electoral group.
- 63.2 The Returning Officer may contact the campaign manager before contacting other candidates in the electoral group on matters regarding the electoral group.
- 63.3 Nothing in Rule 63 shall abrogate any responsibilities of the Returning Officer to contact candidates directly.

### **R64 Close of Nominations**

- 64.1 Nominations must be received by the Returning Officer by 12:00 noon on the Friday after the opening of nominations.

### **R65 Uncontested Offices**

- 65.1 If the number of eligible candidates for any office does not exceed the number to be elected, the Returning Officer must declare those candidates elected within one day of the close of nominations.

### **R66 Draw for Ballot Papers**

- 66.1 If the number of eligible candidates for any office exceeds the number to be elected, the Returning Officer must determine by lot the order in which those candidates will appear on the Ballot Paper.
- 66.2 The Returning Officer will first draw by lot the names of the electoral groups as they will appear on the Above the Line Ballot.
- 66.3 Where all of the candidates for an office belong to an electoral group, the order of the Below the Line Ballot Paper for that office will not be drawn by lot, but will be the same as the order of the Above the Line Ballot.
- 66.4 For offices other than councillor, if there are candidates for an office that do not belong to an electoral group, the Returning Officer will determine the order in which the candidates will appear on the Below the Line Ballot Paper for the office by drawing by lot:
- (a) for candidates who are a member of an electoral group, the name of the electoral group; and
  - (b) for candidates who are not a member of an electoral group, by the candidates' names.

- 66.5 For the office of councillor, if there are candidates that do not belong to an electoral group, the Returning Officer will determine the order in which the candidates will appear on the Below the Line Ballot Paper by drawing by lot:
- (a) first, the order in which the electoral groups and "Ungrouped-Independent" will appear on the Below the Line Ballot Paper; and
  - (b) second, the order in which candidates who are not members of an electoral group will appear under the "Ungrouped-Independent" grouping.
- 66.6 For the office of councillor, councillors who are members of an electoral group will appear on the Below the Line Ballot Paper under the name of that electoral group in the order submitted under Rule 62.15. If no such order was submitted, the Returning Officer will draw the order by lot.
- 66.7 The draws under this Rule are to be open to any student who wishes to observe them.
- 66.8 The campaign manager for each electoral group and all candidates who do not belong to an electoral group must be given 24 hours' notice of the time of the ballot and its location.

#### **R67 List of Candidates**

- 67.1 The Returning Officer must, by 5:00pm seven days after the day nominations close, place on the Guild Noticeboard a list of candidates in the order they will appear on the Ballot Paper.

#### **R68 Withdrawal of Nomination**

- 68.1 A candidate may only withdraw their nomination before the close of nominations or by a mutual agreement with the Returning Officer after the close of nominations.
- 68.2 Any candidate who nominates for more than one office on Guild Council (including a shared nomination) must withdraw all but one nomination to conform with the provisions of C18.3.
- 68.3 Withdrawals must be:
- (a) in the form of Schedule Four;
  - (b) contain the full name of the candidate as it appears on the candidate's nomination; and
  - (c) contain the original signature of the candidate wishing to withdraw.
- 68.4 The withdrawal takes effect upon its receipt by the Returning Officer or the date the Returning Officer agrees to the withdrawal, whichever is the later.

#### **R69 Publicity**

- 69.1 Rule 69 applies to all publicity intended to or calculated to or likely to affect the result of the annual election.
- 69.2 The following publicity is prohibited:
- (a) leaflets or posters reproduced on gloss or coated paper;
  - (b) the distribution of publicity in libraries and in lecture theatres or tutorial rooms;

- (c) leaflets or posters affixed to any immovable object other than general noticeboards;
- (d) multiple sheets of paper used to form an overall poster;
- (e) chalking;
- (f) stickers, buttons, and skywriting;
- (g) publicity in newspapers, on radio and on television;
- (h) the use of performers who are not students;
- (i) any banner hung in a position not approved by the Returning Officer or any banner larger than 5m x 3m; and
- (j) publicity not approved in writing by the Returning Officer in accordance with Rule 70.

69.3 When any publicity represents or is intended to represent a candidate's name, that candidate's name must appear in full as it will or does on the Ballot Paper. No abbreviation, variation or derivative of a candidate's name, nor a preferred name, nickname or name in common use by the candidate, may be published on any campaign material. A candidate can at their discretion omit their middle name(s) on any campaign material. Where a candidate has adopted an anglicised name, the candidate may elect to use their legal name and/or their anglicised name.

## **R70 Authorisation and Approval of Publicity**

- 70.1 All leaflets, posters, banners and web pages intended to or calculated to or likely to affect the result of an annual election must be authorised by a student.
- 70.2 The student's full legal name must appear legibly in print on the leaflet, poster, banner or webpage prior to approval by the Returning Officer or distribution or display.
- 70.3 A student seeking the Returning Officer's approval of publicity must give the Returning Officer the student's current contact telephone number and email address.
- 70.4 A copy of every leaflet and poster, and a drawing or design of every banner or clothing item and a printout of every webpage must be approved in writing by the Returning Officer before it is distributed or displayed. The Returning Officer must note the time and date of receipt of each leaflet or poster drawing or design.
- 70.5 The Returning Officer must approve publicity in writing unless it is:
- (a) false;
  - (b) defamatory; or
  - (c) would not comply with Rule 69 (aside from Rule 69.2(j)).
- 70.6 Leaflets, posters or banners or clothing items may not be distributed and a webpage not displayed until the Returning Officer has provided written approval.

## **R71 Revoking Approval of Publicity**

- 71.1 The Returning Officer's approval of publicity under Rule 70 may only be revoked in accordance with this Rule 71.

- 71.2 The student seeking the revocation must lodge an appeal against the Returning Officer's decision to grant approval with the Returning Officer. The Returning Officer must note the date and time the appeal was lodged.
- 71.3 The appeal must be in the form of Schedule Six. The appeal form must detail the substance of the appeal.
- 71.4 On receiving the appeal, the Returning Officer must request a meeting between the student making the appeal and either:
- (a) the campaign manager for the electoral group distributing the material or the campaign manager's nominee; or
  - (b) if the material was not distributed by an electoral group, the student who authorised the material.
- 71.5 This meeting must occur as soon as reasonably possible after the receipt of the appeal, but not at any time at which polls are open. The time of meeting must be agreed by all three parties.
- 71.6 Should the student appealing the approval fail to attend the meeting at the agreed time, the appeal will lapse.
- 71.7 Should the student described in Rule 71.4(a) or (b) fail to attend the meeting at the agreed time, the appeal may be dealt with in their absence.
- 71.8 For the sake of clarity, should both parties fail to appear, the appeal will lapse.
- 71.9 The meeting will aim to mediate the dispute.
- 71.10 Where the dispute can be successfully mediated, the following must occur:
- (a) The Returning Officer must note the date and time that agreement was reached;
  - (b) The Returning Officer must write a statement that outlines the agreement. This statement must reduce the agreement to writing;
  - (c) The statement must be signed by all parties in attendance;
  - (d) The Returning Officer must give a copy to the student who made the appeal and the student described in Rule 71.4(a) or (b);
  - (e) Where necessary, any material must be withdrawn from the elections at the end of the day. At the start of the next day, the Returning Officer must ensure that the material was withdrawn.
- 71.11 If mediation fails to resolve the dispute, the Returning Officer must forward the appeal to the Electoral Tribunal Registrar for consideration under Rule 93.

## **R72 Defamatory Conduct**

- 72.1 The Guild does not indemnify any person for defaming another person during an election campaign.

### **R73 Dates of Polling**

- 73.1 Polling for the annual elections must be held in Semester Two. There must be at least five academic days in the week immediately prior to the commencement of polling.
- 73.2 Polling for the annual elections must be held over five consecutive academic days, commencing on a Monday.
- 73.3 The Guild Secretary is responsible for fixing the polling dates in accordance with the Regulations.

### **R74 Polling Places**

- 74.1 For annual elections there must be polling booths open at the following places and times:
- (a) in the Level 4 Atrium, Z Block, QUT Gardens Point, from 9:30am to 4:00pm on the Monday and Wednesday of polling, and from 9:30am to 7:00pm on the Tuesday of polling;
  - (b) in Level 3, C Block, QUT Kelvin Grove, from 9:30am to 7:00pm on the Thursday of polling, and from 9:30am to 4:00pm of the Friday of polling;
  - (c) in Level 1 of B Block, QUT Caboolture, from 10:30am to 2:30pm on the Wednesday of polling; and
  - (d) at other places and times as determined by a simple majority of Guild Council, upon the recommendation of the Returning Officer.

### **R75 Voting**

- 75.1 A student may only vote once in each election. Any additional votes of a student who votes or attempts to vote more than once are invalid and shall not be counted.
- 75.2 The Returning Officer may use any appropriate means to ensure Rule 75.1 is complied with.
- 75.3 A student may only vote for councillors in one faculty they are enrolled in. If a student is enrolled in more than one faculty, that student must elect, at the time of the issuing of ballot papers, the faculty they are enrolled in and want to vote in.
- 75.4 The Returning Officer shall, in the Returning Officer's discretion, accept such proof of eligibility to vote under C18.7, C18.8, C18.9 and C18.10.

### **R76 Form of Ballot Paper**

- 76.1 The Above the Line Ballot Paper must take the form of Schedule Ten and must be printed on paper size A4 (210mm x 297mm) if there are two electoral groups, A3 (297mm x 420mm) if there are three or four electoral groups, or A2 (420mm x 594mm) if there are five or more electoral groups. The Returning Officer shall not alter the text, formatting or any other aspect of the Above the Line Ballot Paper, with the exception of entering the electoral year, the electoral group names and candidate's names where indicated upon the Above the Line Ballot Paper, in the order determined in accordance with Rule 66.
- 76.2 Notwithstanding Rule 76.1, the Returning Officer shall place all electoral groups on the Above the Line Ballot Paper and depending on the number of electoral groups at that election, must

ensure that all columns containing the names and offices of an electoral group's candidates are of equidistant width, height and spacing. The text within the columns must be of consistent size, font and spacing.

76.3 The Below the Line Ballot Paper must:

- (a) for each office, list the names of all candidates for that office, in the order determined in accordance with Rule 66;
- (b) use the candidate's full legal name as verified by their enrolment advice lodged with their nomination. No variation or abbreviation of a candidate's name shall be permitted except where the candidate has adopted an anglicised name in which case they may elect to have their legal name and/or the anglicised name;
- (c) on ballots for offices other than councillor, next to the name of the candidate list the name of the electoral group of which the candidate is a member or if the candidate is not a member of an electoral group the word "independent";
- (d) on ballots for councillors, list the name of the electoral group above the name or names of candidates representing the same electoral group or the words "Ungrouped-Independent" above the name or names of candidates who are not a member of an electoral group;
- (e) be in a form enabling:
  - (i) the inclusion of instructions on how to formally complete the ballot paper;
  - (ii) the voter to indicate the voter's preference for the candidates; and
  - (iii) the votes to be counted under the relevant sections in this Regulation; and
- (f) be consecutively numbered; and
- (g) be fastened into booklets.

76.4 The Below the Line Ballot Paper may contain on any one page the ballot paper for more than one office, so long as it clearly distinguishes between the different offices.

76.5 All Ballot Papers must be in a form and may be accompanied by documents the Returning Officer decides are necessary to ensure that votes are cast by only those entitled to vote and that the ballot remains secret.

## **R77 Attendance**

77.1 Each voter must produce their student card.

77.2 The poll clerk must:

- (a) verify that the voter is the student whose card it is by checking the signature and the photograph;
- (b) initial or stamp with an authorised Returning Officer stamp each Ballot Paper for the offices the student is entitled to vote for in accordance with C18; then



- (c) issue an Above the Line Ballot Paper, unless the voter requests a Below the Line Ballot Paper.

77.3 When the pole clerk issues an Above the Line Ballot Paper, the pole clerk will mark upon the voting entitlement grid, either by initial or with an authorised Returning Officer stamp, the voter's applicable faculty (for the election of councillors) and any additional officers (listed in C18.7 – C18.10 inclusive) that the voter is eligible to vote for.

### **R78 Voter Participation in Annual Elections**

78.1 All students who are issued a Ballot Paper in the annual elections will receive a voucher redeemable at any Guild operated outlet.

78.2 The value of the voucher will be set at least \$5.00 and indexed in line with CPI and rounded to the nearest whole dollar.

78.3 The voucher may be used to purchase any item for sale at a Guild operated outlet up to the value determined in Rule 78.2 excluding alcohol and tobacco products. If the total value of the items is less than the value of the voucher, the student is not entitled to receive change in the form of cash.

78.4 The voucher is not redeemable for cash.

### **R79 Spoilt Ballot Papers**

79.1 A voter who spoils a Ballot Paper may request a fresh Ballot Paper from the poll clerk.

79.2 The voter must return the spoilt Ballot Paper to the poll clerk.

79.3 The poll clerk must:

- (a) seal the spoilt ballot paper in an envelope marked "Spoilt Ballot Paper" and place it in the ballot box; then
- (b) issue the voter with a fresh ballot paper in accordance with Rule 77.2.

79.4 If a voter requests a Below the Line Ballot Paper, after having already been issued with an Above the Line Ballot Paper, the Above the Line Ballot Paper that was issued to them is deemed to be spoilt and must be returned to the poll clerk and dealt with in accordance with Rule 79.3.

79.5 If a voter requests an Above the Line Ballot Paper, after having already been issued with a Below the Line Ballot Paper, the Below the Line Ballot Paper that was issued to them is deemed to be spoilt and must be returned to the poll clerk and dealt with in accordance with Rule 79.3.

### **R80 Above the Line Voting**

80.1 Rule 80 shall apply only to votes cast using an Above the Line Ballot Paper and not to votes cast using a Below the Line Ballot Paper.

80.2 Voters who vote using an Above the Line Ballot Paper, shall vote in accordance with the instructions prescribed on the Ballot Paper.

80.3 For the purposes of Rule 80:

- (a) The placement of a number [1] below an electoral group's name shall be considered a formal vote.
- (b) Where the voter has placed a number [1] below an electoral group's name and has then indicated subsequent preferences for other electoral groups, those subsequent preferences shall be disregarded and the number [1] vote shall be regarded as a formal vote.
- (c) Where the voter has placed a [X] or a tick below an electoral group's name and has then allocated subsequent numerical preferences to other electoral groups, the subsequent preferences shall be disregarded and the [X] or the tick shall be regarded as the formal vote.
- (d) A vote is formal even if:
  - (i) the voter places a [1], rather than an [X], below the electoral group's name;
  - (ii) the voter ticks a box, rather than places an [X], below the electoral group's name;
  - (iii) the voter places some other marking within the box, rather than an [X], where the voter's intention is otherwise clear; or
  - (iv) the voter makes other markings, or indicates additional preferences upon the candidate lists, upon the voting entitlement grid, or upon any other space within the ballot paper.

80.4 In the event that a student gives their first preference to an electoral group on an Above the Line Ballot Paper and subsequently marks an indication of numerical preference for another electoral group or candidate, only the votes for the electoral group for which the first preference is clearly indicated shall be considered formal.

80.5 For the sake of clarity, an electoral group does not have the ability to direct preferences for votes that have been cast by students on an Above the Line Ballot Paper.

80.6 Where a vote using an Above the Line Ballot Paper is formal it is deemed to be:

- (a) for offices other than councillor, a formal vote for that electoral group's candidate for each office, with no further preference exercised;
- (b) for councillor, a formal vote for each of the electoral group's candidates for councillor, with the voter's order of preference being the same as that submitted by the electoral group under Rule 62.15, with no preferences exercised for candidates who are not members of the electoral group.

## **R81 Below the Line Voting**

81.1 Rule 81 shall apply only to votes cast using Below the Line Ballot Papers and not to votes cast using Above the Line Ballot Paper.

81.2 Voters must indicate their order of preference for candidates by placing the number 1 against the name of the candidate of their first preference and consecutive higher numbers against the names of as many other candidates of lower preference in order as they wish.

81.3 For the purposes of Rule 81.2:

- (a) a number against the name of a candidate indicates a preference for that candidate ahead of all candidates with higher numbers or no number against their name;
- (b) a vote is formal even if:
  - (i) the lowest number is not 1;
  - (ii) the numbers are not consecutive;
  - (iii) numbers are repeated;
- (c) a tick against the name of a candidate where there is no number 1 or cross against the name of another candidate is deemed to be the number 1; and
- (d) a cross against the name of a candidate where there is no number 1 or tick against the name of another candidate is deemed to be the number 1.

## **R82 Casting of Votes**

82.1 Votes must be cast by placing the Ballot Papers in a sealed ballot box provided for that purpose at each polling place.

## **R83 Security of Ballot Papers**

83.1 Ballot boxes may only be unsealed by the Returning Officer.

83.2 Whenever a sealed ballot box becomes full the Returning Officer must lock it in a secure place.

83.3 At the close of polling each day, the Returning Officer must lock all ballot boxes and unissued Ballot Papers in a secure place.

83.4 Immediately after the end of all polling for an annual election, the Returning Officer shall lock and seal all unissued Ballot Papers in a secure place other than the designated scrutiny room.

83.5 Before commencement of the scrutiny, the Returning Officer must nominate a secure place which shall be used as the designated room for the duration of the scrutiny. This room is to be kept secure when counting is not taking place. The Returning Officer shall not allow Ballot Papers to be removed from the designated scrutiny room.

83.6 Upon the conclusion of the scrutiny the Returning Officer must lock all issued and unissued Ballot Papers in a secure place to be stored as such under the direction of the Electoral Tribunal.

83.7 Issued Ballot Papers must be kept for twelve months after the declaration of the election.

83.8 In Rule 83 “secure place” means a place or places determined by the Returning Officer.

## **R84 Counting of Votes and Scrutiny**

84.1 The only persons who may be present during the scrutiny are:

- (a) the Returning Officer, any assistant returning officers and poll clerks, and members of the Electoral Tribunal;
  - (b) scrutineers for the office being counted; and
  - (c) others specially authorised by and under the supervision of the Returning Officer.
- 84.2 The Returning Officer may exclude from the place of the scrutiny any person disrupting the scrutiny.
- 84.3 If the scrutiny of any office is adjourned, the Returning Officer must place a notice on the Guild Noticeboard stating when and where the scrutiny of that office will resume.
- 84.4 Upon lodging a nomination, or at any time thereafter up to the declaration of the result of an election, each candidate and each campaign manager may appoint students to be scrutineers by providing a notice to the Returning Officer in the form of Schedule Seven. Scrutineers so appointed may observe and scrutinize any part of the election process, provided that at no time shall the number of scrutineers appointed by any candidate or campaign manager exceed the number of staff engaged in any election process.
- 84.5 Candidates are not eligible to be scrutineers at any scrutiny for an office in which they are a candidate.
- 84.6 Scrutineers must not take part in a scrutiny except as observers.
- 84.7 The Returning Officer shall exclude from any polling place, place of scrutiny or election process any scrutineer who handles any Ballot Paper or ballot box.
- 84.8 Scrutineers are subject to the direction of the Returning Officer and any assistant returning officer.

**R85 Informal Votes**

- 85.1 Only the Returning Officer may rule a vote to be informal.
- 85.2 The Returning Officer shall not rule a vote informal if it does not comply with Rule 80 for Above the Line Ballot Papers or Rule 81 for Below the Line Ballot Papers if the voter's intention is otherwise clear.
- 85.3 A Ballot Paper will be informal if it discloses the identity of the voter.

**R86 Method of Counting – Offices other than Councillor**

- 86.1 Rule 86 shall apply to the counting of Ballot Papers for offices other than councillor.
- 86.2 Votes shall be counted as follows:
- (a) The Ballot Papers will be sorted by first preference votes given for each candidate. If, after ascertaining the first preference votes given for each candidate:
    - (i) no candidate has an absolute majority of votes, the Returning Officer will take the steps in Rule 86.2(b) below; or
    - (ii) if a candidate has an absolute majority of votes, that candidate is elected.

- (b) If Rule 86.2(a)(i) applies, the candidate who has received the fewest first preference votes shall be excluded, and each Ballot Paper counted to that candidate shall be counted to the candidate next in the order of the voters' preference. If a voter did not express a further preference, the Ballot Paper exhausts, and the number of votes required for an absolute majority is adjusted accordingly.
- (c) The process of excluding the candidate who has the fewest votes, and counting each of his or her Ballot Papers to the unexcluded candidate next in the order of the voters' preference, shall be repeated until:
  - (i) only two candidates remain in the count, in which case the candidate with the most votes shall be elected; or
  - (ii) if, following the exclusion of a candidate and the distribution of preferences described in Rule 86.2(b), a candidate has an absolute majority of votes, that candidate shall be elected.

## **R87 Method of Counting – Councillor**

87.1 For the purpose of Rule 87 the following words will have the meaning ascribed:

- (a) "ballots" mean formal Ballot Papers cast for the office of councillor;
- (b) "useable ballots" shall mean those ballots still disclosing a preference capable of being distributed;
- (c) "formal ballots" shall mean those ballots which are formal pursuant to Rule 80 for above the line ballots or Rule 81 for below the line ballots;
- (d) "progress total" shall mean the total number of points of a candidate at a given time during the counting of the ballot;
- (e) "quota" shall mean the number of formal ballots multiplied by 1000 and divided by the number of vacancies to be filled plus one and taking this result to the next whole number;
- (f) "surplus", in relation to a particular candidate, shall mean the number of points in excess of quota received by the particular candidate, and shall be calculated by subtracting the quota from the number of points received by that particular candidate;
- (g) "transfer value" shall mean the value attributable to useable ballots in distributing them according to expressed preferences, and shall be calculated by dividing the surplus of the candidate whose ballots are being distributed by the number of that candidate's useable ballots and taking this result; and
- (h) "exhausted ballot", in relation to a particular distribution of ballots according to expressed preferences, shall mean a ballot on which no further consecutive or sequential preference is expressed.

87.2 Rule 87 shall apply to the counting of ballots for councillors for each faculty, and for any other office established and so proscribed by the Regulations.

87.3 The ballots shall be sorted and recorded on a tally sheet according to the first preference shown for each candidate and each ballot shall be given a value of 1000 points.

- 87.4 Quota shall be calculated once the ballots have been distributed according to their first expressed preference and before any ballots are distributed according to their second expressed preference.
- 87.5 Quota shall not be recalculated during the counting of the ballot.
- 87.6 All candidates whose value of first preference votes equals or exceeds quota shall be declared elected in order of the number of points obtained commencing with the highest.
- 87.7 If, after a distribution of ballots according to preferences expressed, vacancies remain to be filled, and one or more of the candidates elected has a surplus, the surplus of each candidate shall be distributed in accordance with this Rule:
- (a) The useable ballots of the first elected candidate who received a surplus shall be distributed among the candidates who are not yet elected, according to the preferences expressed on that candidate's ballots, at a transfer value calculated in accordance with this Rule;
  - (b) For the purposes of clause (a) of this Rule, any exhausted ballots and any remainder from the calculation of the transfer value shall be recorded;
  - (c) For the purposes of clause (a) of this Rule if the transfer value is more than 1000, then, notwithstanding anything in this Regulation, the transfer value for each of the useable ballots shall be 1000 points and the remaining unused total shall be recorded on the count sheet as exhausted ballots.
- 87.8 Rule 87.7 shall be applied to each elected candidate successively in order of election until all surpluses have been distributed.
- 87.9 When a candidate receives a surplus as a result of a preference distribution, then only the bundle of ballots received in a distribution and which advance the candidate above quota is to be used in calculating the transfer value of the useable ballots to be distributed among the continuing candidates as provided for in Rule 87.7 and the remainder of the ballots shall no longer be used in the election.
- 87.10 The Returning Officer may delay, at the Returning Officer's discretion, the transfer of a surplus in circumstances where the value of that surplus together with the value of the surplus of elected candidates not yet transferred:
- (a) is less than the difference between the quota and the highest progress total of a continuing candidate; and
  - (b) is less than the difference between the progress totals of the two lowest continuing candidates, provided that the transfer of surplus that was delayed must be transferred prior to any subsequent distribution of surplus being made.
- 87.11 If all surplus points have been distributed, remaining vacancies shall be filled as follows:
- (a) All candidates with no points shall be recorded as eliminated from the count;
  - (b) The candidate with the lowest total of points shall be declared eliminated and that candidate's papers shall be distributed according to the preferences expressed, bundle by bundle, in the order in which they were received, and allotted to continuing candidates at the same values at which the papers were received;

- (c) When a candidate receives a quota by this method, no further papers shall be allotted to that candidate beyond the bundle which gave that candidate a surplus and the distribution of the eliminated candidate shall be completed before the new surplus is transferred.

87.12

- (a) In determining the order of elimination of candidates with equal points the candidate whose progress total was lower when they last had unequal totals shall be eliminated first;
- (b) In determining the order of distribution of candidates with equal points, the candidate whose progress total was higher when they were last unequal shall be distributed first;
- (c) If in either case the candidates were equal at every progress total, the Returning Officer shall decide by lot which candidate is to be eliminated or distributed first.

87.13

The procedure of transferring the surplus of successful candidates and of eliminating candidates shall continue until the election is finished. The election is finished when:

- (a) The number of candidates required are elected;
- (b) Only one vacancy remains and two continuing candidates remain, in which case the candidate with the highest progress total shall be recorded as elected; or
- (c) Where the number of continuing candidates is equal to the number of vacancies not yet filled, in which case all such candidates shall be recorded as elected.

## **R88 Declaration of Election**

88.1

The Returning Officer must declare the results of an annual election as soon as practicable after completing the scrutiny.

88.2

The Returning Officer must place a notice of the declaration of the annual election in the form of Schedule Eight on the Guild Noticeboard immediately after declaring the election. The declaration must list the elected candidates and include information regarding the process for students who may wish to appeal the results.

## **R89 Returning Officer's Report**

89.1

The Returning Officer must as soon as practicable after the election submit a report to the Guild Secretary for formal noting by Guild Council which includes:

- (a) the results of the elections;
- (b) the number of Ballot Papers issued and returned;
- (c) a complete breakdown of voting statistics at the various polling locations;
- (d) the number of complaints (if any) made to the Returning Officer during the election;
- (e) action taken by the Returning Officer in respect of those complaints;
- (f) any rules governing the annual election, which, because of ambiguity or other reason, were difficult to interpret or apply; and

- (g) any other information the Returning Officer thinks fit.

## **R90 Prohibited Conduct**

90.1 Any dishonest conduct in an annual election is prohibited.

90.2 Without limiting the generality of Rule 90.1, the following are specifically prohibited:

- (a) providing false information in or interfering with any form lodged with the Returning Officer;
- (b) interfering with the Returning Officer in the performance of their duties;
- (c) voting or attempting to vote except in accordance with the Constitution and Regulations;
- (d) interfering with Ballot Papers or ballot boxes;
- (e) violating the secrecy of the ballot at the ballot booths;
- (f) campaigning or attempting to influence a voter within the defined area of a polling place;
- (g) campaigning unless a student;
- (h) paying a person to campaign;
- (i) offering free gifts and services, or items and services at less than cost price which, in the opinion of the Returning Officer, can be related in any way to campaigning or an inducement to vote for a particular candidate or electoral group;
- (j) using for campaign purposes Guild or University facilities not generally available to all students;
- (k) damaging Guild or University property;
- (l) campaigning in libraries or in lecture theatres or tutorial rooms;
- (m) distributing or displaying publicity prohibited by Rule 69, including publicity that is not authorised in accordance with Rule 70; and
- (n) failing to comply with a direction of the Returning Officer or a ruling of the Electoral Tribunal.

90.3 For the purposes of Rule 90.2(f) the Returning Officer must wherever practicable mark a line defining the polling place.

90.4 The Returning Officer may direct a person breaching Rule 90.1 or Rule 90.2 to cease doing so.

## **R91 Appointment of Electoral Tribunal and Electoral Tribunal Registrar**

91.1 The members of the Electoral Tribunal must be appointed by the close of nominations for the annual election.



- 91.2 Each member of the Electoral Tribunal remains a member unless they:
- (a) resign;
  - (b) their appointment is withdrawn by their appointer who so appointed them under C17.1; or
  - (c) their appointer appoints another person in accordance C17.1.

- 91.3 Members of the Electoral Tribunal shall be entitled to:
- (a) such honorarium as may be agreed, from time to time, between the members of the Electoral Tribunal and the Executive Committee; and
  - (b) the use of such Guild resources that enables the members of the Electoral Tribunal to carry out their duties as defined in the Constitution and Regulations.

91.4 The Electoral Tribunal Registrar shall be a Guild employee as appointed by the Guild Secretary.

## **R92 Procedure of Electoral Tribunal**

- 92.1 The Electoral Tribunal may meet by conference telephone or communicate by any other electronic means and, subject to these Regulations, regulate its own proceedings.
- 92.2 Decisions of the Electoral Tribunal may only be made by agreement of at least two members of the Electoral Tribunal.
- 92.3 The Electoral Tribunal must meet in camera.
- 92.4 Parties are entitled to be assisted by one student in a hearing before the Electoral Tribunal. No further representation or assistance shall be allowed unless the Electoral Tribunal decides that without representation a party will be unable to fairly put its case.
- 92.5 The Electoral Tribunal must decide questions of fact on the balance of probabilities, except where a student is accused of engaging in prohibited conduct, in which case the complainant bears the onus of proving beyond reasonable doubt that the accused student engaged in the prohibited conduct.
- 92.6 The Electoral Tribunal is responsible for interpreting these Regulations.
- 92.7 Proceedings of and documents associated with the Electoral Tribunal, other than its formal decisions, are confidential and may not be reported. Findings of the Electoral Tribunal must be in writing. Such findings must set out the facts and be available for inspection by any student from the Electoral Tribunal Registrar and the Returning Officer.
- 92.8 Where in the view of the Electoral Tribunal it is unnecessary that a hearing be held, the Electoral Tribunal may without meeting give a direction or ruling by unanimous resolution in writing.
- 92.9 Decisions of the Electoral Tribunal are final and shall not be appealed against or reviewed in any court or tribunal.
- 92.10 The email address for the Electoral Tribunal Registrar must be freely available from Guild reception.

- 92.11 The Guild Secretary shall be invited to make submissions to the Electoral Tribunal with respect to any appeal or proceeding, except in the case of hearings relating to prohibited conduct.
- 92.12 The Electoral Tribunal shall conduct itself in accordance with the Constitution and Regulations.

**R93 Appeals Against Decisions of the Returning Officer**

- 93.1 A student may appeal against a decision of the Returning Officer by contacting the Electoral Tribunal Registrar.
- 93.2 The Electoral Tribunal Registrar must send the appeal to the Electoral Tribunal members and convene a meeting of the Electoral Tribunal upon the lodging of the appeal.
- 93.3 Where a meeting of the Electoral Tribunal is convened, it must be held as soon as practicable and necessary given the urgency of the matter.
- 93.4 Upon a meeting time being set, the Electoral Tribunal Register must send all appeal documentation to the respondent.
- 93.5 The respondent must be given the opportunity to respond in writing to the Electoral Tribunal Registrar, not later than two days after the respondent receives the complaint. The Electoral Tribunal Register must send the response to the Electoral Tribunal members and the appellant.
- 93.6 Where an appeal relates to the eligibility of a candidate, or an electoral group, the Electoral Tribunal must make a determination by no later than three academic days before the commencement of polling.
- 93.7 An appeal under this Regulation is by way of a reconsideration of the matters subject to the appeal.
- 93.8 At the meeting the student appealing must be given an opportunity to present their case.
- 93.9 The Returning Officer must be given an opportunity to respond.
- 93.10 The Electoral Tribunal may hear submissions from any other interested person.
- 93.11 The Electoral Tribunal must then rule on the matter.
- 93.12 The Electoral Tribunal may make declaratory rulings.
- 93.13 The Electoral Tribunal may not make any ruling which alters the result of any Election which has been declared if the appeal has been brought after the time set in Rule 95.1.
- 93.14 The Returning Officer may appeal against his or her own decision if subsequently satisfied it was wrong and if the decision is not otherwise able to be reversed.
- 93.15 Rule 93 will also apply where Rule 71.11 applies.
- 93.16 In Rule 93, “decision” includes omission and failure to act.

93.17 Where the Electoral Tribunal fails to comply with Rule 93, the Returning Officer's determination shall stand and may not be subsequently appealed to the Electoral Tribunal nor be raised at or taken into account in any subsequent appeal to the Electoral Tribunal.

#### **R94 Complaints of Prohibited Conduct**

94.1 The Returning Officer or any student may report a breach of Rule 90 to the Electoral Tribunal Registrar.

94.2 The Electoral Tribunal Registrar must send the complaint to the Electoral Tribunal members and convene a meeting of the Electoral Tribunal upon the lodging of the complaint.

94.3 Where a meeting of the Electoral Tribunal is convened, it must be held as soon as practicable and necessary given the urgency of the matter.

94.4 Upon a meeting time being set, the Electoral Tribunal Registrar must send all complaint documentation to the respondent.

94.5 The respondent must be given the opportunity to respond in writing to the Electoral Tribunal Registrar, not later than seven days after the respondent receives the complaint. The Electoral Tribunal Registrar must send the response to the Electoral Tribunal members and the complainant.

94.6 At the meeting the person who has reported the breach must be given an opportunity to present their case.

94.7 The respondent must be given an opportunity to respond.

94.8 The Electoral Tribunal may hear submissions from any other interested person.

94.9 The Electoral Tribunal may, whether it finds there has been a breach or not, give such directions as it sees fit.

94.10 If the Electoral Tribunal finds that there has been a breach it may formally reprimand the person reported.

94.11 If the Electoral Tribunal finds that there has been a serious breach it may disqualify the person reported from:

(a) standing;

(b) voting; or

(c) both standing or voting, in:

(i) that election;

(ii) that election and a specific number of future elections; or

(iii) all elections.

94.12 For the purposes of Rule 94.11 and without limiting the generality of the words "serious breach", a breach of Rule 90.2(a) to (d) or a failure to comply with a direction or ruling of the Electoral Tribunal is automatically a serious breach.

- 94.13 If a candidate is disqualified, the Returning Officer must proceed as if that person had never nominated in the current election.
- 94.14 The Electoral Tribunal may not disqualify a person from standing in an election which has been declared if the report has been made after the time set in Rule 95.1.

## **R95 Appeals Against Results of Elections**

- 95.1 A student may appeal against the result of an election in writing to the Electoral Tribunal Registrar by 5.00pm three academic days or five days, whichever is the lesser, of the declaration of the election.
- 95.2 The respondent must be given the opportunity to respond in writing, not later than seven days after the respondent receives the complaint.
- 95.3 A student may only appeal against the result of an election on the ground that there has been a defect in the conduct of the election which has materially affected the result.
- 95.4 The student appealing must notify the Returning Officer in writing of the appeal immediately after they contact the Electoral Tribunal Registrar.
- 95.5 The Electoral Tribunal Registrar must send the appeal to the Electoral Tribunal members and convene a meeting of the Electoral Tribunal within one week of the lodging of the appeal.
- 95.6 Upon a meeting time being set, the Electoral Tribunal Registrar must send all appeal documentation to the respondent.
- 95.7 The respondent must be given the opportunity to respond in writing to the Electoral Tribunal Registrar, not later than four days after the respondent receives the complaint. The Electoral Tribunal Register must send the response to the Electoral Tribunal members and the appellant.
- 95.8 At the meeting the student appealing must be given an opportunity to present their case.
- 95.9 The Electoral Tribunal may hear submissions from any interested person.
- 95.10 If the Electoral Tribunal is satisfied that there has been a defect in the conduct of the election which has materially affected the result it may order a new election or elections.
- 95.11 The Electoral Tribunal may determine the timetable for any election ordered under Rule 95.10.
- 95.12 In all proceedings of the Electoral Tribunal regarding an appeal against the result of the election, the Electoral Tribunal shall accord natural justice to all students who were candidates in the election affected by the appeal.
- 95.13 The Electoral Tribunal shall afford due consideration to the financial impact that any decision or ruling it makes, or contemplates to make, may have upon the Guild.

## **R96 Election not Invalid**

- 96.1 An Election is not invalid because of:
- (a) a defect of a merely formal nature; or
  - (b) inadvertent failure to deliver or send election documents to a person.

**R97 Application of Amendments**

97.1 No amendment to this Regulation, including to this clause, made during the election period shall have effect until the conclusion of the election period unless approved by the Electoral Tribunal.

## Part 9 – Dictionary

### R98 Definitions and Interpretation

98.1 Definitions in the Constitution apply to these Regulations, unless the contrary intention appears.

98.2 A reference to a time means the time according to the Telstra dial-it time service (or successor service) and not a second later.

98.3 For the purpose of these Regulations, the following definitions shall apply:

*Above the Line Ballot Paper* means the ballot paper described in Rule 76.1.

*Academic days* means a day during the first or second semester which is not a Saturday, Sunday or University holiday.

*Ballot Paper* means an Above the Line Ballot Paper or a Below the Line Ballot Paper as the case may be.

*Below the Line Ballot Paper* means the collection of ballot papers described in Rule 76.3.

*Budget* means the annual budget for expenditure of the Guild's funds for a financial year.

*Campus* means a campus of the University.

*Chair* means the person elected or appointed to the chair of the Guild body in accordance with the Constitution or Regulations (i.e. the Chair, in the case of Guild Council, the President, in the case of the Executive Committee and the President's nominee in the case of Clubs and Societies Committee) or, where the context requires, such other student as is elected or appointed from time to time to chair a meeting or part thereof in the absence of the normal chair or where that person declines to chair the meeting.

*Election period* means the period commencing from the time nominations are opened and ending at the time following the final resolution of outstanding appeals or the final date for appealing results of the election, whichever is later.

*Financial Procedures Manual* means the manual described in Rule 51.

*Guild* means Guild Council, the Executive Committee and the Clubs and Societies Committee.

*Guild Noticeboard* means the Guild noticeboard immediately outside the entrance to the Guild offices, Level 2, C Block, QUT Kelvin Grove.

*Rule* means and refers to the rules provided by these Regulations.

*Semester* means that period of time prescribed and published by the University for semesters to begin and end.

*Standing Orders* means the Rules in Part 1 of the Regulations.

# Schedule One

## QUT Student Guild: Notice of Election

Nominations are called for:

*insert positions*

Written nominations which comply with the Guild's Constitution and Regulations, may be made at any time from \_\_\_\_ / \_\_\_\_ / \_\_\_\_ .

Nominations must be received not later than \_\_\_\_ / \_\_\_\_ / \_\_\_\_ , \_\_\_\_ : \_\_\_\_ *am / pm*.

Nomination forms are available from Guild Reception, level 2, C Block, QUT Kelvin Grove, or by telephoning or writing to the Returning Officer of the Guild. The use of these forms is compulsory.

### HOW TO LODGE NOMINATIONS

By Hand: \_\_\_\_\_

Postcode \_\_\_\_\_

By Post: \_\_\_\_\_

Postcode \_\_\_\_\_

By Fax: ( ) \_\_\_\_\_

A ballot, if required, will open on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ and close at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ ,  
\_\_\_\_ : \_\_\_\_ *am/pm*.

\_\_\_\_\_

Returning Officer

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

# Schedule Two

## Form of Nomination

### CANDIDATE

Surname: \_\_\_\_\_ Given names: \_\_\_\_\_

Enrolled program (*ie B.Bus/B.CI*): \_\_\_\_\_

Student number: \_\_\_\_\_ Gender: [ ] Female [ ] Male [ ] Intergendered

Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

### Contact Details:

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

If elected, do you wish your address and phone number to be distributed to other officers? [ ] Yes [ ] No

I consent to be nominated as a candidate for the office of:

\_\_\_\_\_

*(position) (electoral group)*

I declare that I will accept the position if elected. I agree to comply with the Guild's Constitution and Regulations in regard to this election. I understand these include provisions whereby if this form is not correctly filled out (including student numbers etc) my nomination will be rejected.

I authorise the Returning Officer to confiscate any material in contravention of the Constitution or Regulations produced by or for the benefit or myself and my electoral group (if applicable) where such material is in contravention of the Constitution and Regulations, or is defamatory and where such material is published anywhere on the University campus and I acknowledge that any costs incurred by the Returning Officer in so doing may be recovered against me as a civil debt.

If you are sharing this nomination with another candidate or candidates, please list his/her/their name(s) below.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*personal signature of candidate*

### NOMINATOR

\_\_\_\_\_  
*surname given names student number enrolled program*

\_\_\_\_\_  
*personal signature of nominator*

### SECONDER

\_\_\_\_\_  
*surname given names student number enrolled program*

\_\_\_\_\_  
*personal signature of seconder*



**Schedule Three**  
Receipt of Nomination Letter

\_\_\_\_/\_\_\_\_/\_\_\_\_

Dear \_\_\_\_\_

In accordance with the QUT Student Guild Constitution and Regulations, I advise that your nomination for the position of:

\_\_\_\_\_

has been received in this office and provisionally accepted.

Please find attached a copy of the Election Regulations of the QUT Student Guild, which governs the conduct of elections.

Yours Sincerely,

\_\_\_\_\_  
Returning Officer

## Schedule Four

### Withdrawal of Nomination

\_\_\_\_/\_\_\_\_/\_\_\_\_

Dear Returning Officer,

I, \_\_\_\_\_ (*name as it appears on nomination form*), wish to inform you of my desire to withdraw from the position of \_\_\_\_\_ in the upcoming ballot.

Signed,

\_\_\_\_\_  
(*signature of candidate wishing to withdraw*)

Student Number: \_\_\_\_\_

## Schedule Five

### Electoral Group Registration

Proposed Name of Electoral Group (*up to five words*):

\_\_\_\_\_

Proposed Colour of Electoral Group:

\_\_\_\_\_

Please provide name and contact details for a student formally nominated as campaign manager by the candidates of this proposed electoral group (for the purposes of communication between the Returning Officer and the electoral group):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Contact number: ( ) \_\_\_\_\_ Email address \_\_\_\_\_

Student number: \_\_\_\_\_

The registration of an electoral group requires twenty-four candidates, at least three of which must be for the position of President, Guild Secretary and Treasurer and at least three of which must be for the offices of Caboolture Campus Officer, International Students Officer and Postgraduate Students Officer.

*Name    signature                  student number    candidate for*

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_
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35. \_\_\_\_\_
36. \_\_\_\_\_

A complete list of all candidates who are members of this Electoral Group must be submitted to the Returning Officer by the close of nominations, and the order in which they should appear on the ballot, if applicable.



## Schedule Seven

### Scrutineer Application

I, \_\_\_\_\_, being a candidate for \_\_\_\_\_

do hereby appoint the following student as a scrutineer.

Name: \_\_\_\_\_

Student No: \_\_\_\_\_

\_\_\_\_\_  
Signed

## Schedule Eight

### Declaration of Poll

\_\_\_ / \_\_\_ / \_\_\_\_\_

Pursuant to the Constitution and Regulations of the QUT Student Guild, I hereby declare the following election results:

*[insert election results here]*

Students who wish to appeal against any or all of the results declared above, should contact the Electoral Tribunal Registrar within three academic days or five days, whichever is the lesser, of the date listed above on this declaration.

The Electoral Tribunal Registrar is:

*Name of Tribunal Registrar:* \_\_\_\_\_

*Postal address:* \_\_\_\_\_

*Telephone number:* \_\_\_\_\_

\_\_\_\_\_  
*Name of Returning Officer*

## Schedule Nine

### Electoral Group Standard Protection

This form is to be used to alter that standard protection of electoral group names set out in the Election Regulations.

Name of electoral group: \_\_\_\_\_

**Conditions on future use of Electoral Group Name:**

Signed consent of \_\_\_ candidates part of Electoral Group

Signed consent of named person(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other conditions: (please clearly detail below)

\_\_\_\_\_

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\_\_\_\_\_

Signed:

\_\_\_\_\_

Campaign Manager

\_\_\_\_\_

Presidential Candidate



# QUT STUDENT GUILD ANNUAL ELECTION (YEAR) BALLOT PAPER

**The ballot paper must be completed by you, the voter, personally.  
Do not put any mark or writing on the ballot paper by which you can be identified.**

**ABOVE THE LINE VOTING (APPLIES TO THE ATTACHED POSITIONS ONLY)**

Students who wish to vote for a single Electoral Group and who **do not wish** to preference any other candidates, or any other electoral groups, may indicate their preference on this ballot paper. Students who indicate their preference for a particular Electoral Group will have their vote allocated amongst candidates in the order of candidates specified by that Electoral Group.

The order of candidates specified by an Electoral Group is as printed on this ballot paper. Students who wish to preference other Electoral Groups or individual candidates for various positions, may request a below-the-line ballot paper from the polling clerk. This ballot paper will be disregarded if you request a below-the-line ballot paper. Additional voting entitlements have been marked by the polling clerk at the bottom of this ballot paper. Your above-the-line vote shall carry to all of the positions marked. Do not mark the grid.

**To vote for an Electoral Group, please place [X] in the box under the Electoral Group name.**  
QUT STUDENT GUILD ANNUAL ELECTION (YEAR)  
BALLOT PAPER

**TEAM 1**

**PRESIDENT**  
CANDIDATE  
**GUILD SECRETARY**  
CANDIDATE  
**TREASURER**  
CANDIDATE  
**VICE-PRESIDENT (STUDENT RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (GENDER & SEXUALITY RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (CAMPUS CULTURE)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (SPORT)**  
CANDIDATE, One & CANDIDATE, Two  
**GUILD NEWSPAPER EDITOR**  
CANDIDATE, One & CANDIDATE, Two & CANDIDATE, Three &  
CANDIDATE, Four & CANDIDATE, Five & CANDIDATE, Six &  
CANDIDATE, Seven & CANDIDATE, Eight & CANDIDATE, Nine  
& CANDIDATE, Ten  
**ENVIRONMENT OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**CABOOLTURE CAMPUS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**INDIGENOUS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**INTERNATIONAL STUDENTS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**POSTGRADUATE STUDENTS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**BUSINESS FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**LAW FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**SCIENCE AND ENGINEERING FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**HEALTH FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**CREATIVE INDUSTRIES FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**EDUCATION FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two

**TEAM 2**

**PRESIDENT**  
CANDIDATE  
**GUILD SECRETARY**  
CANDIDATE  
**TREASURER**  
CANDIDATE  
**VICE-PRESIDENT (STUDENT RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (GENDER & SEXUALITY RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (CAMPUS CULTURE)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (SPORT)**  
CANDIDATE, One & CANDIDATE, Two  
**GUILD NEWSPAPER EDITOR**  
CANDIDATE, One & CANDIDATE, Two & CANDIDATE, Three  
& CANDIDATE, Four & CANDIDATE, Five & CANDIDATE, Six  
& CANDIDATE, Seven & CANDIDATE, Eight & CANDIDATE,  
Nine & CANDIDATE, Ten  
**ENVIRONMENT OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**CABOOLTURE CAMPUS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**INDIGENOUS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**INTERNATIONAL STUDENTS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**POST GRADUATE STUDENTS OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
**BUSINESS FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**LAW FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**SCIENCE AND ENGINEERING FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**HEALTH FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**CREATIVE INDUSTRIES FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**EDUCATION FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two

**TEAM 3**

**PRESIDENT**  
CANDIDATE  
**GUILD SECRETARY**  
CANDIDATE  
**TREASURER**  
CANDIDATE  
**VICE-PRESIDENT (STUDENT RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (GENDER & SEXUALITY RIGHTS)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (CAMPUS CULTURE)**  
CANDIDATE, One & CANDIDATE, Two  
**VICE-PRESIDENT (SPORT)**  
CANDIDATE, One & CANDIDATE, Two  
**GUILD NEWSPAPER EDITOR**  
CANDIDATE, One & CANDIDATE, Two & CANDIDATE, Three  
& CANDIDATE, Four & CANDIDATE, Five & CANDIDATE, Six &  
CANDIDATE, Seven & CANDIDATE, Eight & CANDIDATE, Nine  
& CANDIDATE, Ten  
**ENVIRONMENT OFFICER**  
CANDIDATE, One & CANDIDATE, Two  
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**BUSINESS FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**LAW FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**SCIENCE AND ENGINEERING FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**HEALTH FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**CREATIVE INDUSTRIES FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two  
**EDUCATION FACULTY COUNCILLOR**  
CANDIDATE, One & CANDIDATE, Two

**RETURNING OFFICER USE ONLY:**

HEALTH	SCIENCE AND ENGINEERING	BUSINESS
CREATIVE INDUSTRIES	LAW & JUSTICE	EDUCATION