

ELECTION POLICY

Responsible Officer:	TUSA General Manager
Approved By:	Board of Management
Approval Date:	August 2025
Review Date:	August 2026

1 Purpose and Scope

The Tasmanian University Student Association (TUSA) holds annual student representative elections in Semester 2 of each academic year to elect positions on State Council for the next term. Elections and by-elections are conducted through an online ballot system.

This policy applies to:

- TUSA State Council candidates, scrutineers, and campaigners, who must be enrolled UTAS students per section 2.3.1(b);
- Other elections approved by the TUSA Board of Management (BoM)
- All currently enrolled UTAS students; and
- TUSA election officers and TUSA employees managing elections and by-elections.

This policy should be read alongside the TUSA Constitution and TUSA Election Procedure.

2 Key Requirements

2.1 Overview

The objectives of this policy are to:

- Ensure a fair, equitable election for all candidates regardless of affiliation with a ticket or as an independent.
- Clearly communicate election rules and consequences of a breach.

2.2 Election Governance

2.2.1 Annual Elections

An annual election will be called during Semester 2 of the academic year by the Public Officer, for the positions listed below:

- President
 - General Secretary
 - Equity President
 - Education President – Undergraduate
 - Education President – Postgraduate
 - Southern Campus President
 - Northern Campus President
 - Cradle Coast Campus President
 - Rozelle Campus President
- a. Terms of office shall begin on 1 November for a duration of 13 months, allowing a 1-month handover period with the outgoing officeholders.
 - b. A person may not simultaneously hold more than one of the offices listed in 2.2.1 of this Policy, with the exception of the handover period between two roles.

2.2.2 Election of National Union of Students (NUS) Elections

Election of National Union of Students (NUS) delegates shall be conducted in conjunction with the annual TUSA elections and in accordance with provisions of the NUS Constitution and regulations, and *TUSA Election Policy and Procedure*.

2.2.3 Declaration of Results

Following each election, the Returning Officer will certify and publish the results in accordance with the TUSA Election Procedure.

2.2.4 Election Officers

The TUSA Board of Management will appoint the following:

1. Public Officer
 - a. This role is held by the TUSA General Manager and is responsible for calling the election.
 - b. This role is also the Chair of TUSA Election Tribunal.
2. Returning Officer
 - a. The Returning Officer accepts nominations and conducts the ballot in accordance with the TUSA Election Procedure. Their powers and duties are limited by the provisions of Division 3 of the Electoral Act 2004 (Tas).
 - b. This role is also responsible for overseeing the administration of complaints and breaches related to the election and referring matters to the Chair of TUSA Election Tribunal.
3. TUSA Election Tribunal
 - a. The Election Tribunal is responsible for reviewing complaints received, investigating alleged breaches of electoral rules, and determining appropriate disciplinary action.
 - b. Members of the Election Tribunal are appointed by the Public Officer. The Tribunal shall consist of:
 - i. One TUSA staff member,
 - ii. One external member (not affiliated with TUSA), and
 - iii. The Public Officer (or a delegate).
 - c. Members involved in hearing a complaint must declare any conflicts of interest and recuse themselves, if necessary, with an alternate member appointed in their place. If any member selected to hear a specific complaint declares a conflict of interest, an alternate will be appointed by the Public Officer.

2.3 Eligibility Criteria

2.3.1 Candidate Eligibility for Nomination

To be eligible to be a candidate, students must adhere to the following:

- a. Role required eligibility criteria as per the position descriptions for each position.
- b. Valid enrolment under Clause 18.1 of the University of Tasmania Student Participation and Attendance Ordinance.
- c. Students must not be currently personally subject to any proceedings under a University of Tasmania Ordinance for Student Behaviour and Conduct, or where the students' conduct has been determined to be misconduct or serious misconduct in accordance with such an Ordinance on Student Behaviour and Conduct.
- d. Candidates will be assessed during the election nomination period against the University of Tasmania Academic Progress Review classifications. To be eligible for candidacy, candidates must hold an academic status of either:
 - i. Good Standing; or,
 - ii. Supported (Advice) Status
- e. Individuals who hold the following University of Tasmania Academic Progress Review classifications at the time of the TUSA election nomination period are ineligible for Candidacy:
 - i. Conditional (Managed) Status
 - ii. Excluded
- f. Candidates holding an academic status of Supported (Advice) Status as defined by the University of Tasmania Academic Progress Review classifications, if appointed, must consent to the shared development of a support plan between themselves and their direct manager.

A Candidate may request an appeal (refer to section 3.2 Appeal Process) of their eligibility in relation to academic status through the TUSA Election Tribunal.

2.3.2 Candidate Eligibility During Elected Term

- a. Elected Candidates must maintain their enrolment as defined by Clause 18.1 of the University of Tasmania Student Participation and Attendance Ordinance for the duration of their term.
- b. Should a Candidate's enrolment status at the University of Tasmania change during their term, they have an obligation to disclose this to the TUSA Public Officer.
- c. Should an elected Candidate be advised that their Status as classified by the University of Tasmania Academic Progress Review classifications has changed to

Conditional (Managed) Status, a review of eligibility of their role as elected representative will be initiated by the TUSA Public Officer. The elected Candidate will need to follow the advice outlined within their support plan, which may include termination of their role as elected representative.

- d. Should an elected Candidate be advised that their Status as classified by the University of Tasmania Academic Progress Review classifications has changed to Excluded, their role as elected representative will be terminated.
- e. When elected the incumbent shall obtain a Registration to Work with Vulnerable People (RWVP). Where the incumbent does not have an existing valid RWVP, an application following election must be submitted and issued prior to commencement of the role. TUSA will cover the costs for new applications.

2.3.3 Voter Eligibility

The Returning Officer is responsible for ensuring that an accurate electoral roll is requested from the Deputy Vice Chancellor (Academic), which includes the name, email address, region of enrolment, enrolment status, and student number of each person eligible to vote in an election, regardless of any sanctions on their academic record.

To be eligible to vote, students must adhere to the following:

- a. Enrolment Status –Students must have a valid enrolment under Clause 18.1 of the University of Tasmania Student Participation and Attainment Ordinance. Students with outstanding fees, penalties, or charges may still be permitted to vote, as the requirement to have met all financial obligations is exempted for the purposes of TUSA elections
- b. Conduct Standing – Students must be in good conduct standing. A student is ineligible to vote if they are:
 - i. Currently subject to proceedings under a University of Tasmania Ordinance for Student Behaviour and Conduct.
 - ii. Have had a finding of misconduct or serious misconduct under such an Ordinance.

2.4 Resignation or Recall

A vacancy occurs if an elected official:

- a. Has a “Vote of No Confidence” passed against them by a majority of the entire membership of the relevant body, this is ratified by a majority of the entire membership of the TUSA Board;
- b. Dies;

- c. Becomes bankrupt or applies for protection under any law relating to bankrupt or insolvent debtors, compounds with creditors, or assigns their estate for their benefit;
- d. Is no longer a currently enrolled student in an academic program offered by the University of Tasmania;
- e. Fails to attend, without approved leave or is unjustifiably absent, from three consecutive meetings of the relevant body; or
- f. Demonstrates sustained failure to fulfil, duties and key performance indicators outlined in their position description, including but not limited to consistent inaction, failure to represent students, lack of engagement, or repeated disregard for policy and expectations set out by TUSA.
- g. No longer meets the 'Skills & Experience' essential requirements outlined in their position description.

A member who wishes to resign must provide written notification to the Public Officer. Upon receipt of this notice, the position will be deemed vacant.

2.5 Casual Vacancies

A casual vacancy occurs when:

- a. An elected member of Council ceases to hold office outside the normal expiry of their term, or
- b. A required position remains unfilled after an election.

Where a casual vacancy occurs, the TUSA State Council may determine to raise a motion at a Board of Management Meeting or State Council Meeting and;

- a. Conduct a by-election; or
- b. Appoint a suitable candidate to the vacant position until the next by-election or annual election is held; or
- c. Leave the position vacant.

3 Complaints and Appeals

Complaints regarding candidate or campaign conduct, including breaches of election rules, must be submitted in writing to the TUSA Returning Officer at TUSA.elections@utas.edu.au prior to the declaration of the poll.

The Returning Officer may issue an initial warning or refer the matter to the TUSA Election Tribunal, which will investigate and determine appropriate penalties.

Complaints must be;

- Submitted in writing;
- Clearly state the election rule(s) breached (as outlined in the *TUSA Election Procedure*);
- Include a concise statement of facts and supporting evidence; Lodged before the close of the poll; and
- Not be frivolous or vexatious.

See the *TUSA Election Procedure*, Section 6.7 for complaint handling steps.

3.1 Consequences of Breaches

After reviewing a complaint, the TUSA Election Tribunal may impose penalties including:

- Official warning;
- Suspension from campaigning;
- Disqualification from the election; or
- Disqualification after results are declared.

Candidates are responsible for the conduct of their campaigners. A breach by a ticket-affiliated campaigner may result in consequences for all members of that ticket.

3.2 Appeal Process

A candidate may appeal a penalty imposed by the TUSA Election Tribunal. Appeals will be heard by the TUSA Governance Committee. Appeals must:

- Be submitted in writing within 24 hours of notification;
- Detail the rule breached, penalty imposed, and grounds for appeal;
- Be supported by evidence.

Appeals should be submitted via TUSA.elections@utas.edu.au, addressed to the secretary of the Board of Management. A decision will be communicated within 48 hours of receipt, and decisions will be final.

3.3 Disputed returns

Candidates or electors may apply to the Returning Officer for a review of election results within 30 days of publication. Minor administrative errors will not invalidate results where democratic intent was preserved.

4 Responsibilities

TUSA community members must comply with all relevant laws, regulations and TUSA governance instruments.

5 Relevant Documentation

It is encouraged to read this policy in conjunction with other relevant documentation, as detailed below.

TUSA Governance Instruments:

- TUSA Constitution
- TUSA Code of Conduct Statement
- TUSA Election Procedure
- NUS Constitution, By-Laws and Regulations

Other Relevant Documentation:

- NUS Constitution, By-Laws and Regulations
- UTAS Student Participation and Attendance Ordinance
- UTAS Student Behaviour and Conduct Ordinance
- UTAS Academic Progress Policy

6 Review

This policy will be reviewed every three years, or as needed. Any amendments deemed necessary will be approved by the TUSA Board of Management.

7 Versioning

TITLE	PARA. AMENDED	BOM APPROVAL DATE
Policy approval		10/09/2015
Policy review	1, 2, 3, 4, 6.1, 6.2, 6.3	26/07/2016
Policy review	3, 4, 6.1, 6.3, 6.5, 6.6	25/07/2017
Policy review	1, 4(a), 5, 6.2(b), 6.2(c), 6.2(d), 6.2(e), 6.3(a), 6.3(i), 6.3(m), 6.3(n), 6.3 (o), 6.3(p), 6.4(c), 6.4(d), 6.6(c), 6.6(d), 6.6(e).	31/08/2020
Policy review	6.1(b)(i), 7(a), 7(b), 7(c)	26/07/2021
Policy review	1, 3, 4, 5, 6, 7, 8, 9, 10	25/07/2022
Policy approval		7/08/2023
Policy review	1, 2.2(c), 2.3, 2.4, 2.6	22/08/2024
Policy review	Significant review – inclusion of removed election content from TUSA Constitution (2.2.3, 2.3.3, 2.4, 2.5, 3)	12/08/2025