



## ELECTION KIT 2018

The Election Kit contains the forms and information for Members who are nominating for election to the Council of The Graduate Union. It includes an outline of the election process and the stages for submitting a nomination (Stage 1) and material to inform the voting decisions of Members of The Graduate Union (Stage 2).

Available from The Graduate Union offices and website, or by application to the Returning Officer, the Election Kit includes the following:

<b>Stage 1 Forms</b>	Send in Forms 1, 2 and 3 by <u>Close of Nominations</u> : <b>4.00PM 15<sup>th</sup> March, 2018</b>
<b>1. Nomination Form</b>	This is completed and signed by three Members of The Graduate Union: a proposer and a seconder for the nominee, and the nominee for election to Council.
<b>2. Disqualification Declaration</b>	This is a declaration by the nominee that they are not disqualified for a governing role. It is seen by Council and not made public.
<b>3. National Police Check</b>	A National Police Check for TYPE Volunteer-general and REASON FOR CHECK – Director of Board.
<b>Stage 2 Forms</b>	If a ballot is necessary (as will be advised), send in Forms 4, 5 and 6 by: <b>4.00PM 22<sup>nd</sup> March, 2018</b>
<b>4. Personal Statement and Photograph</b>	This is completed by the nominee. Should an election be called, the Personal Statement and a Photograph (if provided) will be included in the Ballot Material posted to all Members.
<b>5. Web Election Material</b>	This is completed by the nominee. Should a ballot (vote from Members) be necessary, it will be uploaded to the website on the same date as the Ballot Material is posted to all Members.
<b>6. Capability Statement</b>	This self-assessment is completed by the nominee to indicate capabilities for governance. It is not published.
<b>Information</b>	
<b>7. Election Regulation</b>	This provides information about the regulations followed by The Graduate Union for Election to Council.
<b>8. Governance Roles</b>	This gives an outline of the roles and responsibilities of Council Members and the nature of the decisions that are within the scope of The GU Council.
<b>9. Council Governance Standards</b>	This is an outline of the behavioural expectations agreed to by the current Council of The Graduate Union of The University of Melbourne Incorporated. Candidates are required to commit that they have read, understood and agree to comply with the Council Governance Standards on the Nomination Form.



## 2018 Election Schedule

### Stage 1 - nominations

<b>Open of Nominations</b>	6 <sup>th</sup> February
<b>Close of Nominations</b>	15 <sup>th</sup> March

### Stage 2 - if a ballot is necessary (and the nomination in Stage 1 is valid)

<b>Candidate submits material to inform Member voters</b>	by 22 <sup>nd</sup> March
<b>Mail out of Voting Materials</b>	27 <sup>th</sup> April <sup>#</sup>
<b>Close of Voting</b>	25 <sup>th</sup> May
<b>Counting of Votes</b>	28 <sup>th</sup> May*
<b>Results Announced at AGM</b>	31 <sup>st</sup> May

<sup>#</sup>date of mail out of Voting Materials is indicative only and will not be less than 28 days before the annual General Meeting.

\*date and time to be confirmed



**Stage 1 - nominations**

**1. Nomination Form – Annual Election 2018**

This is completed and signed by three Members of The Graduate Union: a proposer and a seconder for the nominee, and the nominee for election to Council. The nominee, proposer and seconder are advised to contact the offices of The Graduate Union to confirm eligibility as a financial voting Member as at the final meeting of Council in December of the year prior and continuing.

This **Nomination Form** must be submitted by **4.00PM** on the **15<sup>th</sup> March, 2018**.

**Proposer**

I, ..... on this date .....  
(print full name of proposer) day/month/2018

being a financial voting Member of The Graduate Union, hereby propose the nominee shown below for election to the Council of The Graduate Union of The University of Melbourne Incorporated.

.....  
(print full name of nominee) (signature of proposer)

**Secunder**

I, ..... on this date .....  
(print full name of seconder) day/month/2018

being a financial voting Member of The Graduate Union, hereby second the above proposal for the nominee shown below for election to the Council of The Graduate Union of The University of Melbourne Incorporated.

.....  
(print full name of nominee) (signature of seconder)

**Nominee**

I, .....  
(print full name of nominee)

hereby consent to being a candidate for the above election, and:

- state that I am eligible to be a Council member under the Rules of The Graduate Union;
- declare that I have read, understood and agreed to abide by *Governance standard 4: Suitability of responsible entities* of the *Australian Charities and Not for profits Commission Amendment Regulation 2013 (No. 1)*;
- agree to abide by The Graduate Union Council Governance Standards; and
- agree to serve on at least one subcommittee of Council.

.....  
(signature of nominee)

Return the completed and signed Nomination Form to the  
Returning Officer by post PO Box 265, Mount Waverley, VIC,  
3149 or as an attachment by email to [ronritchie@optusnet.com.au](mailto:ronritchie@optusnet.com.au).

Authorised (2018) by **Ronald G Ritchie**  
Returning Officer



## Stage 1 – nominations

### 2. Disqualification Declaration

The Graduate Union must comply with the following five governance standards<sup>1</sup> to retain registration as a charity with the Australian Charities and Not-for-profits Commission (ACNC).

- Standard One:** Purposes and not-for-profit nature of a registered entity
- Standard Two:** Accountability to Members
- Standard Three:** Compliance with Australian laws
- Standard Four:** Suitability of responsible entities
- Standard Five:** Duties of responsible entities

A ‘responsible entity’ (Standards 4 and 5) means a person in a responsible position on Council, committees or working parties, or in senior management.

To meet these standards, The Graduate Union must:

- be satisfied that its responsible entities (persons) are not disqualified from managing a corporation nor disqualified by the ACNC from being a responsible person;
- take reasonable steps to remove a person in a responsible position who does not meet these requirements; and
- take reasonable steps to ensure that the members of Council know and understand their legal duties and that they carry out their duties.

The Council of The Graduate Union is responsible for ensuring that The Graduate Union complies with the above standards. With regards to election to Council, Council shall:

- require that a nominee for election to Council submits a signed declaration that a nominee is neither disqualified from managing a corporation nor disqualified by the ACNC from being a responsible entity (person);
- cause searches to be done on appropriate public registers in order to satisfy Council that a nominee for election to Council is neither disqualified from managing a corporation nor disqualified by the ACNC from being a responsible entity;
- submit to Members of the Association a nominee for election to Council only if Council is satisfied that the nominee is neither disqualified from managing a corporation nor disqualified by the ACNC from being a responsible entity;
- shall act to remove a Council Member from office if this person is found by Council to be either disqualified from managing a corporation or disqualified by the ACNC from being a responsible entity.

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<sup>1</sup> Governance Standards of the *Australian Charities and Not for profits Commission Amendment Regulation 2013 (No. 1) Select Legislative Instrument No. 23, 2013.*



## Disqualification Declaration

Nominees must read, complete, sign and date this Disqualification Declaration form and submit this by **4.00PM** on the **15<sup>th</sup> March, 2018**.

\*The wording in this declaration was sourced 1<sup>st</sup> September, 2014 from [www.acnc.gov.au](http://www.acnc.gov.au)

**Important:** read the information below before signing the *Disqualification Declaration*.

You may be disqualified from being a responsible person if you have been disqualified by the ACNC in the past year, or are disqualified from managing a corporation within the meaning of the *Corporations Act 2001* (Cth) (Corporations Act). This may occur if you:

1. have been convicted of certain offences, such as serious offences, dishonesty offences or other offences that can affect a corporation;
2. are an undischarged bankrupt or are subject to a 'personal insolvency agreement' you have not followed; or
3. have been disqualified by the Australian Securities and Investments Commission (ASIC), the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations (ORIC), or an Australian or New Zealand court.

Most people will know straight away that these categories do not apply to them. However, if you think one or more of these categories **may** apply to you, the checklist below will help you work out if you are disqualified from managing a corporation. For more information on the ACNC governance standards, visit the 'Ongoing obligations' part of the 'Manage my charity' section, at [acnc.gov.au](http://acnc.gov.au).

**Important:** read and complete this Checklist before signing the Disqualification Declaration.

### **Q1: Have you been convicted of any of the following certain offences?**

- a serious ('indictable') offence that involves making, or participating in making, a decision that affects the whole or a substantial part of the business of a corporation (including an Aboriginal and Torres Strait Islander corporation);
- a serious ('indictable') offence for actions that could significantly affect a corporation's (including an Aboriginal and Torres Strait Islander corporation's) finances;
- an offence that is a contravention of the Corporations Act or the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) that is punishable by imprisonment for more than 12 months;
- an offence involving dishonesty that is punishable by imprisonment for at least three months; or
- a serious offence against the law of a foreign country that is punishable by imprisonment for a period greater than 12 months.

**No.** Move to Q2 below



**Yes.** Read below

If you have been convicted of one of these offences, has:

- it also been less than five years (from conviction, if no prison sentence, or from release from prison for the offence); or
- a court extended your disqualification time (and it is still within this disqualification time)?

**No.** Move to Q2 below

**Yes.** You **are disqualified** from managing a corporation. Please do not sign the declaration. If you still want to act as a responsible person for The Graduate Union of The University of Melbourne Incorporated, a registered charity, see below.

**However**, if the corporation affected is or was a registrable Australian body or foreign corporation, contact us (details below) to work out if you are disqualified (since an exception may apply). If not, please do not sign the declaration.

### **Q2: Are you bankrupt or under personal insolvency?**

Have you:

- ever been bankrupt (under Australian or any foreign law) **and** have not been discharged from this bankruptcy; or
- made a 'personal insolvency agreement' **and** not complied with the agreement?

**No.** Move to Q3 below

**Yes.** You **are disqualified** from managing a corporation. Please do not sign the declaration. If you still want to act as a responsible person for The Graduate Union of The University of Melbourne Incorporated, a registered charity, see below.

**Note:** A personal insolvency agreement is a formal agreement between a person and their creditors, when that person cannot pay what they owe. This agreement is set out in a deed under Part X of the *Bankruptcy Act 1966* (Cth) or a similar law of an external territory or a foreign country.

### **Q3: Have you been disqualified by a court or regulator?**

Have you:

- had a New Zealand court order made against you preventing you from being a director or being involved in the management of a foreign company; or
- been disqualified by an Australian court, ASIC or ORIC and this disqualification is still current?

**No.** You are **not disqualified** from managing a corporation. **You can sign the declaration.**

**Yes.** You **are disqualified** from managing a corporation. Please do not sign the declaration. If you still want to act as a responsible person for The Graduate Union of The University of Melbourne Incorporated, a registered charity, see below.

**Note:** If you are unsure, ASIC keeps a [register of people who have been disqualified](#) by ASIC, ORIC or an Australian court (but not by a New Zealand court). Visit [www.asic.gov.au](http://www.asic.gov.au) and 'Search ASIC registers' to find the Banned and Disqualified register.



If you can answer 'no' to each of the above three questions, you can sign the responsible person declaration. Please contact the ACNC if you are still unsure about any of these questions.

Even if you are disqualified from managing a corporation, you may still be able to be a responsible person of The Graduate Union of The University of Melbourne Incorporated, a registered charity, if the ACNC allows you to do so (as well as ASIC or ORIC, if necessary). Please contact the ACNC for more information if you are disqualified, but would like to request the Commissioner to allow you to be a responsible person.

Important: read the guidance and checklist before signing the *Disqualification Declaration*.

### Disqualification Declaration

I, .....  
insert title, first name, middle name and surname

of .....  
.....  
insert address, including state and postcode

declare that:

- *I am not disqualified from managing a corporation, within the meaning of the Corporations Act 2001 (Cth); and*
- *I have not been disqualified by the Australian Charities and Not-for-profits Commissioner at any time during the previous year from being a responsible person (what the ACNC Act calls a 'responsible entity') of a registered charity.*

Should I become a responsible person for **The Graduate Union of The University of Melbourne Incorporated** I agree to notify this charity as soon as possible if I do become disqualified from managing a corporation within the meaning of the Corporations Act 2001, or am disqualified by the Australian Charities and Not-for-profits Commissioner.

'Responsible persons' are the members of a charity's governing body, who share responsibility for the governance of the charity (called 'responsible entities' under the ACNC Act).

Declared at: .....  
insert location

on: ...../...../2018  
insert day and month

Signature: .....

Full Title and Name: .....





## Stage 2 – if a ballot is necessary

### 3. Nominee Personal Statement and Photograph

This section provides guidelines for nominees in preparing the Personal Statement and Photograph to be included in the Ballot Material which will be sent to Members should a ballot (vote by Members) be necessary.

Following submission of the Nomination Form (Form 1) and the Disqualification Declaration (Form 2), and if a ballot is necessary, the Returning Officer will contact each candidate to invite their submission to the Returning Officer of the Nominee Personal Statement and Photograph:

by **4.00PM** on the **22<sup>nd</sup> March, 2018**.

#### Guide for Personal Statements

1. The Personal Statement must be no longer than 150 words and must not refer to another candidate standing for election without the written consent of that other candidate.
2. The Returning Officer may reject a candidate's (nominee's) Personal Statement if, in the opinion of the Returning Officer, it contains offensive or obscene material or is likely to mislead or deceive a voter in the casting of his or her vote. A candidate is responsible for the accuracy and integrity of the contents of his/her Personal Statement.
3. Please note the following regarding a candidate's Personal Statement:
  - 3.1. The Returning Officer is not responsible for correcting any errors in grammar, punctuation or spelling. Candidates are therefore advised to check their Personal Statement thoroughly before submitting it to the Returning Officer.
  - 3.2. The Personal Statement must be in English.
  - 3.3. The print size and style will be standardised so that the Personal Statements can be printed in the limited space available.
  - 3.4. Within printing restrictions, Personal Statements will be reproduced in the format provided by the candidate; that is, with any words in italics, or underlined and with paragraphs indented. Note, however, that no bolding is permitted.
  - 3.5. Personal Statements will be printed in standard upper and lower case. Do not submit your Personal Statement all in upper case as it could then be difficult to determine which words should begin with a capital letter.
  - 3.6. While dot points may be used, too many dot points could result in your Personal Statement being printed in a smaller font than other Personal Statements to fit on the page.
  - 3.7. The use of many short paragraphs or the extensive use of long words could also result in your Personal Statement being printed in a smaller font size than those of other candidates.
  - 3.8. Anything submitted in bold will be printed in plain text. If you wish to emphasise a word or phrase, use italics or underlining. However, overuse of italics or underlining loses impact.





- 3.9. Each candidate’s statement is restricted to 150 words. If a statement exceeds 150 words, only the first 150 words will be printed.
- 3.10. Punctuation, dot points, dashes, brackets, etc. are not included in the 150 words.
- 3.11. The following give examples of how rules will be applied to the counting of words:
 

<u>Dates</u>	17 January 1980 = 3 words	17/1/80 = 1 word
<u>Abbreviations</u>	UNESCO = 1 word	DipEd = 1 word
<u>Numbers</u>	forty-eight = 1 word	48 = 1 word
<u>Other</u>	a = 1 word	I = 1 word
- 3.12. Submission of a Personal Statement is not compulsory. If no Personal Statement is submitted, the words “No Personal Statement was provided by the candidate” will be entered in the Ballot Material which is sent out to all voting Members.

### Guide for Photograph of Candidate

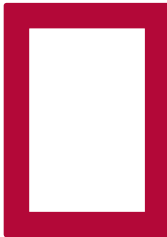
A passport-type photograph, preferably by email in jpeg format, can be supplied with your Personal Statement. The photograph must be recent, head and shoulders only, with light background for better printing.

If the Photograph is forwarded in hard copy it should be endorsed with the candidate’s (nominee’s) name written on the reverse of the photograph. A scan will be undertaken to digitise the Photograph for publication in the Ballot Material. A good quality Photograph is thus recommended.

Submission of a photograph is not compulsory. If no photograph is submitted, the words “No photograph was provided by the candidate” will be entered in the Ballot Material.

### EXAMPLE ONLY

The following gives an example of how the Personal Statement text and the Photograph will be positioned in the Ballot Material. \*Do not fill this in – it is for demonstration purposes only.

<b>Personal Statement</b>	<b>Photograph</b> 
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If forwarding the Personal Statement and/or Photograph electronically, please send to [ronritchie@optusnet.com.au](mailto:ronritchie@optusnet.com.au)

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Any candidate who wishes to discuss the format of their Personal Statement and/or Photograph may contact the Returning Officer on 0401 524 790 until the Close of Nominations.

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**Ronald G Ritchie**  
Returning Officer



**Stage 2 – if a ballot is necessary**

**4. Web Election Material**

The Web Election Material is completed by the nominee. Should a ballot (vote by Members) be necessary, this material will be uploaded to The Graduate Union website on the same date as the Ballot Material – including the Personal Statement and the Photograph - is posted to all Members.

If a ballot is necessary (as will be advised) the Web Election Material needs to be provided by **4.00PM** on the **22<sup>nd</sup> March, 2018**.

Candidates are to complete all sections, adhering to indicated maximum word limits. If the Web Election Material is not provided, information about the candidate will be limited to the Ballot Material posted out to all voting Members.

**Full Name:**

**Current Council Status:** Current Member of Council

Seeking to Join Council

**Length of Continuous Membership of The Graduate Union**

years months

*please check with The GU if you are not sure*

**I give permission for my photograph to be on The Graduate Union website**

*If typing in text, please expand these sections as required.*

**Explain how your key areas of expertise will contribute to Council.**

*(maximum of 150 words)*

**Outline your view on the development and growth potential of The Graduate Union in the next three years.**

*(maximum of 150 words)*

**Outline your current involvement with The Graduate Union.**

*(maximum of 150 words)*

**State your TWO greatest achievements of relevance to governance (e.g. as a member of a company board or The Graduate Union Council, as a contributor to your community).**

*(maximum of 150 words)*

**List relevant industry and community-based experience.**

*(maximum of 150 words)*

**List academic qualifications (year of award, awarding body and name of academic qualification awarded (not in acronyms)).**



**Stage 2 – if a ballot is necessary**

**5. Capability Statement**

Candidates are to indicate in the following table the governance capabilities that they would bring to Council. It is reviewed by Council and not made available to the membership.

If a ballot is necessary (as will be advised) the Capability Statement needs to be provided by **4.00PM** on the **22<sup>nd</sup> March, 2018**

		<b>Self-Rating of Capability</b>				
		<i>Please tick one box in each of the following ten rows.</i>				
<b>Capability Statement</b>		0 = no/minimal capacity			4 = maximum capacity	
<b>Demonstrable Qualifications and Capabilities</b>		<b>Name:</b>				
		0	1	2	3	4
<b>1.</b>	<b>Property Management</b>					
<b>2.</b>	<b>Finance and Insurance</b>					
<b>3.</b>	<b>Tertiary Education</b>					
<b>4.</b>	<b>Law</b>					
<b>5.</b>	<b>Marketing</b>					
<b>6.</b>	<b>Hospitality</b>					
<b>7.</b>	<b>Business</b>					
<b>8.</b>	<b>Network Influence</b>					
<b>9.</b>	<b>Governance Experience</b>					
<b>10.</b>	<b>Human Resources</b>					
<b>11.</b>	<b>Advancement</b>					
<b>12.</b>	<b>Property Investment</b>					



## Information

### 6. Elections Regulation

This is provided in the Election Kit to inform nominees of the regulations followed by The Graduate Union for the conduct of elections. Please see also the [Regulations](#) online.

#### **PART 4 NOMINATION AND ELECTION TO COUNCIL**

##### **34 Application of PART 4**

34.1 This PART applies to nominations and election to Council pursuant to PART 5, Division 3 of the Rules.

##### **35 Returning Officer**

35.1 The appointment of the Returning Officer pursuant to rule 59 shall, if possible, be not later than the end of any calendar year.

35.2 The Returning Officer may appoint one or more assistant Returning Officers, and shall provide an appropriate level of training for assistant Returning Officers.

35.3 The Returning Officer and assistant Returning Officers may not be Members of the Association and shall not be Council Members, candidates for election or staff employed by the Association.

##### **36 Register of Members entitled to nominate for election**

36.1 The Register of Members entitled to be candidates for election and to nominate and second an eligible Member shall be financial Members.

36.2 The office of the Association will provide to the Returning Officer, before the time of the opening of nominations, the Register of Members kept in accordance with regulation 35.1.

##### **37 Notice of election**

37.1 The Returning Officer shall call for nominations for election to Council in February each year by a notice which shall be provided to each Member in accordance with the Member's preferred means of receiving communication.

37.2 The notice referred to in regulation 36.1 will include advice that an 'Election Kit' containing the following information may be obtained from the Returning Officer:

- (a) the nomination form;
- (b) declarations required to meet the governance standards in PART 1 of the Regulations;
- (c) the nomination and election regulations in PART 4;
- (d) guidelines for the preparation of a personal statement by nominees for publication with ballot material; and
- (e) any other relevant information.

##### **38 Positions to be declared vacant**

38.1 Positions on Council are to be declared vacant as provided in rule 60.



### **39 Nominations for election**

- 39.1 Nominations for election to Council are as provided in rule 61.
- 39.2 For the avoidance of doubt, a retiring Council Member seeking re-election shall comply with the provisions of rule 61.
- 39.3 The Returning Officer will authenticate nominations as they are received, advise nominees if the nomination is valid, and, where time permits, provide opportunity for each nominee to rectify errors prior to the time of close of nominations.

### **40 Governance standards to be met before election to Council**

- 40.1 Council will provide an annual written delegation of authority for the President to cause steps to be undertaken to ensure that nominees meet the governance standards provided in PART 2 of the Regulations.
- 40.2 Within two business days following the close of nominations, the Returning Officer will forward to the Secretary all declarations required to meet the governance standards provided in PART 2 of the Regulations.
- 40.3 Within two business days, the Secretary will undertake the checks required to meet the governance standards provided in in PART 2 of the Regulations and inform the President of the results of the checks in regulation 39.2.
- 40.4 Within two business days of receiving the results in regulation 39.3 the President will instruct the Secretary to inform the Returning Officer of such results.

### **41 Holding of election**

- 41.1 Within two business days of receiving the results in regulation 39.4, the Returning Officer will determine whether a ballot to fill each vacancy is required, and advise each nominee of the determination and the closing date and time for receipt of personal statements and supporting information.
- 41.2 Where the number of valid nominations exceeds the number of vacancies, a ballot shall be held in accordance with rule 62 and regulation 41.
- 41.3 Where the number of valid nominations does not exceed the number of vacancies, the Returning Officer shall, if required, determine by lot in the presence of at least two witnesses, other than the candidates, the terms of office of the candidates.
- 41.4 The determination in regulation 40.2 shall take place at 5.00PM on the second business day following receipt by the Returning Officer of the results in regulation 39.4.

### **42 Voting paper**

- 42.1 Where the number of valid nominations exceeds the number of vacancies, the Returning Officer shall determine by lot, in the presence of at least two witnesses, other than the candidates, the order in which the candidates' names shall appear on the voting paper.
- 42.2 The ballot is to be conducted as provided in accordance with rule 62.
- 42.3 The voting paper will include:
  - (a) the names of the candidates;
  - (b) a direction to Members Entitled to Vote to vote by placing a series of ticks or crosses against the names of their preferred candidates and that they may vote for a number of candidates not greater than the number of vacancies to be filled by the election;



and

the closing date and time of the poll.

- 42.4 For the avoidance of doubt, a vote for the number of candidates required to fill the number of vacancies or for any lesser number of candidates will be a valid vote.

### **43 Personal statements**

- 43.1 The candidate information sent with the voting paper will include names of candidates with the personal statements of candidates arranged in the order in which the names appear on the voting paper.
- 43.2 The Returning Officer shall determine the acceptability of the candidates' personal statements and may, in consultation with the candidate, edit the statements as to length and content not being false, misleading or defamatory, and may seek advice from the President, on the determination of the acceptability of the content of the statements.
- 43.3 The Secretary shall determine the acceptability of other statements made by the candidate for any other purpose including publication on the Association's website, and in consultation with the Returning Officer and candidate, may edit the statements as to length and content not being false, misleading or defamatory, and may seek advice from the President as to the acceptability of the content of the statements.

### **44 Method of voting**

- 44.1 A vote shall be completed by:
- (a) completing the voting paper in accordance with the instructions thereon;
  - (b) folding the voting paper, inserting it in the smaller envelope marked 'Voting Paper' and sealing it;
  - (c) inserting the smaller envelope into the larger envelope which shall bear the address to which the vote is to be posted;
  - (d) completing the information required on the rear of the larger envelope and signing the declaration; and
  - (e) posting or delivering it to reach the Returning Officer as directed on the voting paper.
- 44.2 A Member after completing the declaration on the larger envelope addressed to the Returning Officer may, if he or she desires, enclose that envelope within a further larger plain envelope supplied by the voter, address the plain envelope in a manner identical to that shown on the envelope addressed to the Returning Officer and then post or deliver it to the Returning Officer as directed on the voting paper.
- 44.3 The Returning Officer may provide a securely sealed ballot box to be placed at the reception area at the office of the Association for Members to place their votes.

### **45 Scrutineers**

- 45.1 Each candidate may appoint a scrutineer who may be present during the opening of envelopes and counting of votes, subject to the following conditions:
- (a) a candidate shall have only one scrutineer;
  - (b) no person who is a staff member employed by the Association may act as a scrutineer;
  - (c) no person who is a candidate may act as a scrutineer;
  - (d) each candidate shall notify the Returning Officer, not less than twenty-four hours





before the counting of votes commences, the name of their scrutineer; and

- (e) if the validity of any voting paper is disputed, the decision of the Returning Officer shall be final.

45.2 The Returning Officer shall advise the candidates of the time and place of counting at least three business days before counting is to take place.

45.3 It is the responsibility of the candidate to inform the scrutineers of the time and place of counting.

## **46 Counting of votes**

46.1 Votes are counted in accordance with rules 62.5 to 62.7.

46.2 Any envelopes received after closing time shall be marked as late, unopened, retained separately and destroyed after the candidates are declared elected in accordance with regulation 45.12.

46.3 The Returning Officer shall verify that the envelopes which arrived prior to the closing time of the poll are unopened and are from Members of the Association in accordance with the Register of Members Entitled to Vote at the election.

46.4 The Returning Officer may commence the verification referred to in regulation 45.3 prior to the closing time for voting.

46.5 Any envelopes received from persons ineligible to vote shall be so marked, unopened, retained separately, and destroyed after the candidates are declared elected in accordance with regulation 45.12.

46.6 The counting of voting papers will not commence until the close of the ballot.

46.7 Counting of votes shall be conducted no later than two business days following the close of the ballot.

46.8 Counting of votes shall proceed in the presence of scrutineers under the sole direction of the Returning Officer, assisted by assistant Returning Officers, as follows:

- (a) the large envelopes containing the voters' details shall be opened and placed face down on the work space;
- (b) the small envelopes marked 'Voting Paper' shall be extracted from the large envelopes without being opened and the larger envelopes set aside;
- (c) the small envelopes containing the voting papers shall be opened and the voting papers removed; and
- (d) the voting papers shall be unfolded and counted.

46.9 Should a candidate withdraw nomination during the election, that candidate's votes shall be counted.

46.10 If the Returning Officer determines that the candidate who has withdrawn would have been elected, the candidate with the next highest number of votes shall be elected in the place of the withdrawn candidate, and thereafter in accordance with the votes gained by the remaining candidates.

46.11 If more than one of the candidates receives equal numbers of votes, the Returning Officer shall determine the successful candidate by lots in the presence of at least two witnesses, other than the candidates.

46.12 The Returning Officer shall declare elected the candidate(s) who received the most votes and announce the results at the next Annual General Meeting.



- 46.13 The Returning Officer shall compile and sign a report and a declaration setting out the names of the candidates with the number of votes received for each candidate in descending order.
- 46.14 All scrutineers shall be invited to sign the report and declaration in regulation 45.13.
- 46.15 The Returning Officer shall provide a copy of the report and declaration in 45.13 to the President, and advice as to the successful candidates, their terms of office and any other necessary matter.
- 46.16 The Secretary shall advise Council of the successful candidates.
- 46.17 The report and declaration in 45.13 shall be tabled at the Annual General Meeting, annexed to the minutes of that meeting, and published in the next issue of a publication sent to Members.

#### **47 Election material**

- 47.1 Election material means any information however conveyed which has the purpose of influencing the election of any candidate.
- 47.2 All election material produced, published or issued by, on behalf of or with respect to a candidate:
  - (a) must include a statement that the material has been authorised by the candidate;
  - (b) shall not be misleading or deceptive;
  - (c) shall not be false;
  - (d) shall not be defamatory;
  - (e) shall not disclose confidential information of the Association;
  - (f) shall avoid bringing the Association into disrepute; and
  - (g) shall not be intended to expose the Association to legal proceedings or prosecution.
- 47.3 Candidates may request that their election material be placed at the reception area of the offices of the Association.
- 47.4 The Association may remove material which compromises the integrity of Graduate House as a residential college.
- 47.5 Candidates may not place election material in any other part of the Association's premises and for the avoidance of doubt the candidates may not place election material:
  - (a) in the dining, recreational and meeting areas;
  - (b) under the doors or in the corridors of residential rooms;
  - (c) in the car park, stairwells and lifts; or
  - (d) on any noticeboards inside or outside.
- 47.6 Candidates may not place election material in the letterboxes for Resident Members.
- 47.7 The staff members of the Association are responsible for sorting the mail and will post addressed envelopes in the relevant letterboxes.
- 47.8 Election material produced, published or issued by a Council Member on behalf of their own candidacy or of another candidate is not to be represented as from the Association, Council or its delegated authorities.
- 47.9 The President may cause Members to be informed of election material that is not a



representation from the Association, Council or its delegated authorities, or that it does not comply with regulation 46.2.

- 47.10 The President may cause the Association to commence disciplinary action as provided in rule 27 against a Member who misrepresents the Association or who has not adhered to regulation 46.2.

#### **48 Conduct of Members before, during and after elections**

- 48.1 The conduct of Members before, during and after elections shall be in accordance with the governance values, ethics and behaviours provided in regulation 12.
- 48.2 Electioneering shall be conducted in a manner that preserves the integrity of the Association's facility as a residential college, for meetings, and so far as practicable so that Members may use the facility without inconvenience and disruption that may be caused by an election.
- 48.3 Candidates may not enter or move around the residential, dining or meeting areas for electioneering purposes.
- 48.4 Candidates may not approach Resident Members for electioneering purposes when they are undertaking activities of their daily in-house living, when they are meeting in the facility and when they are leaving or returning from the facility.
- 48.5 Before or during an election, if any issue arises relating to the conduct of the election and such issue is not expressly covered by the Rules or this regulation, the Returning Officer may decide the same or refer it to the President and any decision by the Returning Officer or the President of the Association not inconsistent with the Act, the Rules or this PART of the Regulations is final and binding on the Association, Members and candidates.
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## Information

### 7. Governance Roles and Responsibilities

This information is to be read by the proposer, seconder and candidate as it indicates the roles and responsibilities of Councillors and the nature of the decisions that are within the scope of The Graduate Union Council.

The GU Council and each of its members should uphold the mission of The Graduate Union:

to bring together graduates – from graduation and through post-graduate study, careers and retirement – in an active international membership network, residential college and meeting place for the socially responsible advancement and application of education.

#### The responsibilities of The Graduate Union Council and of each Council Member are:

**Responsibility 1.**

to determine and action strategic direction, core values and an ethical framework for The Graduate Union.

**Responsibility 2.**

to appoint, dismiss, direct, support professional development for, evaluate the performance of, and determine the remuneration of, the CEO/Head of College.

**Responsibility 3.**

to approve, monitor and review the financial and non-financial performance of the organisation; and ensure that financial and non-financial risks are identified and managed appropriately.

**Responsibility 4.**

to ensure an effective, efficient and transparent system of internal controls with policies on key issues applied effectively and legally.

**Responsibility 5.**

to ensure that The Graduate Union complies with all relevant laws, codes of conduct and appropriate standards of behaviour.

**Responsibility 6.**

to agree to, respect and comply with the Council Governance Standards.

**Responsibility 7.**

to make decisions for the betterment of The Graduate Union and of the graduate sector as a whole.

**Responsibility 8.**

to represent The Graduate Union and to foster an engaged and inclusive worldwide community of graduates.



## Information

### 8. Council Governance Standards

This document is to be read by the proposer, seconder and candidate. It provides an outline of the expectations of the Council of The Graduate Union of The University of Melbourne Incorporated.

Candidates are required to commit that they have read, understood and agree to comply with this General Regulation No 1 - Council Governance Standards by signing the Nomination Form.

## PART 2 COUNCIL GOVERNANCE STANDARDS

### 5 Application of PART 2

5.1 This PART applies to the conduct of Council.

### 6 Standards required of Council

6.1 Council shall adhere to governance standards relating to:

- (a) purposes and not-for-profit nature of the Association;
- (b) accountability to Members;
- (c) compliance with Australian laws;
- (d) suitability of Officers;
- (e) duties of Officers; and
- (f) governance values, ethics and behaviours of the Association.

### 7 Governance standard (a): Purposes and not-for-profit nature of the Association

7.1 Council shall:

- (a) work towards the charitable Purposes of the Association as provided in rule 2;
- (b) manage, administer and govern the Association as a not-for-profit as provided in rule 6;
- (c) act in the best interests of the Association and for a proper purpose; and
- (d) work towards instilling confidence in the public that the Association is working towards its charitable Purposes.

### 8 Governance standard (b): Accountability to Members

8.1 Council shall:

- (a) ensure it is accountable to Members;
- (b) provide Members adequate opportunities to raise concerns about how the Association is run;
- (c) cause General Meetings of Members to be convened as provided in PART 4 of the Rules;
- (d) cause information to be made available to Members on the Association's activities and finances as provided in rules 33.4(b), 77 and 81; and
- (e) establish clear processes for appointing Officers of the Association as provided in rule 46.3.



## **9 Governance standard (c): Compliance with Australian laws**

### 9.1 Council shall:

- (a) act lawfully to help protect the work, assets, reputation and the people of the Association; and
- (b) not act on behalf of the Association in a way that, under Commonwealth, state or territory law, could be dealt with as:
  - i an indictable offence, or
  - ii a breach of law that has a civil (not criminal) penalty.

## **10 Governance standard (d): Suitability of Officers**

### 10.1 Council shall cause reasonable steps to be taken to be satisfied that each of its Officers is not disqualified from:

- (a) managing a corporation under the Corporations Act 2001 (Cth); and
- (b) being a responsible person by the ACNC or by any other statutory authority.

### 10.2 Before appointing a person as an Officer, Council shall cause:

- (a) searches of the ASIC Disqualified Persons Register;
- (b) searches of the Register of Disqualified Persons held by ACNC or any other statutory authority;
- (c) further checks, including criminal history and police checks, to be undertaken in order to be satisfied that the Officer is suitable to work towards the Purposes;
- (d) the person to sign a declaration relating to disqualifying offences; and
- (e) the person to sign a declaration form agreeing to notify the Association immediately if the person becomes disqualified from being a responsible person.

### 10.3 For each existing Officer, Council shall cause to be taken the steps outlined in regulation 10.2.

### 10.4 Council must:

- (a) not appoint a person as an Officer of the Association, if Council is of the view that this person does not meet the provisions of regulation 10.1; and
- (b) take steps to remove a person as an Officer of the Association, if Council is of the view that this Officer does not meet the provisions of regulation 10.1.

## **11 Governance standard (e): Duties of Officers**

### 11.1 Council shall cause reasonable steps to be taken to require Officers:

- (a) to act with reasonable care and diligence;
- (b) to act honestly in the best interests of the Association and for its charitable and incidental purposes;
- (c) not to misuse their position as an Officer;
- (d) not to misuse information they gain in their role as an Officer;
- (e) to disclose conflicts of interest, and act appropriately in relation to material personal interests;
- (f) to ensure that the financial affairs of the Association are managed responsibly; and
- (g) not to allow the Association to operate while it is insolvent.





11.2 Council shall cause the duties in regulation 11.1 to be:

- (a) brought to the attention of each Officer of the Association;
- (b) provided in the letters of appointment of each Officer of the Association;
- (c) exercised through:
  - i encouraging Officers to attend, prepare for and participate at Council and General Meetings;
  - ii having processes in place to manage conflicts of interest, including provision for an Officer not to vote on matters where the Officer has a conflict of interest;
  - iii taking reasonable action when an Officer is perceived as not carrying out the duties in regulation 11.1;
  - iv making available to each Officer appropriate training and educational resources on their duties and responsibilities; and
  - v requiring each Officer to sign a copy of this governance standard on election or appointment to Council.

## 12 Governance standard (f): Governance values, ethics and behaviours of the Association

12.1 Council shall adhere to:

- (a) the values of the Association:
  - i responsibility, accountability and stewardship;
  - ii contribution and performance;
  - iii professionalism, integrity, transparency and ethics;
  - iv welcome, encouragement, support and inclusion;
  - v respect for differences and integration with diversity; and
  - vi focus on strengths and integration of Graduates.
- (b) the values of Members:
  - i collegiality;
  - ii universal friendship;
  - iii life-long learning;
  - iv social conscience and responsibility;
  - v intellectual challenge and contribution; and
  - vi intercultural and interdisciplinary experiences.
- (c) the ethics of the Association which, in addition to the duties in regulation 11.1, include:
  - i understanding the difference between what each Officer has the right to do and what is right to do; and
  - ii using the values of the Association and of Members to guide the Officer's actions towards the Purposes of the Association.
- (d) the communications protocol of the Association which requires that:
  - i enquiries and contributions are directed through the Chair of Council or the



chairs of the subcommittees of Council;

- ii communication with senior members of management and staff is restricted to substantive matters that cannot be addressed by the Chair of Council or the chairs of the subcommittees of Council;
- iii official communication with other Council Members relates to significant Council business, and is not invasive, insensitive or irrelevant; and
- iv communication with Members of the Association consistently represents the resolutions and decisions of Council, and does not involve the seeking of support for minority positions after the event.

### **13 Adherence to governance standards and behaviours**

13.1 Council must cause reasonable steps to be taken to require Officers to:

- (a) adhere to the governance standards outlined in this regulation; and
- (b) demonstrate behaviours befitting of the Association.

13.2 When an Officer is not adhering to the governance standards or perceived not to be demonstrating behaviours befitting of the Association, Council must cause reasonable steps to be taken to require that the Officer is:

- (a) informed of the particulars of the non-adherence in a timely and appropriate manner;
- (b) given opportunity to provide comments and suggested approaches to Council for the management of non-adherence; and
- (c) complying with the governance standards and behaving in a manner that is befitting of the Association.

13.3 A repeated breach or breaches of the governance standards which can be established beyond reasonable doubt will be regarded seriously and may result in disciplinary action under the Rules.

13.4 The suspension procedures provided in rules 54.8 to 54.12 may be activated if the conduct or position of any Council Member is prejudicial to the interests of the Association.

13.5 Council Members are required to peruse and sign a copy of these governance standards on election or appointment to Council.

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