



Extract from the Regulations of the Institute:

2. Election Of Councillors

Regulation 2.1.

This and the following Regulations 2.2 to 2.13 apply equally to the election of Councillors (Chapter-Elected) and Councillors (Nationally-Elected). The management and administration of the election process shall be under the delegated authority of Council.

Subject to these Regulations, all communications concerning an election of Councillors to the membership of the Institute from any Institute source, including related body corporates, and through any medium, (in this Regulation 'communication') must treat each candidate equally.

Regulations 2.12 or 3.5, as applicable, require communication to the members. These and any other communication in relation to an election are strictly for the purpose of inviting members to participate in the nomination or ballot process, and informing the voting members of any or a combination of:

- the result of an election where no ballot was required
- the necessity for a ballot and the manner and the time in which a ballot will be held
- the names of the candidates in a ballot and their platform statements, including their personal platform statement
- the result of an election where a ballot was conducted.

Candidates' personal platform statements are limited to 200 words and the limit must be enforced.

The order in which a candidate's name appears on a ballot paper will be determined by lot, by a process conducted by the Principal Returning Officer or delegate.

In any communication, candidates' platform statements and personal platform statements must appear in the same order as in the ballot paper.

For a Chapter Council election, the communication required by Regulation 3.5 may be made in a postal communication for the purpose, the relevant Chapter Publication issued to members, or by email to those members who have supplied the Institute with an e-mail address. The Principal Returning Officer, or if unavailable, the Chief Executive, may approve the whole of all relevant candidates' platform statements appearing in one or more additional separate communications.

Only content equally treating all candidates for the relevant positions may appear in any communication. Partial content of one or more candidate's platform statement is not permitted in any communication.

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No use of Institute resources by a candidate for the purpose of promoting their candidacy is permitted, including but not limited to:

- staff time
- use of Institute premises, equipment or stationery
- intellectual property, or
- contact details for members

For the guidance of staff and members, making the same resource as a candidate requests available to other candidates is not ordinarily equal treatment of the candidates.

The Principal Returning Officer, or if unavailable, the Chief Executive, will determine any question of use of Institute resources or equal treatment as described in this Regulation, and the decision is final.

Regulation 2.2.

Every election of Councillors shall be by an on-line voting system available to members who have supplied the Institute with an e-mail address and otherwise by postal ballot. Nominations may only take place through the on-line voting system.

Regulation 2.3.

The Principal Returning Officer shall be appointed by the Council or, in default thereof, shall be the person fulfilling the role of Secretary. The Principal Returning Officer shall conduct the elections and may from time to time appoint a Returning Officer to act for him or her and may appoint Deputy Returning Officers. For the purpose of these Regulations, the terms Deputy Returning Officer and Returning Officer mean the person delegated by the Principal Returning Officer, or if none is appointed, the Principal Returning Officer.

The required notification to candidates of the result of a ballot is by e-mail, provided that a read receipt is requested and the confirmation is received. If not received within a reasonable time, notification must be by facsimile to the number indicated in the Institute's membership records unless an alternative facsimile number is notified to the Returning Officer before the ballot is conducted. Nothing prevents telephone contact if convenient but it is not required under this regulation.

Regulation 2.4.

The Principal Returning Officer (and his or her delegates) shall decide questions relating to the validity of any nomination or ballot paper and a statement signed by him or her to the effect that a person has been elected or appointed to any office or has vacated any office (except as provided in

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Clause 8.9) shall be sufficient evidence of the same, provided that the Principal Returning Officer shall not act in any matter which concerns an elected office for which he or she is a candidate, in which case the Principal Returning Officer must appoint a Returning Officer to assume such responsibility.

Regulation 2.5.

All hardcopy ballot papers and electronic records of nomination forms and voting (ballot) must be retained by the Returning Officer for a period of 45 days after the relevant date for submission.

A request for a re-count may only be made by a candidate and by written request to the Principal Returning Officer delivered within 30 days after the ballot. The Principal Returning Officer must conduct the re-count within a further 30 days under arrangements made at his or her discretion, not limited to reliance on an external provider for verification of the integrity of the on-line voting process in the re-count. The re-count is final, subject to Regulations 2.13 or 3.7, as applicable.

Regulation 2.6.

Notice of each election for Councillors shall be given to all members entitled to elect Councillors and posted no later than 8 weeks prior to the date upon which each Councillor to be elected will take office.

Regulation 2.7.

A valid nomination must be accompanied by the undertaking of the nominee to serve, if elected, endorsed (supported) by FIVE (5) Voting Members or Graduate Members and accompanied by with the candidate's personal platform statement referred to in Regulation 2.1, requiring the information determined by Council from time to time, and the nominee must have been verified as a member eligible to hold the office to which the nomination applies.

Regulation 2.8.

Nominations without defects must be received on-line by the Institute by the closing time on the closing date, such time being not less than THREE (3) weeks from the date of e-mail notification to members that nominations are open and the posting of such a notice to those members who have not supplied the Institute with an e-mail address, whichever is later.

Regulation 2.9.

Where the number of valid nominations is greater than the number of vacancies left by retiring Councillors, a postal ballot shall be conducted.

Regulation 2.10.

Where the number of valid nominations is equal to the number of vacancies, the candidate or candidates nominated shall be declared elected.

Regulation 2.11.

Where the number of valid nominations is less than the number of vacancies, the President shall have the power to nominate a consenting member eligible to serve as a Councillor to make up the full number of Councillors, and such person or persons (together with members otherwise nominated) shall be declared elected.

Regulation 2.12.

Where a ballot is required, the notification that a ballot on the on-line voting system is open and the posting of any hardcopy ballot papers, whichever is later, must occur not later than 3 weeks before the date the ballot closes.

The successful candidates will be elected under an “optional multiple preferential” system. Ballot papers, on-line or hardcopy, for the election of Councillors will require the voting member to indicate preferences for the respective candidates under an optional multiple preferential system, in which:

- a) the minimum number of numerically ordered preferences required for a valid vote is equal to the number of positions to be filled and voters may indicate further preferences in numerical order of preference
- b) a voter’s preferences for the minimum number of positions are each counted as a primary vote, and
- c) as each candidate with the lowest number of primary votes is eliminated from the count, that candidate’s numerical preferences for remaining candidates are reallocated upwards by one number, until there remains one candidate more than the number of positions to be filled and all but that one candidate is/are elected.

Regulation 2.13.

If at any ballot 2 or more candidates receive an equal number of votes, the candidate or candidates to be considered as having the higher number of votes shall be determined by lot. The drawing of lots shall be conducted in such manner as the Principal Returning Officer may determine, the candidates whose name is first drawn being considered as having the higher number of votes.

3. Election of Chapter Councillors

Regulation 3.1.

The election of Chapter Councillors by members shall be organised and administered by the Council. Voting Members and Graduate Members of the Chapter are entitled to vote in an election to appoint Chapter Councillors in accordance with *Clause 10.2*. Chapter Councillors shall be appointed using one of the following two methods:

(1) (a) Candidates for election to the Chapter Council must nominate the National Committee on which they would like to serve, being a National Committee where a vacancy exists or will exist in respect of the particular Chapter.

(b) Of the candidates who nominated a particular National Committee, the candidate receiving the most votes shall sit on that committee and shall be elected Chapter Councillor.

(c) Where the number of Chapter Councillors to be elected (as determined by the Chapter Council in accordance with Regulation 3.2) exceeds the number of Chapter Councillors elected in accordance with paragraph (b), sufficient additional Chapter Councillors shall be elected in accordance with the number of votes received by each of the remaining candidates.

(2) Persons shall be elected by the Chapter to be Chapter Councillors. The Chapter Council may appoint such members of the Chapter Council as it thinks fit to the National Committees, provided that a person may not be appointed to more than one National Committee.

The method to be used in relation to each Chapter shall be as follows:

Chapter Method (1) or (2)	
New South Wales	(2)
Western Australia	(2)
Victoria	(2)
Australian Capital Territory	(1)
Queensland	(2)

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South Australia	(2)
Tasmania	(2)
Northern Territory	(2)

Regulation 3.2.

Not later than 31 October in the year preceding the year in which an election is required to be held the relevant Deputy Returning Officer shall determine the number of Chapter Councillors to be elected at the forthcoming Chapter Council election and notify that number to the Principal Returning Officer, provided always that:

- (1) the number of elected Chapter Councillors is as provided in *Clause 10.1*; and
- (2) the number of Chapter Councillors elected by the members may not be less than SIX (6).

The Council shall cause to be issued to all members entitled to elect Chapter Councillors the notice referred to in Regulation 2.1, which shall include a list of retiring members of the Chapter Council, indicating those who are eligible for and seek re-election and their level of attendance at Chapter Council meetings since their last election.

The notice must further inform members that on-line nominations will be received up to the date and time stated, such time being not less than 3 weeks from the date of e-mail notification to members that nominations are open and the posting of such a notice to those members who have not supplied the Institute with an e-mail address, whichever is later.

Each such nomination must be accompanied by the written undertaking of the nominee to serve, if elected, endorsed (supported) by TWO (2) Voting or Graduate Members and accompanied by the candidate's personal platform statement referred to in Regulation 2.1, requiring the information determined by Council from time to time. Any defective nomination or nomination delivered late will not be accepted.

The nominee must have been verified as a member eligible to hold the office to which the nomination applies. Nominations without defects must be received on-line by the Institute by the closing time on the closing date

Regulation 3.3.

If insufficient nominations for Chapter Councillors elected by the members are received, the Chapter Council shall make additional nominations as may be necessary.

Regulation 3.4.

If sufficient (but no more than sufficient) nominations are received (including nominations made by the Chapter Council in accordance with Regulation 3.3) are received, the candidates so nominated shall be declared elected.

Regulation 3.5.

Where a ballot is required, the notification that a ballot on the on-line voting system is open and the posting of any hardcopy ballot papers, whichever is later, must occur not later than 3 weeks before the date the ballot closes.

Regulation 3.6.

Voting at elections of Chapter Councillors shall be by members marking with a cross the names of candidates for whom they desire to vote. A ballot paper shall be deemed to be invalid if more names are so marked than the number of candidates to be elected, but it shall not be deemed to be invalid if fewer names are so marked than the number of candidates to be elected.

Regulation 3.7.

The candidates who receive the largest number of votes in a single count shall be declared elected. Should any 2 or more candidates receive an equal number of votes, the candidate or candidates to be elected shall be determined by lot in such manner as the Principal Returning Officer may determine.

Regulation 3.8.

Regulations 2.3, 2.4 and 2.5 apply to the election of Chapter Councillors.
