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Election Policy & Procedure

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1. Purpose

The purpose of this policy is to:

- Ensure that the timing of the Albany Students' Association Inc. Executive Committee Elections occurs within a sensible timeframe in order to encourage as wide a participation in the process by the ASA membership as possible and to meet all requirements under the ASA Constitution and Regulations.
- Appoint an individual whose responsibility is to ensure that the correct process as laid out in the C&R and Election Policy and Procedure of the Albany Student Executive Committee Elections is followed by all parties.
- Ensure that all information necessary to the successful running of the elections is collected and disseminated to all necessary persons.
- Ensure that the Constitution and Regulations and Election Policy and Procedure are always upheld by all parties.
- Ensure that polling days are managed as effectively as possible.
- Ensure that nominations are opened and closed within the necessary timeframe as laid down in the C&R and Election Policy and Procedure.
- Ensure that all eligibility criteria as laid out in the C&R and Election Policy and Procedure are met.
- Maintain as complete a set of financial and written records of the election as possible.

Ensure that all relevant and important information is made available to the candidates to ensure that the election process is as transparent and straightforward as possible.

- Ensure that candidates who break the rules and regulations set out in the C&R and the Election Policy and Procedure are disqualified.
- Explain the concept of a roll of voters and how it should be used during the election.
- Outline the procedure whereby members are elected to Executive positions.
- Outline the process whereby candidates shall interact with the ASA Media Services
- Explain the process of vote counting in ASA Elections.
- Explain the process for candidates objecting to any element of the running of an ASA Election.
- Explain the limitations as they may be applied to candidates' campaigns.

2. Organisational scope

This is an Executive policy which applies to all elections for positions on the ASA Executive Committee.

3. Definitions

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

Appeal Panel Shall mean the three-person panel appointed by the ASEC to consider any appeals raised by candidates in respect of the election process.

ASEC Shall mean the Albany Students' Association Inc. Executive Committee.

Ballot Paper Shall mean either the voting paper or electronic document that is used by the members for the purposes of casting their ballot in an election.

By-election Shall mean an election that is called when a vacancy arises within the ASEC that will not be filled as part of the main Executive Elections.

Candidate Shall mean a member who stands for a position on the ASEC.

Clear Days Shall mean all days excluding weekends, public holidays, and University holidays.

Election Sub-committee (ESC) Shall mean the sub-committee appointed by the ASEC to oversee the running of all elections for the Albany Students' Association Inc.

Member Shall mean internal Albany student who has signed up on the ASA website for membership.

No Confidence Shall mean a ballot that has been cast by a member that declares no confidence in the candidates standing for a position on the ASEC.

Nomination Form Shall mean the form that states the details and declaration of the member and position that the member intends to stand for as part of an election or by-election to the ASEC.

No Vote Shall mean that no ballot has been cast by a member against a candidate who stands for election to the ASEC.

Part One Shall mean the parts of meetings from which the public is not excluded by the Association as provided for in the Local Government Official Information and Meetings Act 1987.

Public Notice Shall mean written notice publicly displayed on the Association's website.

Returning Officer (R.O.) Shall mean the person appointed by the ASEC to act as the Returning Officer for the purposes of ensuring that all members who have declared themselves as candidates comply with all policy and procedure relating to elections to the ASEC.

Massive Magazine Shall mean the official *student newspaper of the Albany Students' Association Inc.*

Semester Shall mean the Massey University academic year as divided into three enrolment periods each totalling thirteen weeks within which Massey University generally teaches its academic and professional programmes.

University Holiday Shall mean any holiday other than statutory holidays or weekends when the University is closed including those mandatory holidays stipulated as part of its collective Staff Agreement (the Tuesday after Easter Monday, the last working day before Christmas Day, and the first three working days after Boxing Day that are not a Saturday, Sunday, or Public Holiday) or mandated by the University management at any time.

Volunteer Shall mean anyone who without compensation or expectation of compensation beyond reimbursement performs a task at the direction of and on behalf of the Association. A 'volunteer' must be officially accepted and enrolled by the Association prior to performance of the task. Unless specifically stated, volunteers shall not be considered as 'employees' of the Association.

4. Timing

Executive Elections shall be held annually in the Second Semester (Section 12 Constitution and Regulations [C&R]).

An election must be held for every Executive position (Schedule 2, Section 4.1, C&R).

The date of the election shall be determined by the Executive Committee whose responsibility shall be to ensure that this date is advertised to the membership as widely as possible.

The Executive Committee shall establish the dates of the election by the end of the first week of the second semester.

The Executive shall pay close attention to the lead-time between when nominations are called and the date for the election to ensure that the timing restrictions under the C&R (Schedule 2, '5. Nominations', and '6: Voting') are met.

5. Returning Officer (RO) and Election Sub-Committee (ESC)

The Executive Committee, through the General Manager, shall appoint a senior member of the University administration to act in the capacity of Returning Officer for the Albany Students' Association Inc. Election.

The Executive shall appoint an Election Sub-committee (ESC) to oversee all aspects of the running of the election. This sub-committee shall comprise the appointed Returning Officer, the ASA General Manager, the ASA vice-president and one other person from the ASEC, providing those persons are not standing for election themselves and confirm no vested interest in any other person standing for election.

6. Information Collection and Dissemination

The ESC is to ensure that all candidates are informed of matters relating to the election, this information is to include, but not be limited to, the following: nomination forms, dates, and times for completion of all documentation, timeline of the entire election, election policy and procedure,

candidate code of conduct forms and meeting time, campaign information, submission guidelines and deadlines.

The ESC is to arrange for all advertising associated with the elections to be designed, printed, distributed, and updated as necessary.

The ESC is to arrange the design of the ballot papers.

The ESC is to liaise with the Executive Committee over the inclusion and wording of any referenda on the ballot paper prior to its release.

The ESC is to liaise with the Massive Editor over the layout and design of the 'Election' issue of the newspaper.

7. Procedural Compliance

The R.O. is to ensure that the correct voting procedure is carried out as outlined in the Albany Students' Association Inc. C&R and Election Policy and Procedure and enforce the compliance of candidates in relation to these procedures as necessary.

The R.O. is to immediately inform the ESC if a conflict of interest arises at any time in the election process.

8. Event Management

The ESC is responsible for the implementing the method to be used to run the polling days of the election as agreed by the Executive Committee.

The ESC is responsible for ensuring that the budget commitment laid down in the ASA Budget is met and for submitting a projected budget associated with income and expenditure to the Executive Committee for approval at least two (2) weeks prior to the start of polling.

The ESC is responsible for liaising with the appropriate University staff to ensure that approval is given, where necessary, for the location of polling booths, advertising and promotions that may impact on academic or administrative staff and their workplace.

In the event of a paper ballot being used, the R.O. is to be present throughout the ballot paper counting stage.

The R.O. is to be available following an election to assist in any subsequent disciplinary or other such investigation or complaint into the conduct of the election or of candidates for election.

9. Reports

The ESC is to maintain true and accurate financial records and submit a financial report on the elections to the Albany Students' Association Executive Committee no later than four (4) weeks after the completion of the elections.

The ESC is to submit a general report on the elections to the Albany Students' Association Executive Committee including comments and recommendations on the election process and procedure, no later than four (4) weeks after the completion of the elections.

10. Nominations

Public Notice calling for the nominations for election to the Executive shall be given fifteen (15) clear days before the first polling day (C&R, Schedule 2, 5. Nominations, 5.1).

Nominations for election (or by-election) to the Executive must be in writing and be signed by no fewer than five (5) Members of the Association and bear the consent of the nominee (C&R, Schedule 2, 5. Nominations, 5.2).

Nominations for a by-election shall close five (5) clear days after opening.

The campaigning period for a by-election shall be five (5) clear days.

The voting period for a by-election shall be the same as for the annual election.

All completed nominations forms must be returned to the Association offices within the timeframe set and advertised by the ESC.

Nominations shall close ten (10) clear days after opening (C&R, Schedule 2, 5.2 Nominations, 5.2). A "Clear Day" constitutes "all days excluding weekends, public holidays, and University holidays." (C&R Schedule 2. Interpretation).

All nominations must be on official nomination forms. These forms, as well as the role descriptions, the campaign conduct forms, and any other necessary information shall be provided by the ESC. This shall be made available through the Association office and any other methods determined and agreed upon by the Executive Committee.

Correct completion of all nomination forms remains the sole responsibility of the candidates.

The ESC shall ensure that all candidates who return their completed nomination forms receive a receipt stating the date and time that the nomination form was received. This receipt shall not constitute any indication that the material included on the nomination form complies with the C&R or Election Policy and Procedure, only that it has been received within the timeframe allowed for nominations.

The R.O. and ESC shall share the responsibility to check that the details of all nomination forms are correct and comply with the C&R and Election Policy and Procedure. The ESC shall subsequently notify candidates of their eligibility within three (3) clear days of the nomination period closing.

The Association shall post a list of confirmed candidates within three (3) clear days of nominations closing.

Any nomination forms received after the state close of nominations shall not be accepted.

Any nomination forms received that do not comply with the C&R and Election Policy and Procedure will not be accepted.

11. Eligibility (incorporates C&R Schedule 12.3 – Eligibility).

All members of the Association shall be eligible for election to the Executive.

Members may run for but not fulfil multiple roles on the Albany Students' Executive Committee.

12. Candidates

All candidates must complete the official nomination form for the position/s they are standing for and return them to the Association office prior to the advertised close of the nomination period to qualify to stand for election.

Candidates will be able to access role descriptions, nomination forms, the election code of conduct forms and the Election Policy and Procedure document from the ASA website.

All candidates must sign a statement to the effect that they will abide by the Election Campaign of Conduct and return it to the R.O prior to the beginning of the campaigning period, i.e., after the pre-campaign briefing.

All candidates must attend the pre-campaign briefing where the R.O. or their nominee shall inform them of the Election Policy and Procedure, the regulations governing Campaign Conduct and distribute any additional relevant information as necessary.

Failure to attend the pre-campaign briefing meeting shall result in the disqualification of the candidate.

The General Manager is responsible for informing the candidates of the date and time of the pre-campaign briefing meeting, but this meeting must occur within at least two (2) clear days of the close of nominations.

The candidates must attend the entire Part One section of one (1) Executive Committee meeting after the close of the nomination period and before the first day of polling.

Failure to attend the entire Part One section of one (1) Executive Committee meeting shall result in the disqualification of the candidate.

The ASA vice-president shall be responsible for informing the R.O. and candidates of the date and time of the available Executive Committee meetings during the period after the close of the nomination period and before the first day of polling.

The student id numbers of those students who have been nominated and their nominating students will be sent to Massey University so that it can be verified that they are eligible to be nominated as a currently enrolled internal Albany student.

13. Disqualification

Disqualification means that voters are instructed that they may not vote for the candidate and that the candidate's name will be struck from the website elections portal or ballot paper. Any votes previously recorded for that candidate will be declared void.

Any candidate who is disqualified will be so advised verbally and in writing by the R.O. as soon as practicable after the decision has been made.

The written disqualification will outline the breaches of the C&R, the Election Policy and Procedure, and/or the Candidate Code of Conduct Policy and Procedure that have led to his or her disqualification as well as make reference to any prior written warning/s that may have been issued.

Any candidate who has been disqualified has the right to appeal his or her disqualification.

Notice of such an appeal must be made in writing to the Vice-President within 24 hours of the receipt of the written notice of disqualification issued by the R.O.

The ESC shall appoint and act as an Appeal Panel prior to the opening of nominations.

The Appeal Panel will review any appeals within the nomination and election period(s)4.10.8

Upon receipt of the written appeal, a notice shall be placed on the ASA website indicating that an appeal has been lodged.

The Appeal Panel will call for written and/or verbal submissions from any person with information considered relevant to the appeal.

The Appeal Panel will only consider information relevant to the appeal.

All parties to the appeal will be informed of the written decision of the Appeal Panel as soon as it is available.

The Appeal Panel shall seek to resolve the issue of the appeal in as short a period as considered practicable.

In the event of an appeal being lodged during the days of polling, the candidate's name will remain on the ballot paper. No instructions will be issued to voters on the status of the candidate until after the Appeal Panel has met and considered the appeal.

14. Roll of Voters

The roll of voters shall consist of all internal Albany Students who have or do sign up as members on the Association website.

The student IDs of those students who have voted will be sent to Massey University so that it can be verified that they were eligible to vote as a currently enrolled internal Albany student.

15. Election Procedure (incorporates C&R Schedule 2, Section 4)

An election must be held for every position on the Albany Students' Association Executive committee.

For each position, there shall be provision for a "No Confidence" and a "No" vote, with the "No" vote being the default setting in any electronic voting process.

Any campaign for the option of "No Confidence" must be registered with the R.O. by an individual identifiable as coordinating the campaign and who shall be subject to the same rules, regulations, and actions as any other candidate.

If the number of "No Confidence" votes exceed the total valid votes for the highest polling candidate for that position, then none of the candidates shall be elected to that position, and another election shall be held for that position.

Voting shall take place online for 3 full clear days as approved by the ASEC.

Voting shall usually take place online between 4 p.m. Friday and 4 p.m. the following Wednesday on the date pre-determined by the ASEC. However, the ASEC has the right to open advance voting at the start of the official campaigning period or at a time that they determine. A voter must prove his or her membership by entering his or her unique Massey University student identification number into the online voting form.

Where Albany Students' Association Inc. receives only one (1) nomination for a by-election, no by-election is to be held unless a petition of ten (10) students requesting a by-election is received at the Albany Students' Association Inc. office by 4.30 p.m., five (5) clear days following the posting of a notice as per Schedule 2, 4.9.

Where Albany Students' Association Inc. receives only one (1) nomination for a by-election position, a notice shall be posted on the ASA website detailing the process to be followed for a by-election to be held for that position if requested.

Subject to the petition being received and verified, the normal by-election process will be followed.

In the absence of any petition being received, the candidate will be declared elected by 4.30 p.m., five (5) working days following the close of nominations.

Where a by-election is held for a position and all but one candidate nominated for the position either withdraws or is disqualified then the ESC shall meet to decide one of the following:

- If there are fewer than five (5) clear days to polling, then polling shall stand as advertised.
- If there are more than five (5) clear days to polling then the provisions in Schedule 2, 4.8 and 4.9 shall stand.

16. Voting Procedure

Candidates are subject to the following rules and regulations for the voting procedure:

Candidates shall be able to be nominated for the following roles:

- President
- Vice-President
- Education Officer
- Engagement Officer
- Welfare Officer
- Cultural Officer

Each role above shall have a separate voting category on the ballot form.

Candidates can be nominated for more than one role and shall be listed under each voting category that they are nominated for.

Members may place one (1) vote for any candidate in the voting category.

If members do not place their votes for candidates in a chosen voting category, they may place one (1) vote of “No Confidence” in that same voting category, which will apply to all individual candidate’s valid vote count within that voting Category.

As set out in schedule 2 section 4.3 in the Constitution and Regulations, members may launch a no-confidence campaign against any candidate.

If a candidate has been nominated for multiple roles and wins a majority vote for more than one (1) role, the candidate may select his or her preferred role within 24 hours of the availability of final voting results.

If no selection has been made, the position is then vacant, and subject to the vacancy provision as set out in section 12.7 in the Constitution and Regulations.

If any role is left vacant on the ASEC due to the winning candidate electing to take up another position for which they were the winning candidate, the next highest voted candidate shall be offered the position within the voting category.

If after the close of voting, there are any vacant positions on the ASEC for the following year, then a by-election shall be held in semester 1 of the following year.

17. Media

All candidates shall have the opportunity to be part of a Massive 'Election Special,' wherever Massive print deadlines permit and to have their details published on the ASA website.

The Massive Election Special and the ASA website shall feature each person standing for election (or by-election) as well as a short blurb describing them or the position for which he or she is standing and a photograph.

The length of the candidates' blurbs is at the discretion of the Massive Editor, although they may not be fewer than 100 words.

All candidates will be given an equal word-count and they will be advised on the editorial guidelines associated with the publication in writing by the R.O.

Candidates may choose not to submit either a blurb or the attendant photograph, although this fact will be noted in the publication alongside the position/s for which they are standing.

Candidates shall have the opportunity to participate in an organised election event. This event will be arranged by the ESC and candidates will be informed of time and location. The event may be filmed for uploading to the internet and candidates will be required to sign a disclaimer that they agree to have their image or video used.

Candidates are encouraged to approach Massive magazine for campaign advertising, adhering to the campaigning rules in the election policy.

18. Vote Counting (incorporates Schedule 2, Election, Vote Counting)

When polling closes, the General Manager will inform the R.O. and Vice-President and post the preliminary results to the website

The General Manager will send the file of votes to Massey University for validation against the role of eligible enrolled internal Albany students.

The ESC shall appoint two independent scrutinisers to oversee the counting process in the event of a paper ballot scenario.

If there is equality of votes for any position, a special online poll shall be run for that position, no later than five (5) clear days after the declaration.

After the eligibility of all voters has been determined, the General Manager of the Association shall post a final confirmed result on the Association's website.

The electronic ballot must be retained for seven (7) clear days.

19. Objections

If a candidate and twenty-five (25) voters, or, any twenty (20) voters, wish to object to the election or poll, they may, within three (3) days (excluding weekends, public holidays, or University holidays) of the result of the election or poll, lodge their objection in writing with the Vice-President of the Association.

The written objection must allege specific grounds, and only these shall be investigated.

The ESC shall act as arbitrators who shall hear the complaints and decide whether the election or poll was invalid.

If the election or poll is considered invalid, a fresh election or poll must be held.

Grounds for disqualification are set out in the ASA Candidate Campaign Code of Conduct.

Upon receipt of the written appeal, the Vice-President shall place a notice on the ASA website indicating that an appeal has been lodged.

The Appeal Panel will meet at the advertised place and time to consider the information and decide.

The Appeal Panel will call for written and/or verbal submissions from any person with information considered relevant to the appeal.

The Appeal Panel will only consider information relevant to the appeal.

All parties to the appeal will be informed of the written decision of the Appeal Panel as soon as it is available.

The Appeal Panel shall seek to resolve the issue of the appeal in as short a period as considered practicable.

The decision of the Appeal Panel will be referred to the next Executive meeting for final ratification.

20. Campaigning

The form of campaigning will be limited by:

- Statute
- Local By-laws

- University Policy and Regulations
- ASA Policy and Regulations

Advertising Media and Limits

The Returning Officer shall advise candidates that personal campaign spending is limited to an amount decided by the Executive. Responsibility for removing personal publicity after the election lies with the candidate. Failure to comply with any of the terms of conduct as defined in the Election Schedule may, at the joint discretion of the Returning Officer and General Manager, result in disqualification of the nomination, candidate, or campaign.

On Campus Advertising

The following types of election advertising are allowed for candidates' use, but face restrictions within the campus precincts:

- Posters – All posters must comply with the ASA Notice-board Policy and be attached to any pin-board using thumb tacks or the equivalent – not staple-gunned. The candidates will be responsible for placement and removal once the campaign is complete.
- Flyers – All flyers must be handed out, they may not be left in locations around campus, nor can they be placed under the wiper blades of vehicles in the University car parks.
- Banners – May only be placed with the permission of the Executive committee and Massey University's Albany Operations Management
- Billboards or hoardings - May only be placed with the permission of the Executive committee and Massey University's Albany Operations Management.
- Sandwich Boards - May only be placed with the permission of the Executive committee and Massey University's Albany Operations Management.
- Chalking - May only be placed on an outside surface where the rain can wash the chalk away with the permission of the Executive committee and Massey University's Albany Operations Management.
- Direct Solicitation – This may take the form of talking directly to prospective voters as well as the distribution of pamphlets. However, all candidates must ensure that either they or their volunteers immediately identify themselves and that any instances where they may seek to speak directly to students in lectures, that they have sought the permission from the lecturer prior to addressing any class
- Publications – The only on-campus publication where additional advertising may occur is within Massive Magazine. This is limited to the requirements set in Section 4.13, Media.
- Special Events – Providing these do not breach either the spending limit (Section 4.10.8) or involve elements that are prohibited (Section 4.13 of the Candidate Code of Conduct Policy).
- Other Types – Will be considered individually by the Executive Committee.

Off-Campus Advertising

The following types of election advertising are allowed for candidates' use:

- Posters – Must comply with the ASA Media and Advertising Policy.

- Website Advertising –Must conform to funding limits (see Section 4.10.8). Must identify who is responsible for hosting, design, and be identified as being authorised by the candidate.

Campaign Funding Limits

No campaign is allowed to breach the campaign funding limits set by the Executive Committee.

The limit of **cash** spending for groups is set by the Executive as part of the confirmation of spending limits that occurs prior to any election campaign.

Contra is any non-cash sponsorship and includes but is not limited to sponsors’ products or services and volunteer equivalent work hours of assistance. It is included in any budget for a candidate or group of candidates as the equivalent in cash value.

Volunteer contributions are included as the base limit equivalent to 24 hours work for two (2) persons each working up to six (6) hours per week. Any period after that will be allocated as part of the cash spending limit.

Third-Party Sponsorship and Involvement

Third party sponsorship is allowed within the spending limits for candidates and groups set by the Executive Committee. This includes assistance in the form of contra, products and services and volunteers. Third party individuals or groups are prohibited from undertaking direct advertising of candidates.

21. Force Majeure

‘Force Majeure’ means an event or occurrence which is beyond ASA’s reasonable control (including acts of God or the public enemy, flood, earthquake, storm, cyclone, tornado, hurricane, lightning, fire, explosion, epidemic, war, terrorism, pandemic, embargoes, riot or civil disturbances, sabotage, expropriation, confiscation or requisitioning of facilities, the imposition of disabling exchange rate controls, orders or temporary or permanent injunctions of any duly constituted court of competent jurisdiction).

In the eventuality that an incident arises beyond the control of the Association by no fault or folly be it unforeseen or within the control of the Association and which cannot be avoided but which prevents the completion of the Election process, the election will be set aside until a time and date that is agreed by the Executive.

22. Other Matters

The Executive Committee shall decide all matters relating to the elections or polls not already dealt with in these regulations.

23. References

Constitution and Regulations

Election Candidate Campaign Code of Conduct Policy

Executive Model Code of Conduct