

ECU GUILD BY-ELECTION 2025 DETERMINATIONS BY RO

BACKGROUND:

The 2025 By-Election is being held to fill a single Senate vacancy, that of Guild President. Many aspects of one, single-vacancy election are not addressed explicitly by the Election Procedures. Omissions and ambiguities need to be determined by the RO before the election wherever possible.

The RO is responsible for conducting elections in a fair and safe manner.

In part, the Election Procedures (EP) specify that

The Returning Officer may

(a) determine any issues of interpretation over:

(i) any aspects of these Election Procedures where the plain meaning of the language used in the relevant procedures is unclear, and

(ii) relevant electoral matters on which these Election Procedures are not explicit;

(b) issue determinations, directions and exercise discretions in whatever terms the Returning Officer sees fit for the fair conduct and administration of the Elections;

(c) take any action that the Returning Officer deems appropriate to ensure the fair conduct and administration of the Elections

And later in the EPs

The Returning Officer will develop. . .

a risk assessment in relation to the conduct of the Election and any appropriate risk mitigation strategies

Three elements critical to the fair and democratic conduct of elections are that

- i. Every elector is given the same, and equal, opportunity to cast their vote,
- ii. No elector is allowed to cast more than one vote in each election, and
- iii. No candidate or elector is coerced or made to feel unsafe during the election.

MATTERS FOR DETERMINATION:

1. Method of Polling – in person and/or electronically

It has been suggested that on-campus students should vote in-person at polling places located on campus and equipped with computers configured to capture their votes, but open only over certain hours each polling day, while off-campus and overseas students use their mobile phones to vote via a secure internet portal available 24 hours each polling day.

2. Groups and Group Names

The EPs specify that it needs two or more candidates to register as a Group. It is unlikely that two candidates for the same vacancy will form a group. However, nominees may wish to align themselves with a group which already has members as sitting Senators or with a group which was registered at the last General Election in order to perpetuate its existence.

3. Number of Registered Campaigners per Candidate

At Annual General Elections there are many candidates vying for many different vacancies, and larger numbers of registered campaigners are unavoidable. At this By-Election there is a single vacancy. There is a greater risk that electors might feel intimidated if they are approached by numerous campaigners all spruiking about the one single vacancy. Each candidate should be allowed the same limited number of campaigners in the interests both of safety and of fairness.

DETERMINATIONS:

The RO's determinations in the matters listed above are shown overleaf.

**ECU GUILD BY-ELECTION 2025
DETERMINATIONS BY RO**

DETERMINATION 1 - Method of Polling

The RO has determined that polling in the 2025 By-Election shall be by electronic voting administered through a secure online portal in the same manner as used for ECU Guild Annual General Elections.

There will not be any in-person voting options provided.

This determination means that all eligible voters will have equal opportunity to cast their votes over exactly the same period of time using exactly the same process.

It is as secure as is possible, it is efficient and it makes best use of electronic technology.

Importantly, no voter will be inconvenienced or restricted by the need to be personally present at a polling place within restricted times in order to cast their vote.

The determination allows the tenet of the fair and democratic conduct of the election to be preserved.

DETERMINATION 2 - Groups and Group Names

The RO has determined that a candidate in the By-Election shall be allowed to become a member of a group which was a registered group at the General Elections held in 2024, provided:

1. that any other Guild member who was a member of that group in the 2024 General Elections agrees to become the Group Agent for that Group for the purpose of the 2025 By-Election and
2. that at least two (2) current Guild members who were members of the Group in 2024 agree in a written advice to the RO that they approve of the candidate's membership of the Group for the 2025 By-Election.

The Group Registration Form used in Annual General Elections will be used to register the group.

DETERMINATION 3 - Number of Registered Campaigners per Candidate

The RO has determined that

1. A candidate in the By-Election shall be allowed to have up to a maximum of five (5) ECU students registered to campaign on their behalf.
2. No more than four (4) of a candidate's campaigners, including the candidate, will be permitted to campaign at any one time.
3. The candidate must provide the RO with a list giving the names and Student IDs of their campaigners by the close of nominations.
4. To remain registered as campaigners, those students must attend the compulsory meeting between the RO, the candidates and the campaigners.
5. Campaigning is restricted to the prescribed campaigning areas and campaigners must observe all relevant campaigning requirements including those set out in the Election Management Plan.



Peter Zaikos
RO, ECU Guild By-Elections 2025
17th April 2025