

THE AUSTRALIAN NATIONAL UNIVERSITY

Academic Board and Committees Statute 2014

ACADEMIC BOARD AND COMMITTEES RULES 2014

I, Professor Ian Young, Vice-Chancellor of The Australian National University acting in accordance with subsection 50(3) of the *Australian National University Act 1991* and subsection 9.5 of the *Vice-Chancellorship Statute 2013* make these Rules for section 11 of the *Academic Board and Committees Statute 2014*.

Dated: 18 November 2014.

Professor Ian Young AO
VICE-CHANCELLOR

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PART 1 - PRELIMINARY

1 Name of Rules and commencement

1.1 These Rules are the Academic Board and Committees Rules 2014.

1.2 These Rules commence on 2 January 2015.

2 Definitions

2.1 In these Rules, unless the contrary intention appears:

alternate means a person appointed under rule 4, 21 or 26 to act for the member when that member is unable to attend a meeting of the Board or the relevant Committee;

Board means Academic Board;

Returning Officer includes Deputy Returning Officer;

Statute means the *Academic Board and Committees Statute*.

[Note: the terms **Board**, **Rules**, **academic staff** and **College Executive Committee** are defined in the Statute]

PART 2 – ACADEMIC BOARD – GENERAL

3 Academic Board -- Meetings

3.1 The Chair of the Academic Board is to convene all meetings of the Board and preside at all meetings of the Board at which he or she is present.

[Note: It is expected that the Board will meet at least 6 times per year.]

3.2 At a meeting of the Board, 50% of its members constitute a quorum, or, if that number is not a whole number, then the next whole number greater than the first-mentioned number.

3.3 The Chair of the Board must convene a meeting of the Board at any time if asked to do so by at least 50% of the members.

3.4 The procedures of the Board are to be determined by the Chair taking into account the advice of the members.

3.5 The Vice-Chancellor is to nominate officers of the University to provide secretariat and other support to the Board.

3.6 At a meeting of the Board, the Chair has a deliberative and a casting vote.

3.7 If the Chair is for any reason unable to convene or chair a meeting of the Board or otherwise perform the functions or duties of Chair of the Board, the Deputy Chair is to act in the place of the Chair.

4 Academic Board -- Alternates

4.1 If a Registrar is unable to attend a meeting, the Registrar may appoint, as an alternate to attend that meeting, a person who holds a senior management role in a Division for which the Registrar has direct responsibility.

4.2 If a Dean of an ANU College is unable to attend a meeting, the Dean may appoint, as an alternate to attend that meeting, an academic staff member who is a member of the College Executive Committee of the Dean's College.

4.3 If the Dean of Medicine and Health Sciences is unable to attend a meeting, the Dean may appoint, as an alternate to attend that meeting, a senior member of the academic staff of the ANU Medical School.

4.4 If the University Librarian is unable to attend a meeting, the University Librarian may appoint, as an alternate to attend that meeting, a person who holds a senior management role in the University Library and who reports directly to the University Librarian.

4.5 If an elected academic staff member from a College is unable to attend a meeting, the Dean of that College may nominate an alternate to attend that meeting.

4.6 If an elected member of a College Executive Committee is unable to attend a meeting, the member may appoint, as an alternate to attend that meeting, an academic staff member who is a member of any College Executive Committee.

4.7 If a member of the general staff is unable to attend a meeting, the member of the general staff may appoint, as an alternate to attend that meeting, another member of the general staff approved by the Chair.

4.8 If a student member is unable to attend a meeting, the student member may appoint, as an alternate to attend that meeting, a student member from the governing body of the relevant student organisation.

4.9 If a member nominated under paragraph 6.1(t) of the Statute is unable to attend a meeting, the member may appoint, as an alternate to attend that meeting, a member of the academic staff who is an indigenous person.

5 Academic Board -- Rights of alternates

5.1 An alternate for a member of the Board:

- (a) counts towards the Board's quorum;
- (b) may speak, move and vote on matters before the Board;
- (c) may not be nominated to hold the position of Deputy Chair or otherwise assume the Chair.

6 Academic Board -- Vacancies

6.1 If an elected or appointed member is absent for 3 meetings of the Board without the approval of the Chair, the member may be removed from the Board and the Chair may appoint a person who would otherwise be eligible for election or appointment to the position to complete the remainder of the former member's term of office.

6.2 If an elected position of a member falls vacant due to:

- (a) the resignation of the member; or
- (b) the death of the member; or
- (c) the member ceasing to hold the requisite qualifications for the position;

the Chair may appoint a person who would otherwise be eligible to hold the position to complete the remainder of the former member's term of office.

6.3 The Chair must consult with the Dean of the relevant College before making an appointment under this rule in relation to a position referred to in paragraphs 6.1(j) to (p) of the Statute.

PART 3 – ACADEMIC BOARD – ELECTIONS

Division 1 -- General

7 Election to be conducted in accordance with Schedule

7.1 An election of a member of the Board must be conducted in accordance with the Schedule.

7.2 However, for paragraph 6(1)(j) to (p) of the Statute, a College Dean may adopt an alternative election procedure (in whole or part) for the election of academic staff from the Dean's college.

8 Nominations not exceeding vacancies

8.1 If, at an election, the number of nominations does not exceed the number of seats to be filled, the Returning Officer must declare the persons nominated to be elected.

8.2 If, after all nominees have been declared elected, not all positions have been filled, the Returning Officer must re-open nominations for a further period not longer than 14 days.

8.3 If, at the end of that further period, there are still insufficient nominations to fill all positions, the Returning Officer is to declare the unfilled positions to be casual vacancies, to be filled in accordance with the Rules.

9 Ineligible votes not to be accepted

9.1 The Returning Officer must not accept a vote at an election unless the Returning Officer is satisfied:

- (a) that it has been cast by a person eligible to vote at the election; and
- (b) that the person has voted only once at the election.

10 Electronically conducted election

10.1 Notwithstanding any other provision of these Rules, an election conducted under these Rules may be conducted using the internet.

10.2 If an election is to be conducted using the internet:

- (a) a reference in these Rules to a notice board includes a reference to the appropriate page of the University's internet website or to an email sent to an appropriate email address, or to the email addresses of each constituent for the election; and
- (b) if a standard official email address within the University's email system is provided to a person, that email address may be regarded as the person's address; and
- (c) voting papers for the election may be provided by email or on the internet; and
- (d) the Schedule applies to an election with such modifications as the Returning Officer regards as necessary for the conduct of the election using the internet.

10.3 In spite of paragraph 10.2(d), if an election is to be conducted using the internet, the Returning Officer must ensure that the ballot is secret and that the identity of each person voting is kept separately from the person's vote.

Division 2 -- Electing a member of Academic Staff to the Board

11 Nominations

11.1 If an election of a member of the Board referred to in paragraph 6(1)(j) to (p) of the Statute is necessary, the Returning Officer must:

- (a) give to each person eligible to vote at the election; and
- (b) publish on appropriate notice boards at the University;

a notice:

- (c) stating that an election is necessary; and
- (d) inviting nominations of persons eligible for election; and
- (e) specifying the form in which nominations must be made; and
- (f) fixing a date and time by which nominations must reach the Returning Officer.

11.2 A notice under subrule 11.1 is taken to have been given to a person if a copy of a publication in which that notice is published is sent to the person.

12 Voting papers

12.1 If there are more nominations than the number of positions to be filled at an election under this Part, the Returning Officer must send to each person eligible to vote at the election a voting paper and a notice:

- (a) setting out how the voter's preference must be shown; and

- (b) specifying a date and time by which voting papers must reach the Returning Officer.

13 Who is eligible to be a candidate and to vote at an election under this Division?

13.1 A candidate, or a person eligible to vote, must be a person who, on the pay day immediately before the day on which nominations for the election were invited:

- (a) satisfied the definition of **academic staff**, and
- (b) was paid salary by the University on that pay day.

13.2 However, paragraph 13.1(b) does not apply in relation to a candidate or a person eligible to vote if he or she holds an academic appointment in a particular College and is nominated as an academic staff member for the purposes of the Statute by the Dean of that College.

13.3 In subrule 13.1, **pay day** means a day on which the salary of the majority of the persons referred to in that subrule is paid.

Division 3 -- Electing a member of the General Staff to the Board

14 Nominations

14.1 If an election of a member of the Board referred to in paragraph 6(1)(q) of the Statute is necessary, the Returning Officer must:

- (a) give to each person eligible to vote at the election; and
- (b) publish on appropriate notice boards at the University;

a notice:

- (c) stating that an election is necessary; and
- (d) inviting nominations of persons eligible for election; and
- (e) specifying the form in which nominations must be made; and
- (f) fixing a date and time by which nominations must reach the Returning Officer.

14.2 A notice under subrule 14.1 is taken to have been given to a person if a copy of a publication in which that notice is published is sent to the person.

15 Voting papers

15.1 If there are more nominations than the number of positions to be filled at an election under this Part, the Returning Officer must send to each person eligible to vote at the election a voting paper and a notice:

- (a) setting out how the voter's preference must be shown; and
- (b) specifying a date and time by which voting papers must reach the Returning Officer.

16 Who is eligible to be a candidate and to vote at an election under this Division?

16.1 For the purposes of paragraph 6(1)(q) of the Statute and this Division, **member of the general staff** means a person who, on the pay day immediately before the day on which nominations for the election were invited under rule 14:

- (a) was employed as a full-time or part-time standard or fixed term member of the general staff in the University; and
- (b) was paid salary by the University on that pay day.

16.2 In subrule 16.1, **pay day** means a day on which the salary of the majority of persons referred to in paragraph 16.1(a) is paid.

Division 4 -- Electing a member of a College Executive Committee to the Board

17 Nomination

17.1 If an election of a member of the Board referred to in paragraph 6(1)(i) of the Statute is necessary, the Returning Officer must:

- (a) give to each person eligible to vote at the election; and
- (b) publish on appropriate notice boards at the University;

a notice:

- (c) stating that an election is necessary; and
- (d) inviting nominations of persons eligible for election; and
- (e) specifying the form in which nominations must be made; and
- (f) fixing a date and time by which nominations must reach the Returning Officer.

17.2 A notice under subrule 17.1 is taken to have been given to a person if a copy of a publication in which that notice is published is sent to the person.

18 Voting papers

18.1 If there are more nominations than the number of positions at an election under this Part, the Returning Officer must send to each person eligible to vote at the election a voting paper and a notice:

- (a) setting out how the voter's preference must be shown; and
- (b) specifying a date and time by which voting papers must reach the Returning Officer.

19 Who is eligible to be a candidate and to vote at an election under this Division?

19.1 A candidate or a person eligible to vote under this Division must hold a position mentioned in an Order made by the Vice-Chancellor for the purposes of paragraph 6(1)(i) of the Statute setting out the titles of each member of the College Executive Committees who is entitled to vote.

19.2 However, for this rule and clause 3 of the Schedule, for the purposes of electing members of College Executive Committees, College Deans may not be nominated but may nominate an eligible person and may vote in the election.

19.3 Also, if a person is acting in a position on behalf of a member of a College Executive Committee, the person may nominate or vote in the election upon production of documentary evidence to the Returning Officer from the substantive office holder (or a more senior delegate) attesting that they have been formally appointed to act in the position.

19.4 If a person acting in a position is permitted to cast a vote under subrule 19.3 at an election, the substantive office holder may not vote at that election.

19.5 Despite subrule 19.3, a person holding an acting appointment of less than 12 months duration is not eligible to be nominated under this rule.

PART 4 - UNIVERSITY RESEARCH COMMITTEE

20 University Research Committee -- General

20.1 There is to be a committee to be known as the University Research Committee.

20.2 Each of the following is to be a member of the University Research Committee:

- (a) the Deputy Vice-Chancellor (Research) as Chair of the Committee;
- (b) the Pro Vice-Chancellor (Research and Research Training);
- (c) the Registrar (Student Administration);
- (d) the Dean of Medicine and Health Sciences;
- (e) the Director of the Division of Research Services;
- (f) the Chair of each of the University's Human Research Ethics Committee, the Animal Experimentation Ethics Committee and the ANU Recombinant DNA Monitoring Committee;
- (g) the Dean of each ANU College or his or her nominee;
- (h) 1 academic staff member from each ANU College nominated by the Dean of that College and appointed by the Chair;
- (i) the Director of the ANU National Centre for Indigenous Studies;
- (j) 1 senior academic researcher appointed by the Chair of the Committee;
- (k) 1 early career academic researcher appointed by the Chair of the Committee;
- (l) the University Librarian;
- (m) 1 postgraduate student appointed by the Chair of the Committee in consultation with the President of the Postgraduate and Research Students' Association Inc.;
- (n) 1 undergraduate student appointed by the Chair of the Committee in consultation with the President of the Australian National University Students' Association Inc.;
- (o) 1 member of the general staff appointed by the Chair of the Committee;
- (p) not more than 2 additional members appointed by the Chair of the Committee to provide a diversity of views if the Chair believes the current membership of the Committee does not reflect the academic and cultural diversity of the University.

20.3 The Deputy Chair of the Committee is to be elected from among their number by the members of the Committee.

20.4 Subject to sub-rule 20.5, the term of appointment of each appointed member of the Committee is to be 2 years, but may be renewed.

20.5 The term of appointment of each appointed member of the Committee mentioned in paragraph 3.2(m) and (n) is to be 1 year, but may be renewed.

21 University Research Committee -- Alternates

21.1 If the Registrar (Student Administration) is unable to attend a meeting, the Registrar may appoint, as an alternate to attend that meeting, a person who reports directly to the

Registrar and who holds a senior management role in a Division for which the Registrar has direct responsibility.

21.2 If the Director of the Division of Research Services is unable to attend a meeting, the Director may appoint, as an alternate to attend that meeting, a person who holds a senior management role in the Division of Research Services and who reports directly to the Director.

21.3 If the Chair of the University's Human Research Ethics Committee, the Animal Experimentation Ethics Committee or the ANU Recombinant DNA Monitoring Committee, is unable to attend a meeting, the Chair of the Committee may appoint the Deputy Chair of that Committee as an alternate to attend the meeting.

21.4 If the Director of the ANU National Centre for Indigenous Studies is unable to attend a meeting, the Director may appoint, as an alternate to attend that meeting, a member of the academic staff who is also an indigenous person.

21.5 If the University Librarian is unable to attend a meeting, the University Librarian may appoint, as an alternate to attend that meeting, a person who holds a senior management role in the University Library and who reports directly to the University Librarian.

21.6 If the Dean of Medicine and Health Sciences is unable to attend a meeting, the Dean may appoint, as an alternate to attend that meeting, a senior member of the academic staff of the ANU Medical School.

22 University Research Committee -- Rights of alternates

22.1 An alternate for a member of the Committee:

- (a) counts towards the Committee's quorum;
- (b) may speak, move and vote on matters before the Committee;
- (c) may not be nominated to hold the position of Deputy Chair or otherwise assume the Chair.

23 University Research Committee -- Terms of reference

23.1 The Committee may advise the Academic Board or the Vice-Chancellor:

- (a) on matters relating to research and research training at the University; and
- (b) on major issues relevant to the University's strategic plans and overarching policy; and
- (c) on any matter referred to the Committee by the Academic Board, the Vice-Chancellor, the Chair of the Committee or a member of the University Executive with portfolio responsibility for research.

23.2 The Committee, in carrying out its role is:

- (a) to monitor the development of the University's policies and plans in relation to research; and
- (b) to advise on the coordination of the University's research effort; and
- (c) to monitor the quality of the University's research activities.

24 University Research Committee -- Meetings

24.1 The Chair of the Committee (or, if the Chair is not present, the Deputy Chair) is to convene all meetings of the Committee and preside at all meetings of the Committee at which he or she is present.

[*Note:* it is expected that the Committee will meet at least once every 2 months.]

24.2 At a meeting of the Committee, 50% of its members constitute a quorum, or, if that number is not a whole number, then the next whole number greater than the first-mentioned number.

24.3 The Chair of the Committee must convene a meeting of the Committee at any time if asked to do so by at least 50% of the members.

24.4 The procedures of the Committee are to be determined by the Chair taking into account the advice of its members.

24.5 The Vice-Chancellor is to nominate officers of the University to provide secretariat and other support to the Committee.

24.6 At a meeting of the Committee, the Chair has a deliberative and a casting vote.

PART 5 - UNIVERSITY EDUCATION COMMITTEE

25 University Education Committee -- General

25.1 There is to be a committee to be known as the University Education Committee.

25.2 Each of the following is to be a member of the University Education Committee:

- (a) the Deputy Vice-Chancellor (Academic) as Chair of the Committee;
- (b) the Pro Vice-Chancellor (Student Experience);
- (c) the Pro Vice-Chancellor (International and Outreach);
- (d) the Dean of Medicine and Health Sciences;
- (e) the Dean of each ANU College or his or her nominee;
- (f) 1 academic staff member from each ANU College nominated by the Dean of that College and appointed by the Chair;
- (g) the Dean of Students;
- (h) the Director of the Tjabil Indigenous Higher Education Centre;
- (i) the Registrars;
- (j) the University Librarian;
- (k) 1 postgraduate student appointed by the Chair of the Committee in consultation with the President of the Postgraduate and Research Students' Association Inc.;
- (l) 1 undergraduate student appointed by the Chair of the Committee in consultation with the President of the Australian National University Students' Association Inc.;
- (m) one General Manager of a College appointed by the Chair of the Committee;
- (n) 1 member of the general staff appointed by the Chair of the Committee;
- (o) not more than 2 additional members appointed by the Chair of the Committee to provide a diversity of views if the Chair believes the current membership of the Committee does not reflect the academic and cultural diversity of the University.

25.3 The Deputy Chair of the Committee is to be elected from among their number by the members of the Committee.

25.4 Subject to subrule 25.5, the term of appointment of each appointed member of the Committee is to be 2 years, but may be renewed.

25.5 The term of appointment of each appointed member of the Committee mentioned in paragraph 25.1.1(k) and (l) is to be 1 year, but may be renewed.

26 University Education Committee -- Alternates

26.1 If a Registrar is unable to attend a meeting, the Registrar may appoint, as an alternate to attend that meeting, a person who reports directly to the Registrar and who holds a senior management role in a Division for which the Registrar has direct responsibility.

26.2 If the Director of the Tjabal Indigenous Higher Education Centre is unable to attend a meeting, the Director may appoint, as an alternate to attend that meeting, a person who is a member of the academic staff and is an indigenous person.

26.3 If the University Librarian is unable to attend a meeting, the University Librarian may appoint, as an alternate to attend that meeting, a person who holds a senior management role in the University Library and who reports directly to the University Librarian.

26.4 If the Dean of Medicine and Health Sciences is unable to attend a meeting, the Dean may appoint, as an alternate to attend that meeting, a senior member of the academic staff of the ANU Medical School.

27 University Education Committee -- Rights of alternates

27.1 An alternate for a member of the Committee:

- (a) counts towards the Committees quorum;
- (b) may speak, move and vote on matters before the Committee;
- (c) may not be nominated to hold the position of Deputy Chair or otherwise assume the Chair.

28 University Education Committee -- Terms of reference

28.1 The Committee may advise the Academic Board or the Vice-Chancellor:

- (a) on matters relating to the University's educational programs including postgraduate coursework and activities; and
- (b) on major issues relevant to the University's strategic plans and overarching policy; and
- (c) on any matter referred to the Committee by the Academic Board, Vice-Chancellor, the Chair of the Committee or a member of the University Executive with portfolio responsibility for education.

28.2 The Committee, in carrying out its role is:

- (a) to monitor the development of the University's policies and plans in relation to education; and
- (b) to advise on the coordination of the University's educational activities; and
- (c) to monitor the quality of the University's educational programs and activities.

29 University Education Committee -- Meetings

29.1 The Chair of the Committee (or, if the Chair is not present, the Deputy Chair) is to convene all meetings of the Committee and preside at all meetings of the Committee at which he or she is present.

[*Note:* it is expected that the Committee will meet at least once every 2 months.]

29.2 At a meeting of the Committee, 50% of its members constitute a quorum, or, if that number is not a whole number, then the next whole number greater than the first-mentioned number.

29.3 The Chair of the Committee must convene a meeting of the Committee at any time if asked to do so by at least 50% of the members.

29.4 The procedures of the Committee are to be determined by the Chair taking into account the advice of its members.

29.5 The Vice-Chancellor is to nominate officers of the University to provide secretariat and other support to the Committee.

29.6 At a meeting of the Committee, the Chair has a deliberative and a casting vote.

PART 6 - GENERAL

30 Committee alternates -- General

30.1 An appointed member of a Committee who is unable to attend a meeting of the Committee may nominate an alternate from the same category of membership to attend the meeting on his or her behalf.

30.2 An alternate must be a person who would otherwise be eligible to be chosen as a member of the Committee.

30.3 An alternate attending a meeting of a Committee has the same rights and obligations as the substantive member in whose place the alternate attends the meeting.

31 Committee vacancies

31.1 If a member is absent for 3 meetings of a Committee without the approval of the Chair, the member may be removed from the Committee and the Chair may appoint a person who would otherwise be eligible for appointment to the position to complete the remainder of the former member's term of office.

31.2 If a position of a member falls vacant due to:

- (a) the resignation of the member; or
- (b) the death of the member; or
- (c) the member ceasing to hold the requisite qualifications for the position;

the Chair may appoint a person who would otherwise be eligible for appointment to the position to complete the remainder of the former member's term of office.

32 Subcommittees

32.1 The Academic Board or a Committee established under these Rules may establish one or more subcommittees to assist it in the carrying out of its functions.

33 Repeal

33.1 The Australian National University Academic Board and Committees Rules 2013, as amended and in force immediately before the commencement of these Rules, are repealed.

SCHEDULE

(Rule 7)

1. In the conduct of an election under these Rules the Returning Officer must allow the intervals set out below between the following events:

- (a) between the publication of the fact that an election is necessary and the time prescribed for the receipt of nominations, not less than 14 and not more than 30 days;
- (b) between the time prescribed for the receipt of nominations and the issue of voting papers, not more than 28 days;
- (c) between the time of issuing voting papers and the time by which voting papers must reach the Returning Officer, not less than 14 and not more than 60 days.

2.(1) Nominations of candidates must be made to the Returning Officer.

(2) In sending a notice or voting paper to a person eligible to vote, the Returning Officer may send the notice or voting paper:

- (a) by messenger to a place within the University that seems appropriate to the Returning Officer; or
- (b) by post to an address which seems appropriate to the Returning Officer; or
- (c) by electronic means to an email or internet address which seems appropriate to the Returning Officer.

(3) However, if a person entitled to vote at an election held under this Rule applies to the Returning Officer personally for a voting paper at a time after voting papers have been sent in relation to the election, and before the close of the poll, the Returning Officer may deliver a voting paper to the person personally or by electronic means to the person's email or internet address.

3. A nomination must be signed by 2 persons qualified to vote at the election and must contain the written consent of the candidate to nomination.

4. With every voting paper there must be issued:

- (a) an envelope that is marked 'Voting Paper'; and
- (b) another envelope that is addressed to the Returning Officer and on which is endorsed a form of declaration.

5.(1) Every voting paper must contain the names of the candidates in alphabetical order (the names of any retiring candidates being indicated).

(2) If a voting paper is lost or destroyed a duplicate must be supplied on written application to the Returning Officer.

6. There must be set out at the head of every ballot paper the following instructions:

"INSTRUCTIONS TO VOTER

- 1.** Indicate your preference, or the order of your preference, on this voting paper by writing the number 1 against the name of the candidate for whom you wish to vote or by writing a series of consecutive numbers, beginning with the number 1, against the names of the candidates for whom you wish to vote, one number being written against the name of each such candidate. You are not required to write a number against the name of every candidate.
- 2.** Place this voting paper in the envelope marked 'Voting Paper'.

3. Seal that envelope and place it in the envelope addressed to the Returning Officer.
4. Sign the declaration on the envelope addressed to the Returning Officer and post or deliver the envelope to the Returning Officer."

7. A voter must vote in conformity with the instructions set out in clause 6.

8. All envelopes referred to in paragraph 4.(b) that are received by the Returning Officer must remain unopened until the close of the poll, at which time the Returning Officer or his or her deputy must:

- (a) open each envelope in respect of which the declaration has been signed by a qualified voter;
- (b) place the envelopes containing the voting papers together; and
- (c) after all the envelopes containing the voting papers have been so placed together, open the envelopes and ascertain the result of the election.

9. Each candidate is entitled to nominate a scrutineer to represent the candidate at the scrutiny.

10. Neither the Returning Officer nor anyone acting as deputy of the Returning Officer nor any scrutineer may in any way disclose or aid in disclosing in what manner any voter has voted.

11. A voting paper must be accepted if it is received by the Returning Officer before the close of the poll.

12. The Returning Officer must decide whether any voting paper is to be accepted or rejected.

13. In an election at which only 1 candidate is to be elected, the result of the election must be determined in the following manner:

- (a) the Returning Officer must count the first preference votes given for each candidate on all unrejected voting papers;
- (b) the candidate who has received the largest number of first preference votes must, if that number constitutes an absolute majority of votes, be elected;
- (c) if no candidate has received an absolute majority of first preference votes, the counting of votes must proceed as follows:
 - (i) the candidate who has received the fewest first preference votes is to be excluded, and each voting paper counted to that candidate must be counted to the candidate next in the order of the voter's preference;
 - (ii) if a candidate then has an absolute majority of votes that candidate is elected, but if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes, and counting each of that candidate's voting papers to the unexcluded candidate next in the order of the voter's preference, must be repeated until 1 candidate has received an absolute majority of votes; and
 - (iii) the candidate who has received an absolute majority of votes is elected.

14. In an election at which more than 1 candidate is to be elected, the result of the election must be determined in the manner following:

- (a) the first preference votes given for each candidate on all unrejected voting papers are to be counted;

- (b) the aggregate number of such first preference votes is to be divided by 1 more than the number of candidates required to be elected, and the quotient increased by 1, disregarding any remainder, is to be the quota, and (except as provided in paragraph (j)) no candidate is to be elected until the candidate obtains a number of votes equal to or greater than the quota;
- (c) any candidate who has, upon the first preference votes being counted, a number of such votes equal to or greater than the quota is to be declared elected;
- (d) if the number of such votes obtained by any candidate is equal to the quota, the whole of the voting papers on which a first preference vote is recorded for such elected candidate must be set aside as finally dealt with;
- (e) if the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota is to be transferred to the other candidates not yet declared elected, next in the order of the voter's preferences, in the following manner:
 - (i) all the voting papers on which a first preference vote is recorded for the elected candidate must be re-examined, and the number of second preference votes, or (in the case provided for in clause 16) third or next consecutive preferences, recorded for each unelected candidate must be counted;
 - (ii) the surplus of the elected candidate must be divided by the total number of votes obtained by that candidate on the counting of the first preference votes, and the resulting fraction, truncated to 6 decimal places, is the transfer value;
 - (iii) the number of second or other preferences ascertained in subparagraph (i) to be recorded for each unelected candidate, must be multiplied by the transfer value and the calculated product expressed as an integer (ignoring any fraction);
 - (iv) the resulting number must be credited to each unelected candidate, and added to the number of votes obtained by each unelected candidate on the counting of the first preference votes;
- (f) if on the counting of the first preference votes or on any transfer:
 - (i) more than 1 candidate has a surplus, the largest surplus is to be first dealt with; and
 - (ii) after subparagraph (i) has been complied with, more than 1 candidate has a surplus, the then largest surplus is to be dealt with, and so on; provided that if 1 candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former is to be first dealt with; and
 - (iii) more than 1 candidate has a surplus of the same number of votes, the highest on the poll at the count or transfer at which they last had an unequal number of votes is to be the first dealt with, and if they had an equal number of votes at all preceding counts or transfers, the Returning Officer must decide by lot which candidate's surplus is to be first dealt with;
- (g) if the number of votes obtained by a candidate is raised up to or above the quota by a transfer under paragraph (f):
 - (i) the candidate is to be declared elected, and in such case, notwithstanding the fact that the candidate may have reached the quota, such transfer is to be completed, and all the votes to which the candidate is entitled from the transfer must be transferred to the

candidate, but no votes of any other candidate are to be so transferred; then

- (ii) the whole of the voting papers on which such votes are recorded are to be set aside as finally dealt with; then
- (iii) the candidate's surplus must be transferred to the candidates next in the order of the voters' respective preferences, in the following manner:
 - (A) the voting papers on which are recorded the votes obtained by the elected candidate in the last transfer must be re-examined, and the number of third, or (in the case provided for in clause 16) next consecutive preferences recorded for each unelected candidate on each such voting paper counted;
 - (B) the surplus of the elected candidate must be divided by the total number of voting papers mentioned in subsubparagraph (A), and the resulting fraction, truncated to 6 decimal places, is the transfer value;
 - (C) the number of preferences, ascertained in subsubparagraph (A) to be recorded for each unelected candidate, must be multiplied by the transfer value and the calculated product expressed as an integer (ignoring any fraction);
 - (D) the resulting number must be credited to each unelected candidate, and added to the number of votes previously obtained by that candidate;

(h) if, after the first preference votes have been counted and all surpluses (if any) have been transferred in accordance with this Schedule, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota:

- (i) the candidate who is lowest on the poll is to be excluded, and all the votes obtained by that candidate are to be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in paragraph (e); then
- (ii) the votes obtained by such excluded candidate as first preference votes must first be transferred, the transfer value of each vote in this case being 1; then
- (iii) the other votes of such excluded candidate must then be dealt with in order of the transfers in which, and at the transfer value at which, that candidate obtained them; and then
- (iv) each of the transfers which takes place under subparagraphs (ii) and (iii) is to be regarded for all purposes to be a separate transfer;

(i) if a number of votes obtained by a candidate is raised up to or above the quota by any such transfer:

- (i) the candidate must be declared elected, and, in such case, notwithstanding the fact that the candidate may have reached the quota, such transfer is to be completed, and all the votes to which the candidate is entitled from the transfer must be transferred to the candidate, but no other votes must be so transferred; then
- (ii) the whole of the voting papers on which such votes are recorded must be set aside as finally dealt with; then
- (iii) the surplus must be transferred to the candidates next in the order of the voters' respective preferences in the same manner as is directed in

subparagraph (g)(iii); provided that such surplus must not be dealt with until all the votes of the excluded candidate have been transferred; and then

- (iv) if any surplus exists it must be dealt with before any other candidate is excluded;
- (j) the same process of excluding the candidate lowest on the poll and transferring that candidate's votes to other candidates must be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates who have not already been so declared, must then be declared elected.

15. If 2 or more candidates have the same number of votes and it becomes necessary to exclude 1 of them, then whichever of the candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes, must be excluded and, if such candidates have an equal number of votes at all preceding counts or transfers or if there was no preceding count or transfer, the Returning Officer must decide by lot which candidate must be excluded.

16. In determining which candidate is next in the order of the voter's preference, any candidates who have been declared elected or who have been excluded must not be considered, and the order of the voter's preference must be determined as if the names of such candidates had not been on the voting paper.

17. If on any count or transfer it is found that on any voting paper there is no candidate next in the order of the voter's preference, that voting paper must be set aside as exhausted.

18. The Returning Officer may, on the request of any candidate setting forth the reasons for the request, or of the Returning Officer's own motion, recount the voting papers received in connection with any election.

19.(1) If, before the poll is declared at an election, the Returning Officer is satisfied that the election has been vitiated by reason of an irregularity in the course or conduct of the election, the Returning Officer may declare the election to be void from the commencement of the election or from such point in the proceedings of the election as the Returning Officer specifies in the declaration, being a point in those proceedings after the notification of the fact that the election was necessary but before the occurrence of the irregularity.

(2) If, under subclause (1), the Returning Officer declares an election to be void from the commencement of the election, the Returning Officer must, as soon as practicable after making the declaration, conduct a further election in accordance with these Rules in place of the void election.

(3) If, in pursuance of subclause (1), the Returning Officer declares an election to be void from a point in the proceedings after the notification of the fact that the election was necessary, the Returning Officer must determine what further proceedings in the election are necessary to ensure that the election will be regularly conducted and must, subject to subclause (4), conduct those further proceedings in accordance with these Rules in place of the void proceedings.

(4) In the conduct of any further proceedings in an election under subclause (3), the Returning Officer may, notwithstanding anything contained in clause 1, determine the intervals to be allowed between the occurrence of any events in the course of those further proceedings.
