

APPROVED RULE CHANGES

Pursuant to the UTS By-law (Part 4, clause 44), the following rule changes have been made by UTS Council.

At its 18/2 meeting on 18 April 2018, Council approved the following amendments to the UTS Rules:

COU/18-2/32

5.4 Report from Academic Board

Council resolved to:

...

- .2 approve the proposed amendments to Student Rules Section 11 on Thesis Presentation, Thesis Language and Thesis Submission as detailed in **Part A of Attachment 1** of Document 5.6;
- .3 approve proposed amendments to Student Rules Section 8.2 on Learning and assessment arrangements as detailed in **Attachment 2** of Document 5.6;
- .4 approve the proposed amendments to G3 Rules as detailed in **Attachment 4** of Document 5.6;

...

COU/18-2/36

6.2 Rule Changes: Academic Board Chair and Deputy Chair

Council resolved to:

...

- .2 approve the proposed amendments to G3 Rules as detailed in **Attachment 1** of Document 6.2.”

THE APPROVED AMENDMENTS TO THE UTS RULES ARE PROVIDED BELOW:

[new text **bold underlined**, text to be deleted in ~~**bold and strikethrough**~~]

Student Rules

Section 8.2 – Learning and assessment arrangements

11.17 Thesis requirements

11.17.1 The nature and format of a thesis shall reflect international practices in the discipline or field and provide evidence of completion of substantial research or creative work in the form of:

- (1) a written document which may include work published as a result of the student's candidature at the University as appropriate; or
- (2) material ~~which is not 'print on paper'~~ but which gives evidence of a scholarly or creative work; or
- (3) a combination of (1) and (2).

...

11.17.3 In the event that a student has a collaborative agreement wishes to present a thesis in a language other than in English, the following requirements must be complied with:

- (1) ~~an application for~~ approval must be included in the signed agreement, which made to the Dean, Graduate Research School via the relevant Faculty Committee within the first six months of candidature, such application to includes the justification for presenting a thesis in a language other than English;
- ~~(2) approval must be given by the Dean, Graduate Research School to the presentation of the thesis in the specified language;~~
- ~~(23)~~ the thesis must comply with the Rules;
- ~~(34)~~ following examination, a substantial summary of the thesis (approximately 5000–10,000 words) in English should be included ~~bound~~ in the thesis, with such summary to comprise ~~include~~ an introduction, brief chapter outline and conclusion; and
- ~~(45)~~ examiner reports for the thesis must be available in English.

...

11.19 Submission of thesis

...

11.19.5 Submission of any other part of the material which gives evidence of a scholarly or creative work ~~thesis which is not 'print on paper'~~ shall be in accordance with guidelines approved by the Graduate Research School Board from time to time.

...

11.19.7 If the principal supervisor and the Responsible Academic Officer decline to certify that a thesis is ready for examination the student may request a review of this decision by the Graduate Research School Board. ~~Dean, Graduate Research School.~~

...

11.19.10 Requests for a review will be considered by the ~~Dean, Graduate Research School. The Dean, Graduate Research School may seek the advice of the Graduate Research School Board, the Responsible Academic Officer and other relevant academic staff members.~~ Graduate Research School Board.

...11.20 Examination of thesis

11.20.1 Under certain circumstances the procedures and arrangements for examination of a thesis may, with the approval of the Dean, Graduate Research School be varied from those prescribed in Rules 11.20.3 to 11.20.5. These circumstances include but are not limited to:

- (1) theses produced as a result of research candidature conducted jointly with another university as part of a collaborative Doctoral degree;
- (2) research degrees where ~~part of the work is not 'print on paper'~~ the material which gives evidence of a scholarly or creative work that necessitates a variation in examination procedures.

...

11.22 Deposit of thesis

11.22.1 A student is required to deposit with the University Library for permanent retention ~~one complete~~ a digital copy of each thesis for which the award of a degree is recommended subject to the following requirement:

- ~~(1) the original or an acceptable copy of the print component of the thesis shall be printed on quality acid-free paper as specified in procedures approved by the Graduate Research School Board; and~~
- ~~(12) any part of the thesis which is not 'print on paper'~~ material which gives evidence of a scholarly or creative work must be recorded or produced in a format approved by the Dean, Graduate Research School on the advice of the University Librarian in regard to its preservation and maintenance.

11.22.2 ~~A student is also required to deposit a digital copy of the thesis for lodgement in the University Library. It~~ A digital copy shall be provided in the format and in accordance with procedures approved by the Graduate Research School Board.

11.22.3 The **copies** of the thesis deposited with the University Library will be available for consultation, ~~loan~~ or copying at the discretion of the University Librarian unless the Dean, Graduate Research School on the application of the student determines that the thesis, or parts of the thesis, shall not be available until after the expiry of a period, which shall not normally exceed two years.

General Rules

G3 — Rules relating to Academic Board, Faculty Boards and Elections

Part 1 — Academic Board

Division 1 — Constitution of the Academic Board

1. (1) Academic Board is to include:

(a) ex officio members (in addition to the Vice-Chancellor **as per Rule G1-12(1)**); **and**

(b) a Chair, when appointed as per Rule G3-6(2)(b), and a Deputy Chair, when appointed as per Rule G3-8(2)(b); and

~~(c)~~ elected members;

as provided by this Division, in addition to any persons determined by Council.

(2) The ex officio members of Academic Board are to be the person or persons holding the positions of:

(a) Provost;

(b) Deputy Vice-Chancellor (Education and Students);

(c) Deputy Vice-Chancellor (Innovation and Enterprise);

(d) Deputy Vice-Chancellor (International);

(e) Deputy Vice-Chancellor (Research);

(f) Pro Vice-Chancellor (Education);

(g) Pro Vice-Chancellor (Indigenous Leadership and Engagement);

(h) Deans;

(i) University Librarian;

(j) President of the UTS Students' Association;

(k) Director, Institute for Interactive Media and Learning;

(l) Director, Institute for Sustainable Futures;

(m) Head of School, Graduate School of Health;

- (n) Director, Student Administration Unit;
- (o) Deputy Chair, Research Committee; and
- (p) Deputy Chair, Teaching and Learning Committee;

in addition to the holder or holders of any other position determined by Council.

(3) The elected members of Academic Board comprise:

- (a) one member elected by and from the academic staff of each faculty;
- (b) eight members elected by and from the Professoriate and Associate Professoriate (levels D and E), with no more than two from any one faculty;
- (c) four members elected by and from the academic staff (levels A, B, C), with no more than two from any one faculty;
- (d) two members elected by and from the deputy deans or associate deans, or heads of schools (or equivalent);
- (e) one student elected by and from students from each faculty, and an alternate (see Rule G3-1(4)); and
- (f) one postgraduate research student elected by and from the postgraduate research students of the University, and an alternate (see Rule G3-1(4)).

(4) The Chair of Academic Board may, with the consent of the runner-up in the most recent election for the relevant student category, appoint that runner-up to be the alternate member for the relevant student category. In the event that the runner-up does not consent to be the alternate member, the other candidates in the election for the relevant student category will be offered the position in the order of their ranking in the election as determined in accordance with Rule G3-~~37~~35. If the candidates in the election are exhausted and the vacancy remains unfilled, the Chair of Academic Board will, ~~after appropriate consultation,~~ appoint another student to act as an alternate member on the recommendation of the Dean of the relevant faculty(s) (for Rule G3-1(3)(e)) or on the recommendation of the Dean, Graduate Research School (for Rule G3-1(3)(f)).

The alternate member, who is appointed for the same term of office as the elected member, has speaking and voting rights at those meetings of Academic Board which the alternate member attends in place of the elected member.

Term of office of elected member of Academic Board

2. (1) The term of office of an elected member of ~~the Board~~ Academic Board is one year for student members and two years for all other members, usually commencing on 1 January, or for the remaining term when filling a casual vacancy under Rule G3-4.

(2) In the case where elected members' terms of office are required to be staggered to promote continuity of ~~the Board~~ **Academic Board** (where the term of office of elected staff members is two years), the process outlined in Rule G3-2(3) will be applied.

(3) In respect of Rule G3-2(2), one-half of the elected staff members from each faculty (or in the instance one-half is not a whole number, the number immediately greater than one-half will be used) shall be determined by lot (drawn by the University Secretary or nominee) and declared to hold office for three years. The remaining undrawn elected staff members will hold office for the standard two years.

Conduct of elections

3. (1) The elections for the elected members of ~~the Board~~ **Academic Board** are to be conducted in accordance with Part 3 of these Rules.

(2) If, at the close of nominations in the conduct of an election, the number of vacancies for elected positions exceeds the number of candidates who are declared elected by the Returning Officer, any remaining vacancy may be **filled appointed** by ~~the Board~~ **the Chair of Academic Board** for the period stated in the notice of election **or, where the appointment is made after 1 January, for the remaining period in the notice of election**. **For positions under Rule G3-1(3)(a) and Rule G3-1(3)(e-f), appointments are to be made:**

- (a) on the recommendation of the Dean of the relevant faculty; or
- (b) in the case of a vacancy for a postgraduate student, on the recommendation of the Dean, Graduate Research School; **or**

for positions under Rule G3-1(3)(b-d):

(c) the Dean of each faculty will be requested to provide a recommendation for appointment. In the event the number of recommendations exceed the number of vacant positions, the position will be determined by lot (drawn by the University Secretary or nominee).

Casual vacancy in office of elected member of Academic Board

4. (1) A casual vacancy in the office of an elected member of ~~the Board~~ **Academic Board** occurs if the member:

- (a) ceases to be qualified for election; or
- (b) resigns from office by notifying the Returning Officer in writing; or
- (c) is on extended leave for a period exceeding 12 months; or
- (d) is formally acting in a position which carries ex officio membership of ~~the Board~~ **Academic Board** for a period exceeding 12 months; or

(e) is absent from three consecutive ordinary meetings of ~~the Board~~ **Academic Board** unless the absence is excused by ~~the Board~~ **Academic Board**. ~~either at one of those meetings or before those meetings are held.~~ **An absence cannot be excused retrospectively.**

(2) In the event that a casual vacancy in the office of an elected member of ~~the Board~~ **Academic Board** occurs then **(a) or (b) applies:**

(a) if the remainder of the term of office of the elected member is less than 12 months, the Chair of ~~the Board~~ **Academic Board** may, as soon as practicable after the vacancy occurs, with the consent of the runner-up in the most recent election for that office, appoint that runner-up to hold that office for the remainder of the term of office. In the event that the runner-up does not consent to fill the vacancy, the other candidates in the most recent election for that office will be offered the vacant position in the order of their ranking in the election as determined in accordance with Rule G3-~~3735~~. If the candidates in the election are exhausted and the vacancy remains unfilled, the Chair of Academic Board ~~will~~ **may, after appropriate consultation,** appoint a person qualified to hold that office under Rule G3-1(3) for the remainder of the term of office;**For positions under Rule G3-1(3)(a) and Rule G3-1(3)(e-f) appointments by the Chair of Academic Board are to be made:**

(i) on the recommendation of the Dean of the relevant faculty(s);
or

(ii) in the case of a vacancy for a postgraduate student, on the recommendation of the Dean, Graduate Research School; or

for positions under Rule G3-1(3)(b-d):

(iii) the Dean of each faculty will be requested to provide a recommendation for appointment. In the event the number of recommendations exceeds the number of vacant positions, the position will be determined by lot (drawn by the University Secretary or nominee).

or

(b) if the remainder of the term of office of the elected member is 12 months or more, the Returning Officer is, as soon as practicable after the vacancy occurs, to conduct an election in accordance with Rule G3-3 among those persons qualified to vote at such an election.

(3) If no nominations are received to fill a casual vacancy referred to in Rule G3-4(2)(b), ~~the Board~~ **Academic Board** may either leave the vacancy unfilled for the remainder of the term of office or **the Chair of Academic Board may appoint a person qualified to hold that office as per G3-4(2)(a). take such**

~~other action in relation to the filling of the vacancy as the Board considers necessary.~~

(4) A person elected to fill a casual vacancy in the office of an elected member of ~~the Board~~ **Academic Board** is to hold office for the remainder of the predecessor's term of office.

Leave of absence of elected member of Academic Board

5. Where an elected academic staff member (under Rule G3-1(3)(a) to (d)) of ~~the Board~~ **Academic Board**:

(a) is on extended leave for a period between three and 12 months, and that would result in absence from three or more ordinary meetings up to 12 months; or

(b) is formally acting in a position which carries ex officio membership of ~~the Board~~ **Academic Board** for a period of up to 12 months;-

~~The~~ Chair, with the consent of the runner-up in the most recent election for that office, may appoint the runner-up to hold that office for the period of the elected member's leave of absence. If the candidates in the election are exhausted and the vacancy remains unfilled, the vacancy will be filled as per G3-4(2)(a), for the period of the elected member's leave of absence.

~~Division 2 — Presiding member (Chair) and Deputy Chair deputy presiding member~~
Chair

6. (1) The Board Academic Board is to elect the Chair of Academic Board in accordance with Part 3 of this Rule:

(a) as soon as practicable after the membership of the reconstituted Board is confirmed following an election; or

(b) whenever a vacancy in the office of the presiding member occurs, unless less than six months of the term of office remains;-

~~is to elect the presiding member of the Board.~~

(2) The ~~presiding member~~ **Chair** will be elected from:

(a) the members of the reconstituted **Academic Board**; and

(b) the persons who have held a position on ~~the Board~~ **Academic Board**, for at least 12 months, in the five years prior to the date of commencement of the presiding member's term of office.

~~(3) The title of the presiding member is to be 'Chair'.~~

(3) When a Chair is elected as per Rule G3-6(1), the Chair will be deemed as a member of Academic Board.

(4) When elected under Rule G3-6(2)(a), the original position on Academic Board filled by that person will not be backfilled, unless that person subsequently becomes ineligible to hold the original position on Academic Board.

Term of office of Chair and casual vacancy

7. (1) ~~The Chair, unless he or she resigns as the Chair or ceases to be a member of the Board, holds office for a period (up to two years) from the date of election to the prescribed end of the general Academic Board term and on such conditions as may be determined by Council on the recommendation of the Board. The term of office of the Chair is two years, commencing on 1 January, or for the remaining term when filling a casual vacancy of the Chair (under Rule G3-7(2)), and on such conditions as may be determined by Council on the recommendation of Academic Board.~~

(2) A casual vacancy in the office of the Chair of Academic Board occurs if:

(a) the Chair is permanently incapacitated, resigns from office by notifying the Returning Officer in writing, resigns from the University; or

(b) a no confidence motion is supported by at least a two-thirds majority of the total number of members for the time being of the Academic Board at an ordinary meeting of Academic Board.

(23) The **sitting** Chair of Academic Board is ineligible to be renominated if completion of the designated term would result in the member serving more than five consecutive years in that office.

Deputy Chair

8. (1) ~~The Board~~ Academic Board is to elect a Deputy Chair of Academic Board in accordance with Part 3 of this Rule:

(a) as soon as practicable after the membership of the reconstituted Academic Board is confirmed following an election; or

(b) whenever a casual vacancy in the offices of the ~~deputy presiding member~~ Deputy Chair occurs as per Rule G3-9(2), is to elect one of its members to be the deputy presiding member of the Board.

(2) ~~The title of the deputy presiding member is to be 'Deputy Chair'.~~

(2) The Deputy Chair will be elected from:

(a) the members of the reconstituted Academic Board; and

(b) the persons who have held a position on Academic Board, for at least 12 months, in the five years prior to the date of commencement of the Deputy Chair's term of office.

(3) When a Deputy Chair is appointed as per Rule G3-8(1), the Deputy Chair will be deemed as member of Academic Board.

(4) When elected under Rule G3-8(2)(a), the original position on Academic Board filled by that person will not be backfilled, unless that person subsequently becomes ineligible to hold the original position on Academic Board.

Terms of office, etc., of Deputy Chair and casual vacancy

9. ~~(1) The Deputy Chair, unless he or she resigns or ceases to be a member of the Board, holds office for a period (up to two years) from the date of election to the prescribed end of the general Academic Board term and on such conditions as may be determined by Council on the recommendation of the Board. Should the Deputy Chair's membership of Academic Board conclude as a result of the conclusion of his or her term in an ex officio staff member position, the Deputy Chair may continue as a co-opted member of Academic Board, for a period up to the next general Academic Board election, at the Board's discretion in order to continue or complete the work of the Board. The duties of the Deputy Chair will be determined, from time to time, in consultation with the Chair. The term of office of the Deputy Chair is two years, commencing on 1 January, or for the remaining term, when filling a casual vacancy of the Deputy Chair (under Rule G3-9(2)), and on such conditions as may be determined by Council on the recommendation of Academic Board. The duties of the Deputy Chair will be determined, from time to time, in consultation with the Chair.~~

(2) A casual vacancy in the office of the Deputy Chair of Academic Board occurs if:

(a) the Deputy Chair is permanently incapacitated, resigns from office by notifying the Returning Officer in writing, resigns from the University; or

(b) a no confidence motion is supported by at least a two-thirds majority of the total number of members for the time being of the Academic Board at an ordinary meeting of Academic Board.

~~(23)~~ The ~~sitting~~ Deputy Chair of Academic Board is ineligible to be renominated if completion of the designated term would result in the member serving more than ~~five~~ six consecutive years in that office.

Absence of Chair

10. If the Chair is absent or unable to act, or if the office of the Chair is vacant, the Deputy Chair is to have all the functions of the Chair.

~~Absence of the Chair and Deputy Chair~~

~~11. (1) In the absence of both the Chair and the Deputy Chair:~~

~~(a) the Vice-Chancellor, if the Vice-Chancellor is present and wishes to preside, is to preside at the meeting; or~~

~~(b) if the Vice-Chancellor is not present or, being present, does not wish to preside, the Board is to elect one of its members to preside at the meeting.~~

~~Election of Chair and Deputy Chair~~

~~12. The election of the Chair and the Deputy Chair of Academic Board by the members of the Board is to take place in accordance with Part 3 of this Rule.~~

Division 3 — Functions and powers of Academic Board

General functions

~~13~~11. (1) Academic Board constitutes the primary forum in the University for the discussion and resolution of academic matters. Academic Board and the Vice-Chancellor are the principal sources of advice to Council on all academic matters.

(2) Subject to the By-law, the Rules and the resolutions of Council, Academic Board has a responsibility to establish and maintain academic leadership by sustainably and effectively overseeing, assessing, monitoring, reviewing and improving the quality and outcome of the academic work of the University (including teaching, learning, scholarship, research training and research).

~~14A. Advisory and reporting functions~~

~~12.~~12. (1) Without limiting the effect of Rule G3-13, Academic Board shall:

(a) report to, or advise Council or the Vice-Chancellor on, any aspect of:

(i) the goals, strategies, objectives, outcomes, principles, directions, priorities, policies, practices, profile and risk management for academic matters of the University;

(ii) the quality, standards and benchmarks appropriate to all aspects of the academic work of the University (including teaching, learning, scholarship, research training and research);

(b) recommend to Council those students who, having satisfied all academic requirements for an Academic Board approved award course, are considered eligible to graduate;

(c) confirm to Council that delegations of academic authority are implemented, based upon the University Secretary's annual review of the delegations.

14B. Approval and monitoring functions

12. (12) Without limiting the effect of Rule G3-13, Academic Board shall:

- (a) determine the accreditation of proposed or existing award courses on their academic merit, and the removal of the accreditation of award courses;
- (b) develop, monitor and review academic policies and their effectiveness;
- (c) determine the standards and benchmarks for governing all aspects of academic administration, including, but not limited to, the admission of students and the examination and assessment of students' work;
- (d) determine the structures and functions of Faculty Boards, and any subsequent amendments to these, noting that a Faculty Board's authority to act on specific matters will continue to require Council's delegated authority.
- (e) undertake initiatives to oversee academic and research integrity and its breaches thereof, including identification, management, mitigation and monitoring of its potential risks.

14C. Collaboration and communication functions

12. (13) Without limiting the effect of Rule G3-13, Academic Board shall:

- (a) undertake initiatives to critically evaluate and institute measures to promote the communication of, and innovation in, academic matters and the coordination of academic work and activities across the whole University; and
- (b) work in conjunction with the Vice-Chancellor, senior UTS staff and University committees on any matters related to Academic Board and its functions, powers and responsibilities, to ensure that the academic goals of the University are achieved.

Division 4 — Relationship between Academic Board and Council

Reference to Council of certain matters by Academic Board

1513. If Academic Board does not approve without amendment any recommendation of a Faculty Board or Academic Board committee, Academic Board is, if so required by the Faculty Board or Academic Board committee, to transmit the recommendation to Council together with any observations Academic Board **thinks fit deems appropriate**.

Council to obtain views of Academic Board on certain matters

1614. (1) If Council does not accept without amendment a recommendation from Academic Board relating to teaching, scholarship or research within the University, Council must seek further advice from Academic Board before making a final decision.

(2) This Rule does not apply if, in the judgment of the Chair of Academic Board and the Chancellor:

(a) the matter is one of urgency on which it is necessary for an immediate decision to be made by Council; or

(b) the area of difference between Council and Academic Board is not one of principle or major significance.

Division 5 — Academic Board committees

Committees

1715. ~~(1) Academic Board may, as it deems appropriate: establish such committees as it thinks fit with such membership as it considers appropriate for the purpose for which the committee is established.~~

~~(2) It does not matter that any or all of the members of a committee are not members of Academic Board.~~

(a) establish committees to assist the work of Academic Board and may appoint such persons (not necessarily members of Academic Board) to those committees; and

(b) confer or impose upon a committee established under Rule G3-15(1) such powers and duties as it may determine from time to time.

1816. Rules G3-2(1), G3-3, G3-4, G3-5 and G3-10 also apply to Academic Board committees. When applying these Rules to Academic Board committees:

(a) all references to the Academic Board shall be read as Academic Board committees;

(b) relevant faculty shall be read as faculties; and

(c) a reference to Rule G3-1(3) shall be read as the relevant Academic Board committee composition.

(d) in Rules G3-4 and G3-5, all references to the Chair shall be read as the Chair of Academic Board.

Chair of Academic Board committee

1917. ~~The elected Chairs of Academic Board committees will be elected by and from the Academic Board members,~~ The Chair of an Academic Board committee may be an ex-officio position or elected by and from the respective committee members, as per the committee's composition determined by Academic Board as per Rule G3-15(1)(a). Where the Chair of an Academic Board committee is an elected position, the Chair will be elected:

- (a) as soon as practicable after the membership of the reconstituted Academic Board is confirmed following an election; or
- (b) whenever a vacancy in the office of ~~an~~ the Chair of an Academic Board committee ~~Chair~~ occurs, unless less than six months of the term of office remains.

Term of office of Chair of Academic Board committee

2018. (1) The elected Chair of an Academic Board committee, unless he or she is permanently incapacitated, resigns as the Chair in writing to the Returning Officer or resigns from the University ~~or ceases to be a member of Academic Board~~, holds office for a period of two years from the prescribed date of commencement of the term and on such conditions as may be determined by Academic Board.

- (2) An elected ~~sitting~~ Chair of an Academic Board committee is ineligible to be renominated if completion of the designated term would result in the member serving more than ~~five~~ six consecutive years as Chair of that committee.

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Part 2 — Faculty Boards

2119. The elections for the elected members of Faculty Boards are to be conducted in accordance with Part 3 of this Rule.

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Part 3 — Elections

2220. Definitions

ballot means a method of secret voting.

casual vacancy means a position vacated during the term of an elected member.

close of nominations, in relation to an election, means the date and time by which nominations must be received by the Returning Officer for the election (as specified in a notice under Rule G3-~~2523~~(2)(d)).

close of the ballot, in relation to an election, means the date and time for the close of the ballot specified by the Returning Officer for the election in a notice under Rule G3-~~2523~~(2)(f).

election means the administrative process employed to elect a candidate to an elected position.

electoral roll means a list or register containing the names of the people entitled to stand for election, nominate candidates and/or vote in an election.

electorate means those persons entitled to stand for election, nominate candidates and vote in an election.

electronic ballot means a ballot conducted in accordance with Rule G3-~~3129~~.

electronic vote means a vote cast by means of an electronic voting system.

electronic voting system means a secure system approved or managed by the Returning Officer for the purpose of tallying votes cast in an election conducted by electronic means.

formal vote means a vote that is not an informal vote.

informal vote has the meaning set out in Rule G3-~~3533~~.

nominate means to propose a candidate in an election.

non-electronic ballot means a ballot conducted in accordance with Rule G3-~~2927~~.

quota means the number of votes required by a candidate to be elected. It is determined as the next whole number above a quotient, where the quotient is calculated by counting the number of formal votes and dividing this by the number of positions to be filled plus one.

Returning Officer for all elections is the University Secretary, unless otherwise determined by Council. The Returning Officer is wholly responsible for overseeing elections.

runner-up in an election means the person who, in the vote counting process at the election, was the last remaining candidate for election (aside from the person who was declared elected) eligible to fill the casual vacancy. ~~With reference to clause 15(1)(a) of the UTS By-law~~, Council may choose to fill a casual vacancy by any means, including going to the 'runner-up'.

Scrutineer is an examiner of votes at an election count. Each candidate is entitled to nominate one scrutineer to be present at the count.

Conduct of elections

2321. (1) An election referred to in these Rules is to be conducted by the Returning Officer for the election.

(2) The Returning Officer may appoint a Deputy Returning Officer (with such powers as the Returning Officer may determine) and Electoral Officer(s) to assist the Returning Officer in the conduct of all or any part of an election referred to in this Rule.

(3) The Returning Officer's decision is, subject to the UTS Act, By-law and these Rules, final on all matters affecting the eligibility of candidates, the expected standards of behaviour during elections and election campaigns, the conduct and results of an election, the validity of an election and such other matters as may from time to time affect the conduct of elections.

(4) Where an election is required to be held, the Returning Officer shall, in such manner as the Returning Officer determines, prepare a roll of eligible voters for each relevant election.

Rolls

2322. (1) The Returning Officer is to keep:

(a) for the purpose of elections of academic staff, professional staff, undergraduate student and postgraduate student members for Council, the rolls of eligible voters as prescribed in UTS By-law 6;

(b) for the purpose of elections of academic staff members for bodies other than Council — a Roll of Academic Staff containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons who are classified as continuing or fixed-term members of the academic staff of the University;

(c) for the purpose of elections of professional staff members for bodies other than Council — a Roll of Professional Staff containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons who are classified as continuing or fixed-term members of the professional staff of the University;

(d) for the purpose of elections of student members for bodies other than Council — a Roll of Students containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons enrolled in courses that are listed in the register of award courses of the University (the courses having a minimum duration of one year full-time or equivalent);

(e) for the purpose of elections of undergraduate student members for bodies other than Council — a Roll of Undergraduate Students containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons enrolled in courses that are listed in the register of award courses of the University (the courses having a minimum duration of one year full-time or equivalent);

(f) for the purpose of elections of postgraduate student members for bodies other than Council — a Roll of Postgraduate Students containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons enrolled in courses

that are listed in the register of award courses of the University (the courses having a minimum duration of one year full-time or equivalent);

(g) for the purpose of elections of postgraduate research student members for bodies other than Council — a Roll of Postgraduate Research Students containing the names and last known email addresses (or, if no email address is known in a particular case, last known address) of those persons enrolled in courses that are listed in the register of award courses of the University (the courses having a minimum duration of one year full-time or equivalent);

(h) rolls in accordance with the requirements of categories of membership, other than the categories outlined in Rule G3-~~2422~~(1)(a)–(g), as specified by the constitution or terms of reference of a Board or Committee.

(2) Students, undergraduate students, postgraduate students and postgraduate research students, who are also members of academic or professional staff of the University, whose category of employment is either continuing or fixed-term, are not entitled to have their name entered on the Roll of Students, Roll of Undergraduate Students, Roll of Postgraduate Students or the Roll of Postgraduate Research Students.

Call for nominations and notice of election

2523. (1) If an election is necessary, the Returning Officer must publish a notice referred to in this Rule on the official noticeboard on the UTS website and in such other places and in such manner as the Returning Officer considers necessary to inform the persons whose names are on the relevant rolls of the contents of the notice.

(2) A notice referred to in this Rule must:

- (a) state that an election is necessary to fill the office or offices concerned;
- (b) invite nominations of persons for election;
- (c) specify the manner in which nominations must be made;
- (d) specify a date and time by which nominations must reach the Returning Officer;
- (e) in the event that a ballot is necessary, specify the method or methods the Returning Officer has determined will be used for the ballot, in accordance with Rule G3-~~2927~~(1);
- (f) in the event that a ballot is necessary, specify the dates for the commencement of the ballot and the close of the ballot;
- (g) contain such other information relating to the election as the Returning Officer thinks fit (which might include, for example, details of the number of

vacancies to be filled and of the terms of office of the members of the Council, Board or Committee to be elected).

(3) An election is not invalid only because a person whose name is on the relevant roll of eligible voters did not see a notice or a copy of a notice referred to in this Rule.

Schedule of dates for elections

2624. In the conduct of an election, the Returning Officer must allow:

- (1) between the publication of the notice under Rule G3-~~2523~~(1) stating that an election is necessary and the close of nominations for the election — not less than 14 and not more than 28 days; and
- (2) between the close of nominations for the election and the commencement of the ballot — not more than 28 days; and
- (3) between the commencement of the ballot and the close of the ballot — not less than 14 and not more than 28 days.

Making of nominations

2725. (1) Valid nominations of candidates, whose names are entered on the relevant roll of eligible voters for an election of members of the Council, Board or Committee must be lodged with the Returning Officer no later than the time and date specified in the notice published under Rule G3-~~2523~~(2).

- (2) A nomination must be signed by two persons whose names are entered on the relevant roll of eligible voters for the election for which the candidate is nominated and must be signed by the person nominated.
- (3) If a candidate or nominator is eligible to participate in an election for a staff position, but not on the relevant roll of eligible voters, the Head of School or Dean of the relevant faculty must confirm that the candidate or nominator is an eligible employee of the relevant school or faculty. If the candidate or nominator is confirmed to be eligible, then they will be added to the relevant Roll under G3-~~2422~~.
- (4) There must be a separate nomination for each candidate and each position.
- (5) A candidate for election shall at the time of nomination, provide a declaration that, to the best of their knowledge, the person will meet the qualifications for the relevant position for the entire term of office to which the person is seeking election, and that, if elected, the person will advise the Returning Officer as soon as they become aware of any change to their qualification.
- (6) As part of the nomination process a candidate may provide with the nomination a candidate statement of not more than 150 words, which must be lodged with the Returning Officer no later than the time and date specified for the close of nominations in the notice published under Rule G3-~~2523~~(2). The

candidate statement contains information relating to the candidate that he or she wishes to supply. That information may include, for example, the following:

- (a) full name;
- (b) faculty, school or department;
- (c) course and academic year;
- (d) academic qualifications and experience;
- (e) positions or offices held at any time in public bodies, clubs and institutions (including University clubs and societies) with dates of tenure.

(7) Statements containing more than 150 words will not be accepted. The Returning Officer (or a person appointed by the Returning Officer) may edit all statements supplied to ensure that they contain no defamatory or offensive material. The edited statements are to be published on or before the opening of the ballot.

(8) The Returning Officer must reject a nomination if satisfied that:

- (a) the nomination is not duly made; or
- (b) the person nominated is not eligible to be elected.

(9) A candidate is not eligible to be elected when:

- (a) the candidate name cannot be found on the roll of eligible voters;
- (b) the candidate does not meet the position qualifications; or
- (c) the nomination is lodged with the Returning Officer later than the time and date specified for the close of nominations in the notice published under Rule G3-~~2523~~(2).

(10) The Returning Officer must, within four days after receipt of a nomination, send or deliver a notice to each person who has signed the nomination, notifying the person of the acceptance or rejection of the nomination.

Dealing with nominations

2826. At the close of nominations, where the number of valid nominations of persons for election in each elected membership category is fewer than or the same as the positions to be filled, the Returning Officer must declare the person or persons nominated to be elected. If there are more nominations than positions to be filled in an elected membership category, there must be a ballot.

Form of ballot

2927. (1) A ballot must be a secret ballot using the quota preferential system. Ballots may be conducted by attendance at a polling booth or by way of an electronic voting system that has been approved for use by the Returning Officer in accordance with

Rule G3-~~3129~~. Subject to the UTS Act, the By-law and these Rules, the Returning Officer shall determine which method or methods shall be used for any particular ballot.

- (2) Ballot papers, or the component of the electronic voting system that records a vote cast by the voter, as the case may be, must contain the names of the candidates in the order drawn at random by the Returning Officer or by a person appointed by the Returning Officer for the purposes of the election.

Expected standards of behaviour

~~3028~~. The Code of Conduct for UTS Elections sets out the expected standards of behaviour for UTS staff and students involved in the conduct of UTS elections or election campaigns.

Requirements for electronic voting system

~~3129~~. The Returning Officer may approve an electronic voting system for use where the Returning Officer is satisfied that the system:

- (1) will provide a voter with instructions on how to vote;
- (2) will allow a voter to indicate his or her preferences of candidate or candidates;
- (3) gives a voter an opportunity to correct any mistakes before submitting his or her vote;
- (4) allows a voter to make an informal vote;
- (5) will not allow a person to find out how a particular voter cast his or her vote;
- (6) will not allow a voter to vote more than once for any ballot; and
- (7) will only allow a voter to vote in an election for which he or she is eligible to vote.

Conduct of ballot by attendance at polling booth

~~3230~~. (1) Where the Returning Officer has determined under Rule G3-~~2927~~ that a ballot will be conducted by attendance at a polling booth, the Returning Officer must:

- (a) publish in such manner as the Returning Officer considers necessary a notice specifying the dates and times of polling, the location of polling booths, and any other relevant information;
- (b) establish on the University premises polling booths attended, during the dates and times for polling, by persons appointed by the Returning Officer for the purpose of initialling and issuing ballot papers to each person who requests one and is recognised by one of the appointed attendants as being a person whose name is on the roll of eligible voters prepared in accordance with Rule G3-~~2321~~ and G3-~~2422~~; and

(c) display at the polling booths the edited statements provided by candidates in accordance with Rule G3-~~2725~~(6) and (7).

(2) A voter must, before the close of ballot, attend a polling booth to obtain a ballot paper initialled by the Returning Officer or by a person appointed by the Returning Officer, and:

(a) mark a vote on the ballot paper by placing the figure '1' in the square opposite the name of the candidate to whom the voter desires to give his or her first preference vote, and may place consecutive figures (commencing with the figure '2') in the squares opposite the names of any of the remaining candidates, so as to indicate by numerical sequence the order of the voter's preference for them;

(b) deposit the ballot paper in the relevant ballot box provided for the purpose at the polling booth.

(3) The ballot box is to remain unopened until the close of ballot.

(4) An election is not invalid only because a person whose name is on the relevant roll of eligible voters did not see the notice published in accordance with Rule G3-~~3230~~(1)(a).

(5) In this Rule, a reference to a person's name being on a relevant roll of eligible voters is a reference to the person's name being on that roll at the opening of nominations for the relevant election.

Conduct of ballot by electronic voting system

3331. (1) Where the Returning Officer has determined under Rule G3-~~2927~~(1) that a ballot will be conducted by way of an electronic voting system, the Returning Officer must publish a notice:

(a) detailing the nature of the election and setting out instructions on how and when voters may obtain access to the electronic voting system; and

(b) advising how voters may obtain access to the edited statements provided by candidates in accordance with Rule G3-~~2725~~(6) and (7).

(2) The Returning Officer or person authorised by the Returning Officer must make arrangements to ensure that each person, whose name is on the roll of eligible voters, can access the electronic voting system.

(3) The voter must submit a vote, after the commencement of the ballot and before the close of ballot, in accordance with the instructions provided in the electronic voting system.

(4) An election is not invalid only because a person whose name is on the relevant roll of eligible voters did not see the notice published in accordance with Rule G3-~~3331~~(1).

(5) In this Rule, a reference to a person's name being on a relevant roll of eligible voters is a reference to the person's name being on that roll at the opening of nominations for the relevant election.

Procedure on close of ballot

3432. As soon as practicable after the close of the ballot, the Returning Officer or a person appointed by the Returning Officer must:

- (1) in the case of an election conducted by attendance at a polling booth:
 - (a) open the ballot boxes; and
 - (b) count the votes, and then ascertain the result of the ballot, in the manner set out in Rule G3-~~3735~~.
- (2) in the case of an election conducted by way of an electronic voting system, generate a count of the votes, using a methodology such that the results obtained are as if the votes were recorded on ballot papers and the count was conducted in accordance with Rule G3-~~3735~~.

Informal vote

3533. (1) A vote is informal if the voter has not indicated a clear preference for at least one candidate or if it is possible, in the opinion of the Returning Officer, to identify the voter.

- (2) In the case of a ballot conducted by attendance at a polling booth, a vote is also informal if the ballot paper has not been initialled in accordance with Rule G3-~~3230~~(2).
- (3) In the case of a ballot conducted by attendance at a polling booth and despite any other provision of this Rule, a vote is not informal only because any figures placed on the ballot paper are not placed in or entirely in the squares opposite the candidates' names, if the figures are placed on the ballot in such positions as, in the opinion of the Returning Officer, clearly indicate the order of the voter's preference for the candidates.
- (4) In the case of a ballot conducted by electronic voting system, the electronic voting system is to provide a warning message to any person casting an informal electronic vote that their proposed vote is informal prior to the recording of that vote.
- (5) Each informal electronic vote is to be recorded by the electronic voting system as an informal vote.

Nomination of scrutineers

3634. (1) Each candidate is entitled to nominate one scrutineer who is a member of the staff or students of the University to be present at the count.

(2) A person is not to be a scrutineer in an election in which he or she is a candidate.

(3) A scrutineer is subject to the conditions specified by the Returning Officer for attendance at the count.

Determination of result of ballot

3735. If a ballot has been held for the purpose of an election the result of the ballot must be determined in accordance with the Procedures for Determination of Result of Ballot, as approved by the University Secretary from time to time.

Secrecy of ballot to be maintained

3836. (1) The result of the ballot must remain confidential until the declaration of the poll by the Returning Officer.

(2) The Returning Officer or any person appointed by the Returning Officer or any scrutineer must not in any way disclose or aid in disclosing the manner in which any voter has voted.

(3) Following the Declaration of Poll the number of formal votes, the number of informal votes and ranking of candidates will be communicated to candidates and published on the UTS Noticeboard.

(4) Candidates in an election may request details of the distribution of votes for their own information.