University of Sydney (Academic Governance) Rule 2003 (as amended)

Approved on: 6 May 2002
Amended on: 1 June 2015
Amendment effective from: 1 June 2015

Please also see the University of Sydney (Authority Within Academic Units) Rule 2003 (as amended)

Part 1 – Preliminary
1. Citation and commencement
1.1 Citation
This Rule is made by the Senate of the University of Sydney pursuant to section 37(1) of the Act, and pursuant to Chapter 6 of the University of Sydney By-law 1999 (as amended).
1.2 Commencement
This Rule commences on the same day that the University of Sydney Amendment (Academic Board) By-law 2003 comes into force.

2. Purpose
This Rule:
2.1 repeals and replaces the Rules relating to the constitution and functions of, and elections to the Academic Board and the Academic Forum in force immediately before this Rule came into effect; and
2.2 prescribes the membership, functions and procedures of the Academic Board.

3. Dictionary
3.1 Definitions
In this Rule the following words or expressions have these meanings:
absolute majority of votes – an amount greater than 50 per cent of valid votes
academic staff member – as defined in Chapter 6 of the University of Sydney By-law 1999 (as amended)
Act – the University of Sydney Act 1989 (NSW) (as amended)
Board of Studies – an academic unit of the University described as such
By-law – the University of Sydney By-law 1999 (as amended)
Chair – a person elected as Chair of the Academic Board pursuant to Part 3 of this Rule
college – an academic college established under section 27(1) of the Act
Dean – a dean of a Faculty; or a director or a principal of an academic college as defined in Part 5 of the Act
Deputy Chair – a person appointed as the Deputy Chair of the Academic Board pursuant to Part 3 of this Rule
election – an election conducted according to Part 5 of this Rule
enrolled student has the meaning prescribed in subclause 50(1) of the University of Sydney By-law 1999 (as amended)
Faculty – a faculty of the University; or an academic college as defined in Part 5 of the Act
majority – an amount greater than 50 per cent
non-professorial member of academic staff – a member of academic staff who is not a professor
notice of election – a notice of an election given by the returning officer under Rule 18
primary vote – preferences marked on a voting paper equal to the number of vacancies to be filled, and which shall have equal value
professor – a member of academic staff who is appointed or promoted to the position of professor
Roll – a roll established according to Rule 15.1
secondary votes – preferences marked on a voting paper beyond the primary votes to be allocated in rank order according to their numerical values
special resolution – a resolution passed at an Academic Board meeting by at least two thirds of all Academic Board members who are present at that meeting and are eligible to vote
Standing Committee – a committee of that description established under Rule 12
student has the meaning prescribed in subclause 3(1) of the University of Sydney By-law 1999 (as amended)
student of a faculty, college or board – has the meaning given to it in the Resolutions of Senate: “Student membership of the faculties, college boards and boards of studies”

Part 2 – Functions and membership of the Academic Board

4.1 General functions
Subject to the governing authority and powers of the Senate and to the powers of the Vice-Chancellor, the Academic Board has principal responsibility:
4.1.1 to maintain the highest standards in teaching, scholarship and research and, in that process, to safeguard the academic freedom of the University;
4.1.2 to oversee and monitor the development of all academic activities of the University; and
4.1.3 to communicate with the academic community through the Faculties, colleges and boards of studies and similar organisational units.

4.2 Advisory functions
The Academic Board will provide advice to the Senate and the Vice-Chancellor on:
4.2.1 academic matters relating to and affecting the University's teaching and research activities and its educational programs, including general advice on the academic priorities and policies of the University;
4.2.2 academic aspects of the formulation and review of the University's strategic plan;
4.2.3 policies concerning the academic aspects of the conditions of appointment and employment of academic staff;
4.2.4 any academic matters it considers to be of strategic importance, including any Faculty plans; and
4.2.5 the maintenance of academic standards.

4.3 Specific functions
Subject to the governing authority and powers of the Senate and to the powers of the Vice-Chancellor, the functions of the Academic Board are to:
4.3.1 exercise authority as delegated to the Academic Board to approve new academic courses and changes to existing courses, provided that any such approval:
   4.3.1.1 must be tabled and considered at the next appropriate meeting of Senate;
   4.3.1.2 must not commence until after such tabling and consideration.
4.3.2 determine policy concerning the programs of study or examinations in any Faculty, college or Board of Studies and within such policy, determine requirements to be satisfied by candidates for the award of degrees, diplomas or certificates;
4.3.3 determine the terms and conditions of awards, scholarships and prizes established within the University and make awards;
4.3.4 formulates and review policies, guidelines and procedures in relation to academic matters;
4.3.5 request reports from, or refer matters to Faculties, colleges and boards of studies and similar organisational units for consideration and action as required;
4.3.6 consider and take action as required on reports or academic submissions from Faculties, colleges or boards of studies or similar organisational units;
4.3.7 play an active role in assuring the quality of teaching, scholarship and research in the University and co-ordinate and maintain an overview of the academic activities of Faculties, colleges and boards of studies and similar organisational units;
4.3.8 initiate and oversee a formal and regular program of review of academic activities of Faculties, colleges and boards of studies, and similar organisational units;
4.3.9 provide a forum to facilitate information flow and debate within the University and between the senior executive officers of the University and the wider academic community;
4.3.10 make regular reports on the range of its activities to the Senate after each meeting of the Academic Board and make a formal, annual report on its activities and its assessment of its performance to the Senate;
4.3.11 consider and report on all matters referred to it by the Senate or the Vice-Chancellor; and
4.3.12 exercise any powers and perform any other duties delegated to it by the Senate.

5. Constitution

5.1 Members

The Board consists of:

5.1.1 the Chair;
5.1.2 the Vice-Chancellor;
5.1.3 the following members ex officio:
   5.1.3.1 the Deputy Vice-Chancellors;
   5.1.3.2 the Pro Vice-Chancellors;
   5.1.3.3 the Deans;
   5.1.3.4 the Director, University Libraries;
   5.1.3.5 the Director, Teaching and Learning;
   5.1.3.6 the Director, Student Centre;
   5.1.3.7 the President of the Students' Representative Council;
   5.1.3.8 two other undergraduate students nominated by the executive of the Students' Representative Council;
   5.1.3.9 the President of the Sydney University Postgraduate Representative Association; and
   5.1.3.10 two other postgraduate students nominated by the executive of the Sydney University Postgraduate Representative Association;
5.1.4 the following elected academic staff members, who do not already hold office as members under Rule 5.1.1, 5.1.2 or 5.1.3 elected:
   5.1.4.1 by a group of voters defined by each relevant Faculty and approved by the Academic Board; and
   5.1.4.2 according to guidelines approved from time to time by the Academic Board and the Senate:
      5.1.4.2.1 three academic staff members for each faculty with 40 or fewer full-time academic staff;
      5.1.4.2.2 four academic staff members for each faculty with more than 40 but fewer than 100 full-time academic staff; and
      5.1.4.2.3 five academic staff members for each faculty with 100 or more full-time academic staff;
5.1.4.3 for each group of academic staff members elected from a faculty at least one should be appointed at professorial level and at least one should be appointed at a non-professorial level;
5.1.5 the following elected enrolled student members:
   5.1.5.1 one representative of each faculty, college and board of studies, elected by and from the enrolled student members of the relevant faculty, college and board of studies;
5.1.6 up to four members, who do not already hold office as members under rules 5.1.1 to 5.1.5 inclusive, appointed by resolution of the Academic Board at an ordinary meeting of the Academic Board on the recommendation of the Chair;
5.1.7 up to four members, who do not already hold office as members under Rules 5.1.1 to 5.1.6 inclusive, co-opted by resolution at an ordinary meeting of the Academic Board on the recommendation of the Chair (Note: co-opted members are defined as short-term appointees who are identified to assist the Academic Board with a specific issue or project, and their term of office will normally reflect the time-span of that issue or project).

5.2 Allocation of members

For the purposes of Rule 5.1:
5.2.1 the Vice-Chancellor may allocate to any one Faculty any member of the academic staff who is not a member of a department or school placed under the supervision of a Faculty; and
5.2.2 a member of the academic staff who is a member of more than one Faculty is taken to be a member only of the Faculty that supervises that person through the relevant department or school.

5.3 When membership ceases
A person ceases to be a member of the Academic Board if that person at any time during their term of office:

5.3.1 resigns from the Academic Board;
5.3.2 in the case of a member holding office under Rule 5.1.1, 5.1.2 or 5.1.3, no longer holds the relevant position;
5.3.3 in the case of an academic staff member elected under Rule 5.1.4, ceases to be:
   5.3.3.1 an academic staff member; or
   5.3.3.2 an academic staff member in the category for which that person was elected (for example, if that person transfers to another Faculty);
5.3.4 in the case of an enrolled student member elected under Rule 5.1.5, is no longer enrolled as a student;
5.3.5 is absent from three consecutive ordinary meetings of the Academic Board and is not, within six weeks of the last of those meetings, excused for his or her absence; or
5.3.6 dies.

6. Terms of office

6.1 Elected academic staff members
All academic staff members elected pursuant to Rule 5.1.4 hold office for a term of two years from 1 January in the year immediately following the year of their election.

6.2 Student members
All enrolled student members elected pursuant to Rule 5.1.5 hold office for a term of one year from 1 January in the year immediately following the year of their election.

6.3 Appointed and co-opted members
All appointed and co-opted members appointed pursuant to Rule 5.1.6 or 5.1.7 hold office for the term and on such conditions as resolved by the Academic Board at the time of their appointment.

6.4 Casual vacancies
A person filling a casual vacancy holds office from the time that person is elected or appointed to fill that casual vacancy, until the expiry of the term of that person’s predecessor.

6.5 Re-election in the same category
Elected members of the Academic Board are eligible for re-election in the same category, on the conditions that they:

6.5.1 are, at the time of their nomination, eligible for membership in that category; and
6.5.2 do not serve more than three full, consecutive terms as a member in that category.

6.5.3 A period of service as a Chair of one of the Academic Board’s Standing Committees will not count towards calculating the term of membership referred to in clause 6.5.2 but service for a term as a member in a particular category immediately prior to service as a Chair of one of the Academic Board’s Standing Committees and service for a term as a member in a particular category immediately following service as a Chair of one of the Academic Board’s Standing Committees shall constitute service for consecutive terms for the purposes of clause 6.5.2.

Part 3 – Chair, Deputy Chair and Chairs of Standing Committees

7. Chair of the Academic Board

7.1 Role and functions
The Chair of the Academic Board:

7.1.1 is responsible for managing and supervising the functions and business of the Academic Board;
7.1.2 is the point of contact between the academic community of the University and:
   7.1.2.1 the Senate; and
   7.1.2.2 the senior executive management of the University;
7.1.3 subject to any delegations of authority approved by the Senate or resolutions of the Academic Board, may apportion authority for carrying out the functions of the Academic Board to other members of the Academic Board; and
7.1.4 must present reports to the Senate about matters considered at meetings of the Academic Board held since the previous meeting of the Senate.

7.2 Election and term of office
The Chair:
7.2.1 must be an academic staff member who is a professor or associate professor;
7.2.2 shall be elected, as soon as practicable after elections are held according to Part 5 of this Rule; by:
   7.2.2.1 all incoming elected members of the Academic Board; and
   7.2.2.2 student representatives holding office under clauses 5.1.3.7, 5.1.3.8, 5.1.3.9 and 5.1.3.10.
7.2.3 holds office
   7.2.3.1 if elected in the same year as the members elect, from 1 January following election for a period of two years, or
   7.2.3.2 in any other case, from election for the remainder of the period of two years from 1 January in the year of election.

7.3 Re-election
A person elected as Chair is eligible for re-election, so long as that person does not serve more than three full, consecutive terms as Chair.

7.4 Disqualification
A person may not hold office as Chair while that person is:
7.4.1 the Vice-Chancellor [but subject to the Vice-Chancellor’s right to preside at any meeting of the Academic Board pursuant to clause 47(3)(b) of the University of Sydney By-law 1999 (as amended)];
7.4.2 a Deputy Vice-Chancellor;
7.4.3 a Pro-Vice-Chancellor;
7.4.4 a Dean.

7.5 Casual vacancy
The office of Chair becomes vacant if the person holding that office:
7.5.1 resigns in writing, either as Chair or from the University;
7.5.2 assumes any of the positions referred to in Rule 7.4; or
7.5.3 dies.

8. Deputy Chair of the Academic Board
8.1 Role and functions
The Deputy Chair of the Academic Board is to:
8.1.1 assist the Chair in the performance of his or her functions as the Chair determines from time to time;
8.1.2 act as an alternate Chair of the Academic Board when the Chair is on leave, unavailable to attend meetings or if a casual vacancy in the office of Chair occurs; and
8.1.3 attend meetings of the Senate in the place of the Chair when the Chair is unable to do so, or if a casual vacancy in the office of Chair occurs.

8.2 Appointment and term of office
The Deputy Chair of the Academic Board:
8.2.1 must be an academic staff member;
8.2.2 shall be appointed by the Academic Board from among the Chairs of Standing Committees, on the nomination of the Chair, at the first meeting of the Academic Board following an election of Academic Board members; and
8.2.3 holds office for a period of two years following appointment.

8.3 Re-appointment
A person appointed as a Deputy Chair is eligible for re-appointment, so long as that person does not serve more than three full, consecutive terms as Deputy Chair.

8.4 Disqualification
A person may not hold office as Deputy Chair while that person is:
8.4.1 the Vice-Chancellor;
8.4.2 Chair;
8.4.3 a Deputy Vice-Chancellor;
8.4.4 a Pro-Vice-Chancellor;
8.4.5 a Dean.

8.5 Casual vacancy
The office of Deputy Chair becomes vacant if the person holding that office:
8.5.1 resigns in writing, either as Deputy Chair or from the University;
8.5.2 assumes any of the positions referred to in Rule 8.4; or
8.5.3 dies.

8.6 Filling casual vacancies
If a casual vacancy occurs in the office of Deputy Chair, then the Academic Board shall fill that
casual vacancy in accordance with the procedure set out in Rule 8.2 to hold office for the rest of
the term of that person's predecessor.

9. Chairs of Standing Committees
9.1 Appointment
Chairs of Standing Committees:
9.1.1 shall be appointed by and from the members of the Academic Board, on the nomination
of the Chair at the first meeting of the Academic Board following an election of Academic
Board members; and
9.1.2 hold office for a period of two years following appointment.

9.2 Re-appointment
A person appointed as Chair of a Standing Committee is eligible for re-appointment, so long as
that person does not serve more than three full, consecutive terms as Chair of that Standing
Committee.

9.3 Disqualification
A person may not hold office as Chair of a Standing Committee while that person is:
9.3.1 the Vice-Chancellor;
9.3.2 a Deputy Vice-Chancellor;
9.3.3 a Pro-Vice-Chancellor;
9.3.4 a Dean.

9.4 Casual vacancy
The office of the Chair of a Standing Committee becomes vacant if the person holding that office:
9.4.1 resigns in writing, either as Chair of that Standing Committee or from the University;
9.4.2 assumes any of the positions referred to in Rule 9.3; or
9.4.3 dies.

9.5 Filling casual vacancies
If a casual vacancy occurs in the office of Chair of a Standing Committee, then the Academic
Board shall fill that casual vacancy in accordance with the procedure set out in Rule 9.1 to hold
office for the rest of the term of that person's predecessor.

Part 4 – Meetings and procedures of the Academic Board
10. Meetings
10.1 Frequency of meetings
The Academic Board must meet at least eight times in any one calendar year.

10.2 Who convenes meetings
The Chair must convene all meetings.

10.3 Special meetings
The Chair may at any time convene a special meeting of his or her own motion, and must do so if
requested by:
10.3.1 the Senate;
10.3.2 the Vice-Chancellor; or
10.3.3 at least 50 per cent of all members of the Academic Board.

10.4 Secretary
The Secretary to Senate, or the Secretary to Senate’s nominee, is to act as secretary to the
Academic Board.

10.5 Notices of meetings
Notices of meetings of the Academic Board:
10.5.1 must:
10.5.1.1 subject to Rule 10.5.1.2, be given at least seven days in advance of the meeting
to which it relates; or
10.5.1.2 in the case of special meetings convened under Rule 10.3, be given at least
three days in advance of the meeting to which it relates; and
10.5.1.3 specify the place, date and time of that meeting and a brief description of the business to be transacted at that meeting;

10.5.2 may be given in electronic or hard copy form.

10.6 **Meetings or resolutions not invalid in certain circumstances**

A meeting held or a resolution passed at a meeting is not invalid because:

10.6.1 of an accidental failure to give notice of that meeting to a person entitled to receive notice;

10.6.2 a person entitled to receive notice of that meeting does not receive it; or

10.6.3 less than the prescribed time of notice of that meeting was given.

10.7 **Standing alternates and acting members**

10.7.1 A staff member who is formally acting in the capacity of any *ex officio* member of the Academic Board may attend Board meetings and may exercise the voting rights of that position.

10.7.2 An elected staff or student member or *ex officio* student member may nominate a standing alternate to attend Academic Board meetings on their behalf as follows:

10.7.2.1 the member must advise the Secretary to Academic Board that they nominate another person to be their standing alternate;

10.7.2.2 a person nominated as a standing alternate must meet the same membership criteria as the nominating member;

10.7.2.3 the name, position and contact details of the standing alternate must be provided to the Secretary to Academic Board at least two days prior to any Academic Board meeting; and

10.7.2.4 once nominated, a standing alternate may attend on behalf of the nominating member for any other Academic Board meeting in the same calendar year, but the Secretary to Academic Board must be advised at least two days before the Academic Board meeting that the alternate will be attending.

11. **Meeting procedures**

11.1 **Quorum**

The quorum of the Academic Board is thirty members.

11.2 **No quorum**

Subject to Rule 11.3, no business may be transacted at a meeting unless a quorum of members is present at the meeting within 30 minutes of the time nominated in a notice given under Rule 10.5.

11.3 **Qualification**

If a quorum is not present at a meeting, the meeting may consider procedural matters only.

11.4 **Minutes**

Minutes of each meeting must be kept and must be:

11.4.1 signed by the Chair as a true and accurate record; and

11.4.2 distributed to each Board member no later than the date when notice of the next meeting is given.

11.5 **Resolutions**

Any motion which is to be put to a vote by members of the Academic Board:

11.5.1 must be duly proposed and seconded;

11.5.2 subject to Rule 11.6, may be carried or lost by a majority of votes of those present at the meeting and eligible to vote; and

11.5.3 together with the results of any vote on that motion, must be recorded in the minutes.

11.6 **Special resolution**

A special resolution is required to make or change a Rule made by the Academic Board.

11.7 **Motions without notice**

Subject to Rule 11.9, only the Chair may put a motion without notice to a meeting of the Academic Board.

11.8 **Chair's ruling is final**

Subject to Rules 11.9 and 11.10, the Chair's decision on all matters relating to meetings (including, without limitation, how meeting procedures are to be interpreted) is final.

11.9 **Motions of dissent**
Members of the Academic Board may [and without the need for notice to be given under Rule 10.5], by resolution of at least two-thirds of members present at the meeting:

11.9.1 overrule a ruling of the Chair; and
11.9.2 substitute their own ruling for the ruling of the Chair.

11.10 **Presiding over motions of dissent**

The following person must preside at the meeting while a motion is put to, and resolved by, the members of the Academic Board under Rule 11.9:

11.10.1 the Deputy Chair; or
11.10.2 if that person is not present at that meeting, another member of the Academic Board elected by and from the members of the Academic Board present at that meeting.

11.11 **Voting at meetings**

Voting at meetings must be conducted by:

11.11.1 show of hands; or
11.11.2 secret ballot, if demanded by any two members who are present and have the right to vote at that meeting, or if the Chair so directs.

11.12 **Member's vote**

Each member present at a meeting of the Academic Board has one deliberative vote.

11.13 **Casting vote**

If there is a tied vote then the person chairing that meeting of the Academic Board has one casting vote, in addition to a deliberative vote. However, this Sub-rule does not apply to a motion under Rule 11.9.

12. **Standing and other committees**

12.1 **Establishment by Academic Board**

The Academic Board may, by resolution, establish such Standing Committees or other committees or working parties as it thinks fit to assist or advise the Academic Board in the performance of its functions.

12.2 **Establishment by the Chair**

The Chair may establish committees (but not Standing Committees) or working parties to provide advice in connection with the role and functions of the Academic Board and the Chair.

12.3 **Terms of reference and membership**

The terms of reference and the membership of Standing Committees or other committees or working parties established under this Rule 12 are to be as determined by (as the case may be) the Academic Board or the Chair, but the following principles apply to all of them:

12.3.1 quality assurance matters shall be embedded in their terms of reference; and
12.3.2 they must, as appropriate, include the following members, taking into account gender, discipline and expertise:

12.3.2.1 academic staff members who are not necessarily members of the Academic Board;
12.3.2.2 members of the non-academic staff of the University who have relevant professional expertise or experience; and
12.3.2.3 appropriate student representation – with all Standing Committees to include at least one enrolled student member and, where appropriate, one undergraduate enrolled student and one postgraduate enrolled student member.

Part 5 – Election procedures for the Academic Board

13. **Procedural requirements**

All elections to the Academic Board and for the Chair must be carried out according to the procedure set out in this Part 5.

14. **Timing of elections**

14.1 **Elected academic staff members**

The election of the elected academic staff members of each faculty and college board to the Academic Board shall be held in second semester of every alternate year (i.e. the last semester prior to the end of the term of office of such members), and will normally be scheduled to run in conjunction with the election of elected enrolled student members of each faculty, college board and board of studies.
14.2 Student members
The election of the elected enrolled student member of each faculty, college board and board of studies to the Academic Board shall be held in second semester of each year, following the election of enrolled students to faculties, college boards and boards of studies.

14.3 Chair of the Academic Board
The election of the Chair of the Academic Board shall be held in second semester of every alternate year (i.e. the last semester prior to the end of the term of office of the Chair of the Academic Board), following the election of the academic staff members and the enrolled student members of the Academic Board as per sections 14.1 and 14.2 above.

15. Returning Officer
15.1 Who acts as returning officer
The Secretary to Senate, or the Secretary to Senate’s nominee, acts as the returning officer for all elections.

15.2 Decision of returning officer is final
Subject to the By-law and this Rule, the returning officer’s decision is final in connection with any matter affecting the conduct of an election including, without limitation, eligibility of candidates and the results of any election.

15.3 Agency
The returning officer may authorise another person to exercise any function of the returning officer under these Rules. Any function exercised by that authorised person is taken to have been exercised by the returning officer.

16. Rolls
16.1 Rolls required
The returning officer must, for the purpose of elections, establish and maintain separate Rolls for each category of elected members of the Academic Board prescribed in Rule 5, current as at the date of close of nominations.

16.2 Availability and inspection of Rolls
16.2.1 A copy of each relevant Roll must be available for inspection at the office of the returning officer during the University’s usual business hours for at least 14 days before the date on which the election is due to be held.

16.2.2 A person’s entitlement to inspect a Roll is subject to any policies or procedures of the University from time to time concerning privacy of personal information.

16.3 Alteration of Roll
The Secretary to Senate or the Secretary to Senate’s Nominee is entitled to alter a Roll at any time by:
16.3.1 correcting any mistake or omission in the details of any eligible voter entered on that Roll;
16.3.2 altering, on the written application of any eligible voter, the name or address of the person entered on that Roll;
16.3.3 removing the name of any deceased person;
16.3.4 removing the name of any person who is no longer entitled to vote in that election, or in the relevant category of that election;
16.3.5 removing the superfluous entry where the name of the same eligible voter appears more than once on the Roll; or
16.3.6 reinstating the name of an eligible voter removed from the Roll, where the Secretary to Senate or the Secretary to Senate’s Nominee is satisfied that such person is still entitled to be entered on the relevant Roll.

16.4 Roll not invalid
Notwithstanding Rule 16.3, a Roll is not invalid because that Roll:
16.4.1 contains any mistake or omission in the details of any eligible voter entered on that Roll;
16.4.2 contains the name of any deceased person;
16.4.3 contains the name of any person who is no longer entitled to vote in that election, or the relevant category of that election;
16.4.4 contains more than one entry for the same eligible voter; or
16.4.5 does not contain the name of any person entitled to be entered on that Roll.
17. Eligibility for election and to vote

17.1 Defined
A person is eligible for election to the Academic Board and/or (as the case may be) to vote in any election of the Academic Board if that person's name appears on the Roll in the relevant category at the time of close of nominations specified in the notice of election.

17.2 Circumstances where a provisional vote may apply
Rule 17.3 applies to a person who claims he or she is entitled to vote in an election even though:
17.2.1 that person's name cannot be found on the Roll for the election for which the person is claiming an entitlement to vote;
17.2.2 the person's name is on the Roll, but contains an incorrect address, or no address; or
17.2.3 a mark on the Roll used in that election indicates incorrectly that the person has already voted in that election.

17.3 Casting a provisional vote
A person to whom Rule 17.2 applies may cast a provisional vote if:
17.3.1 the person makes a request to the returning officer to do so; and
17.3.2 the person complies with clause 24.3.

18. Time intervals for different stages of the election process
When conducting an election, the returning officer must ensure that:
18.1 there are not less than 14 days nor more than 28 days between the publication of the notice that an election is to be held and the time for nominations to close;
18.2 there are not less than 14 days nor more than 28 days between the time nominations close and the issue of voting papers; and
18.3 where a postal vote is held, there are not less than 14 days nor more than 28 days between the issue of voting papers and polling day.

19. Notice of election

19.1 What it must contain
When an election becomes necessary, the returning officer must publish a notice of election containing the following information:
19.1.1 that an election is necessary to a particular office;
19.1.2 the category or categories for election;
19.1.3 the number of vacancies to be filled in each category;
19.1.4 the term of office of each category;
19.1.5 inviting nominations for election;
19.1.6 the form in which a nomination must be made;
19.1.7 the date and time when nominations close;
19.1.8 the polling day for the election;
19.1.9 the method of election;
19.1.10 where appropriate, the time(s) and place(s) where polling is to take place; and
19.1.11 that the election procedures can be found in this Rule.

19.2 How it must be published
The returning officer must give a notice of an election by any one of these methods:
19.2.1 placing a notice in the University News, Staff News and/or Student News as appropriate;
19.2.2 displaying the notice on all official University notice boards (including, without limitation, on the University's website); or
19.2.3 sending a hard copy or an electronic notice to each person entitled to vote in that election.

20. Nominating candidates

20.1 Requirements
20.1.1 A separate nomination form must be completed for each candidate and for each category in which that person is nominated.
20.1.2 Except under the circumstances outlined in 20.1.5 below, each person who nominates another for election must be eligible for election in that category. A person cannot nominate himself or herself for election.
20.1.3 Each nomination must be signed by the candidate, and by the two persons nominating the candidate.
20.1.4 A person cannot nominate more than one person in any category of election. If this occurs, the returning officer is to treat the first signed nomination form received as the valid nomination for that election.

20.1.5 In the case of nominations for election as an enrolled student member, both of the nominators must be enrolled students at the University of Sydney in the same faculty, college or board of studies as the nominee.

20.2 Nominating in more than one category
An eligible person may be nominated in more than one category of membership of the Academic Board.

20.3 Non-withdrawal
A nomination cannot be withdrawn once nominations have closed.

20.4 Statement of information
At the time of nomination, a candidate may provide a statement of no more than 100 words containing any of the following information:
- the candidate’s name;
- his or her current occupation or position;
- if an enrolled student, his or her current course of enrolment and year; and
- any other information the candidate thinks relevant (for example, brief policy statements).

20.5 Editing and distributing statement of information
The returning officer may edit any information provided by a candidate under Rule 20.4. Edited statements will be printed as a summary of information and distributed with voting papers.

20.6 Death or ineligibility of candidate
If, before the declaration of a poll for an election, a candidate dies or is no longer eligible for election, the election must proceed as if:
- the candidate had not been nominated for election;
- the candidate’s name had not been included on the voting papers printed for the election; and
- any vote for that person had not been cast.

21. Receiving nominations

21.1 Deadline for receipt
Nominations must be received by the returning officer no later than 4pm on the date for close of nominations specified in the relevant notice of election.

21.2 Rejection of nomination
The returning officer must reject a nomination paper if satisfied that the nomination does not comply with the requirements of Rule 20.1. If a nomination is rejected, then the returning officer must, within seven days of receiving that nomination, send or deliver a notice to each person who has signed or endorsed that nomination paper, notifying the person that the nomination has been rejected.

22. Dealing with nominations

22.1 Nominations less than or equal to positions vacant
If the number of nominations received is less than or equal to the number of candidates to be elected, then the returning officer must declare those candidates elected.

22.2 Number of nominations greater than positions vacant
If the number of nominations received is greater than the number of candidates to be elected, then the returning officer must conduct an election in accordance with these Rules.

23. Secret ballots

23.1 Election by secret ballot
All elections must be conducted by secret ballot.

23.2 Confidentiality
A person involved in an election (including any scrutineer) must not disclose or assist another person to disclose any information as to how a person voted at that election.

24. Postal votes

24.1 Postal vote required
All elections must be conducted by postal vote.

24.2 Dispatch of electoral material
The returning officer must, at least 14 days before the ballot is due to be held, send to each voter on the relevant Roll, at the voter’s address listed on that Roll:

24.2.1 a voting paper;
24.2.2 a notice describing:
   24.2.2.1 how the voting paper must be completed; and
   24.2.2.2 the date and time by which the voting paper must be returned to the returning officer;
   24.2.2.3 a declaration requiring the voter to state his or her name and that he or she is eligible to vote; and
   24.2.2.4 two envelopes, one marked 'Voting Paper' and the other a returning envelope addressed to the returning officer.

24.3 **Voting**

Each voter must, after completing a postal vote:

24.3.1 enclose and seal the voting paper in the envelope marked 'Voting Paper';
24.3.2 complete and sign the declaration of eligibility required under Rule 24.2.3;
24.3.3 enclose and seal the envelope and declaration, referred to in Rule 24.3.1 and 24.3.2 above, in the returning envelope addressed to the returning officer; and
24.3.4 send by post or deliver the envelope to the returning officer so that the returning officer receives it no later than the closing date for voting specified in Rule 24.2.2.2.

24.4 **Security of voting papers**

The returning officer must take all reasonable steps to ensure that all voting papers received under Rule 24.3 are stored securely until the close of the poll concerned.

25. **Marking and returning voting papers**

25.1 **Preferences must be allocated**

Voters must vote by marking the numbers 1, 2, 3 and so on, next to every candidate, in order of preference.

26. **Errors**

26.1 **Election not invalidated because of certain errors**

An election is not invalidated if:

26.1.1 any one or more of the events described in Rule 16.4 occurs;
26.1.2 an eligible voter did not receive a voting paper, or did not see displayed or receive a notice of election; or
26.1.3 an eligible voter's voting paper has not been accepted at the election.

26.2 **Returning officer may declare election invalid**

Notwithstanding Rule 26.1, and without limiting any of the returning officer's other powers, the returning officer may, at any time, declare an election invalid because, in his or her opinion, one or more of the events described in that Rule has materially affected, or is likely to materially affect, the outcome of that election.

27. **Scrutineers**

27.1 **Each candidate may nominate a scrutineer**

Each candidate for election may nominate one person to be present as that candidate's scrutineer at any counting of votes for that election. Any nomination under this Rule must be in writing, signed by the candidate, and given to the returning officer before counting of votes commences.

27.2 **Candidate may not be a scrutineer**

A candidate for election is not eligible to be a scrutineer.

27.3 **Inspection of voting papers**

A scrutineer is entitled to inspect any voting paper provided that, in the opinion of the returning officer, that scrutiny does not delay the counting of votes unreasonably.

28. **Informal voting papers**

28.1 **Informality**

A voting paper is informal if it:

28.1.1 contains any mark or writing that, in the opinion of the returning officer, enables any person to identify the voter;
28.1.2 is not validated by the returning officer; or
28.1.3 in the opinion of the returning officer, contains no vote, or does not allocate a preference to each candidate.

28.2 Not informal for any other reason
A voting paper:
28.2.1 cannot be declared informal for any reason other than a reason specified in Rule 28.1;
and
28.2.2 must be given effect to according to the voter's intention so far as that intention is clear.

29. Tally sheet to be kept
29.1 Contents of tally sheet
The returning officer must keep a tally sheet for each ballot containing the following information:
29.1.1 total number of voting papers;
29.1.2 a list of candidates;
29.1.3 primary votes allocated to each candidate;
29.1.4 secondary votes allocated to each candidate;
29.1.5 progressive total vote for each candidate;
29.1.6 informal votes, calculated by multiplying informal voting papers by the number of candidates to be elected; and
29.1.7 exhausted votes.

29.2 Number of voting papers must tally
At each stage of counting the total votes divided by the number of candidates to be elected must correspond with the total number of voting papers.

30. Procedures for election of one candidate only
The returning officer must follow the procedures in Rule 31 where one candidate only is to be elected.

31. Counting votes for one candidate only
31.1 Informal voting papers
Exclude all informal voting papers.

31.2 Count primary votes
Count the primary votes for each candidate on formal voting papers.

31.3 Total primary votes
Enter the total number of primary votes for each candidate next to that candidate's name on the tally sheet.

31.4 Majority of votes
If a candidate receives an absolute majority of primary votes, then declare that candidate elected.

31.5 Distribute secondary votes
Where no candidate receives an absolute majority of primary votes, distribute secondary votes according to Rules 31.6 to 31.11 until one candidate receives an absolute majority.

31.6 Exclusion of candidates
Exclude the candidate with the fewest primary votes.

31.7 Allocation of secondary votes
For each voting paper where the excluded candidate received a primary vote, allocate the next active secondary vote.

31.8 Indicate excluded candidate
Indicate the excluded candidate and that the next secondary vote has been allocated.

31.9 Exhausted voting papers
If there is no active secondary vote on any voting paper examined then that voting paper is exhausted.

31.10 Exclusion of candidates
Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest number of total votes.

31.11 Distribution of secondary votes
If, after the exclusion of a candidate, the next active secondary vote is to an excluded candidate then that secondary vote shall be disregarded and the next secondary vote, if any, distributed.

31.12 Repeat process
Repeat the process as set down in Rules 31.6 to 31.11 until one candidate receives an absolute majority of votes.

31.13 Equal lowest vote
If on any count two candidates have an equal number of votes and that number is the lowest on that count then:

31.13.1 the candidate with the lowest number of primary votes shall be eliminated; or
31.13.2 where the number of primary votes is equal, then the returning officer shall draw lots with the candidate first drawn remaining in the ballot.

32. Election procedures for more than one candidate
The returning officer must follow the procedures in Rule 33 where more than one candidate is to be elected.

33. Counting votes

33.1 Informal voting papers
Exclude all informal voting papers.

33.2 Count primary votes
Count the primary votes for each candidate on the formal voting papers.

33.3 Total primary votes
Enter the total number of primary votes for each candidate next to that candidate’s name on the tally sheet.

33.4 Exclusion of candidates
Exclude the candidate with the fewest primary votes.

33.5 Allocation of secondary votes
For each voting paper where the excluded candidate received a primary vote, allocate the next active secondary vote.

33.6 Indicate excluded candidate
Indicate the excluded candidate and that the next secondary vote has been allocated.

33.7 Exhausted voting papers
If there is no active secondary vote on any voting paper then that voting paper is exhausted.

33.8 Exclusion of candidates
Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest of total votes.

33.9 Allocation of secondary votes
If, after the exclusion of a candidate, the next active secondary vote indicates an excluded candidate, then that secondary vote must be disregarded and the next secondary vote, if any, allocated.

33.10 Repeat process
Repeat the process as set down in Rules 33.5 to 33.9 until only the number of candidates required to fill the vacancies remain.

33.11 Equal lowest vote
If on any count, two candidates have an equal number of votes and that number is the lowest on that count then:

33.11.1 the candidate with the lowest number of primary votes shall be eliminated; or
33.11.2 where the number of primary votes is equal, then the returning officer must draw lots with the candidate first drawn remaining in the ballot.

34. Election in more than one category

34.1 Order of election
Where a non-professional member of academic staff is nominated in more than one category under Rule 5.1, and receives a sufficient number of votes to be declared elected under Rule 5.1.4, that person must be declared elected in that category.

34.2 Removal from subsequent categories
If a person is declared elected pursuant to Rule 34.1, then that person is no longer eligible for election to another category of membership, and must be removed from any list of candidates for that category of membership.

35. Filling casual vacancies or dealing with insufficient nominations

35.1 Elected academic staff members

35.1.1 If a casual vacancy occurs in the office of any elected academic staff member of the Academic Board [other than in the office of the Chair], then that vacancy must be filled by the candidate at the immediately preceding election who was the last candidate to be excluded, and who remains eligible to be elected.
35.1.2 If:

35.1.2.1 a casual vacancy cannot be filled according to Rule 35.1.1; or
35.1.2.2 there are insufficient nominations for any category of academic staff members,

then the Academic Board may fill that vacancy or position by appointing a person from the relevant Faculty who is eligible to be elected to that category of members, after first consulting with the relevant Dean.

35.1.3 If a casual vacancy or position cannot be filled according to Rule 35.1.2, then the position shall remain vacant until it can be filled for the remainder of the term according to Rule 35.1.1 or 35.1.2 [as the case may be].

Explanatory note: This Sub-rule is designed to enable more than one attempt to fill a casual vacancy or position while the relevant term of office remains current.

35.2 Elected student members

35.2.1 If a casual vacancy occurs in the office of any elected enrolled student member, then that vacancy must be filled by the candidate at the immediately preceding election who was the last candidate to be excluded, and who remains eligible to be elected.

35.2.2 If:

35.2.2.1 a casual vacancy cannot be filled according to Rule 35.2.1; or
35.2.2.2 there are no nominations

then that vacancy or position must be filled by an enrolled student, who is not already a member of the Academic Board, on the nomination of the relevant dean or chair of the board of studies, who must first consult with the Presidents of the Students’ Representative Council and the Sydney University Postgraduate Representative Association. For the purposes of that consultation the relevant Dean, the President of the Students’ Representative Council and the President of the Student University Postgraduate Representative Association shall have regard to the consideration that it is desirable that undergraduate enrolled students, postgraduate coursework enrolled students and postgraduate research enrolled students all be represented on the Academic Board;

35.2.3 If a casual vacancy or position cannot be filled according to Rule 35.2.2, then the position shall remain vacant until it can be filled for the remainder of the term according to Rule 35.2.1 or 35.2.2 [as the case may be].

Explanatory note: This Sub-rule is designed to enable more than one attempt to fill a casual vacancy or position while the relevant term of office remains current.

35.3 Chair

If a casual vacancy occurs in the office of the Chair:

35.3.1 on or after the last six months of the end of the Chair’s term, then that vacancy must be filled by the Deputy Chair; or
35.3.2 before the last six months of the end of the Chair’s term, then an election must be held to fill that vacancy according to Part 5.

Notes

University of Sydney (Academic Governance) Rule 2003

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### Amendment history

<table>
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<th>Provision</th>
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- 4.3.1;
- 5.1.3;
- 7.2.2;
- 8.1.2;
- 10.7 (new);
- 19.2.1

- 1 June 2015

- 1 June 2015