



Election By-Law

Griffith University Medicine Society Incorporated

Accepted by a vote of members at an Executive Committee Meeting on 13 July 2020.

Preamble

Griffith University Medicine Society (GUMS) is the peak representative body for Griffith medical students. It is a student society that strives to enrich all aspects of the lives of post-graduates involved in the study of the science of medicine. This is an internal governance document, which provides an outline for the process for providing guidance regarding the annual election process of the GUMS Executive Committee. This By-Law is accepted under the GUMS Constitution, Section 10. This By-Law is written as an adjunct to the GUMS Constitution, Section 7.2 (Election of the Executive Committee) to provide further detail regarding the annual election procedure. Where there is perceived inconsistency with the GUMS Constitution, the Constitution will be held as the guiding document. The GUMS Executive has the right to interpret and apply this By-Law.

Definitions

In this document:

Act refers to the *Associations Incorporation Act 1981* (Qld)

AMSA refers to the Australian Medical Student Association.

Association refers to the Griffith University Medicine Society Incorporated.

Campaigning refers to the promotion by electoral applicants during the Campaigning Period.

Campaigning Period refers to the duration of time beginning within the forty-eight (48) hour period immediately prior to the commencement of voting, throughout the entire Voting Period, and ending at the beginning of the subsequent GUMS General Meeting.

Constitution refers to the Association Rules of the Griffith University Medicine Society Incorporated.

Election Period refers to, unless specified elsewhere in these By-Laws, the time beginning with the Application Period and ending at the end of a GUMS General Meeting or by definitive affirmation of applicants in the absence of a General Meeting.

Executive Committee refers to the group of individuals who are elected annually to the GUMS Executive Committee. This group carries the full responsibilities and powers as outlined in the GUMS Constitution, Section 7.

Management Committee refers to the group of individuals who form the GUMS Management Committee, who are either elected or appointed annually.



Ordinary Member refers to any person who holds a valid membership of GUMS, as specified in the GUMS Constitution.

Returning Officer refers to a Griffith University student enrolled at the time of the voting period, but ideally not within the Griffith University School of Medicine. This student shall be in good standing who by virtue of them not being a member of the current GUMS Executive Committee, nor applying for a position within the current GUMS General Meeting cycle, has been chosen to run a specific Election Period on behalf of GUMS.

Slate refers to two or more candidates applying for separate positions with their names appearing jointly on any campaign material(s). A slate does not include members running for group application roles.

Voting Period refers to, unless specified elsewhere in these By-Laws, a period of five (5) working days from 9:00am on the Monday of a given week, until 5:00pm on the Friday of a single given week in the months of September or October as determined by the current GUMS Executive Committee and the Returning Officer.

Policy

1. Returning Officer

- 1.1. A Returning Officer shall be appointed at least five (5) working days prior to the opening of elections, who shall supervise the conduct of any election.
 - 1.1.1. The Returning Officer must be a student enrolled at Griffith University at the time of the voting period, but ideally not within the Griffith University School of Medicine.
 - 1.1.2. The Returning Officer must not be, or have ever been, a GUMS Executive Committee or Committee member.
 - 1.1.3. The Returning Officer must not have, or have ever had, a close relationship with any of the applicants, or any person intending to apply, for the available role(s) in the election.
- 1.2. The role of the Returning Officer is to supervise and coordinate the election, including advising the President of the election results upon the conclusion of the Voting Period referred to in By-Law 5.
- 1.3. The position of the Returning Officer shall be vacated upon acceptance of the election results at the subsequent GUMS general meeting referred to in the GUMS Constitution, Section 9.
- 1.4. Should the Returning Officer not fulfill the expected roles and responsibilities, or is compromised in their impartiality, the Executive Committee may elect by two-thirds majority vote to remove the Returning Officer from their position and re-appoint another meeting the requirements as referred to in By-Law 1.1.
- 1.5. At no point may the Returning Officer cast a vote in an election which they are overseeing.
 - 1.5.1. The right to cast a vote may be reinstated to a past Returning Officer in subsequent GUMS elections in which this person is not a Returning Officer.
 - 1.5.2. A past Returning Officer who is no longer, or who has never been, a Griffith medical student will not be given a vote in subsequent GUMS elections.
- 1.6. The Returning Officer is expected to declare any conflict(s) of interest to the GUMS Executive Committee prior to the final decision of their appointment. The GUMS



Executive Committee will determine, at their complete discretion, whether or not to appoint a different Returning Officer if necessary.

- 1.7. Any member of the current GUMS Executive Committee who is an electoral candidate shall not be able to take part in the decision made by the GUMS Executive Committee referred to in By-Law 1.6.

2. Applications for Elected Positions

- 2.1. Applications for elected positions within GUMS will commence at a time agreed upon by the current GUMS Executive Committee, and end no later than three (3) working days prior to the start of the voting period referred to in By-Law 5.

- 2.1.1. Positions within GUMS requiring election include, but are not limited to:

- (a) Executive Committee positions, which may include:
 - (i) President;
 - (ii) Vice-President(s);
 - (iii) any other positions outlined in the By-Laws of the Association.
- (b) Representative positions, which may include, but not limited to:
 - (i) Junior AMSA Representative;
 - (ii) International Student Representative;
 - (iii) Pre-Clinical Advocacy Officer
 - (iv) Indigenous Representative (if not co-appointed by *Hope4Health*);
 - (v) Year-level Advocacy Representatives;
 - (vi) Rural Representative(s);
 - (vii) Hospital Representatives; and
 - (viii) any other positions outlined in the By-Laws of the Association.

- 2.1.2. The current President automatically assumes a position on the following year's Executive Committee as Immediate Past President. The Immediate Past President position is a one (1) year role, which is vacated as the following year's President assumes this role.

- 2.1.3. The current Treasurer automatically assumes a position on the following year's committee as Immediate Past Treasurer. The Immediate Past Treasurer position is a one (1) year role, which is vacated as the following year's Treasurer assumes this role.

- 2.1.4. If there are no applicants for a given position, then a second round of applications will be opened to GUMS members. This second application period will open after the conclusion of the voting period (see By-Law 4) and close before the general meeting. Voting for this second round of applicants is detailed in By-Law 8.

- 2.2. Remaining positions within GUMS are appointed following expression of interest, application and interview by relevant members of the current GUMS Committee.

- 2.2.1. Further details of this process are to be stipulated in the election guidelines, to be released each year prior to the opening of applications, if not otherwise defined in another By-Law of the Association.

- 2.2.2. If there are no applicants for a given position, then a second round of applications will be opened to GUMS members. This second round of applications will be subject to the conditions of By-Law 2.2.

- 2.3. All applicants for positions (whether elected or appointed) within the Association must meet the following criteria to qualify for application:

- (a) An electoral applicant must be an Ordinary Member in good standing for the calendar year of nomination.
- (b) An electoral applicant must not be a final year medical student.



- (c) An electoral applicant must not breach the requirements of Section 61A of the Act. As such, a person is not eligible to be elected if the person (as per s 5.4(d) of the Constitution):
 - (i) is no longer an Griffith University School of Medicine student;
 - (ii) is convicted of an indictable offence;
 - (iii) does not comply with any of the provisions of these rules;
 - (iv) has membership fees in arrears for at least 2 months; or
 - (v) conducts themselves in such a way to be considered injurious or prejudicial to the character or interests of the Association.
- (d) Failure to comply with the criteria set out in By Law 2.1-2.2 will result in immediate expulsion of the electoral candidate from consideration for nomination to the positions available within the Association at the current election.
- 2.4. An electoral candidate may apply for a maximum of four (4) elected positions within the Association each year. When an individual applies for more than one (1) elected position, individuals must list their order of preference.
- 2.5. All completed applications must be submitted to the GUMS Executive Committee and the Returning Officer no less than three (3) working days prior to the commencement of the voting period.
- 2.6. Electoral candidates are not permitted to run as a slate.
- 2.7. Slate electoral candidates will be determined to not be in compliance with these By-Laws and will, subject to the discretion of the Returning Officer, be subsequently expelled from consideration for application to the positions available within the Association at the current general meeting.
- 2.8. All applications will be confidential and known only to the Returning Officer and those that the Returning Officer deems required to conduct the election until the commencement of the voting period. Individuals the Returning Officer may determine are required to conduct the election are limited to:
 - (a) Current Executive Committee members;
 - (b) Current IT Officer; and
 - (c) Any individual approved by a simple majority vote of the current Executive Committee.
- 2.9. A list of electoral candidates' names, sorted alphabetically by surname, must be made available to the members of the Association throughout the duration of the voting period. This list may include the detailed submissions by applicants.

3. Applicant Responsibilities

- 3.1. Prior to a GUMS election period, each electoral candidate is expected to discuss their nomination and the expectations of the role they wish to nominate for within the current committee, with the member currently occupying the role.
- 3.2. During a voting period, electoral candidates must ensure that they have read, and continue to abide by, the Constitution, By-Laws, Standing Orders and Policies of the Association.
- 3.3. Electoral applicants may withdraw from an election at any time prior to the opening of the general meeting at which the role is to be accepted.
 - 3.3.1. Should an electoral applicant choose to withdraw from an election, the individual must provide notification to, and obtain acknowledgement of the withdrawal from, the Returning Officer.
 - 3.3.2. Should an electoral applicant choose to withdraw from an election after the voting period has commenced, the Returning Officer and the electoral applicant may maintain confidentiality regarding this decision until the voting



period is complete if requested by the withdrawing candidate. The electoral applicant will then be removed from the electoral count, with subsequent preferences applying for votes cast for the electoral applicant in question.

4. Voting Period

- 4.1. The election of members of the Executive Committee and Representative positions (as per By-Law 2.1) occurs annually and shall take place during the months of August, September or October in the year prior to the commencement of that elected term.
- 4.2. The voting period shall last for five (5) working days from 9:00am on the Monday of a given week, until 5:00pm on the Friday of a single given week in the months of September or October.
 - 4.2.1. A week that includes a public holiday or School of Medicine break week (for any of the four years) shall not be chosen for the week of the voting period.
- 4.3. The Returning Officer, in conjunction with the current IT Officer, shall make available to all GUMS ordinary members in good standing the opportunity to cast an electronic ballot over the voting period.
- 4.4. Electronic ballots may be cast via a secure website as sanctioned by the Returning Officer and the current GUMS IT Officer, in accordance with these By-Laws.
- 4.5. Each ballot will contain an additional option of "Abstain" that shall be counted towards total votes, but not towards a winning tally.
- 4.6. In the case of a single applicant for an elected position, an additional option of "Re-Open Applications" to represent the GUMS ordinary member's opinion that the sole applicant is not suitable for the position.
- 4.7. A vote for "Re-Open Applications" shall be counted towards total votes, but not towards a winning tally.
- 4.8. All election ballots will have the candidates' names listed in a randomly selected order if permitted by the chosen electronic voting platform. If a randomisation option is not possible, then candidates shall be listed alphabetically by surname. This electronic voting platform is referred to in By-Law 4.3.
- 4.9. All ordinary members of the Association, including those in the current Executive Committee and those running in the election, are entitled to a vote in the given election.

5. Campaigning

- 5.1. Candidates will be permitted to campaign within the forty-eight (48) hour period immediately prior to the commencement of voting and for the entire Voting Period.
- 5.2. Methods of campaigning include, but are not limited to, posting of physical promotional material, in-person, social media and indirectly via friends and/or family.
 - 5.2.1. Physical promotional materials must be posted with accordance to Griffith University Property Management policies.
 - 5.2.2. GUMS does not authorise the use of GUMS logos or imagery on promotional materials.
- 5.3. Each electoral applicant shall enjoy the right to inform the student body of their candidacy in a manner consistent with the Constitution, By-Laws, Standing Orders and Policies of the Association.
 - 5.3.1. Campaigning may not be spruiked during Year 1 or 2 lectures, whether the session is delivered in-person or online.
- 5.4. At no time shall an electoral applicant in an election of the Association use the Association's resources, any privileges bestowed upon them by the Association, or gifts to promote their candidacy.



5.5. For each Voting Period, the sitting GUMS Executive Committee may choose to release a “Social Media Campaigning Policy”, to be approved by the current Returning Officer before the application period begins.

6. Electoral Applicant Disqualification

- 6.1. An electoral applicant may be disqualified from an election if they fail to comply with any of the provisions of the Constitution, By-Laws, Standing Orders, and/or Policies of the Association.
- 6.2. Should the Returning Officer determine that an electoral applicant is to be disqualified, the Returning Officer shall submit notice to the electoral applicant notifying them of the intention to disqualify (“Notice of Intention to Disqualify”) advising:
 - (a) The purpose of the notification
 - (b) The reason for the disqualification
 - (c) The date of any infraction
 - (d) Notice of the appeal process
- 6.3. An electoral applicant may appeal the disqualification by providing a notice of appeal to the current GUMS Secretary within two (2) business days of receipt of the Notice of Intention to Disqualify (“Notice of Appeal of Disqualification”).
- 6.4. Within two (2) business days of receipt of a Notice of Appeal of Disqualification, the current Executive Committee must convene a special Executive Committee meeting to discuss the disqualification. At any such meeting, both the disqualified electoral applicant and the Returning Officer will be given a full and fair opportunity to present both of their cases.
- 6.5. The current Executive Committee will evaluate the circumstances surrounding the electoral applicant and decide whether to finalise the disqualification by a simple majority vote of Executive Committee members present at the meeting.
- 6.6. The Returning Officer will give notice to the disqualified electoral applicant within twenty-four (24) hours of the decision made by the current Executive Committee (“Notice of Disqualification”).
 - (a) No further means of appeal will be allowed.
- 6.7. A GUMS General Meeting cannot commence until all active disqualification appeals have been resolved, and applicants notified of the decision.

7. Election Results

- 7.1. The election of each member of the Executive Committee (except for the Immediate Past President) shall be by a majority of votes cast, using the instant runoff method.
- 7.2. In the event of an equality of votes, the vote shall be re-opened for an additional voting period contested between only the candidates tied in votes. This subsequent re-opened vote shall be run in accordance with these By-Laws.
- 7.3. If the “Re-Open Applications” option (see By-Law 4.6) is selected by at least fifty percent (50%) plus one (1) of voters for a position, then applications for that position will re-open as follows:
 - (a) The current Secretary shall call for applications within twenty-four (24) hours of the General Meeting’s closure.
 - (b) With an exception to the rules detailing specific timelines, all rules regarding Applications and Applicant Responsibilities under By-Laws 2 and 3 respectively shall apply.
 - (c) This subsequent Application Period will end seventy-two (72) hours after the General Meeting’s closure.⁹



- (d) The Voting Period will open no later than four (4) calendar days after the closure of the Application Period and will be open for exactly five (5) working days from 9:00am on the Monday of a given week, until 5:00pm on the Friday of a single given week as referred to in By-Law 4.2.
 - (i) GUMS Ordinary Members in good standing may vote by electronic ballots as specified prior to the initial Voting Period opening by the GUMS Executive Committee and the Returning Officer.
 - (ii) All votes are to be compiled and counted by the Returning Officer, and may be presented at the following GUMS Executive Committee meeting for scrutiny.
 - (iii) By-Laws 7.10 and 7.11 apply.
 - (e) In the event that “Re-Open Applications” wins a second ballot for a given position, the sitting GUMS Executive Committee will appoint GUMS Ordinary Member(s) in good standing to fill the position:
 - (i) The sitting GUMS Executive Committee at a General Meeting is the group of people who hold executive positions for the calendar year in which the General Meeting is occurring and does not include any individuals who, during the General Meeting, have already been elected to take over those positions.
 - (ii) Unless all other reasonable options have been exhausted, the sitting GUMS Executive Committee may not appoint Ordinary Member(s) in good standing into a vacant position if the member(s) lost against “Re-Open Applications” for that particular position in the most recent election.
 - (iii) The GUMS Executive Committee shall use the same process normally used for Appointed positions and should have made the same considerations as this process.
 - (iv) Appointments must be made within fourteen (14) calendar days of the General Meeting’s closure.
 - 7.4. In the event that there are no electoral applicants for an elected position (see By-Law 2), then nominations may be taken directly and voted upon the floor of the meeting.
 - 7.4.1. In the absence of a general meeting, any position that does not have any applicants will be submitted to the process of appointment as specified in By-Law 2.2.
 - 7.5. Electronic ballots shall be counted immediately upon the closing of the Voting Period.
 - 7.6. If one applicant wins more than one position, they will be considered to have won their first preference position, and to have withdrawn their nomination for their remaining preference(s). Their votes for their remaining preference(s) will be reallocated as per the voter’s preferences in an instant runoff voting method.
 - 7.7. The result of the vote, as declared by the chairperson of the General Meeting, shall be deemed to be a successful elected result following ratification by a simple majority vote of Ordinary Members in good standing and in attendance at the General Meeting.
 - 7.8. Upon the conclusion of the vote, all physical ballots must be destroyed within twenty-four (24) hours of the end of the electoral period by the Returning Officer.
- 8. Voting and Proxy Regulations**
- 8.1. By-Law 8 is written as an adjunct to the GUMS Constitution, Section 9.4. Where there is ambiguity, the GUMS Constitution shall be taken as the guiding document.
 - 8.2. Every GUMS Ordinary Member in good standing and eligible to vote shall be entitled to optional preferential voting for each electoral applicant.



- 8.3. Voting at the GUMS General Meeting, aside from paper ballots, shall be by show of hands
- 8.4. All matters pertaining to proxy votes shall be managed in accordance with the GUMS Constitution, Section 9.6.
- 8.5. A GUMS Ordinary Member in good standing may vote in person, by proxy, or by an online mechanism as specified by the GUMS Executive Committee and the Returning Officer.

9. Inconsistency

- 9.1. In the event of an inconsistency between these By-Laws and the GUMS Constitution, the GUMS Constitution shall prevail to the extent of that inconsistency.