

# DRAFT - WSUSU REGULATIONS

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## Part A – Interpretation and Definitions Executive

### 1. Interpretation

Unless the context otherwise requires:

- a. Words and expressions defined in the WSUSU Constitution have the same meanings in these Regulations.
- b. Terms used in these Regulations but not defined in the Constitution are defined below.
- c. If a term is defined both in these Regulations and in the Constitution, the Constitutional definition prevails.

### 2. Definitions:

- a. **“Ballot”** means, in relation to an election, the official declaration of a vote by an eligible student using any form of voting as determined by the Returning Officer for that election.
- b. **“Casual Vacancy”** means, in relation to an office-bearer or Student Director elected or appointed under these Regulations, a vacancy that occurs in that office other than because of the expiration of the term of office of the office holder.
- c. **“Close of Nominations”** means, in relation to an election, the date and time determined by the Returning Officer by which the Returning Officer must receive nominations for the election.
- d. **“Close of the Ballot”** means, in relation to an election, the date and time determined by the Returning Officer by which the Returning Officer must receive ballot papers for the election.
- e. **“Flying Minutes”** means a resolution of the WSUSU Board (or any committee of the Board, including the SRC), circulated in writing and approved electronically when an urgent decision is required before a convened meeting.
- f. **“General Election”** means the annual election of student directors and SRC members.
- g. **“Honorarium”** means an amount to be paid to student representatives holding an official voting membership of a representative body under these Regulations.
- h. **“Identified Positions”** means those student-elected roles designated by the WSUSU Board from time to time to represent specific equity or demographic cohorts (for example, International, Residential, Queer, Women’s, Disability, Indigenous Australians, Ethno-Cultural, Undergraduate, and Postgraduate Representatives), as defined in the Student Representative Council or any other body established under these Regulations.
- i. **“OPV”** means Optional Preferential Voting.
- j. **“Publish”** means the communication of relevant information either in electronic format and/or in hard copy.
- k. **“RO”** means Returning Officer
- l. **“Working Days”** or **“Days”** means any day on which the University is open and conducts business, excluding Saturdays, Sundays, and public holidays gazetted in New South Wales.

Additional Terms – The Board may approve further definitions by resolution and update these Regulations accordingly.

1. **For the purpose of these Regulations, unless the contrary indication appears:**
- a. These Regulations are made under, and must be read consistently with, the Western Sydney University Student Union (WSUSU) Constitution (the Constitution). If an inconsistency arises between these Regulations and the Constitution, the Constitution prevails;
  - b. A reference to any Act, regulation or subordinate legislation includes that instrument as amended, re-enacted or replaced, and any subordinate legislation made under it;
  - c. A reference to a function includes a power, authority or duty;
  - d. The singular includes the plural and vice-versa;
  - e. Other grammatical forms of defined words or expressions have corresponding meanings;
  - f. A reference to a clause, paragraph, Part or Schedule is a reference to that clause, paragraph, Part or Schedule of these Regulations, and a reference to these Regulations includes their Schedules;
  - g. A reference to a person includes that person's executors, administrators, successors, substitutes and assigns;
  - h. Headings are for convenience only and do not affect interpretation;
  - i. The words includes, including, for example or similar expressions are not words of limitation;
  - j. A reference to a time or date in connection with the performance of an obligation is a reference to the time or date in Sydney, Australia, even if the obligation is to be performed elsewhere.

## Part B – WSUSU Executive

### WSUSU Student Directors, SRC Officers and other student representatives

#### 1. Summary of Student-elected Positions

| Role   | Number   | Tenure                          | Purpose within WSUSU governance   | Constitution clause    |
|--|--|---------------------------------|---|------------------------|
| Student Directors (Board)                                    | Six (6) (three elected each year)  | Two-year staggered terms        | Bring an authentic student perspective to Board deliberations, monitor WSUSU programs' impact on students, and report back.   | cl 4.2 & cl 4.4.1      |
| SRC Executive Officers                                       | President, Vice-President, General Secretary, Welfare Officer (Four (4) total) | One-year terms                  | Provide central student advocacy and leadership, run the SRC's business, and liaise between students and the Board.   | cl 5.1                 |
| Any additional student-elected roles determined by the Board | As prescribed by the Board   | As specified in the Regulations | Represent specific cohorts or functions as directed by the Board; the election process and terms are set out in Part E — Election (Breaches and Sanction) of these Regulations. | cl 5.1 (by Regulation) |

#### 2. Core Responsibilities

Student Directors, SRC and other non-Director student representatives must:

- a. Act in good faith, in the best interests of WSUSU as a whole, and for a proper purpose, in accordance with the Corporations Act, the ACNC Act and the WSUSU Constitution;
- b. Champion equity, inclusion and the advancement of student welfare and education;
- c. Consult regularly with a broad cross-section of students and faithfully present their views to the Board;
- d. Represent and report student feedback on significant Board decisions and ensure the Board's direction is relayed through agreed channels (e.g., via staff-managed communication platforms) rather than managing communications directly;
- e. Comply with all WSUSU policies (including those on conflicts of interest, confidentiality and directors' duties) and complete any mandatory induction or governance training approved by the Board (delivered by WSUSU staff or a third-party provider); and

- f. Attend Board, Student Representative Committee (SRC) and other committee meetings fully prepared to contribute to discussion and decision-making.

### 3. **Accountability**

- a. Directors and student representatives are collectively and individually accountable to the WSUSU Board.
- b. A Director or student representative may be removed in the circumstances and by the method set out in the Constitution and Part F of these Regulations;
- c. Directors and student representatives are subject to the disciplinary and grievance processes established by the Board under separate regulations or policies.

### 4. **Eligibility to nominate**

- a. Student Director candidates (Constitution cl. 4.6.5). At the Close of Nominations, a nominee for a Student Director position must:
  - i. Be at least 18 years of age;
  - ii. Be a student as defined in Constitution;
  - iii. Be eligible under the Corporations Act 2001 and ACNC Act 2012 to act as a company director;
  - iv. Not have already served four cumulative years as a Student Director; and
  - v. Not be an employee of WSUSU.
- b. SRC and other non-Director student-elected roles (Constitution cl 10.4; Part E — Breaches and Sanctions of these Regulations). At the Close of Nominations, a nominee for an SRC or any other student-elected role must:
  - i. meet the general student criteria above (age, enrolment, non-employment by WSUSU); and
  - ii. satisfy any additional “fit-and-proper” or portfolio-specific requirements prescribed by the Board in its Regulations.

## WSUSU Non-student Directors

| Role                        | Number        | Tenure  | Purpose within WSUSU governance   |
|-----------------------------|---------------|---|---|
| <b>University Directors</b> | Three (3)     | No fixed term – serves at the direction of WSU and may be replaced by the University at any time via written notice to WSUSU. | <ul style="list-style-type: none"> <li>• Provide strategic alignment between WSUSU and WSU.</li> <li>• Offer institutional knowledge of WSU policy, compliance and risk appetite.</li> <li>• Act as a liaison on SSAF allocations and high-level student-experience matters.</li> </ul>   |
| <b>External Directors</b>   | Up to two (2) | Two-year term and there is no maximum number of terms for reappointment. May be replaced via a Board resolution.              | <ul style="list-style-type: none"> <li>• Contribute professional skills (finance, legal, risk, governance) not otherwise available on the Board.</li> <li>• Provide objective oversight and continuity beyond the student-director cycle.</li> <li>• Chair or serve on specialist committees. For example: Audit, Finance and Risk Committee (AFRC) or Nominations and Remuneration Committee (NRC).</li> </ul> |

### 5. Non-Student Director positions

In addition to the six (6) Student Directors, the Board comprises three (3) University Directors and up to two (2) External Directors as prescribed by clause 4.3 of the WSUSU Constitution. These positions are not filled by student ballot:

- a. University Directors are nominated by WSU and take office upon the University's written notice to WSUSU. They serve at the University's discretion and may be replaced by the University at any time;
- b. External Directors are recruited via an open expression-of-interest process managed by the NRC and appointed by ordinary resolution of the Board.

Together, the up to five (5) Non-Student Directors provide continuity, professional expertise and an external perspective that complements the student voice on the Board.

### 6. Core responsibilities

Non-Student Directors are collectively and individually expected to:

- a. Act in good faith, for a proper purpose and in the best interests of WSUSU as a whole, in accordance with the Corporations Act 2001, ACNC Act 2012, the WSUSU Constitution and all Board-approved policies;
- b. Provide professional and strategic expertise (e.g. finance, law, risk management, higher-education governance) that complements the skillset of student-elected directors and underpins sound Board decision-making;
- c. Champion equity, inclusion and the advancement of student welfare and education, ensuring WSUSU's programs and services align with its charitable objects;
- d. Monitor organisational performance and risk by:
  - i. Scrutinising financial and audit reports;
  - ii. Overseeing the risk register and control environment; and
  - iii. Ensuring compliance with statutory and funding-agreement obligations.

- e. Mentor and guide Student Directors, sharing governance experience and supporting their leadership development;
- f. Serve on Board committees (e.g. AFRC, NRC) or working groups as appointed, and chair those bodies if requested by the Board;
- g. Disclose and manage conflicts of interest, maintain confidentiality of Board information and comply with the Board's Code of Conduct;
- h. Complete mandatory induction and ongoing professional-development activities approved by the Board;
- i. Prepare for and attend Board and committee meetings, making a conscientious contribution to discussion and collective decision-making.

## Part C – Committees

The WSUSU Board may establish committees, advisory bodies, or other student representative bodies as needed to support the Union's operations. At minimum, the Board will maintain the SRC, AFRC and NRC (as per Constitution clause 5.2):

### 7. **Student Representative Committee (SRC)**

The SRC is a student-elected body intended to represent the interests of the student body within the governance structure of WSUSU. The Board will determine which non-elected positions will be appointed.

### 8. **Audit, Finance and Risk Committee (AFRC)**

The AFRC is a Board committee established to oversee WSUSU's financial sustainability, external audit, and risk-management framework. The Board will determine:

- a. The membership and chair of the AFRC;
- b. The financial, audit or risk skills that must be represented on the committee; and
- c. The committee's meeting frequency and reporting format, noting that all recommendations and quarterly financial/risk reports must be tabled at the next scheduled Board meeting.

### 9. **Nominations and Remuneration Committee (NRC)**

The NRC is a Board committee established under Constitution cl 5.2 to advise the Board on director succession, recruit and recommend the RO, oversee key committee appointments, and set Director allowances.

- a. The Board will determine:
  - i. The membership and chair of the NRC;
  - ii. The governance of financial skills that must be represented on the committee; and
  - iii. The committee's meeting frequency and reporting format.
- b. Support and Records
  - i. The Chief Executive provides secretariat support, ensures minutes are taken, and lodges them in the Board papers.
  - ii. The NRC submits its recommendations to Board meetings.

### 10. **Other Committees and Bodies**

In addition to the Committees noted in these Regulations, the Board may establish additional

committees or bodies to address current or emerging needs, such as student engagement, welfare, academic representation, strategic planning, commercial services, community partnerships, or other areas deemed necessary to advance WSUSU's objectives:

- a. Working Groups for particular initiatives or campaigns; and
- b. Task Forces addressing particular student issues or needs.

Each committee will have clearly defined roles, membership, and responsibilities, which may or may not include elections.

#### **11. Committee Composition and Membership**

The Board will approve each committee's structure, membership criteria, and appointment process, specifying which roles require election and which are by direct appointment. All operational steps (issuing calls for nominations, receiving applications, coordinating contested elections) will be managed by the Chief Executive (or delegate) under the approved process.

#### **12. Committee Chairs and Leadership Roles**

Committee chairs or leaders may be selected by the committee members or appointed by the Board, depending on the needs of the committee. Chairs are responsible for:

- a. Facilitating meetings and ensuring that decisions are made in alignment with the goals and objectives of the committee;
- b. Reporting to the Board on the activities and outcomes of their committee; and
- c. Ensuring active engagement from members of the committee.

#### **13. Committee Accountability and Reporting**

- a. All committees, including the SRC and any subcommittees, are accountable to the WSUSU Board. Regular reports will be provided to the Board on the progress, initiatives, Board recommendations, and outcomes of committee activities. They may also provide recommendations or correspondence to be considered by the Board;
- b. Committees must comply with all WSUSU policies and Board directives. Committee members are also subject to the dispute resolution and disciplinary processes set out in these Regulations.

### **Part D – Standing Orders**

The Standing Orders set out in this Part apply to all ordinary, special or adjourned meetings of the WSUSU Board and any committees established by the Board (including the SRC and other student-elected bodies), and must be read consistently with the Constitution (cl 6.1–6.5). Where a conflict arises, the Constitution prevails.

#### **14. Meeting calendar**

- a. The Board adopts an annual meeting calendar by no later than 1 February each year;
- b. The calendar must provide for at least six (6) ordinary meetings in the calendar year;
- c. The SRC must provide for at least six (6) ordinary meetings in the calendar year;
- d. For committee meetings and other student-elected bodies (other than the SRC), meetings will be scheduled in accordance with their specific needs, as determined by the committee's mandate and the Board.

## 15. **Scheduling and notice**

- a. The Board will approve an annual meeting calendar (including general meeting windows and blackout periods). The Company Secretary (or delegate) will implement that calendar, publishing dates, sending notices, and distributing meeting materials, ensuring all directors receive timely notice;
- b. For a special (urgent) meeting, the notice period may be shortened, provided every director either receives at least 48 hours' written notice to their university email address or waives notice in writing;
- c. Committee members receive notice of committee meetings as determined by the Board. The respective committee chairs generally schedule committee meetings and should provide members with appropriate notice.

## 16. **Venue and technology**

- a. Meetings may be held on campus or via real-time audio-visual technology that enables each participant to hear and be heard by all others. A director who joins by approved technology is taken to be present in person;
- b. Meetings of the SRC and other committees can similarly be held in person or through suitable online platforms, as determined by the committee's requirements.

## 17. **Quorum**

- a. A quorum for Board meetings is a majority of the directors holding office when the meeting commences. If a quorum is not present within 30 minutes of the scheduled start, the meeting lapses, and the Company Secretary records the fact in the minutes;
- b. For committee meetings (including the SRC), a quorum is determined by the Board based on the committee's structure. Committee members must be present to form a quorum for the respective committee meeting.

## 18. **Chairing**

- a. The Board Chair presides over Board meetings. If the Chair is absent, becomes conflicted, or is otherwise unable or unwilling to act (e.g., due to a disclosed conflict of interest, serious illness, or other valid reason), the Board elects a temporary chair from among the Board members for that meeting only;
- b. For committee meetings (e.g., SRC, working groups, advisory bodies), the committee members elect a chair or the Board may appoint one, depending on the committee's needs.

## 19. **Motions, debate and voting**

A motion requires a mover and a seconder before debate (excluding recommendations made by a committee of the Board). Speakers address the Chair and may not be interrupted except on a point of order.

### a. **Board meetings**

Decisions are made by a simple majority of votes cast, each Board member has one vote. The meeting chair has a deliberative vote and, if the votes are tied, a casting vote.

### b. **Committee meetings**

Committee members will vote according to the rules established for that particular

committee. Voting rights for committee members do not extend to Board meetings unless they are formally appointed to the Board.

**20. Circular resolutions (out-of-session)**

- a. Urgent matters between Board meetings may be decided by written or electronic circular resolution. A resolution is passed when approved by a majority of Board members who would have been entitled to vote on the matter at a meeting, and is noted at the next Board meeting;
- b. Committee members may similarly adopt circular resolutions for committee matters, provided that the relevant rules for that committee have been followed.

**21. Adjournment and extension**

The Chair may adjourn a meeting for lack of quorum, disorder or other sufficient cause. To extend a meeting beyond its scheduled finish time, the Chair must obtain the consent of a majority of directors present. Any extension is limited to 30 minutes unless the meeting resolves otherwise.

**22. Minutes**

- a. The Company Secretary circulates draft minutes within seven days of each Board meeting. Minutes record attendance, apologies, disclosures of interest, motions, resolutions, and any dissenting or abstaining votes. They are confirmed at the next meeting and signed by the Chair as a true record;
- b. For committee meetings, minutes are taken by the designated secretary (or equivalent), circulated to committee members, and presented for approval at the next committee meeting.

**23. Disclosure of interests**

- a. Board members must disclose any actual, potential, or perceived conflict of interest at the start of the meeting. A conflicted Board member leaves the room (or virtual space) during discussion and voting on the relevant item unless the non-conflicted Board members resolve otherwise;
- b. Committee members must also disclose any conflict of interest during committee meetings and follow the same process as the Board members.

**24. Closed session**

The Board or committee may resolve to enter a closed session to consider confidential or legally privileged matters. Only members and persons invited by the Board or committee may remain. The minutes note only the resolution to enter and exit the closed session, as well as any decisions made.

**25. Observers and advisers**

Observers may attend with the Chair's prior approval but have no speaking rights unless invited. The Board or committee may invite advisers to present on specialist matters. Those advisers must withdraw after their presentation unless the Board resolves otherwise.

**26. Suspension of Standing Orders**

Any Standing Order may be suspended for the duration of a particular item by a two-thirds majority of directors present.

## Part E – Elections

This Part governs how WSUSU conducts elections for all student-elected positions. They ensure every election is open, fair, transparent and consistent with the Corporations Act 2001, ACNC Act 2012, the WSUSU Constitution and University policies.

### 27. **Scope**

This Part applies to:

- a. Elections for the six (6) Student Director positions on the WSUSU Board;
- b. Elections for the SRC, including President, Vice-President, General Secretary, Welfare Officer and other student-elected positions as decided by the Board; and
- c. Elections for other student-elected roles (for example, National Union of Students delegates or Publications Committee representatives) are created under these Regulations.

### 28. **Authority and interpretation**

- a. The Board retains ultimate approval of all election-related policies and any amendments to these Regulations;
- b. The Chief Executive (or delegate) is responsible for operational delivery (notices, roll preparation, logistics, budgets) and reports compliance or issues to the Board.

### 29. **Election principles**

- a. **Free and fair** - Every eligible student has a reasonable and accessible opportunity to nominate, to campaign and to vote;
- b. **Independent** - Elections are administered by an RO who acts free of influence from the Board, candidates or factions;
- c. **Transparent** - Timetables, rules, count sheets and results are published in a timely manner;
- d. **Secret** - The voting method guarantees ballot privacy; and
- e. **Timely** - The election life cycle follows the deadlines set out in in these Regulations.

### 30. **Elections Governance Roles**

- a. The Board retains ultimate approval of all election-related activities;
- b. The detailed roles, duties and appointment rules for both the RO and Chief Executive are set out in Part G — Key WSUSU Roles.

### 31. **General Election**

- a. A General Election must be held each calendar year and conclude no later than 30 November;
- b. Nominations must be open for at least ten (10) Working Days following publication of the Election Notice;
- c. If the number of nominations for any vacancy does not exceed the number of positions, the RO must declare those candidates elected immediately after nominations close, without a poll;

- d. Voting must be open for at least three (3) Working Days.

### 32. **Election Notice**

- a. The Election Notice must include:
  - i. Positions contested;
  - ii. Nomination and polling dates;
  - iii. Voting methods and locations;
  - iv. Where to access these Regulations;
  - v. Ticket rules;
  - vi. RO's contact details; and
  - vii. Any special instructions.
- b. At each General Election, only the three (3) Student Director positions whose terms expire on 31 December of that year shall be declared vacant and contested.
- c. The RO must publish every required notice (call-for-nominations, provisional declaration, formal Notice of Results) on the WSUSU website and by email to all students, in the format and by the deadlines above.

### 33. **Electoral roll preparation**

Within two (2) Working Days after the Close-of-rolls date, the University Registrar (or delegate) must supply the RO with an attested electronic extract of all students enrolled on that date, showing: student number, name, course code and enrolment status. RO certification – The RO must:

- a. Run basic integrity checks (duplicate student numbers, invalid status codes);
- b. Randomly sample at least 1% of records (or 100 students, whichever is greater) and confirm enrolment with the Registrar; and
- c. Sign a Roll Certification Statement (date, total records, anomalies resolved).

The certified roll becomes the sole list of eligible voters and is stored with other election records for the statutory retention period.

### 34. **Nomination requirements**

#### a. **Form and lodgement**

- i. Nominations must be lodged electronically via the form approved by the RO and include the candidate's full name, student number, contact email and a policy statement of no more than 500 words;
- ii. Four (4) students must endorse the nomination for Student Director, and one (1) Student must endorse the nomination for SRC member;
- iii. A Student may nominate for only one position in an election cycle.

#### b. **Withdrawal of Nominations**

- i. A candidate may withdraw their nomination at any time prior to the opening of polling;
- ii. Withdrawals can only be made by the candidate seeking to withdraw and take effect upon their acceptance by the RO;
- iii. If a candidate withdraws, the RO must proceed as if the candidate had never been nominated;
- iv. If a candidate withdraws, the RO may modify ballot papers as necessary or appropriate.

**c. One position only**

A student may nominate for only one position each election cycle and, including staff roles.

**d. Tickets**

- i. Students may nominate as a ticket by submitting a single, bulk nomination form.
- ii. Each ticket nomination must state:
  - The position each nominee seeks;
  - Each nominee's full name, student number and contact email; and
  - The signature of each nominee.
- iii. Ticket nominations may be lodged on behalf of nominees, provided the RO is satisfied the nomination is bona fide;
- iv. All ticket nominations must be submitted from a WSU email account.
- v. Each ticket nomination must delegate one or more Authorising Officers, who have authority to act for the nominees;
- vi. As soon as practicable after receiving a ticket nomination, the RO must:
  - Verify all nominees are eligible for their nominated positions; and
  - Notify both the nominees and the submitter whether the nomination is accepted or rejected.
- vii. If a ticket nomination is accepted, the RO must promptly provide each nominee and Authorising Officer with:
  - A copy of these Regulations;
  - The key election dates and timelines; and
  - Any further information necessary for a fair election.
- viii. If a ticket nomination is rejected, the RO must promptly inform both the affected nominee(s) and the submitter of the specific ground(s) for rejection;
- ix. A ticket's name must not replicate or closely resemble any recognised political party or lobbying group (e.g. Labor, Liberal, The Greens, Socialists);
- x. If the RO considers a ticket name contrary to these Regulations, they may require the Authorising Officer to propose an alternative name.

**e. Replacement of Ineligible Nominees**

If, at any time during the nomination process, an individual nominee within a ticket is found to be ineligible, the ticket may either:

- i. Replace that person by submitting a revised ticket nomination form (naming a new eligible nominee) prior to the Close of Nominations; or
- ii. Opt to leave the vacancy unfilled, in which case the ticket will contest only the remaining positions.

**f. Notification**

The RO must notify acceptance or rejection of each nomination within twenty-four (24) hours after the Close of Nominations.

Within three (3) Working Days of receiving a nomination, the RO must email the nominee either:

- i. Confirmation of acceptance; or
- ii. A rejection letter stating the reasons and any remedy (e.g. missing endorsements).

### 35. **Eligibility to Vote and Stand**

#### a. **Voter Eligibility**

All Students enrolled at the close of nominations.

#### b. **Candidate Eligibility**

A student may stand for any office if, at Close of Nominations, they:

- i. Meet the general nomination requirements aligned with Part E, Elections (Nomination Requirements);
- ii. For Student Director roles only, also satisfy the fit-and-proper and directorship criteria set out in Constitution cl 4.6.5 (ACNC/Corporations Act, no more than four cumulative years' service);
- iii. For SRC members and other non-Director elected roles, only the general nomination requirements apply (i.e. directorship-specific tests are omitted).

### 36. **Campaigning**

#### a. **Campaign Period**

Begins at the Close of Nominations and ends at the close of polling.

#### b. **Spending cap**

Total campaign expenditure must not exceed AUD \$500 per candidate or \$1,500 per ticket, indexed annually from 2025 by CPI.

#### c. **Campaign-expenditure returns**

Within seven (7) Working Days of the formal declaration of results, every candidate and ticket must lodge with the RO an itemised statement of campaign expenditure (including all donated funds, goods or services). The RO will publish all statements on the WSUSU website within five (5) days of receipt.

#### d. **General Conduct**

- i. Campaigning must be truthful, respectful, non-defamatory, non-discriminatory, and comply with University codes of conduct.
- ii. The following are prohibited:
  - Use of megaphones or amplified sound on campus;
  - Campaigning by non-students;
  - Display of political party or recognised lobbying groups logos or branded clothing;
  - Offering any inducement to vote or abstain;
  - Use of University or WSUSU resources without permission;
  - Interference with another candidate's material or ballot access;
  - Harassment, bullying, intimidation or defamation of any kind;
  - Campaign activity in designated no-go zones (e.g. libraries, exam venues);
  - Entering classrooms or lectures during the election period (so-called "lecture-bashing");
  - Aggressive leafleting or physically blocking voters for the purpose of canvassing; and

- Any conduct bringing WSUSU or the University into disrepute.

**e. Campaign Material Requirements**

All election materials must clearly display candidate name (or authorising officer name), student number and home campus, and must not contain offensive, defamatory or misleading content.

**f. Branding and use of WSUSU / University resources**

- No use of the University's crest, logo, name or other trade marks on election material unless prior written permission is obtained from the University;
- WSUSU logo/brand assets may be used only in line with WSUSU Brand Guidelines and the Chief Executive's written approval for each item;
- Campaign material must not imply endorsement by WSUSU, the University or staff.
- University lecture theatres, classrooms, email lists, LMS, intranet etc. may not be used for campaign purposes without written approval from the relevant University officer. Approved uses must follow venue-hire conditions and security directions;
- All campaign material must respect copyright and follow the University's Brand and Visual Identity, Copyright and Social-Media policies;
- WSUSU does not indemnify any candidate or campaigner against defamation claims arising from their campaign material.

**37. Polling Method (Online Only)**

All WSUSU elections must use a secret ballot and Optional Preferential Voting (OPV). Voting shall be conducted exclusively via an online platform that meets the following requirements:

**a. Verifiable Count**

The system must generate a count sheet that candidates can review upon request.

**b. Accessibility**

- Every aspect of the online interface, including notices, nomination forms, and the ballot itself, must comply with WCAG 2.1 AA guidelines;
- The RO is responsible for making reasonable adjustments so that students with temporary or ongoing disabilities or chronic health conditions can fully participate.

**c. Security and Hosting**

Use the University's online voting platform in accordance with its directions.

**38. Voting and Counting**

**a. Ballot Papers and Electronic Ballots**

- Ballots must list candidates in randomised order;
- For tickets, a single "front-page" box may be provided to vote "1" for the entire ticket.

**b. Counting Method (Instant-Runoff OPV)**

A candidate with more than fifty per cent (50%) of formal votes is declared elected. If no candidate achieves a majority, the lowest-polling candidate is eliminated and their votes redistributed according to next preferences. This elimination and redistribution process repeats until all vacancies are filled. Informal ballots may be ruled on only by the RO. Ties are resolved by lot unless the RO orders a recount.

**c. RO Oversight and announcements**

- i. The RO supervises the count and must facilitate observation by scrutineers. Each candidate or Authorising Officer may appoint one scrutineer using the RO-approved form before polling closes. If the count is electronic and physical observation is impracticable, the RO must supply the final count sheet to scrutineers within twenty-four (24) hours of the provisional declaration;
- ii. The RO issues a provisional declaration of results within two (2) Working Days of polling close and posts it on the WSUSU website and emails it to all students;
- iii. Candidates or voters have one (1) Working Day to lodge an appeal with the RO.
- iv. If no appeal is lodged, or once the Election Tribunal has decided any appeal, the RO issues the formal declaration and a Notice of Results;
- v. Elected students take office on 1 January next following the General Election.

**d. Contingency for Technical Failure**

If the RO is satisfied that a material technical failure or security breach has compromised the integrity of the ballot, they may suspend polling after consulting the Chair of the Board, then resume, extend, or re-run the election on terms the RO considers reasonable.

**39. Declaration and Appeals**

**a. Provisional Declaration**

The RO must provisionally declare results within two (2) Working Days of the Close of the Ballot.

**b. Election Tribunal**

**i. Composition**

- The Board must appoint an Election Tribunal no later than the Close of Nominations;
- The Tribunal consists of three (3) voting members:
  - One (1) Chair, who would preferably have a legal or governance background;
  - Two (2) students (one (1) undergraduate and one (1) postgraduate) who have not participated in or endorsed any candidate or campaign in the current election; and
- The Chief Executive (or delegate) sits as a non-voting procedural adviser.

**ii. Appointment Process**

- At least ten (10) Working Days before nominations close, the Board (or its delegate) circulates a call for volunteers;
- Volunteers must declare any conflicts of interest;
- The Board appoints members by simple majority vote;
- If a student member becomes ineligible before the hearing, the Board appoints a conflict-checked replacement.

**iii. Chairing the Hearing**

If the Chair is unable or unwilling to act (e.g., conflict of interest or sudden incapacity),

the Board appoints an alternative Chair from among the Tribunal members or an agreed external designee before proceeding.

**iv. Appeals to the Tribunal**

- A candidate or voter may appeal an RO decision or provisional result by lodging written notice with the RO within one (1) Working Day of notification;
- The RO forwards all relevant materials (complaint, evidence, RO's ruling) to the Tribunal Chair within one (1) Working Day of receiving the appeal.

**v. Hearings**

- The Tribunal holds the hearing in camera within forty-eight (48) hours of receiving the RO's materials;
- Decisions, with reasons, are issued no later than forty-eight (48) hours after the hearing concludes;
- Hearings are confidential: only Tribunal members, the appellant, the RO (as respondent), and any nominated legal or advisory representatives may attend

**vi. Finality and Publication**

- The Tribunal's decision is final and binding on all parties;
- The RO publishes the Tribunal's decision (redacting any private information) on the WSUSU website within one (1) Working Day of issuance.

**vii. Formal Declaration**

If no appeal is lodged, or all appeals are dismissed, the RO must formally declare the result. A Notice of Results must be posted on the WSUSU website and emailed to all students. Elected Student Directors and SRC members commence their term on 1 January next following the General Election.

**c. Election of Board Chair**

In accordance with Constitution cl 4.7, the newly elected Board shall elect one of the Student Directors as Board Chair at its first meeting each calendar year.

**40. Breaches and Sanctions**

This section sets out what counts as an electoral breach, the sanctions the RO may impose, and the process that must be followed.

**a. What constitutes a breach:**

A breach occurs when any candidate, ticket, supporter, scrutineer or other participant:

- Fails to comply with these Regulations, a written RO direction, or a ruling of the Election Tribunal;
- Provides false or misleading information (e.g., forged nomination signatures, falsified roll entries, false expenditure returns);
- Interferes with another candidate's campaign material, harasses or intimidates voters, other campaigners or otherwise undermines a free and secret ballot;
- Uses University or WSUSU intellectual property without permission (see Branding rules); or
- Engages in conduct that, in the RO's opinion, brings WSUSU or the University into

disrepute.

**b. Graduated sanctions**

The RO must apply the least severe sanction that will maintain election integrity, escalating only if the breach is serious or repeated. Available sanctions are:

- i. Written warning (recorded and copied to the candidate's WSU email);
- ii. Direction to remedy (e.g., remove unauthorised posters or correct a statement);
- iii. Suspension of campaigning privileges for up to three (3) Working Days (or the remainder of the campaign, whichever is shorter);
- iv. Disqualification from the election; and/or
- v. Referral to:
  - The Election Tribunal (for determination of the breach and/or sanction);
  - The University under the Student Misconduct Rule; or
  - External authorities (e.g., police) where criminal conduct is suspected.

**41. Procedure**

| <b>Step</b>              | <b>Action</b>   | <b>Timeframe</b>  |
|--------------------------|---|---|
| <b>Notice of Breach</b>  | RO issues a written notice specifying the rule breached, the evidence and the sanction proposed.                            | As soon as practicable after the alleged breach is identified.  |
| <b>Right to respond</b>  | The respondent may lodge a written response (with any evidence) to the RO.  | One (1) Working Day from receipt of the notice, unless the RO states that immediate action is required. |
| <b>Determination</b>     | RO considers any response and decides whether to confirm, vary or withdraw the proposed sanction. Reasons must be recorded. | Within One (1) Working Day of the response deadline.  |
| <b>Appeal (optional)</b> | Candidate or voter may appeal the RO's determination to the Election Tribunal.  | One (1) Working Day after the RO's decision is emailed.   |

Where urgent interim action is required to protect ballot integrity (e.g., ongoing harassment at a polling venue), the RO may impose a temporary suspension immediately and complete the notice-and-response steps afterwards.

**42. Effect of a sanction**

- a. A suspended or disqualified candidate must cease all campaigning immediately; failure to do so is a further breach;
- b. A disqualified candidate's name remains on the ballot only if ballot papers have already been issued, any votes cast for that candidate are counted as exhausted after the first

preference;

- c. Tribunal decisions are final and binding; they may affirm, vary or overturn the RO's determination.

#### 43. **Interaction with other disciplinary regimes**

Imposing a sanction under these Regulations does not prevent additional action under Part E — Elections (Declaration and Appeals), the University's Student Misconduct Rule, or, civil or criminal law.

#### 44. **Vacation of Office for Disqualification**

A Director's office is automatically vacated if they become disqualified under Constitution cl 4.9 (e.g., conviction, bankruptcy, expulsion, four-year service limit, non-attendance).

#### 45. **Election Record-keeping**

- a. All election materials must be retained securely in accordance with WSU record-management policies and any advice provided by the University. Materials may be disposed of only once the University's guidelines permit or require destruction, or upon conclusion of any ongoing investigation.
- b. Within thirty (30) Working Days of the formal declaration, the RO must submit an "Election Report" to:
  - i. the AFRC (see Part C – Committees, "AFRC" section, for noting and any recommended improvements); and
  - ii. the Board (via the NRC) and the Chief Executive.

The report must:

- Summarise turnout, ballot integrity and any operational issues;
  - List all breach notices issued, responses received and sanctions imposed;
  - Highlight unresolved risks or policy gaps; and
  - Make recommendations for future elections.
- c. A plain-language summary of the Election Report (excluding confidential or personal information) must be published on the WSUSU website within five (5) Working Days of the Board's receipt.

#### 46. **Dispute Resolution and Appeals**

- a. A candidate, voter or campaign volunteer may email the RO within two (2) Working Days of becoming aware of an alleged breach, citing the rule breached and key facts;
- b. Within two (2) Working Days the RO must either:
  - i. Dismiss the complaint as unfounded;
  - ii. Uphold it and impose a sanction under *Sanctions*; or
  - iii. Refer it straight to the Election Tribunal if the matter is serious or outside the RO's power.
- c. A party dissatisfied with an RO decision may file a one-page appeal to the Tribunal within one (1) Working Day of notification;
- d. Election Tribunal, hears the matter, in camera, within 48 hours and issues a written, binding decision;
- e. The RO notes all complaints, outcomes and Tribunal decisions in the post-election report to

the AFRC.

#### 47. **Casual Vacancies and By-Elections**

##### a. **Board Casual Vacancies**

- i. If a casual vacancy in a Student-Director position occurs within six (6) months of that Director's election, the RO must offer the vacancy, in descending order of votes, to the next-highest-polling unelected candidate. The candidate must accept the offer in writing within seven (7) Working Days. If no eligible candidate accepts, the RO must conduct a by-election under the By-Election Procedure set out below;
- ii. If the vacancy occurs more than six (6) months after the General Election, the RO must conduct a by-election within ninety (90) days of the vacancy, following the same procedure, unless a scheduled General Election will take place within that ninety (90)-day window, in which case the vacancy may remain until filled at that election.

##### b. **SRC Casual Vacancies**

- i. If an SRC vacancy occurs within six (6) months of the most recent General Election, the next-highest polling unelected candidate for that SRC portfolio is deemed elected;
- ii. If the vacancy occurs more than six (6) months after the General Election, the RO must conduct a by-election or expression-of-interest process consistent with the Constitution and these Regulations.

##### c. **By-Election Procedure**

Except where these Regulations specify otherwise, a by-election follows the same nomination, campaigning and voting rules as a General Election, with the timetable compressed as follows:

- i. Election Notice, published ten (10) Working Days before nominations open;
- ii. Nominations, open for 5 Working Days;
- iii. Polling, open for three (3) Working Days;
- iv. Provisional declaration, within two (2) Working Days of polling close;
- v. Appeal period and formal declaration, as per General Election rules.

## **Part F – Managing Conflict and Discipline of Members**

This Part sets the framework for resolving disputes and dealing with misconduct involving student-elected directors (and any other student-elected office-holders created by Board Regulation). It complements, and does not replace, the statutory duties of directors under the Corporations Act 2001, the ACNC Act 2012, the WSUSU Constitution, the University's Student Misconduct Rule and relevant University codes and policies.

#### 48. **Standards of conduct**

Student-elected members (including Student Directors and SRC members) must:

- a. Act in good faith, for proper purpose and in the best interests of WSUSU as a whole;
- b. Comply with the Corporations Act, ACNC Act, the WSUSU Constitution, and any relevant Board policies (including the Code of Conduct and Conflict of Interest Policy);
- c. promote equity, inclusion and student welfare; and

- d. treat fellow directors, staff, students and stakeholders with courtesy, respect and professionalism.

**49. Initial resolution of concerns**

- a. Where possible, concerns related to student-elected directors, SRC members, or other student roles should be addressed promptly and informally between the parties or with the assistance of the Board Chair or Company Secretary;
- b. Any person may lodge a written complaint with the Company Secretary if informal resolution is impracticable or fails. The complaint must set out the facts, alleged conduct, and remedy sought.

**50. Triage and referral**

The Company Secretary, under delegated authority from the Chief Executive, will triage incoming complaints and refer them as follows (without direct Board Chair involvement unless escalated):

| Nature of issue   | Action  |
|---|---|
| Minor interpersonal dispute or performance issue  | Refer the matter to mediation, facilitated discussion or coaching                                   |
| Alleged breaches of these Regulations or Board policies involving student-elected members (including SRC members) | Refer to the NRC for preliminary assessment   |
| Alleged student misconduct within the University's jurisdiction (e.g. harassment, assault, academic dishonesty)   | Refer to the University under the Student Misconduct Rule (may run concurrently with WSUSU process) |
| Alleged criminal conduct  | Refer to the police and, if appropriate, suspend the member pending the outcome                     |

**51. Investigation**

- a. Where the NRC decides that a formal investigation is warranted, it appoints an Investigator (either internal or external) to gather facts and interview relevant parties. The NRC will ensure that the process is fair and transparent, maintaining procedural fairness at all times;
- b. The respondent is given the complaint, all evidence relied upon and an opportunity to respond in writing and/or in person;
- c. The Investigator provides a written report to the NRC, including findings on the balance of probabilities and recommended action.

**52. Disciplinary Panel**

If the investigation substantiates misconduct warranting sanction, the matter proceeds to a Disciplinary Panel comprising:

- a. One (1) non-Student Director who is not involved in the matter.;
- b. One (1) Student Director not involved in the matter; and
- c. An independent person agreed upon by the Board Chair and the University.
- d. The Disciplinary Panel nominates the Chair for the proceedings.

The Panel will elect its own Chair for the proceedings. It hears the matter (with procedural fairness), considers the Investigator's report and any submissions, and decides on an outcome.

### 53. **Possible outcomes**

The Disciplinary Panel will consider the Investigator's report and any submissions made by the respondent. The Panel may decide on the following outcomes:

- a. Dismiss the complaint;
- b. Issue a written warning or reprimand;
- c. Require an apology, mentoring, counselling, or training;
- d. Suspend the member from specified duties or committees for up to 12 months;
- e. Recommend to the Board that the member be removed as a director or office-holder (the Board will act under the relevant provisions of the Constitution);
- f. Refer to Part H – Allowances for Directors and Office-holders (Misconduct and repayment), for any recovery of paid allowances; and
- g. Refer the matter to the University or external authorities if not already done.

### 54. **Appeal**

The respondent may appeal a disciplinary decision (sanction or finding) by written notice to the Board Chair within seven (7) calendar days of being notified.

### 55. **Appeals Panel Composition**

The Appeals Panel comprises:

- a. One (1) Student Director who was not involved in the original proceedings;
- b. One (1) Non-Student Director who was not involved in the original proceedings; and
- c. One (1) External member agreed by the Board Chair and the University.

### 56. **Grounds for Appeal**

An appeal will be considered only on the basis of:

- a. A material breach of procedural fairness;
- b. New evidence not reasonably available at the original hearing; or
- c. A sanction manifestly disproportionate to the misconduct.

### 57. **Powers and Finality**

The Appeals Panel may confirm, vary or set aside the original decision. Its decision is final and binding on all parties.

### 58. **Confidentiality and reporting**

- a. All parties must keep complaint and disciplinary information confidential, except where disclosure is authorised or required by law.
- b. The Company Secretary keeps a secure register of complaints, investigations, outcomes and any sanctions imposed, and reports de-identified statistics annually to the Board.

## 59. **Interaction with the Student Misconduct Rule**

Referral to the University's Student Misconduct Rule does not prevent WSUSU from dealing with the governance aspects of the same conduct, and vice-versa. As far as practicable, each body will cooperate to minimise duplication while ensuring due process.

## **Part G – Key WSUSU Roles**

### **Role of the Chief Executive (Most Senior Employee), WSUSU**

For the purposes of these Regulations, Chief Executive means the most senior employee of WSUSU, however titled (e.g., Chief Executive Officer, General Manager), or a person formally authorised by that employee to act in their stead.

The Chief Executive is responsible for the operational management of WSUSU, including facilitating elections for Student Directors, SRC members, and any other student-elected roles created by the Board. This role is integral to ensuring the smooth functioning of student governance, supporting student-elected positions, and maintaining the organisation's compliance with WSUSU's Constitution and any relevant legislation.

## 60. **Governance and compliance support**

- a. Provide independent, professional advice to the Board on governance, finance, risk, compliance, and strategy;
- b. Oversee implementation of Board resolutions and ensure WSUSU meets its obligations under the Corporations Act, ACNC Act, the WSUSU Constitution, University agreements, and relevant policies;
- c. Maintain, or cause to be maintained, accurate registers, minutes, and statutory records, and file all required returns with regulators in a timely manner;
- d. Liaise with the University, regulators, and external advisers on matters affecting WSUSU's operations and compliance;
- e. Delegate triage of incoming complaints to the Company Secretary.

## 61. **Support for elections**

Resource and assist the RO appointed by the Board, including:

- a. Supplying an up-to-date extract of enrolled-student data for roll preparation;
- b. Providing staff and budget support for publicity, technology, and ballot administration;
- c. Arranging secure storage of nomination forms, ballot data, and election records;
- d. Coordinating all operational aspects of election conduct (e.g. issuing notices, liaising with the RO, managing budgets and logistics) and reporting any compliance issues to the Board; and
- e. Remaining impartial in all electoral matters and refraining from any conduct that could be perceived as favouring a candidate or group.

## 62. **Induction and development of student-elected members**

- a. Coordinate a comprehensive induction program for newly elected Student Directors and SRC members (and any other student-elected office-holders), covering fiduciary duties,

WSUSU strategy, financial literacy, risk and University context.

- b. Arrange ongoing professional development opportunities for student-elected directors and any other elected office-holders, as approved by the Board.
- c. Ensure student-elected office-holders complete mandatory governance training and other required training during their tenure.

### 63. **Dispute-resolution facilitation**

- a. Act as the first point of contact for informal resolution of interpersonal or performance concerns involving student-elected members (including student directors and SRC members).
- b. Administer the formal complaint, investigation, and disciplinary processes set out in Part F of these Regulations, ensuring procedural fairness and confidentiality.

### 64. **Reporting**

- a. Submit a written Chief Executive report to each ordinary Board meeting, including:
  - i. operational performance against the strategic plan;
  - ii. financial results and forecasts;
  - iii. risk and compliance matters; and
  - iv. election or disciplinary issues requiring Board attention.
- b. After each General Election, provide the Board with a brief election debrief report in consultation with the RO.

### 65. **Delegation**

The Chief Executive may delegate any of the above duties to suitably qualified staff but remains accountable to the Board for their proper discharge.

## **Role of the RO**

For the purposes of these Regulations, RO means the independent person appointed by the WSUSU Board, on the recommendation of the NRC to conduct all student-elected ballots for WSUSU. The Board appoints the RO by ordinary resolution, no person may act as interim RO until that appointment has been ratified. The term includes any formally appointed Deputy RO who acts in the RO's stead for a defined period or task.

The RO is the impartial steward of every WSUSU election, responsible for safeguarding ballot integrity, administering the timetable and rules, and declaring results in accordance with the Corporations Act 2001, ACNC Act 2012, the WSUSU Constitution and these Regulations. While the Chief Executive supports the RO with operational resources, the RO exercises full independence from the Board, student factions and University management, ensuring that each election is free, fair, transparent, secret and timely.

### 66. **RO Responsibilities**

The RO administers all WSUSU elections (General, by-elections, and casual-vacancy processes) in accordance with:

- a. The WSUSU Constitution;

- b. These Regulations;
- c. Exercise sole authority to decide any matter not expressly provided for, designate campaign-free zones, and take all measures in good faith to ensure an orderly, safe and fair election.

**67. RO Independence**

Once ratified by the Board, the RO operates independently of the NRC and the Board. The RO must not seek or accept instructions from any candidate, faction or Board member about any electoral function.

**68. RO Eligibility Criteria**

The person recommended as RO must:

- a. Not have been an employee or contractor of the University or WSUSU in the preceding five (5) years;
- b. Not be a current student of the University;
- c. Not have stood as a candidate in any post-secondary student election within the preceding two (2) years;
- d. Satisfy any independence requirements specified in the Constitution; and
- e. Demonstrate no real or perceived conflict of interest with any student faction or candidate.

**69. RO Board Ratification**

The NRC's recommendation for RO must be ratified by an absolute majority of all Directors, including at least two (2) non-student Directors. If the Board fails to ratify, the NRC must reconvene and recommend a new candidate within five (5) Working Days.

**70. RO Removal**

The RO may be removed only for proven misbehaviour, incapacity or dereliction of duty. Any motion to remove the RO must be passed by an absolute majority of all Directors, including at least two (2) non-Student Directors. Before removal, the RO must receive written notice of the grounds and have an opportunity to respond.

**71. Staffing and Delegations**

The RO may appoint a Deputy RO and such election staff as necessary. Any Deputy or staff must satisfy the same independence criteria in the Eligibility Criteria section. All appointments of a Deputy RO or election staff must be made within the election budget approved by the Board (via the Chief Executive). Any staffing costs beyond the approved budget require prior written approval from the Chief Executive. The RO retains ultimate responsibility for any decision made by a Deputy or election staff.

## **Part H – Allowances for Directors and Office-holders**

WSUSU recognises that Directors, and any other student-elected office-holders created by Board Regulation, commit significant unpaid time to governance and representation. To reduce the financial impact on their study and employment, WSUSU may pay a modest service allowance in accordance with this Part.

## 72. Principles

Allowances must:

- a. Be reasonable, reflecting duties, time commitment and sector benchmarks;
- b. Support, not incentivise, participation, no profit motive is intended;
- c. Comply with the Corporations Act 2001, ACNC governance standards, the WSUSU Constitution and any University funding conditions; and
- d. Be administered transparently, with clear eligibility and performance criteria.

## 73. Approval authority

- a. The NRC recommends the annual allowance schedule.
- b. The schedule takes effect only after approval by:
  - i. Non-Student Directors voting at a Board meeting; and
  - ii. The sole member (the University) if required under the Constitution
- c. Student Directors on the NRC must not vote on a resolution setting or varying an allowance they will receive.

## 74. Eligibility and conditions

- a. An individual becomes eligible for an allowance once they:
  - i. Commence their elected term;
  - ii. Complete mandatory induction and governance training; and
  - iii. Sign a declaration acknowledging Director or office-holder duties and taxation obligations.
- b. The Company Secretary, under delegated authority from the Chief Executive, will triage incoming complaints and refer them as follows (without direct Board Chair involvement unless escalated).

## 75. Payment method and taxation

- a. Allowances are paid fortnightly or monthly via payroll and are subject to PAYG withholding and superannuation where applicable.
- b. WSUSU issues an income statement at year-end; recipients are responsible for personal taxation and Centrelink reporting.

## 76. Allowance schedule\*

| Role   | Annual allowance | Approx. hours recognised per week† |
|--|------------------|------------------------------------|
| Student Director (Board)                                       | ####             | 10                                 |
| Board Chair (if a student)                                     | ####             | 14                                 |
| Other student-elected office holder (if created by Regulation) | ####             | 7                                  |

\* Reviewed each November for the following calendar year.

† Hours are indicative only. The allowance is a flat amount, not an hourly wage.

#### **77. Misconduct and repayment**

If a Student Director or officeholder is suspended or removed under Part F (Managing Conflict and Discipline of Members), the board will recover any allowance already paid for the period of suspension or disqualification at its discretion.

#### **78. Review and disclosure**

- a. The NRC reviews this section at least every three years to ensure that allowances remain reasonable and aligned with WSUSU's goals;
- b. Total annual expenditure on student allowances is disclosed in WSUSU's audited financial statements. Individual amounts may be disclosed where required by law or by the University's funding agreement.

## **Part I – Public Comment**

This section governs how public comments are made on behalf of WSUSU and its student-elected members, ensuring that all external communications concerning the organisation align with Board policy and University guidelines. The goal is to maintain accuracy, legality, and consistency, protecting the reputations of both WSUSU and WSU.

#### **79. Authorised spokespersons**

- a. The Board Chair (or, in their absence, another director formally delegated by the Board) is the principal spokesperson on governance, strategy, and advocacy matters;
- b. The Chief Executive (or delegate) is the spokesperson on operational, program, and day-to-day matters;
- c. The Board Chair or Chief Executive may authorise a student-elected director or staff member to speak on a specific subject, event, or campaign. This authorisation must be in writing and for a defined period or purpose.

#### **80. Student Directors and office-holders – personal views**

- a. Student-elected directors and office-holders are free to express personal opinions in the media or on social platforms, provided they:
  - i. Do not present those opinions as the official position of WSUSU or the University unless authorised in writing by the Board Chair or Chief Executive (see “Authorised spokespersons” in Part I); and
  - ii. Include a disclaimer such as “speaking in a personal capacity”;  
Comply with the University's codes of conduct, discrimination and harassment policies, and the Student Misconduct Rule.
- b. When participating in public debate on contentious issues, Student Directors must avoid any statement that could reasonably be interpreted as representing WSUSU policy without prior Board approval.

## 81. **Social-media conduct**

- a. Official WSUSU social-media channels are managed by staff under the supervision of the Chief Executive.
- b. Content must:
  - i. Adhere to WSUSU Brand Guidelines and visual-identity standards;
  - ii. Be fact-checked, respectful and aligned with WSUSU values;
  - iii. Omit confidential or privileged information; and
  - iv. Comply with copyright and privacy laws.
- c. Personal accounts of student-elected members must not use WSUSU or University logos, crests or trademarks without permission (see Part I).

## 82. **Handling media enquiries**

- a. All unsolicited media enquiries directed to student-elected directors or staff must be referred immediately to the Chief Executive (or, if unavailable, the Board Chair);
- b. Out-of-hours media enquiries should be directed to the designated on-call WSUSU media contact number circulated at the start of each semester;
- c. A response to the media is issued only after consultation with the relevant spokesperson (see the 'Authorised spokespersons' provision in Part J) and, where appropriate, the University's Media and Communications Unit.

## 83. **Use of University channels**

- a. Access to University e-mail broadcasts, official social-media accounts, lecture-hall announcements or other University communication platforms for WSUSU publicity requires prior approval from the University's Media and Creative Services Unit;
- b. All communications using University resources must comply with University policies on public comment and brand use.

## 84. **Breach of this Part**

- a. Failing to comply with these public comment rules may constitute misconduct and be dealt with under Part E (Managing Conflict and Discipline);
- b. Serious breaches (e.g., defamation, release of confidential information, harassment) will be referred to the University under the Student Misconduct Rule and, where appropriate, to external authorities.

## **Part J – Rules Against Commercial Activities**

This section sets out the rules governing commercial activities undertaken by WSUSU, including fundraising and sponsorship. It ensures that all financial and contractual commitments made on behalf of WSUSU are properly authorised, lawful, and aligned with WSUSU's charitable objects and funding agreements with the University.

## 85. **Prohibition on unauthorised commitments**

- a. In the course of WSUSU business, student-elected directors, office-holders, candidates and staff must not, without prior Board authority, on behalf of WSUSU:

- i. Open or operate a bank, credit-card or digital-wallet account;
  - ii. Borrow, lend or invest money;
  - iii. Enter into a contract, lease, licence, sponsorship, grant or other agreement that binds WSUSU;
  - iv. Buy, sell, rent or otherwise deal in real property or significant assets;
  - v. Employ or engage staff, contractors or consultants; or
  - vi. Undertake any trading or fundraising activity that involves collecting or handling money or in-kind consideration on behalf of WSUSU.
- b. Any purported agreement or activity entered into in breach of this section is voidable at WSUSU's option and may constitute misconduct under Part E (Managing Conflict and Discipline).

#### **86. Delegations and thresholds**

- a. The Board will establish and periodically review its Delegations of Authority Schedule, including monetary limits and approval pathways for:
- i. Purchasing and procurement;
  - ii. Fundraising and sponsorship;
  - iii. Program or event budgets;
  - iv. Asset disposals; and
  - v. Banking and investment transactions.
- b. The Chief Executive may approve commitments up to the limit delegated by the Board, amounts beyond that limit require Board resolution.
- c. All delegations are subject to the available budget and compliance with University funding conditions.

#### **87. Fundraising and sponsorship**

- a. Student-led fundraising or sponsorship proposals must be submitted in writing to the Chief Executive and include:
- i. Purpose and alignment with WSUSU's charitable objects;
  - ii. Draft budget and financial target;
  - iii. Risk and compliance considerations; and
  - iv. Branding and communications plan.
- b. Cash or in-kind sponsorship with a total value exceeding the Board-approved threshold must receive Board approval;
- c. All sponsorship agreements must use a WSUSU-approved template and be signed by the Chief Executive (or delegate) within their delegation.

#### **88. Use of University facilities and name in commercial activity**

- a. Any commercial use of University premises, logos or resources requires prior written approval;
- b. Compliance with Part I – Public Comment (Use of University Logo or Name) and Part J – Rules Against Commercial Activities is mandatory.

#### **89. Financial controls and record-keeping**

- a. All income and expenditure must be processed through WSUSU's finance system, supported by original invoices or receipts and coded to the correct project or cost centre;
- b. Cash handling (if unavoidable) must follow WSUSU's Cash Handling Procedure. Wherever possible, electronic payment methods are to be used;
- c. The Chief Executive will present a quarterly financial report to the Board, summarising all commercial and fundraising activities.

**90. GST, tax and legal compliance**

WSUSU is registered for GST and charity tax concessions. All commercial arrangements must be structured to protect this status and comply with:

- a. A New Tax System (Goods and Services Tax) Act 1999;
- b. Income Tax Assessment Act 1997;
- c. Australian Consumer Law; and
- d. Australian Accounting Standards issued by the Australian Accounting Standards Board (AASB), including AASB 10 - Consolidated Financial Statements, which applies to entities controlled by a parent entity, such as WSUSU.

**91. Breach and enforcement**

- a. A breach of this Part may result:
  - i. Disciplinary action under Part F (Managing Conflict and Discipline);
  - ii. Referral to the University for action under the Student Misconduct Rule; and/or
  - iii. Civil recovery of unauthorised expenditure.
- b. Where a potential breach involves fraud or corruption, the matter will be referred to the University's Integrity Unit and, where appropriate, to law enforcement agencies.

## **Part K – Indemnity and Liability of Student-elected Directors and Office-holders**

This Part applies to every student-elected director of WSUSU and any other student-elected office-holder created by Board Regulation ("covered role").

**92. Protection from personal liability**

A covered role is not personally liable for a loss, damage, debt or other liability incurred by WSUSU if the individual occupying that role:

- a. Acted in good faith and for a proper purpose within the scope of their authority; and
- b. Exercised the degree of care and diligence that a reasonable person would exercise in the circumstances.

**93. WSUSU indemnity**

- a. Subject to the exclusions set out below, WSUSU indemnifies each individual occupying a covered role against all reasonable costs, charges and expenses (including legal fees) incurred in:
  - i. Defending civil or criminal proceedings; or
  - ii. Appearing before a regulatory or investigative body, arising from the person's role as a

director or office-holder.

- b. The indemnity also covers any liability for damages or settlements that the individual becomes legally obliged to pay, provided the individual acted in good faith and in the best interests of WSUSU.

**94. Exclusions**

The indemnity does not extend to:

- a. Liability for wilful misconduct, fraud, dishonesty or deliberate breach of law;
- b. Fines or pecuniary penalties imposed by a court or regulator;
- c. Costs or liabilities for which indemnification is prohibited by the Corporations Act 2001 or any other law; or
- d. Any amount recovered under a directors-and-officers (D&O) insurance policy.

**95. Directors-and-officers insurance**

- a. WSUSU must maintain D&O insurance on commercially reasonable terms covering all directors and officers, including student-elected directors and office-holders, to the maximum extent permitted by law.
- b. The policy schedule is tabled at the first Board meeting each calendar year.

**96. Conditions of indemnity**

To receive the benefit of the indemnity, an individual occupying a covered role must:

- a. Notify the Chief Executive promptly of any claim or circumstance likely to give rise to a claim;
- b. Give WSUSU reasonable co-operation in the defence or settlement of the matter; and
- c. Not make any admission of liability or enter into settlement negotiations without WSUSU's written consent (such consent not to be unreasonably withheld).

**97. Advances of defence costs**

Where an individual occupying a covered role is entitled to indemnity under this Part, WSUSU may advance defence costs provided that individual gives a written undertaking to repay those costs if a court or regulator later finds that the indemnity does not apply.

**98. Statutory and constitutional consistency**

This Part is to be read consistently with section 199A of the Corporations Act 2001 and the indemnity clauses in the WSUSU Constitution. To the extent of any inconsistency, the Corporations Act and Constitution prevail.

## **Part L – WSUSU Regulations Amendments and Review**

This section governs the process for changing these Regulations. It ensures that the Board has the authority to amend these Regulations while providing clear guidelines for submitting, reviewing, and approving proposed amendments.

**99. Who may propose an amendment**

An amendment may be proposed by:

- a. Any director (student-elected or external);
- b. A Board committee (by resolution);
- c. The RO (limited to technical or compliance matters); or
- d. The Chief Executive.

#### 100. **Submission requirements**

- a. To propose an amendment, the submission must be made in writing to the Company Secretary and include:
  - i. The exact wording to be inserted, deleted or varied; and
  - ii. A brief rationale explaining the need for change.
- b. The Company Secretary must ensure any proposed amendment (with management commentary) is delivered to all directors at least seven clear days before the relevant Board meeting.

#### 101. **Decision threshold**

- a. An amendment is adopted when approved by ordinary Board resolution (simple majority of votes cast);
- b. If the amendment concerns the remuneration of student-elected directors or office-holders, any director receiving the allowance must abstain from the vote.

#### 102. **Effective date and publication**

- a. Unless the resolution states otherwise, or member approval is required, the amendment takes effect at 12:01 a.m. on the day following Board approval.
- b. The Company Secretary must:
  - i. Update the controlled copy of these Regulations and archive the superseded version;
  - ii. Publish the amended Regulations on the WSUSU website within five business days; and
  - iii. Notify the University's relevant governance office and the RO.

#### 103. **Periodic review**

The Board will review the entire text of these regulations at least every three (3) years, or sooner if prompted by:

- a. Legislative change;
- b. Regulatory guidance;
- c. A significant electoral issue or any matter that may require changes to the Regulations.