

La Trobe University Student Union Incorporated
ELECTION REGULATIONS

Adopted by the LTSU Student Council on 18/04/2023

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2. Authorising Provisions

These regulations are made under clauses 31.4, 33, 52.1, 53, 57.6(a) and 57.6(b) of the Constitution.

3. Application

3.1 These regulations:

- (a) apply to all elections of the Student Union; and
- (b) must be read in conjunction with Part 11 of the Constitution.

3.2 Failure to adhere to a requirement of these regulations does not solely constitute grounds for the invalidation of an election process.

4. Returning Officers

4.1. In these regulations:

- (a) "RO" means Returning Officer; and
- (b) "DRO" means Deputy Returning Officer

4.2. The Student Union must call for tenders for the positions of RO and DRO.

4.3. The Executive must consider the tenders and may interview tenderers.

4.4. The Executive must recommend a tenderer to the Student Council.

4.5. The Executive may recommend a tenderer to the Student Council to be appointed for elections up to a period of three years.

- (a) If a tenderer is appointed for multiple years, the Student Union need not call for tenders for the positions of RO and DRO in the years in which they have been appointed.

4.6. The Student Council must appoint the RO and DRO on such terms as it considers appropriate before the Notice of Election is issued.

4.7. The RO must not have participated in an election for any student union body over the past three years.

4.8. The DRO may exercise all the powers of the RO under these regulations.

4.9. The RO may delegate some or all of their powers to one or more DROs.

4.10. The RO and all persons authorised by them to assist in the conduct of the election must not be candidates in the election.

4.11. No person may participate in the administration of the conduct of the election unless authorised by the RO.

4.12. The RO must, in consultation with the President and General Manager of the LTSU:

- (a) determine the place or places at which polling must, if necessary, be held; and
- (b) mark clearly the exclusion zone around each polling booth.

4.11. The RO may prescribe and do all things relating to the conduct of the election not provided for in the Constitution and these regulations.

4.12. The General Secretary must inform the RO in writing of the positions to be filled at the election.

4.13. The RO must present a report of the election in writing to the Student Council within 2 months of the election.

4.14. Within 2 weeks after the end of the election, the RO must send the NUS Accreditations Committee a report on Student Union letterhead signed by the RO:

- (a) stating that the election was conducted in accordance with NUS By-laws B3– B5;
- (b) setting out the names of the delegates in the order in which they were elected; and including:

- i. the rules under which the election was conducted, and
- ii. details of voting.

5. Poll Clerks

- 5.1. The RO on behalf of the Student Union may employ the poll clerks for the election.
- 5.2. Poll clerks are prohibited from involvement in the election, and must therefore not distribute election material, put up posters or actively campaign for candidates or take any part in election activities outside their duties as prescribed by the RO.
- 5.3. Poll clerks must not give any person advice on who to vote for or what candidates' policies are but must refer these enquiries to candidates or campaigners.
- 5.4. Any breach of regulations 5.2 or 5.3 will result in automatic dismissal from the position of poll clerk.
- 5.5. Poll clerks who are eligible may vote in the election but not while staffing the polling booth.
- 5.6. Poll clerks have the duties set out in regulation 14.
- 5.7. Any complaint about the conduct of a poll clerk must be made to the RO.
- 5.8. The RO or DRO may all carry out the duties of poll clerks if required.

6. Notice of Election

- 6.1. The RO must by notice in writing:
 - (a) give notice of the election; and
 - (b) call for nominations.
- 6.2. The notice must state:
 - (a) the positions to be filled,
 - (b) the qualifications required for candidates and voters, and
 - (c) how nominations can be made.
- 6.3. The notice must be published at least 4 weeks prior to the first day of polling in the election and 2 weeks prior to the first day of polling in a by-election.
- 6.4. The positions to be filled at the election may not be changed after the publication of the notice of the election unless a clear omission or error has occurred and may be remedied within an appropriate timeframe.

- 6.5. To the extent feasible, notice must be disseminated by:

- (a) LTSU social media pages;
- (b) Email to members; and
- (c) The LTSU website.

- 6.6. In the event that the position of RO is vacant at the time when notice of the election needs to be given, the duties of the RO in these regulations may be undertaken by the General Manager of the LTSU.

7. Nominations

- 7.1. Nominations must be on the official nomination form, and must include:

- (a) Full Name
- (b) Current Address
- (c) Email
- (d) Gender
- (e) Student Number
- (f) Mobile Phone Number
- (g) Position Sought
- (h) Ticket Running on, if applicable
- (i) The names and student numbers of 20 students as nominators

- 7.2. Nominations may include for the purposes of publication as prescribed in these regulations:

- (a) a passport sized photo of the candidate
- (b) a policy statement of up to 300 words for office-bearer candidates and 100 words for all other candidates:
 - i. if two candidates for an office-bearing position nominate jointly they are not entitled to a higher word limit; and
 - ii. candidates contesting multi-member positions under a ticket name may submit one joint candidate statement of up to 300 words but may not submit individual candidate statements if they wish to do this.

- 7.3. The qualifications for eligibility to nominate are set out in clause 54 of the Constitution.

- 7.4. Information on how to nominate and blank nomination forms must be published on the LTSU Website and emailed to any student upon request.

- 7.5. Nominations must be emailed to the RO. The RO must send an email receipt of the nomination as soon as practical.

- 7.6. The RO must reject any nomination that does not comply with the Constitution and/or these regulations.

- 7.7. The RO must check the University records to ensure that all candidates are eligible to nominate.
- 7.8. On the academic day before the day on which nominations close, the RO must publish on the LTSU Website and Facebook page a list of nominations already received.
- 7.9. Candidates may at any time before the first day of voting withdraw their nomination by giving a signed notice in writing to the RO, who must then proceed as if the nomination had not been made.
- 7.10. If the number of candidates for a position does not exceed the number to be elected, the RO must declare those candidates elected.
- 7.11. Nominations must close at 5.00 pm at least 5 clear academic days before the first day of voting
- 7.12. Nominations received after the published time and date will not be accepted under any circumstances.
- 7.13. The RO must give each candidate a copy of the Constitution and these regulations after the close of nominations.

8. Teams of Candidates

- 8.1. If 2 candidates wish to nominate jointly to share an office-bearer position (including the Editor of Rabelais) in accordance with clause 47 of the Constitution:
- (a) their nomination must be on a single nomination form with their names in the order they are to appear on the ballot paper;
 - (b) the nomination form must be submitted by both candidates;
 - (c) the nomination form must be accompanied by an agreement for sharing positions required by the Committee and Office-Bearer Regulations which must be submitted by both candidates; and
 - (d) unless the contrary intention appears, their nomination is to be treated as a single nomination for the purposes of these regulations, including those relating to nominations, ballots and counting of votes.

9. Ballot Papers

- 9.1. The Returning Officer must conduct the election under these Regulations by way of an electronic voting system which ensures the secrecy of the vote cast by the voter.

- 9.2. The online ballot must show the names of candidates as follows:
- (a) given name followed by family name, and
 - (b) a box must be placed immediately adjacent to the name of the candidate.
 - (c) Ticket, if applicable
- 9.3. The RO must determine the order of candidates' names on the ballot paper by drawing lots if the election is conducted via paper ballot or the electronic voting platform used does not accommodate random ordering of candidates and/or ticket names. In the draw, groups of candidates must have equal status with individual candidates who are not grouped.
- 9.4. If a ballot draw is conducted, the RO must notify all registered tickets and candidates of the draw no less than 24 hours before it is conducted and must notify registered tickets and candidates of the result as soon as practicable after it is conducted..
- 9.5. The online ballot papers must be laid out to provide the option of front page voting for tickets and "below the line" for individual candidates
- 9.6. In the case of multi member ballots only, the online ballot paper must be laid out to provide the option of voting "above the line" for tickets and "below the line" for individual candidates. For the purposes of this regulation, a front page vote is considered to be an "above the line" vote for that ticket.
- (a) The voter must either indicate an order of preference for 1 ticket above the line by ticking/crossing the box corresponding to that ticket. Or;
 - (b) Some or all of the candidates below the line by placing the number 1 against the candidate or ticket of first preference and consecutive higher numbers against candidates of lower preference in order. A vote above the line represents a vote in accordance with that tickets preferred candidates throughout all applicable ballots.
 - (c) Each ballot paper must be given a value of 1;
 - (d) The value of each paper must be allocated to the candidate against whose name appears the lowest number on the ballot paper among those candidates not elected or eliminated;
 - (e) A ballot paper that does not show a valid preference for at least 1 continuing candidate is exhausted and may not be allocated further;

- (f) A “stage of counting” is when all ballot papers have been allocated to candidates not yet elected or eliminated;
- (g) Quota is determined at the first stage of counting by dividing the total value of ballot papers allocated to candidates by 1 or more than the number of positions to be filled and rounding up the answer so obtained in at least the 2nd decimal place;
- (h) If at any stage of counting a candidate is allocated a value in excess of the quota, that candidate must be declared elected, and each ballot paper allocated to that candidate must be assigned a new value obtained by multiplying its current value by the candidate’s transfer value;
- (i) The transfer value of a candidate’s ballot papers is calculated by dividing the total value of surplus votes accrued by the total number of ballot papers received,; and
- (j) If at any stage of counting no candidate is allocated a value in excess of the quota, the candidate with the lowest value must be eliminated and their ballot papers reallocated to the continuing candidate to whom the voter has indicated the highest preference; If there are 2 or more candidates with an equal value and no candidate has a lower value at an earlier stage of the counting the returning officer must determine by lot which of these candidates is to be eliminated

9.7 Nothing else must be included on the ballot paper, except instructions appropriate to these regulations.

10. Registration of Ticket Names

10.1 In this regulation:

- (a) “registered” includes reregistered; and
- (b) “ticket registrant” means:
 - i. the student member who registered the ticket name under regulation 10.2 or 10.3; or
 - ii. the student member to whom registration of the ticket name has been transferred under regulation 10.5.

10.2 If a ticket name was registered the previous year, the ticket registrant may reregister the ticket name by writing to the Returning Officer up until 5.00 pm on the day after nominations have opened.

10.3 Subject to regulation 10.2, any student member may register a ticket name by writing to the Returning Officer up until 5.00 pm on the second day after nominations have opened.

10.4 If a ticket name is registered, candidates may only apply to use that ticket name under regulation 11.1 with the consent in writing of the ticket registrant.

10.5 The ticket registrant may at any time transfer the registration of the ticket name to another student member by notice in writing to the RO.

10.6 The ticket name registration must be made on the official form provided.

10.7 No student member may register more than 1 ticket name

10.8 No candidate running on a ticket may register a ticket name other than the name of the ticket they are running on.

10.9 The name of the ticket must be no longer than 4 words.

10.10 The name of the ticket must not:

- (a) be the same as, or similar to, any other ticket name;
- (b) be misleading or deceptive;
 - i. contain voting directives; or
 - ii. be offensive or derogatory.

10.11 In the event multiple ticket name registrations are validly received for the same or similar names, the registrant who first submitted their ticket name registration will be awarded that registration.

11. Tickets

11.1. Any student eligible to run in the election who has duly registered a ticket name in accordance with regulation 10 may, on behalf of a group of candidates, apply to have their names set out on the ballot paper under the name of the ticket. This student is the ticket registrant.

- (a) Students contesting single member elections such as office-bearer positions must state the ticket name and have the signed consent of the ticket registrant on their nomination form.
- (b) Candidates contesting multi-member positions must also sign an application to be set out as a ticket form set out in the order in which candidates will be presented on the ballot.

11.2. No ticket may appear on the ballot without a valid ticket name registration as set down in regulation 10.

11.3 In order for a ticket to qualify to appear on the ballot, it must meet the following requirements:

- (a) Nominate Candidates for at least 3 executive positions;
- (b) Nominate at least one candidate for four office-bearer positions;
- (c) Nominate for at least four general member positions; and
- (d) Have at least 12 unique candidates.

11.4 The ticket registrant must submit to the returning officer, via email, a list of all candidates wishing to run on the ticket and their student numbers.

11.5 Once accepted by the Returning Officer, the withdrawal of any candidates from the ticket shall not affect the eligibility of said ticket to appear on the ballot.

11.6 If a tickets registration is not accepted or does not qualify to appear on the ballot, the candidates that have attempted to nominate under that ticket will not be considered to be candidates running under a ticket for the purposes of these regulations and must not campaign or distribute material under a ticket name.

12. Publication of Policies

12.1. Candidates' policy statements and photos must be published on the LTSU website and LTSU social media pages, and may be published in Rabelais or booklet form, or both.

12.2. The Student Union may adopt other means of publishing the candidates' policy statements and photos, provided each candidate has an equal opportunity to use the means provided.

12.4. Candidates' policy statements and photos remain the property of the RO on behalf of the Student Union until the completion of the election.

12.5. The RO may, in collaboration with the Editors of Rabelais, organise a debate between candidates for as few or as many positions as decided upon by the RO.

13. Voters' Roll

The RO must in co-operation with the University prepare a voters' roll showing the names and student numbers of all students eligible to vote in the election.

14. Polling

14.1. The RO in collaboration with the LTSU will endeavour to hold in person polling on the

Melbourne campus for the polling times, if current University and government regulation allows it:

- (a) on Monday from 10:00am to 4:00pm;
- (b) on Tuesday from 10:00am to 4:00pm;
- (c) on Wednesday from 10:00am to 4:00pm; and
- (d) on Thursday from 10:00am to 2.00pm.

14.2. The RO in collaboration with the LTSU will endeavour to have polling booths for the annual elections in the Agora.

14.3. All polling will be conducted through the electronic polling system and polling on a campus will be restricted to:

- (a) Access to electronic devices for students to complete their electronic ballot or the use of students own devices;
- (b) Instructions regarding how to complete electronic ballots; and
- (c) The policy statements and photos of candidates, as required under 12.1.

14.4. The electronic polling system will run continuously from 10am Monday through to 2pm on Thursday of the election week.

14.5. Campaign material may only be displayed on the Bundoora campus on polling days.

14.6. Campaigners may not directly campaign in-person to students outside of the times prescribed in regulation 14.1.

15. Voting

15.1. The RO must provide all eligible students, with the electronic ballot paper via their student email at the commencement of polling on the first day.

15.2. For the purpose of on campus polling

- (a) The poll clerks must provide an electronic device to the student, upon request, in order to facilitate their access to their student email and therefore the electronic ballot
- (b) The voter must then be able to fill out the ballot in private.

15.3. If a student has not received an email containing access to the electronic ballot papers, they must email the RO who must investigate and attempt to resolve this within one academic day and no later than two hours before the close of polling on the last day of polling

- (a) about a missing email within two hours of the close of polling on the last day of polling, the RO must attempt to resolve this situation before the close of polls.
 - (b) Should the RO be unable to resolve this situation before the close of polls, this will not affect the outcome of the election.
- 15.4.** In-person ballot papers must not be issued after the time for the close of voting each day under regulation 14.1.
- 15.5.** The RO will not attempt to access the results of the election until the close of polling.
- 15.6.** Candidates and campaigners are not permitted to campaign or distribute election material within the exclusion zone as determined by the RO.
- 15.7.** Any candidate, campaigner, voter or poll clerk with a complaint regarding the election must put the complaint in writing and email it to the RO or DRO in accordance with the process set down in regulation 19.
- 16. Counting**
- 16.1.** Counting must commence within 1 hour of the close of polling on the last day of polling
- 16.2.** The votes must be counted by the RO and those persons appointed by the RO (in this regulation, “the counting staff”).
- 16.3.** Except for the DRO and counting staff no person is permitted in the counting room while counting is in progress without the express permission of the RO.
- 16.4.** The votes must be counted in accordance with the quota-preferential method of proportional representation
- 16.5.** Subject to these regulations, the RO is the sole judge of whether any ballot paper is or is not to be accepted in accordance with accepted practice for formality.
- 16.6.** If a candidate has been disqualified, any votes for that candidate must be distributed in accordance with the remaining preferences for other candidates.
- 16.7.** No person, including the RO, DRO and counting staff must in any way whatsoever directly or indirectly disclose or assist in disclosing how any voter has voted.
- 16.8.** The RO may adjourn the count at any time.
- 16.9.** The count must not be adjourned for more than 12 hours.
- 16.10.** The RO must declare the result of the election:
- (a) by email to all candidates within two hours of the completion of counting;
 - (b) on the LTSU website within five business days of the completion of counting.
- 16.11.** The RO must make the full counting sheets available to candidates, scrutineers and students generally, upon request via email, immediately after the declaration of the result.
- 16.12.** If any candidate or ticket registrant requests, the RO must:
- (a) recalculate the counting sheet; and/or
 - (b) recount the votes, but only once.
- 16.13** In the event an affirmative action count is required it shall be conducted as follows:
- (a) All candidates must be given the opportunity to be elected in their own right before affirmative action applies.
 - (b) If ever the next step in the count would result in the election of fewer Women than are required under the relevant requirements, and there are candidates who are who have not been elected, then the following steps must be taken:
 - (c) reintroduce to the count, with zero votes, all candidates who are Women who have previously been excluded;
 - (d) exclude all remaining candidates who are not Women, including the candidate who would have been next elected without the affirmative action requirement;
 - (e) the value of any Ballot Paper distributed from a candidate excluded by affirmative action will be distributed to the remaining Women) with the highest preference on that Ballot Paper; and
 - (f) this follows the process for counting set down in regulation 9.6.
- 17. Election Material**
- 17.1.** All election material must be submitted to the RO for authorisation.
- (a) All material so authorised must include the candidates name and student number
 - (b) Material must include authorisation from the returning officer in the format prescribed in regulation 17.1c
 - (c) Authorisation of the material should be legibly displayed in the following way:

(Authorised by Full Name, Student Number, and the Returning Officer).

17.2. For the purpose of these regulations “account” or “page” refers to a public Facebook, Instagram, TikTok, or equivalent social media

- (a) Tickets and Individual candidates may only publish a single page other than their personal accounts

17.3. Candidates and other students may campaign and publish election material on their personal accounts from the opening of nominations to the close of polling, and this material must be authorised in accordance with regulation 17.1

17.4. Any material published outside of the days provided in regulation 18.1(m) need not be authorised by the Returning Officer.

17.5. Ticket Registrants and Independent candidates must ensure that:

- (a) no more than \$2500 is spent on campaign material from the opening of nominations to the conclusion of the election for a ticket;
- (b) no more than \$500 is spent on campaign material from the opening of nominations to the conclusion of the election for an independent candidate; and
- (c) if requested by the RO, election participants must provide receipts of all expenditure on campaign material.

17.6. Election material to published online must be sent to the RO before or as soon as practicable after publishing and is considered automatically authorised, and therefore able to be published, unless the returning officer states otherwise.

17.7. All physical campaign material must be explicitly authorised by the RO prior to publication. This includes, but is not limited to, any How-To-Vote recommendations, posters, flyers, and any other materials.

17.8. If the returning officer deems the material to be unauthorised, they must notify the publisher or ticket registrant between the hours of 9am and 5pm the same day or following day and it must be removed within 1 hour of notification.

17.9. Student Union bodies and Rabelais must not endorse or in any other way support candidates in the election.

17.10. Any associated club or society wishing to endorse or otherwise support or be associated with a candidate or group of candidates must produce to the RO a copy of the minutes of the

meeting of the club or society at which the resolution authorising that action was passed.

- (a) Any material produced or published by an affiliated club or society or its members that relates to the election is election material for the purposes of these regulations, and must accordingly be authorised in accordance with these regulations
- (b) Affiliated clubs and societies may also publish on their online accounts as outlined in clause 17.2, in accordance with these regulations.

18. Prohibited Conduct

18.1. No person may, in connection with the election:

- (a) campaign or distribute election material within the exclusion zone;
- (b) remove any ballot paper from the exclusion zone, except with the permission of the RO;
- (c) remove or interfere with any notice, except by direction of the RO;
- (d) interfere with any ballot box, ballot paper, voters’ roll, nomination, in-person polling device, or other things related to the election;
- (e) engage in any dishonest, misleading or deceptive conduct;
- (f) impede the conduct of the election;
- (g) threaten or intimidate the RO, DRO or poll clerks in the carrying out of their duties;
- (h) impugn the impartiality of the RO, DRO or poll clerks, except by formal complaint under regulation 5.7 or 20.6;
- (i) use the Student Union office or the facilities of the Student Union for the purposes of election campaigning, except in accordance with these regulations;
- (j) coerce, threaten, cast a vote on behalf of a voter, or otherwise interfere with any candidate or voter;
- (k) refuse to comply with any direction of the RO in accordance with these regulations;
- (l) publish any unauthorised election material;
- (m) Distribute unauthorised election material online from the opening of nominations until the close of polling on the final day of the election;
- (n) Participate, direct, or provide materials to anyone to chalking;
- (o) campaign inside student accommodation (other than the placement of election material),

- (p) directly interfere by touching a student's ballot or voting device as they are attempting to cast a vote;
- (q) If the RO determines that a breach of any of the items specified in regulation 18 has occurred, their powers include, but are not limited to:
 - i. suspend a candidate or campaigner from campaigning for a reasonable period of time; or
 - ii. disqualify a candidate from standing in the election; and
 - iii. apply sanctions that lead into a future election or future elections; or
 - iv. refer conduct in the election to the University for disciplinary purposes.

18.2. No person or ticket may publish material that is sexist, homophobic, transphobic, racist, or similarly offensive.

18.3 No person who is not a student may participate in the election in any way.

18.4 Liking, commenting, or sharing election material without caption or other new content published online is not considered to be participation for the purpose of this regulation;

19. Disputed Elections

19.1. After the result of any election has been declared, any candidate or voter in the election may dispute the validity of the election by notice in writing lodged with the RO within 5 academic days.

19.2. The notice must state:

- (a) the ground of objection,
- (b) the facts relied on; and
- (c) the remedy sought.

19.3. If the RO determines that a complaint has merit prima facie, the RO may conduct a hearing at which each affected party who wishes to do so is given an opportunity to be heard.

19.4. If the RO is reasonably satisfied that any candidate has breached these regulations, the RO may:

- (a) disqualify the candidate from the election;
- (b) order a new election, including the dates for that election;
- (c) disqualify the candidate from the new election; and/or

- (d) make any other order and take any other action they consider appropriate.

19.5. If the RO is reasonably satisfied that any other person has breached these regulations, the RO may:

- (a) order a new election, including the dates for that election; and
- (b) make any other order and take any other action they consider appropriate

19.6. Students may not make vexatious complaints as determined by the RO.

- (a) In the case a student makes vexatious complaints, the RO may dismiss complaints without hearing from person/s subject to the complaint.

20. Election Tribunal

20.1. Before the annual elections each year, the RO in consultation with the General Manager must appoint an Election Tribunal.

20.2. The Election Tribunal must be an Australian Lawyer admitted as an Officer of the Supreme Court of Victoria and not be a staff member of the University or any other tertiary education institution. The Election Tribunal must not have participated in a student union election in the past five years.

20.3. Any affected party may appeal the decision of the RO made under section 18 to the Election Tribunal by notice in writing lodged with the Election Tribunal within 5 academic days.

20.4. Regulations 19.2–19.6 apply to the appeal, with “RO” replaced by “Election Tribunal”.

20.5. Decisions of the Election Tribunal are final and binding on all affected parties and the Student Union. The grievance procedure in clause 19 of the Constitution does not apply.

20.6. The Election Tribunal may investigate a complaint about the conduct of the RO and DRO, and may report on that complaint to the Student Council provided the complaint has sufficient grounds to merit investigation.

21. Filling of Vacancies

21.1. If a vacancy occurs in an office-bearer position directly elected by students more than 3 months before the annual elections, a by-election for the position must be held within 30 days, as required by clause 57.6(a) of the Constitution.

21.2. For a by-election, the Student Council need not call for tenders for the positions of RO and DRO.

21.3. These regulations otherwise apply to the byelection with such modifications as the RO considers necessary.

21.4. If a vacancy occurs in a position directly elected by students that is not an office bearer position, the Student Council must within 30 days elect a student member to fill the vacancy, as required by clause 57.6(b) of the Constitution.

22. Interpretation

22.1. In these regulations, unless the contrary intention appears:

- (a)** “DRO” has the meaning given in regulation 4.1(b);
- (b)** “election material” means all material in relation to the election produced by students;

- (c)** “exclusion zone” means the area around each polling booth marked by the RO where no campaigning may take place;
- (d)** “Front page voting” means the option for voters to vote for a ticket duly registered under these regulations on the front page of a ballot. This is counted as a vote for all candidates on all ballots in which the ticket is contesting.
- (e)** “offensive” means:
 - i. defamatory, or
 - ii. racist, sexist or homophobic, or otherwise in breach of the Victorian Equal Opportunity Act;
- (f)** “publish” includes display and distribute; and
- (g)** “RO” has the meaning given in regulation 4.1(a).
- (h)** “student” has the meaning given to it in the Constitution.
- (i)** ‘ticket’ means a group of candidates running under a common name, as articulated in sections 10 and 11, as well as other relevant sections of these regulations.