



**THE RETURNED & SERVICES LEAGUE OF AUSTRALIA
(SA BRANCH) INCORPORATED**

Motto: The Price of Liberty is Eternal Vigilance

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PREFACE

To ensure that fair and transparent elections are conducted in a consistent way requires a clear understanding of all the elements necessary to administer such a process. This by-law is designed to set out in detail the rules required to administer those necessary arrangements.

Understanding the difference between constitutional requirements compared to practice that may have evolved over time is critical. Previous experience without clear rules has highlighted the unintended consequences that can and have resulted in costly challenges. This damages not only the trust of the membership but also causes damage to the RSL's reputation and brand.

The Returning Officer is required to interpret and apply the provisions in these rules. Consequently, a clear, complete, and unambiguous set of rules is provided to ensure that the Returning Officer applies these provisions as intended.

Generally, there are two types of methods for conducting elections: the Direct Voting System and the Collegiate Voting System. Both methods are used in conducting elections for RSL SA officer positions as outlined in this by-law.

The Direct Voting System is used for conducting the election of State Board members. This type of ballot may be conducted electronically or by post.

Each Region is allocated a Regional Adviser position to represent that region and provide guidance and assistance to Sub-Branches on the interpretation and implementation of the Constitution and by-laws of RSL SA. Consequently, the election of Regional Advisers is conducted by the relevant Sub-Branch Presidents/Chairs either in person at a Regional Presidents Forum or via an electronic or postal method. The specific regions are defined by the State Board and promulgated in the by-laws. The election method of the election of Regional Advisers is conducted via the Collegiate Voting System.

ELECTION OF STATE BRANCH OFFICERS

1. Introduction

- 1.1. The purpose of this by-law is to provide guidance for the management and administration to conduct elections for State Branch Officers. The election of State Branch Officers includes both members of the State Board and Regional Advisers.
- 1.2. The election of State Branch Board members shall be conducted by secret ballot as a Direct Election by all eligible financial members either by electronic or postal means.
- 1.3. The election of Regional Advisers shall be conducted by the Sub-Branch Committee Presidents and Chairs of the applicable Region in which the vacancy exists.
- 1.4. This by-law is to be read in conjunction with the RSL SA Constitution.

2. Definitions

In this by-law the following definitions are used in addition to those contained within the RSL SA Constitution:

- 2.1. **“Candidate”** means a person who seeks and is nominated for an elected State Branch officer position. Also known as the nominee.
- 2.2. **“Candidate Statement”** means a summary of a candidate’s skills and experience; not exceeding 400 words.
- 2.3. **“Close of Roll Day”** means the day on which the roll of voters for the ballot is closed. Any member who is eligible to vote on that day is included in the roll of voters.
- 2.4. **“Collegiate Electoral System”** means the method of election by Sub-Branch delegate used to conduct a ballot for Regional Adviser positions.
- 2.5. **“Declaration of Results”** means the written notice by the Returning Officer to the State Board, Sub-Branches and all candidates advising of the results of the election.
- 2.6. **“Direct Voting System”** means the method of election to conduct a ballot at which all eligible financial members are given the opportunity to vote.
- 2.7. **“Financial Service Member”** means an individual who, at the date determined in the Constitution, is a Service Member/Life Member; has paid their subscription when due and prior to close of Roll.
- 2.8. **“First Past the Post system”** means the candidate who polls more votes than any other candidate is elected.
- 2.9. **“Membership”** means continuous membership of the League in any jurisdiction and currently within RSL SA.
- 2.10. **“Nominator”** means a person who nominates another person for office and includes the person seconding the nomination.

- 2.11. **“Nominee”** means the person nominated for office and is also known as the candidate.
- 2.12. **“Prescribed Officer”** means the office holder or employee within State Branch who is authorised by the State Board to make available the register of members to the Returning Officer.
- 2.13. **“Provisional Stewardship Arrangements”** means the series of practices taken by the State Board during the period that the State Branch Officer election is conducted.
- 2.14. **“Regional Adviser”** means the elected position that acts as liaison between the State Branch and a group of allocated Sub-Branches to a Region.
- 2.15. **“Responsible Person”** means a person who is responsible for governing RSL SA in accordance with the ACNC Governance Standards.
- 2.16. **“Returning Officer”** means the person appointed by the State Board to conduct the election.

3. Appointment of a State Branch Returning Officer

- 3.1. The State Board shall appoint a State Branch Returning Officer and an Assistant Returning Officer as the responsible persons to oversee the election process of members of the State Board and of Regional Advisers.
- 3.2. The Returning Officers shall not be employees of RSL SA nor be employees or partners of any service provider to RSL SA.
- 3.3. The State Branch Returning Officers shall be appointed no later than 90 days prior to the conduct of an election.
- 3.4. Prior to appointing the Returning Officers, the Board shall determine:
 - 3.4.1. how many State Board and Regional Adviser positions are to be contested;
 - 3.4.2. the date for the conduct of the ballot for the election of the State Board positions;
 - 3.4.3. whether the ballot for the elections of Regional Advisers will be undertaken at a meeting of that region, or by Reply Paid post or via an electronic voting application; and
 - 3.4.4. any specific skills or expertise that may be required by the Board.

4. Provisional Stewardship Arrangements

- 4.1. Provisional stewardship arrangements shall be in place from the date which is 21 days after the Call for Nominations (Close of Nominations) and will remain in place until the conclusion of the Annual Sub-Branch Conference (ASBC).
- 4.2. These arrangements are to ensure that:
- 4.3. the existing State Board shall avoid entering into Designated Decisions during the election period that will bind the incoming Board or the

membership. For the purposes of this clause, Designated Decision means any of the following:

- 4.3.1. termination of the Chief Executive Officer's employment;
 - 4.3.2. appointment of a Chief Executive Officer other than in an acting capacity;
 - 4.3.3. entering into a contract, arrangement or understanding with a term greater than 90 days;
 - 4.3.4. entering into a contract, arrangement or understanding with a value that exceeds \$100,000; or
 - 4.3.5. allowing the use of RSL SA resources for the advantage of a particular candidate or group of candidates (other than a decision that allows the equal use of RSL SA resources by all candidates).
- 4.4. As far as reasonably practicable, the CEO should avoid scheduling significant decisions for the Board while the election period is in progress.

5. Powers and Duties of the Returning Officer

- 5.1. The Returning Officer shall prepare and circulate a notice calling for nominations in accordance with this by-law.
- 5.2. After the close of nominations, the Returning Officer shall consider all nominations received during the nomination period. The Returning Officer shall reject any nominations received after the nomination period has closed.
- 5.3. The Returning Officer shall accept all nominations which satisfy the requirements of this by-law including the requirements of the ACNC Governance Standard 4.
- 5.4. The Returning Officer shall treat any defective nominations received prior to the close of nominations in the manner prescribed in Clause 14.
- 5.5. Where a ballot is required, the Returning Officer shall conduct the ballot in accordance with the provision of this by-law.
- 5.6. The Returning Officer shall take such action and give such directions as the Returning Officer considers necessary to ensure the secrecy of the ballot and to prevent or remedy an irregularity.

6. Administrative Requirements for the Conduct of an Election

- 6.1. The Chief Executive Officer and the State Branch Membership Officer are deemed the Prescribed Officers.
- 6.2. The State Branch Returning Officer, in collaboration with the Prescribed Officers manages the administrative arrangements to prepare for the conduct of the elections.
- 6.3. These administrative arrangements include:
 - 6.3.1. promulgating the timeline of the election process;
 - 6.3.2. ensuring the voting eligibility of members;

- 6.3.3. conducting candidate scrutiny to ascertain eligibility;
- 6.3.4. confirming that candidates' nominator and seconder are financial Service members;
- 6.3.5. advising the relevant Sub-Branches of a particular Region of the need to conduct a ballot for Regional Adviser candidates;
- 6.3.6. arranging for the preparation and distribution of election material as approved by the State Board;
- 6.3.7. assisting the Returning Officer with the scrutiny of the poll; and
- 6.3.8. undertaking the declaration of the result of the poll.

7. Issuing of an Election Notice

- 7.1. The Returning Officer shall authorise an election notice to be issued via a Prescribed Officer.
- 7.2. Such notice in writing shall be published on the RSL SA Inc website and shall be issued individually to members and Sub-Branches by electronic and/or postal means.
- 7.3. The election notice shall:
 - 7.3.1. state that the election is being conducted by the Returning Officer;
 - 7.3.2. list the offices for which nominations are sought;
 - 7.3.3. invite nominations for election from all eligible persons;
 - 7.3.4. fix the time and date for the opening and closing of nominations;
 - 7.3.5. fix the time and date for the opening and closing of the ballot;
 - 7.3.6. specify the place where nomination forms may be obtained;
 - 7.3.7. specify the accepted methods of lodgement of nominations;
 - 7.3.8. state that the time and date for withdrawal of nominations can be made at any time up until the close of nominations in accordance with Clause 7.3.4 ; and
 - 7.3.9. if applicable, specify other documentation required to be submitted with the nomination.
- 7.4. The Election Notice shall be published to each service member and the Secretary of each Sub-Branch not less than 60 days prior to the conduct of the election.

8. Conducting the Election of State Board Positions

- 8.1. The election of State Board positions shall be by secret ballot and by the first past the post method.
- 8.2. The election for offices of the State Board shall be conducted under a Direct Voting system.
- 8.3. The Service Members, including those who are Life Members within RSL SA, are the electors.

9. Conducting the Election of Regional Advisers

- 9.1. Regional Adviser positions shall be elected by the delegates of the Sub-Branches allocated to the applicable Region.
- 9.2. Regional Advisers shall be elected for a term of three (3) years.
- 9.3. The election shall be by secret ballot and by the first past the post method.
- 9.4. An election for a Regional Adviser position may be conducted by Postal Ballot in those circumstances that the Returning Officer deems as a more effective and cost-efficient method. The process for conducting a Postal Ballot is outlined at Clause 23.

10. Calling for Nominations

- 10.1. Nominations for all State Branch Officer positions shall be called by the Returning Officer 60 days prior to the issuing of ballots for the election.
- 10.2. If the day falls on a weekend or a public holiday, the relevant day shall be the next business day after that date.
- 10.3. Nominations shall be called in the manner prescribed in this by-law.
- 10.4. A Nominee shall be nominated by two (2) Nominators (a Nominator and a Secunder), and those Nominators must be a financial Service Member within RSL SA.
- 10.5. Each member's eligibility to participate as a nominee or nominator shall be determined as at the close of nominations.
- 10.6. Any candidate for office must be a financial Service Member within RSL SA.
- 10.7. As per Clauses 27.2 and 27.12 of the State Branch Constitution, the State Board should have a diverse range of skillsets and expertise. Therefore, when Board positions become vacant or tenure is due to expire, the Board shall identify where there are skills gaps.
- 10.8. A skills audit shall occur to ensure a balanced Board is maintained. Besides the general eligibility criteria, targeting specific skills and/or expertise shall be included in the call for nominations.

11. Lodging of Nominations

- 11.1. Nominations lodged with the Returning Officer shall be in writing and include the following information:
 - 11.1.1. the full name of the nominee;
 - 11.1.2. the preferred name of the nominee that is to appear on a ballot paper if different to the name in Clause 11.1.1
 - 11.1.3. the nominee's contact details;
 - 11.1.4. the name and address of each nominator;
 - 11.1.5. the office for which the nominee is nominating;
 - 11.1.6. the signed endorsement/consent of the nominee;

- 11.1.7. the signature of each nominator;
- 11.1.8. a declaration that the nominee is not disqualified under ACNC Governance Standard 4.
- 11.1.9. any further documentation required by the Returning Officer.
- 11.2. The Nomination application shall be in the format provided in Annexure A to this by-law.
- 11.3. A completed and signed Nomination Form with accompanying biographical details, a recent headshot photo and a candidate statement of no more than 400 words in length shall be lodged with the Returning Officer by noon on a business day not more than 21 days after the Call for Nominations.
- 11.4. Upon receipt of a nomination, the Returning Officer shall immediately endorse the date and time of receipt on the Nomination Form.

12. Holding more than One Office

- 12.1. No person may hold simultaneously more than one State Branch Officer position. This includes in descending ranking:
 - 12.1.1. State President; and
 - 12.1.2. Elected State Board Member; and
 - 12.1.3. Regional Adviser.
- 12.2. The Returning Officer shall first count the votes for the position of State President and declare the successful candidate elected.
- 12.3. Where, in the counting of votes in accordance with this clause, the person declared elected is also a candidate for another position of Elected State Board Member and/or Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.4. Where, in the counting of votes in accordance with this clause, the person declared elected as an Elected State Board Member is also a candidate for another position of Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.5. In the case of an uncontested election for State President and the person declared elected is also a candidate for another position of Elected State Board Member and/or Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.
- 12.6. In the case of an uncontested election for Elected State Board Member and the person declared elected is also a candidate for another position of Regional Adviser, the Returning Officer shall eliminate that person from the ballot for subsequent positions.

13. Eligibility for Nomination

- 13.1. In accordance with ACNC's Governance Standards, all candidates nominating for State Branch Officer positions shall be eligible to be a Responsible Person.

- 13.2. An individual may be disqualified from being a Responsible Person if they:
- 13.2.1. have been disqualified by the ACNC in the past twelve months; or
 - 13.2.2. are disqualified from managing a corporation within the meaning of the *Corporations Act 2001* (Cth). That is:
 - 13.2.2.1. having been convicted of certain offences, such as serious offences, dishonesty offences or other offences that can affect a corporation;
 - 13.2.2.2. are an undischarged bankrupt or are subject to a 'personal insolvency agreement' that has not been followed; or
 - 13.2.2.3. having been disqualified by the Australian Securities Investment Commission, the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations, or an Australian or New Zealand Court.
- 13.3. For President and State Board Members - in addition to Clause 13.1, eligibility criteria for candidates for State Board positions are as follows:
- 13.3.1. shall be a financial Service Member and
 - 13.3.2. shall have held membership in any jurisdiction for 2 years and are a current member of RSL SA for greater than twelve (12) months.
- 13.4. For Regional Advisers - in addition to Clause 13.1, eligibility criteria for candidates for Regional Adviser positions are as follows:
- 13.4.1. shall be a financial Service Member of RSL SA;
 - 13.4.2. shall have held a Sub-Branch Committee position for a period of not less than two (2) years; and
 - 13.4.3. should have a knowledge and understanding of the Rules of RSL SA.

14. Defective Nominations

- 14.1. Prior to the Close of Nominations, where the Returning Officer finds that a nomination is or may be defective, the Returning Officer shall, before rejecting the nomination, notify the person concerned of the defect and give the person an amount of time determined reasonable by the Returning Officer but no later than the Close of Nominations to remedy the defect or provide further information in support of the nomination.
- 14.2. Where the Returning Officer has notified a person of a defective nomination, and where that person has corrected the defect and advised the Returning Officer within the time prescribed by the Returning Officer, the Returning Officer shall accept the nomination.
- 14.3. Where the Returning Officer has notified a person of a nomination defect, and where that person has not corrected the defect and advised the Returning Officer within the time prescribed by the Returning Officer, the nomination shall be rejected.

15. Withdrawal of Nominations

- 15.1. A member nominating for any State Branch office may withdraw the nomination by notice in writing to the Returning Officer up to, but no later than the close of nominations.
- 15.2. The notification referred to in Clause 15.1 must include a signed endorsement by the nominee and be in a form acceptable to the Returning Officer.
- 15.3. Once a nominator (including a seconder) has endorsed the nomination of a member for election to any State Branch office, that nominator may not subsequently withdraw that endorsement.

16. Voting Eligibility to Participate in Election

- 16.1. All financial Service Members including Life Members are eligible to participate in the election of State Board positions based on the following eligibility criteria:
 - 16.1.1. That the member is financial as of the date of the close of the Roll of Voters; and
 - 16.1.2. Has an email or postal address to receive election and ballot material.
- 16.2. Participation in the election of a Regional Adviser position is based on the following eligibility criteria:
 - 16.2.1. The Sub-Branch is allocated to that Region in which the position is assigned; and
 - 16.2.2. The Sub-Branch nominates a delegate.

17. Scrutineers (Postal Votes)

- 17.1. Appointment
 - 17.1.1. Each candidate may appoint, in writing, one person as Scrutineer to represent the candidate's interests in the conduct of the ballot.
 - 17.1.2. A Scrutineer shall not be a candidate for any position which is also included in a ballot in the election.
 - 17.1.3. The candidate may appoint one or more substitute scrutineers, if required.
- 17.2. Rights and obligations
 - 17.2.1. A Scrutineer may be present at any stage in the ballot. This includes:
 - 17.2.1.1. Countersigning any seals or placing their own seal on any receptacle being used for the ballot.
 - 17.2.1.2. Bringing to attention of the Returning Officer any alleged irregularity in:
 - 17.2.1.2.1. the issue of ballot papers;

- 17.2.1.2.2. the admission of envelopes to scrutiny;
 - 17.2.1.2.3. the formality or informality of ballot papers;
or
 - 17.2.1.2.4. the counting of votes.
- 17.3. A Scrutineer shall not:
- 17.3.1. interrupt the scrutiny without lawful reason;
 - 17.3.2. disclose any knowledge acquired by them concerning votes of any particular voter or voters;
 - 17.3.3. fail to carry out any lawful request by the Returning Officer;
 - 17.3.4. touch any ballot material; and
 - 17.3.5. act in a manner which will interfere with the proper conduct of the election.
- 17.4. Failure of a scrutineer to attend any scheduled event will not delay any step in the election.

18. Roll of Voters

- 18.1. The Returning Officer shall request the Prescribed Officer to supply the name, email address and residential postal address of every member eligible to vote at the election.
- 18.2. Any candidate for election may inspect and obtain a copy of the roll for the sole purposes of the election and for no other purpose. A copy of the roll shall be provided in an electronic form, and will include full names, Sub-Branch, email address and residential postal address.
- 18.3. The Roll of Voters will be closed 21 days prior to election day.

19. Uncontested Elections

- 19.1. If only one valid nomination for the position of State President is received, the Returning Officer will declare the candidate elected.
- 19.2. If, after the ballot for the President has been declared, and the number of valid nominations received is less than or equal to the number of Elected Board member positions to be filled, the Returning Officer will declare the candidates elected.
- 19.3. Any unfilled positions will be declared casual vacancies and will be filled in accordance with clause 30.5 of the Constitution.
- 19.4. Any unfilled Regional Adviser positions will be declared casual vacancies and will be filled as follows:
 - 19.4.1. The State Board may appoint any current financial Service Member to fill the casual vacancy.
 - 19.4.2. A Regional Adviser appointed in accordance with clause 19.4.1 shall hold office until the end of the next ABSC, following the appointment.

20. Contested Elections

- 20.1. If the number of valid nominations received for a State Board position exceeds the number of positions to be filled, the Returning Officer shall conduct a secret ballot by electronic and/or postal means of members entitled to vote.
- 20.2. Ballots shall be conducted sequentially in descending hierarchical order as identified in Clause 20.3. Once a ballot is completed and the result determined the ballot for the next highest office shall commence.
- 20.3. The order in which the ballot is to be conducted for State Board positions is:
 - 20.3.1. State President;
 - 20.3.2. First Elected State Board Member;
 - 20.3.3. Second Elected State Board Member; and
 - 20.3.4. Additional Elected State Board Member(s) as a result of a casual vacancy in the preceding 12 months.
- 20.4. If the number of valid nominations received for a Regional Adviser position exceeds the number of positions to be filled, the Returning Officer shall conduct a secret ballot of members entitled to vote.

21. Ballot Papers

- 21.1. The following features shall appear on all ballot papers prepared for the conduct of a secret ballot to elect State Branch Officers:
 - 21.1.1. The logo and name of RSL SA;
 - 21.1.2. The initials of the Returning Officer or other authenticating mark;
 - 21.1.3. The name and number of the positions to be elected;
 - 21.1.4. Instructions for marking the ballot paper;
 - 21.1.5. The names of the candidates in the order required by this by-law;
 - 21.1.6. Instructions for returning the ballot paper; and
 - 21.1.7. Any other instruction considered necessary by the Returning Officer.
- 21.2. The ballot papers shall contain the names of the candidates as shown by the candidate on the nomination form (preferred name for ballot paper) with the last name first followed by the given names.
- 21.3. The order of names in each ballot on the ballot paper shall be determined by lot drawn by the Returning Officer, within 48 hours upon the close of nominations.
- 21.4. The ballot shall be conducted under the First Past the Post voting system. That voting system being the method where a candidate is elected with a simple majority of votes, that is, the highest number of votes in the count.
- 21.5. The voter shall vote for the number of candidates to be elected with either a tick or a cross not exceeding the number of positions vacant.

- 21.6. The result of a ballot is determined by counting the number of votes shown against the name of each candidate. The candidate with the highest number of votes is elected.
- 21.7. If two or more candidates each receive the same number of votes, the Returning Officer shall decide by lot which candidate is to be elected.
- 21.8. A ballot paper shall be informal if marked other than in accordance with this by-law.

22. Conducting an Electronic Ballot

- 22.1. In general, all contested elections shall be conducted electronically by a contracted organisation using the email addresses of members.
- 22.2. The only exception will be for those members who do not have an email address and they shall be provided with a postal ballot to be actioned in accordance with clause 23.
- 22.3. Electronic ballots conducted by a contracted organisation will assure the secrecy and integrity of the election process.

23. Conducting a Postal Ballot

- 23.1. Where a decision by the Returning Officer is made to conduct an election by postal ballot the following arrangements are to occur.
- 23.2. **Postal facilities for ballot material** - The Returning Officer shall, for the purpose of receiving ballot material for the ballot, use a private box or other secure postal facility at a post office or mail centre. Access to the private box shall be limited to:
 - 23.2.1. persons authorised by Australia Post;
 - 23.2.2. the Returning Officer; and
 - 23.2.3. persons authorised in writing by the Returning Officer.
- 23.3. **Issue of ballot material** - As soon as practicable after the close of nominations, the Returning Officer shall forward ballot material in a sealed envelope by prepaid post to each person on the roll of voters at the address shown on the roll of voters.
- 23.4. Ballot material shall include:
 - 23.4.1. Instructions for the return of the ballot paper and its declaration envelope.
 - 23.4.2. One or more ballot papers (as applicable) showing the time and date of the close of the ballot;
 - 23.4.3. A Reply-Paid envelope addressed to the private box referred to at Clause 23.2 being in an envelope that may be posted without expense to the voter;
 - 23.4.4. An inner 'Declaration Envelope' suitable for containing the ballot paper(s); and

- 23.4.5. A copy of the biographical details and candidate statement for each candidate.
- 23.5. **Replacement ballot material** - Where a member whose name is on the roll of voters claims that the ballot material has not been received or has been lost, destroyed or spoilt, the member may make an application to the Returning Officer for the issue of replacement ballot material.
- 23.6. The application shall be submitted before 6:00pm at least two days prior to the close of polls of the election and shall:
- 23.6.1. be in writing;
- 23.6.2. set out the applicant's full name and postal address;
- 23.6.3. set out the grounds on which the application is made;
- 23.6.4. contain a declaration that the applicant has not voted in the ballot;
- 23.6.5. be accompanied, if practicable, by any evidence that is available of the loss, destruction or spoiling of the ballot material.
- 23.7. If the Returning Officer is satisfied that the information contained in the application is true and correct, the Returning Officer shall issue replacement ballot material to the applicant.
- 23.8. Scrutiny of the Postal Ballot - During the course of the ballot the Returning Officer may collect returned envelopes from the private post box and keep them in safe custody until the commencement of the preliminary scrutiny.
- 23.9. The Returning Officer shall make a final clearance of returned envelopes so that all envelopes received by the Returning Officer including those in accordance with Clause 23.17 are admitted to the scrutiny.
- 23.10. Preliminary scrutiny of envelopes - The Returning Officer shall conduct a preliminary scrutiny of returned declaration envelopes to ensure that only one returned envelope from each eligible voter is admitted to the count.
- 23.11. The Returning Officer may commence the preliminary scrutiny prior to the close of the ballot.
- 23.12. Before proceeding to count the votes to ascertain the result of the ballot, the Returning Officer shall:
- 23.12.1. Remove the 'Declaration Envelope' from the Reply-Paid envelope; and
- 23.12.2. Examine the voter's declaration attached to each 'Declaration Envelope', and mark off the voter's name against a copy of the roll of voters.
- 23.13. A voter's returned ballot material shall be rejected and set aside if:
- 23.13.1. The 'Declaration Envelope' has not been returned, or
- 23.13.2. The voter has not completed the declaration on the 'Declaration Envelope' to satisfy the Returning Officer;
- 23.13.3. The voter is ineligible to vote; or

- 23.13.4. The Returning Officer is unable to identify the voter on the roll of voters.
- 23.14. Where a voter returns more than one set of ballot material, only one set of ballot material shall be admitted into the count. The Returning Officer shall decide which set of ballot material is to be rejected.
- 23.15. The Returning Officer shall note on the ballot material that it has been rejected and the reason for the rejection and set it aside for separate custody.
- 23.16. When the Returning Officer has determined which declaration envelopes are accepted for the count, the declaration section of each envelope is detached and removed so that the envelope can no longer be identified. Each envelope shall then be opened and the ballot papers extracted to be counted.
- 23.17. Returned ballot material must be postmarked by no later than the date and time of the close of polls and can be received up to close of business on the seventh day after the election. Ballot papers received after this date shall not be admitted to the scrutiny.

24. Scrutiny of Ballot Papers

- 24.1. The Returning Officer shall reject as informal a ballot paper that:
 - 24.1.1. does not bear the initials or other authenticating mark of the Returning Officer, and/or
 - 24.1.2. has upon it any mark or writing by which the voter can be identified, and/or:
 - 24.1.3. is not marked substantially in accordance with the instructions included on the ballot paper, and/or;
 - 24.1.4. the marking is such that the intention of the voter is not clear.
- 24.2. Where, during the scrutiny, the Returning Officer is informed by a Scrutineer that the Scrutineer objects to a ballot paper being accepted or rejected, the Returning Officer shall decide whether the ballot paper is to be admitted or rejected and endorse the decision on the rear of the ballot paper.

25. Declaration of Results

- 25.1. The Returning Officer shall declare the result of the election by giving notice of the result in writing to the State Board, the CEO, the Sub-Branches and all candidates.
- 25.2. The Returning Officer shall present the election results at the next ASBC.
- 25.3. The Returning Officer shall, at the same time and in the same manner as when the Returning Officer declares the result of the election, shall declare the following information about the ballot:
 - 25.3.1. The total number of persons on the roll of voters;
 - 25.3.2. The total number of ballot papers issued;

- 25.3.3. The total number of envelopes that were returned undelivered by the closing date of the ballot should a postal ballot be conducted;
- 25.3.4. The total number of ballot papers received by the Returning Officer; and
- 25.3.5. The total number of ballot papers rejected as informal.

ANNEXURE A: Nomination Form



Returned and Services League of Australia (South Australia Branch) Inc.

NOMINATION FORM

Nomination for State President

Nomination for Board Member

Nomination for Regional Adviser

Nominee	
Preferred Name for Ballot Paper	
Sub-Branch	
Address	

Nominator			
Sub-Branch			
Address			
Signature		Date	

Seconder			
Sub-Branch			
Address			
Signature		Date	

I, the nominee named above, declare the following:

I accept the nomination and agree to serve in the position should I be elected.

I qualify as a Responsible Person as per the ACNC requirements, in that:

- I am not disqualified from managing a corporation, within the meaning of the Corporations Act 2001 (Cth) and
- I have not been disqualified by the Australian Charities and Not-for-profits Commissioner at any time during the previous year from being a responsible person (what the ACNC Act calls a 'responsible entity') of a registered charity.

Signature of Nominee		Date	
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STATE BRANCH USE ONLY

Membership details of nominators verified

Membership details of nominee verified

Eligibility verified

Date and Time of Nomination Receipt