



Australian Capital Territory

Schools Authority Regulation 1978 (repealed)

SL1978-11

Republication No 5

Effective: 1 January 2005

Republication date: 1 January 2005

As repealed by A2004-17 s 174

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Schools Authority Regulation 1978* (repealed) (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)). It also includes any commencement, amendment, repeal or expiry affecting the republished law to 1 January 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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Australian Capital Territory

Schools Authority Regulation 1978 (repealed)

An Act to establish an Australian Capital Territory Schools Authority

Part 1 Preliminary

1 Name of regulation

This regulation is the *Schools Authority Regulation 1978*.

2 Interpretation for regulation

(1) In this regulation:

Note A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

association, in relation to a school, means the association of people that is the parents and citizens association of the school for the Act, part 7.

electoral meeting means an electoral meeting under section 4, section 23 or section 42.

school means—

- (a) primary school; or
- (b) high school; or
- (c) secondary college.

school day, in relation to a school, means a day when school classes or other activities in accordance with the educational program of the school are conducted.

school vacation period does not include a public holiday that falls outside a school vacation period.

- (2) A reference in this regulation to the **president** of the association of a school is a reference to the president or other principal officer of the association.
- (3) A reference in this regulation to the **student council** of a school is a reference to the organisation (if any) of students at the school that is

declared by the authority to be the student council of the school for this regulation.

- (4) If this regulation authorises or requires written notice to be given to a person, the notice may, at the discretion of the person authorised or required to give the notice, be given to the firstmentioned person by post addressed to him or her at his or her address last known to the person authorised or required to give the notice.
- (5) A reference in this regulation to a *returning officer* is—
 - (a) for a reference in part 4—a reference to the returning officer or an assistant returning officer appointed under that part; and
 - (b) in any other case—a reference to the returning officer appointed under the part where the reference occurs.

Part 2 Election of teachers' representatives

3 Application of pt 2

This part applies to, and in relation to, an election of a member or members of the board of a school to represent teachers employed at the school.

4 Principal to call electoral meeting of teachers

- (1) Within 7 days after the day when the first term in a year begins at a school, the principal of the school must call an electoral meeting of teachers employed at the school.
- (2) Within 7 days after a vacancy happens in the office of a member of the board of a school, being a member mentioned in the Act, section 40 (1) (c), section 41 (1) (c) or section 42 (1), the principal of the school shall call an electoral meeting of teachers employed at the school.
- (3) An electoral meeting of teachers employed at a school must be called by giving to each teacher so employed written notice stating—
 - (a) the date and time when, and the place where, the meeting will be held; and
 - (b) the business to be transacted at the meeting.
- (4) At an electoral meeting of teachers, the following business must be transacted:
 - (a) the appointment of a returning officer for the purposes of the election;
 - (b) the determination whether voting at the election is to be conducted at a meeting of teachers or by the delivery of ballot papers to a polling place;

- (c) the determination whether scrutineers may be appointed for the purposes of the election;
- (d) the determination of the place where, and the period during which, voting at the election must be conducted;
- (e) the determination of the last day when nominations of candidates for election may be submitted, being a date not less than 7 days before the date of the election;
- (f) the determination of the order in which the names of candidates must appear on the ballot paper.

5 Nomination of candidates

A nomination of a candidate for election is not effective for this part unless—

- (a) the candidate is a person who is eligible to vote at the election; and
- (b) the nomination is in writing signed by 2 people each of whom is eligible to vote in the election but is not the returning officer for the purposes of the election; and
- (c) the nomination has endorsed on it the consent of the candidate to the nomination; and
- (d) the nomination is delivered to the returning officer not less than 7 days before the day, or the first day, as the case may be, when voting is to take place.

6 Eligibility to vote

A person who is employed as a teacher at the school is eligible to vote at an election under this part.

7 Returning officer

A person is not eligible for appointment as returning officer unless he or she is employed as a teacher at the school on a full-time basis.

8 Returning officer to declare nominations

- (1) If the number of nominations received by the returning officer does not exceed the number of members of the board to be elected, the returning officer must declare each candidate nominated to have been elected.
- (2) If the number of nominations received by the returning officer exceeds the number of candidates to be elected, the returning officer must conduct a ballot in accordance with the determinations of the electoral meeting of teachers.

9 Form of ballot paper

Subject to this regulation, a ballot paper for use at an election must be in accordance with a form approved by the returning officer.

10 Order of names on ballot paper

Unless otherwise determined by the electoral meeting, the order in which the names of candidates are to appear on a ballot paper must be in alphabetical order of the surnames.

11 Marking of ballot paper

A person must vote at an election by placing a mark on the ballot paper opposite the name of each person for whom he or she wishes to vote.

12 Ballot paper to be initialled by returning officer

A ballot paper is informal unless it was initialled by the returning officer before being issued by him or her to a voter.

13 Voter may vote once only

A person may vote once only in a ballot at an election.

14 Provision of ballot box

For the purpose of voting at an election conducted otherwise than at a meeting of teachers, the returning officer must provide an empty ballot box locked or sealed for the reception of ballot papers.

15 Scrutineers

- (1) If the electoral meeting of teachers has determined that scrutineers may be appointed for the purposes of the election, a candidate for election is entitled to appoint 1 scrutineer for the purposes of the election.
- (2) A person shall not be appointed as a scrutineer unless he or she is employed as a teacher at the school on a full-time basis.
- (3) An appointment of a scrutineer must be by writing signed by the candidate and specifying the name and residential address of the person appointed.
- (4) An appointment of a scrutineer takes effect when the instrument of appointment is delivered to the returning officer.
- (5) A scrutineer is entitled, at any reasonable time—
 - (a) to inspect nominations; and
 - (b) to inspect the ballot papers prepared for use at the election.
- (6) A scrutineer is entitled—
 - (a) to observe the delivery of ballot papers to voters and the placing of ballot papers in the ballot box; and
 - (b) to be present when the ballot box is opened and the result of the election ascertained.
- (7) The returning officer must take all reasonable steps to enable a scrutineer to exercise the rights given to him or her by this section.

16 The scrutiny

The result of the voting must be ascertained by scrutiny.

17 Proceedings to be open to inspection of scrutineers

All proceedings at the scrutiny must be open to the inspection of the scrutineers.

18 Scrutiny of votes

- (1) At the close of the voting, the returning officer must—
 - (a) open the ballot box; and
 - (b) reject all ballot papers that are informal; and
 - (c) count the votes cast for each candidate, disregarding votes marked on informal ballot papers.
- (2) If 1 member of the board is to be elected, the candidate who receives the higher or highest number of votes is taken to have been elected.
- (3) If 2 members of the board are to be elected, the 2 candidates who receive the highest number of votes, respectively, or who receive the same number of votes, being a number greater than the number of votes received by any other candidate, is taken to have been elected.
- (4) As soon as is reasonably practicable after the result of the voting has been ascertained, the returning officer must prepare and sign a statement specifying—
 - (a) the number of people to whom ballot papers were issued; and
 - (b) the number of ballot papers removed from the ballot box when it was opened; and
 - (c) the number of ballot papers rejected as informal; and
 - (d) the number of votes cast for each candidate.
- (5) The statement prepared for subsection (4) must be given to the authority.

19 Proceedings if voting for 2 or more candidates equal

If, because of 2 or more candidates having received the same number of votes, it is not possible to determine the result of the election, the returning officer must decide by lot which candidate or candidates of those who received the same number of votes must be excluded so as to determine the result of the election.

20 Declaration of result of election

- (1) When the result of an election has been determined, the returning officer must declare the result of the election—
 - (a) at a meeting of teachers; or
 - (b) by written notice attached to a staff notice board of the school.
- (2) The returning officer must give to the authority written notice of the result of an election.

21 Destruction of ballot papers

Subject to any other law in force in the ACT and the requirements of any process of a court, the returning officer must destroy the ballot papers used at an election as soon as practicable after the end of 6 weeks after the date the result of the election was declared.

Part 3 Election of parents and citizens' representatives

22 Application of pt 3

This part applies to, and in relation to, an election of a member or members of the board of a school to represent parents and citizens.

23 Parents and citizens association to call electoral meeting of parents and citizens

- (1) During the period beginning on 1 October and ending on the first school day of the next year, the association of a school must call an electoral meeting of members of the association.
- (2) At an electoral meeting of members of the association, the following business must be transacted:
 - (a) the appointment of a returning officer for the purposes of the election;
 - (b) the determination whether voting at the election is to be conducted at a meeting of eligible voters, by the delivery of ballot papers to a polling place or by postal ballot;
 - (c) the determination whether scrutineers may be appointed for the purposes of the election;
 - (d) the determination of the place where, and the period during which, voting at the election must be conducted;
 - (e) the determination whether notice of the election is to be given in a newspaper circulating in the ACT;
 - (f) the determination of the last day when nominations of candidates for election may be submitted, being a date not less than 7 days before the date of the election; and

- (g) the determination of the order in which the names of candidates shall appear on the ballot paper.

24 Nomination of candidate

- (1) Subject to section 27, a nomination of a candidate for election is not effective for this part unless—
 - (a) the candidate is a person who is eligible to vote at the election; and
 - (b) the nomination is in writing signed by 2 people each of whom is eligible to vote in the elections but is not the returning officer for the purposes of the election; and
 - (c) the nomination has endorsed on it the consent of the candidate to the nomination; and
 - (d) the nomination is delivered to the returning officer not less than 7 days before the day, or the first day, as the case may be, when voting is to take place.
- (2) A teacher at the school is not entitled to be nominated.

25 Eligibility to vote

The following people are eligible to vote at an election under this part:

- (a) a parent or guardian of a student at the school (including a teacher who is such a parent or guardian);
- (b) a member of the association of the school, other than a teacher or student at the school;
- (c) a person who is at least 18 years old—
 - (i) who is resident in such area in relation to the school as is defined by the authority for this section after consultation with the board; and

- (ii) whose name has, at his or her request, been entered, not later than the last day for the close of nominations of candidates for election, on a roll maintained for the purpose by or on behalf of the principal of the school.

26 Returning officer

A person is not eligible for appointment as returning officer unless he or she is eligible to vote at an election under this part.

27 Returning officer to declare nominations

- (1) If the number of nominations received by the returning officer does not exceed the number of members of the board to be elected, the returning officer must declare each candidate nominated to have been elected.
- (2) If the number of nominations received by the returning officer is less than the number of members of the board to be elected, the returning officer must—
 - (a) request the president of the association to nominate such number of candidates for election as, together with the number of nominations of candidates received by the returning officer, corresponds to the number of members of the board to be elected; and
 - (b) if satisfied that each candidate so nominated by the president of the association—
 - (i) is eligible to vote in the election; and
 - (ii) consents to his or her being nominated for election,declare the candidate to have been elected.
- (3) If the number of nominations received by the returning officer exceeds the number of candidates to be elected, the returning officer must conduct a ballot in accordance with the determinations of the electoral meeting of members of the association.

28 Form of ballot paper

Subject to this regulation, a ballot paper for use at an election must be in accordance with a printed form approved by the returning officer.

29 Order of names on ballot paper

Unless otherwise determined by the electoral meeting, the order in which the names of candidates are to appear on a ballot paper is in alphabetical order of the surnames.

30 Marking of ballot paper

A person votes at an election by placing a mark on the ballot paper opposite the name of each person for whom he or she wishes to vote.

31 Ballot paper to be initialled by returning officer

A ballot paper is informal unless it was initialled by the returning officer before being issued by him or her to a voter.

32 Voter may vote once only

A person may vote once only in a ballot at an election.

33 Provision of ballot box

For the purpose of voting at an election conducted otherwise than at a meeting of eligible voters, the returning officer must provide an empty ballot box locked or sealed for the reception of ballot papers.

34 Scrutineers

- (1) If the electoral meeting of eligible voters has determined that scrutineers may be appointed for the purposes of the election, a candidate for election is entitled to appoint 1 scrutineer for the purposes of the election.

- (2) A person must not be appointed as a scrutineer unless he or she is an eligible voter.
- (3) An appointment of a scrutineer must be by writing signed by the candidate and specifying the name and residential address of the person appointed.
- (4) An appointment of a scrutineer takes effect when the instrument of appointment is delivered to the returning officer.
- (5) A scrutineer is entitled, at any reasonable time—
 - (a) to inspect nominations; and
 - (b) to inspect the ballot papers prepared for use at the election.
- (6) A scrutineer is entitled—
 - (a) to observe the delivery of ballot papers and the placing of ballot papers in the ballot box; and
 - (b) to be present when the ballot box is opened and the result of the election ascertained.
- (7) The returning officer must take all reasonable steps to enable a scrutineer to exercise the rights given to him or her by this section.

35 The scrutiny

The result of the voting must be ascertained by scrutiny.

36 Proceedings to be open to inspection of scrutineers

All proceedings at the scrutiny must be open to the inspection of scrutineers.

37 Scrutiny of votes

- (1) At the close of the voting, the returning officer must—
 - (a) open the ballot box; and
 - (b) reject all ballot papers that are informal; and

- (c) count the votes cast for each candidate, disregarding votes marked on informal ballot papers.
- (2) If 1 member of the board is to be elected, the candidate who receives the higher or highest number of votes, is taken to have been elected.
- (3) If 2 members of the board are to be elected, the 2 candidates who receive the highest number of votes and the next highest number of votes, respectively, or who receive the same number of votes, being a number greater than the number of votes received by any other candidate, are taken to have been elected.
- (4) If 3 members of the board are to be elected, the 3 candidates who receive the 3 highest number of votes or who receive the same number of votes, being a number greater than the number of votes received by any other candidate, are taken to have been elected.
- (5) As soon as is reasonably practicable after the result of the voting has been ascertained, the returning officer must prepare and sign a statement specifying—
 - (a) the number of people to whom ballot papers were issued; and
 - (b) the number of ballot papers removed from the ballot box when it was opened; and
 - (c) the number of ballot papers rejected as informal; and
 - (d) the number of votes cast for each candidate.
- (6) The statement prepared for subsection (5) must be given to the authority.

38 Proceedings if voting for 2 or more candidates equal

If, because of 2 or more candidates having received the same number of votes, it is not possible to determine the result of the election, the returning officer must decide by lot which candidate or candidates of those who received the same number of votes are excluded so as to determine the result of the election.

39 Declaration of result of election

- (1) When the result of an election has been determined, the returning officer must declare the result of the election—
 - (a) at a meeting of eligible voters; or
 - (b) by written notice published in a circular or newsletter of the school.
- (2) The returning officer shall give to the authority written notice of the result of an election.

40 Destruction of ballot papers

Subject to any other law in force in the ACT and the requirements of any process of a court, the returning officer must destroy the ballot papers used at an election as soon as practicable after the end of 6 weeks after the date when the result of the election was declared.

Part 4 Election of students' representatives

41 Application of pt 4

This part applies to, and in relation to, an election of a member or members of the board of a high school or secondary college to represent students at the school.

42 Principal to call electoral meeting of students

- (1) Within 7 days after the day when the first term in a year begins at a school, the principal of the school must call an electoral meeting of the student council of the school or, if there is no student council of the school, of the students at the school.
- (2) Within 7 days after a vacancy happens in the office of a member of the board of a school, being a member referred to in the Act, section 41 (1) (e) or section 42 (1), the principal of the school must call an electoral meeting of the student council of the school or, if there is no student council of the school, of the students at the school.
- (3) At an electoral meeting of the student council or of the students, the following business must be transacted:
 - (a) the appointment of a returning officer for the purposes of the election and, if so desired, 1 or more assistant returning officers;
 - (b) the determination whether voting at the election is to be conducted at a meeting of students or by the delivery of ballot papers to a polling place;
 - (c) the determination whether scrutineers may be appointed for the purposes of the election;

- (d) the determination of the place where, and the period during which, voting at the election shall be conducted;
- (e) the determination of the last day when nominations of candidates for election may be submitted, being a date not less than 7 days before the date of the election;
- (f) the determination of the order in which the names of candidates shall appear on the ballot paper.

43 Nomination of candidates

A nomination of a candidate for election is not effective for this part unless—

- (a) the candidate is a person who is eligible to vote at the election; and
- (b) the nomination is in writing signed by 2 people each of whom is eligible to vote in the election and is not the returning officer for the purposes of the election; and
- (c) the nomination has endorsed on it the consent of the candidate to the nomination; and
- (d) the nomination is delivered to the returning officer not less than 7 days before the day, or the first day, as the case may be, when voting is to take place.

44 Eligibility to vote

- (1) In relation to an election to the board of a high school, a full-time student in year 7, 8, 9 or 10 at the school where he or she is enrolled is eligible to vote.
- (2) In relation to an election to the board of a secondary college, a person enrolled at the college as a student in a secondary education course, whether on a full-time or part-time basis, is eligible to vote.

45 Returning officer

A person is not eligible for appointment as returning officer unless he or she is a full-time student at the school.

46 Returning officer to declare nominations

- (1) If the number of nominations received by the returning officer does not exceed the number of members of the board to be elected, the returning officer must declare each candidate nominated to have been elected.
- (2) If the number of nominations received by the returning officer exceeds the number of candidates to be elected, the returning officer must conduct a ballot in accordance with the determinations of the electoral meeting of the student council or students, as the case may be.

47 Form of ballot paper

Subject to this regulation, a ballot paper for use at an election must be in accordance with a printed form approved by the returning officer.

48 Order of names on ballot paper

Unless otherwise determined by the electoral meeting, the order in which the names of candidates are to appear on a ballot paper must be in alphabetical order of the surnames.

49 Marking of ballot paper

A person votes at an election by placing a mark on the ballot paper opposite the name of each person for whom he or she wishes to vote.

50 Ballot paper to be initialled by returning officer

A ballot paper is informal unless it was initialled by the returning officer or an assistant returning officer before being issued by him or her to a voter.

51 Voter may vote once only

A person may vote once only in a ballot at an election.

52 Provision of ballot box

For the purpose of voting at an election conducted otherwise than at a meeting of students, the returning officer must provide an empty ballot box locked or sealed for the reception of ballot papers.

53 Scrutineers

- (1) If an electoral meeting of students has determined that scrutineers may be appointed for the purposes of the election, a candidate for election is entitled to appoint 1 scrutineer for the purposes of the election.
- (2) A person shall not be appointed as a scrutineer unless he or she is an eligible voter.
- (3) An appointment of a scrutineer shall be by writing signed by the candidate and specifying the name and residential address of the person appointed.
- (4) An appointment of a scrutineer takes effect when the instrument of appointment is delivered to the returning officer.
- (5) A scrutineer is entitled, at any reasonable time—
 - (a) to inspect nominations; and
 - (b) to inspect the ballot papers prepared for use at the election.
- (6) A scrutineer is entitled—

- (a) to observe the delivery of ballot papers and the placing of ballot papers in the ballot box; and
 - (b) to be present when the ballot box is opened and the result of the election ascertained.
- (7) The returning officer shall take all reasonable steps to enable a scrutineer to exercise the rights given to him or her by this section.

54 The scrutiny

The result of the voting must be ascertained by scrutiny.

55 Proceedings to be open to inspection of scrutineers

All proceedings at the scrutiny must be open to the inspection of the scrutineers.

56 Scrutiny of votes

- (1) At the close of the voting, the returning officer must—
 - (a) open the ballot box; and
 - (b) reject all ballot papers that are informal; and
 - (c) count the votes cast for each candidate, disregarding votes marked on informal ballot papers.
- (2) If 1 member of the board is to be elected, the candidate who receives the higher or highest number of votes, is taken to have been elected.
- (3) If 2 members of the board are to be elected, the 2 candidates who receive the highest number of votes and the next highest number of votes, respectively, or who receive the same number of votes, being a number greater than the number of votes received by any other candidate, are taken to have been elected.
- (4) As soon as is reasonably practicable after the result of the voting has been ascertained, the returning officer must prepare and sign a statement specifying—

- (a) the number of people to whom ballot papers were issued; and
 - (b) the number of ballot papers removed from the ballot box when it was opened; and
 - (c) the number of ballot papers rejected as informal; and
 - (d) the number of votes cast for each candidate.
- (5) The statement prepared for subsection (4) must be given to the authority.

57 Proceedings if voting for 2 or more candidates equal

If, because of 2 or more candidates having received the same number of votes, it is not possible to determine the result of the election, the returning officer must decide by lot which candidate or candidates of those who received the same number of votes is to be excluded so as to determine the result of the election.

58 Declaration of result of election

- (1) When the result of an election has been determined, the returning officer must declare the result of the election—
- (a) at a meeting of students; or
 - (b) by written notice attached to a students' notice board of the school.
- (2) The returning officer shall give to the authority written notice of the result of an election.

59 Destruction of ballot papers

Subject to any other law in force in the ACT and the requirements of any process of a court, the returning officer must destroy the ballot papers used at an election as soon as practicable after the end of 6 weeks after the date when the result of the election was declared.

Part 5 Avoidance of election etc

60 Authority's powers in relation to ordering new election

- (1) If—
- (a) within 6 weeks after the holding of an election, the authority receives from a returning officer, candidate or voter a petition alleging an impropriety or irregularity in the conduct of the election and asking the authority to exercise its powers under this section; and
 - (b) after any inquiry into the matter it considers necessary, the authority is satisfied that such an impropriety or irregularity as might have affected the result of the election has occurred in the conduct of the election;

the authority may declare the election to be void and direct that a new election be held.

- (2) If the authority directs that a new election be held, it must give the instructions it considers necessary for the holding of the election as nearly as practicable in accordance with this regulation.

61 Review of decision of authority by administrative appeals tribunal

Application may be made to the administrative appeals tribunal for a review of a decision of the authority—

- (a) under section 60 (1) to declare an election to be void and to direct that a new election be held; or
- (b) under section 60 (1) to refuse to make the declaration and direction.

62 Ensuring holding of election

- (1) If an electoral meeting has not been called as required by this regulation, the chief education officer or his or her delegate must—
 - (a) appoint an eligible person as returning officer for the purposes of the election; and
 - (b) determine whether voting at the election is to be conducted at a meeting of eligible voters or by the delivery of ballot papers to a polling place or, for an election under part 3, by postal ballot; and
 - (c) determine whether scrutineers may be appointed for the purposes of the election; and
 - (d) determine the place where, and the period during which, voting at the election is to be conducted; and
 - (e) determine the last day when nominations of candidates for election may be submitted, being a date not less than 7 days before the date of the election; and
 - (f) determine the order in which the names of candidates are to appear on the ballot paper.
- (2) If a person is unable to perform a duty in connection with an election under this regulation, the authority shall—
 - (a) appoint the person; and
 - (b) give the instructions;that it considers necessary for the holding of the election as nearly as practicable in accordance with the other provisions under this regulation.
- (3) Notwithstanding anything in this regulation, an appointment or determination made under subsection (1) is as valid and effectual as if made at an electoral meeting called as required by this regulation.

(4) In this section:

eligible person means a person eligible, under the appropriate part, to be appointed as returning officer.

Part 6 Transitional

63 Calling of first electoral meeting

For the purposes only of the first election of members of the board of a school—

- (a) the references in section 4 (1) and section 42 (1) to the period within which the principal of the school must call an electoral meeting are references to a period of 1 month after; and
- (b) the reference in section 23 (1) to the period within which the association of the school must call an electoral meeting is a reference to a period of 3 months after;

the date specified in a direction of the authority as the date on and from which the school must have a board or the date of commencement of this regulation, whichever is the later.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally called the *Schools Authority Regulations* and was originally made under a Commonwealth ordinance—the *Schools Authority Ordinance 1976* No 59 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Schools Authority Ordinance* and the *Schools Authority Regulations* were converted into ACT enactments on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

This regulation was renamed under the *Legislation Act 2001*.

Before 11 May 1989, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967* s 50).

Legislation before becoming Territory enactment

Schools Authority Regulation 1978 No 11

notified 15 August 1978

commenced 15 August 1978

as amended by

Amendments of Schools Authority Regulations 1979 No 7

notified 20 April 1979

commenced 20 April 1979

Legislation after becoming Territory enactment

Administrative Appeals (Consequential Amendments) Act 1994 No 60 sch 2

notified 11 October 1994 (Gaz 1994 No S197)

s 1, s 2 commenced 11 October 1994 (s 2 (1))

sch 2 commenced 14 November 1994 (s 2 (2) and see Gaz 1994 No S250)

Legislation (Consequential Amendments) Act 2001 No 44 pt 361

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 361 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

as repealed by

Education Act 2004 A2004-17 s 174

notified LR 8 April 2004

s 1, s 2 commenced 8 April 2004 (LA s 75 (1))

s 174 commenced 1 January 2005 (s 2)

4 Amendment history**Name of regulation**

s 1 am R3 LA; R4 LA

Interpretation for regulations 2 def *the Act* om Act 2001 No 44 amdt 1.3884**Returning officer to declare nominations**

s 46 sub 1979 No 7

Review of decision of authority by administrative appeals tribunal

s 61 am Act 1994 No 60 sch 2

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL 1979 No 7	30 April 1993
2	Act 1994 No 60	30 November 1996
3	A2001-44	12 June 2002
4	A2001-44	3 November 2004

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