



Australian Nepalese Multicultural Centre (अष्ट्रेलियन नेपाली बहु-सांस्कृतिक केन्द्र)

ELECTION PROCEDURES 2024

(By-law made according to Part 4 of **Australian Nepalese Multicultural Centre Constitution** (“Constitution”))

By-law to provide for the procedure for conducting an election for Australian Nepalese Multicultural Centre Committee (ANMC committee).

1. General

Election to elect the ANMC Committee shall be held in every two years time at least one month before the Annual General meeting. The election must be held in February in even year.

The ANMC Committee shall form an Election Commission (EC) of minimum three and maximum five members and the coordinator of the commission to complete the election process

The ANMC Committee must determine the date of elections and the EC shall determine the method of election.

No Ballot Required: If the valid nominations received do not exceed the number required to fill the respective positions, then the person or persons nominated shall be declared elected.

Secret Ballots: If the valid nominations received exceed the number required to fill the respective offices, a separate secret ballot must be held for each vacant position.

Voting will be by a simple majority.

Scrutineers: The ballot shall be counted by two or more scrutineers appointed by the EC. A candidate for any position shall not be a scrutineer. In the event of an equality of votes in favour of two or more candidates, the EC shall draw lots between the candidates having equality of votes and declare the winner.

2. Election of Candidates and Date

The EC shall announce the election of Office Bearers and members of the ANMC committee.

3. Duties and responsibilities of Election Commission

The Election Commission is primarily responsible for planning, conducting and declaring the result of the election. The EC should supervise, monitor, coordinate and facilitate the election process, including counting and declaring the result for ANMC Committee. For achieving its primary duties and responsibilities, without any prejudice, the EC shall



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have various duties, responsibilities and rights as listed below, but not limited to:

- Negotiate, arrange or hire facilities for preparing or conducting the election from members or any other parties
- Appoint general and specialist volunteers or officials for conducting the election smoothly
- Receive and manage resources and support from any individual or group or business as appropriate
- Acquire, store and utilize any information, data or materials related to the election process
- Communicate, correspond or engage with officials, candidates, voters or any other parties as appropriate
- Utilize means of mass communication like news media (print, broadcast, online), social media and mass newsletter/email using or other organization's resources as appropriate
- Develop, produce and use documents, forms, applications, software or ballot papers as required by the process
- EC is required to propose a budget to the caretaker ANMC Committee. The election must be conducted at minimal costs possible.

4. Method of Polling

The EC recommends an appropriate method of the polling such as electronic, online or paper-based. The commission shall advise the voting method to the caretaker ANMC Committee, at least a day before the polling day. The EC must engage a reliable and trustworthy company to conduct electronic and online voting system.

5. Code of Conduct for Election Commission

Commission Members must sign a statutory declaration (see Appendix 2). All the Commission Members, including professional or general volunteers/officials, shall be of good moral and shall abide by but not limited to, the following code of conduct:

- Shall not advocate in favour of or against any candidate.
- Shall not be engaged in providing feedback or advice on candidacy or voting.
- Shall not nominate themselves in any of the candidacy. The member needs to tender resignation from the election commission if he/she intend to be a candidate.
- Shall not become proposer or seconder of any candidate.
- Shall not be involved in any activities such as panel fixing, favouring, disgracing that undermine relations, cooperation and harmony among members.
- Shall not be involved in campaigning for any candidate(s). However, the commission members are allowed to have a view in election mandates of the candidates.



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- Shall maintain the confidentiality regarding all information, data, ideas, processes, communications, discussions or meeting minutes
- Shall keep all the email communications related to election process separate and secure and shall consider as property
- Shall not take any advice or instruction from any candidate or voters about conducting their duties and responsibilities but may be involved in mutual discussions as organized by the commission and also may get some legal or professional advice which shall be declared.

6. The procedure for conducting an election

All the election process shall proceed as per the arrangement in the constitution of the regarding the election. If something is not defined sufficiently and clearly in the constitution of ANMC, then the best practice for conducting election will be applied by the EC. If it is hard to identify the best practice for any instances, then the EC may decide on how the process should go ahead in good faith. To do so, EC may choose to get some professional advice and may engage in discussion with community leaders, candidates, representatives or voters. The EC may or may not accept any advice received during the process.

7. Coordination

The EC will coordinate with all relevant officials and technical personnel related to the election.

Coordination among the team members of the EC is the responsibility of all the team members within the EC, and they are encouraged to have open and concrete discussions about issues and approaches regarding the election.

EC should schedule regular weekly meetings (face to face or teleconference call) after the first meeting of the EC. Any number of in-person or conference call meetings could be planned as deemed required by the EC members. The Election Commissioner should notify team members and facilitate these meetings, including taking minutes (see Appendix 3).

8. Communication

Election Commissioner shall communicate within each EC via emails, voice call or text. All the team members within the EC should share their email ID, at least one phone number and other appropriate voice call ID like Skype with each other. All the discussions, ideas and opinions expressed in these communications shall be kept within the team members. Distribution, relay or sharing of these communications with people other than the team members are considered a breach of code of conduct.

The EC may use voice call, email, postal mail or any mass media to communicate with other parties as appropriate. They are considered a valid method to share information.



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The EC should make sure only appropriate information and materials be communicated with relevant parties.

To communicate with other parties, EC should be assigned with an email address by ANMC. This email address will be shared with Election Commissioner members within the EC. All commission team members shall make sure to protect all the email communications in this email account. Only the Election Commissioner or member authorized by the Election Commissioner for particular communication are allowed to send an email via this address.

EC will publish the media release and notice in ANMC Website.

9. Election Calendar

Election Commissioner will publish the election calendar for the election.

The Election Commissioner only may change the polling day in consultation with ANMC. The election calendar should be logical and should include at least following events in order:

1. Publish final list of voters as provided by ANMC Secretary (see appendix 8)
2. Invitation for candidature for all available positions (see appendix 5)
3. Publish the first list of candidature and invite claim or dispute on candidature (see appendix 9)
4. Receive submissions on claim and dispute on candidature (see appendix 6)
5. Publish the second list of candidature after consideration of the submissions (see appendix 10)
6. Allow time to consider withdrawal from the candidature (see appendix 7)
7. Publish the final list of candidature after withdrawal (see appendix 11)
8. Pre-poll public meeting for polling arrangement (see appendix 12)
9. Call for casting votes (Polling day)

All the election events listed above should be communicated with sufficient notice and reasonable time for applications or submissions. The EC shall make sure that all the forms, logistic and administrative support related to these events are available.

10. Voting arrangement (Polling Day)

The polling duration should be sufficient for all the voters to cast their vote.

The polling booths should be set to ensure privacy.

Every eligible voter will be provided with one ballot paper (paper-based voting) or one random authorization key (electronic voting) before going to the polling booth to cast their vote if applicable. All voters are allowed one vote only.



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ANMC shall provide sufficient resources to the EC to conduct the election and secure the ballot, which may include cyber and physical security.

The EC should arrange a polling desk to verify and record the voters before allowing them to vote. The EC may arrange a member of the EC to be present in each polling desk or may appoint volunteers or officials for this purpose. The EC does recognize that there may be interest of every candidate to send their representative at the polling desk but may request all candidates to come up with few common representatives so that it will not cluster the polling desk and choke the polling process rather than facilitate it.

If there is more than 200 KM distance to travel for voters to reach the designated polling centre, then EC may decide to nominate additional polling centre appropriately if endorsed by the ANMC. EC should nominate a three-member election sub-commission for each such polling centre as required. The sub-commission should follow the guideline for EC on this By-Law.

11. Verification of Eligible Voters

Eligible voters mean the voters listed in the final list of voters as published by the ANMC. Voters listed in the final list are allowed to take part in polling. If the name does not appear in the list, voters will not be able to cast their vote. In the case of onsite voting, the EC will check the identity of the voters before allowing casting their vote. Voter needs to produce photo ID for positive identity. Following are the valid photo IDs:

- Nepali or Australian Passport
- Driving licence

EC can form a 3 members committee to verify ID of voters for election purpose to seek advise and recommendation. Election Commissioner hold the power to make final decision.

In the case of online voting, a suitable authentication method will be explored and adopted.

No proxy vote is allowed, so the voters need to be present and cast the vote by themselves. If voters need assistance in voting the EC will provide assistance. All voters are encouraged to get sufficient information on how to cast their vote before coming to the polling station. If any person needs assistance in voting process, the EC will help them.



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12. Positions to be Elected

Following positions are available for ANMC Executive Committee election:

1. President – 1
2. Vice President – 2 (at least one Female)
3. Secretary – 1
4. Joint Secretary – 1
5. Treasurer – 1
6. Joint Treasurer - 1
7. Executive members – 6
8. Representatives of NRNA and NAV (must be ANMC life members) - 2
9. President's nomination - 2

The EC shall receive application for all above positions and handle all the candidacy procedures. After the conclusion of the election, EC shall declare the result.

13. Nominations

Nominations of candidates for election must be made in writing, signed by two Members with voting rights accompanied by the written consent of the candidate as endorsed on the form of nomination.

- (a) Must state the position.
- (b) A candidate shall not be nominated for more than one position.
- (b) Must be delivered to the Election Commissioner before the closing date of nominations.

Candidacy should be proposed and seconded by eligible voters. A voter can not be proposer and seconder of a candidate. Following are some arrangements regarding proposer or seconder of any candidate:

- Neither seconder nor proposer of any candidate can become either seconder or proposer of another candidate.
- If seconder or proposer of any candidates also becomes either seconder or proposer of another candidate, then all the candidacy become invalid.

All candidates must provide a brief profile and their election manifesto in their application. When called for withdrawal candidates can withdraw their candidacy using the official withdrawal application form.

The following code of conduct, but not limited to this list, applies to all the candidates:

- Shall be of good moral
- Shall be able to serve objectives of ANMC.



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- Shall be able to commit all the required time and effort to maintain and achieve the Positions' expectations.
- Shall not be involved in any activities related to panel fixing or campaigning based on political, ideological, ethical, cultural, professional or any other groups.
- Shall not be involved in any corruption related to the election process
- Shall not misuse any resources of ANMC for their election campaign, which is accessible to them due to any other duties or responsibilities.

14. Jurisdiction of the Commission

To make sure the election will be held smoothly and impartially the following, but not limited to the list, are the jurisdiction of the EC:

- Resolve, arrange and publish date, time and location for election activities including polling
- Determine, acquire and utilize procedure, methods and equipment for polling
- Identify, orient and engage resources, supporting team and volunteers as required
- Define and implement counting methods for the casted votes
- Engage security personnel to secure the polling centre and resources during the polling and counting of votes
- Remove people or materials in the polling centre that adversely affect the election process.
- Organize and engage in public discussions with community leaders, candidates or voters in election processes.
- Prepare, communicate and publish press releases, documents or forms related to the election process.
- Ask for and verify the identity of voters to allow voting right.
- Get professional and legal advice and materials from any other parties or person

15. Candidacy Fees and Withdrawal

The ANMC Committee sets the following fees (non refundable) of candidacy each election 2020

- President - \$2000
- Vice President, Secretary and Treasure - \$1000
- Joint Treasurer and Joint Secretary - \$500
- Members - \$250

The withdrawal of candidacy before withdrawal date or later is not be eligible for refund of candidacy fees. The only matter the EC will do is to remove the withdrawal candidates is to remove the name from the ballot box.



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16. Disputes & Conflict

The decisions made by the EC will be binding and final. Any request to review a decision can be made to the EC in writing. The EC will review the decision internally, possibly involving the members of Patrons and advisors of ANMC. The EC will communicate about the outcome of the internal review. Any written application for review may not trigger an interruption in the ongoing process, but the EC will make sure the review process starts as soon as possible. The outcome of the review is final. If the outcome of the review found a flaw in an earlier decision and corrected it, any process which has been finished and could not be effectively corrected stands valid.

Any disputes and submissions related to candidacy will only be entertained if received in the allocated period as per election calendar published by the EC. The EC will get advice from other related panels established within the ANMC to resolve those issues.

In case, any disputes or conflicts arise concerning the interpretation of the election guideline, procedure, constitution or any other documents then the EC will get advice from the Constitution Interpretation Team formed by the ANMC to resolve the issue.

In case of any disputes or conflict, the EC may engage in discussion with the parties involved for resolution.

The EC will not entertain any disputes related to voters list as this matter is proposed to be handled by a separate committee formed by the ANMC Secretary.



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Appendix 1 - More Information about ANMC Election

The ANMC Committee

1 President	1
2 Vice-Presidents (at least one Female)	2
3 Secretary	1
4 Joint Secretary	1
5 Treasurer	1
6 Joint Treasurer	1
7 Executive Members	6
Representatives of NRNA and NAV (must be ANMC life members)	2
President's nomination	2
Total	17

Tenure, Eligibility and Election Procedure

- (1) No person is eligible to be a candidate for election as a committee unless such person is a General Member for at least 2 years or is a Life Member.
- (2) A nominated member must be at least a life member of the organisation.
- (3) In the case of President, the candidate must be at least a life member of the organisation for a minimum of last two years.
- (4) Candidates of all positions must be of good moral character and integrity and shall be a current member of ANMC. He/she should declare in the application for nomination that he/she has not been involved in any unacceptable practices including criminal activities and fraud of any kind.
- (5) All voters published by ANMC Secretary for the election 2024 shall be eligible to participate in the election processes.
- (6) For the ANMC election, ANMC Secretary shall publish the list of eligible voters.
- (7) Members of the EC shall not be eligible to be candidates. However, the newly elected president, upon the approval of the new ANMC executive committee may nominate them, with their consent, as executive members or advisors.