
Asian Australian Lawyers Association

Election Policy

1 Scope

1.1 This policy applies to:

- (a) all AALA Members; and
- (b) how AALA conducts its elections for its Executive Committee and Branch Committees.

2 Definitions

2.1 Except where otherwise defined below, words used in this policy have the same meaning as in the Constitution.

Candidate means a person seeking to be elected or re-elected to an Executive Committee or Branch Committee.

Candidate Position Description means a written description of an Executive Committee or Branch Committee position adopted by the Executive Committee.

Candidate Statement has the meaning given in clause 3.

3 Candidate Position Descriptions

3.1 The Executive Committee must publish Candidate Position Descriptions for all Executive Committee and Branch Committee positions on or before the date by which the notice of Annual General Meeting is given in accordance with clause 34 of the AALA Constitution.

4 Candidate Statements

4.1 A Candidate for election may provide a Candidate Statement to the Returning Officer for that election.

4.2 The Candidate Statement must be in a form prescribed by the Executive Committee. If no form is prescribed by the Executive Committee, the Candidate Statement:

- (a) must be in writing;
- (b) must be limited to 300 words; and
- (c) may include a photograph of the Candidate.

4.3 A Candidate Statement must not:

- (a) contain any statement that is false, misleading or scandalous; or
- (b) breach the AALA Constitution; or
- (c) breach any of the following AALA policies:
 - (i) the AALA Code of Conduct and Conflict of Interest Policy;
 - (ii) the AALA National Anti-Discrimination, Bullying and Harassment Policy;
 - (iii) the AALA National Sexual Harassment Policy;

- (iv) the AALA Social Media Policy;
- (v) the AALA Technology and Data Policy.

4.4 All Candidate Statements for an election must be published by e-mail to all AALA Members eligible to vote at that election at least two days prior to the election.

4.5 If the Returning Officer is of the opinion that a Candidate's Candidate Statement does not comply with clause 4.2 or 4.3, the Returning Officer may, at their sole discretion:

- (a) provide the Candidate with an opportunity to amend the Candidate Statement; or
- (b) refuse to publish the Candidate Statement.

5 Impermissible conduct of a Candidate

5.1 A Candidate may not publicly campaign, or cause another person to publicly campaign, for the Candidate in a manner that:

- (a) is false, misleading or scandalous; or
- (b) breaches the AALA Constitution; or
- (c) breaches any of the following AALA policies:
 - (i) the AALA Code of Conduct and Conflict of Interest Policy;
 - (ii) the AALA National Anti-Discrimination, Bullying and Harassment Policy;
 - (iii) the AALA National Sexual Harassment Policy;
 - (iv) the AALA Social Media Policy;
 - (v) the AALA Technology and Data Policy.

5.2 Any contravention of cl 5.1 must be reported to the Executive Committee, which must meet to decide by Ordinary Resolution to take one or more of the following actions:

- (a) notify the relevant Candidate of the contravention and require that Candidate to take corrective action;
- (b) disqualify the relevant Candidate;
- (c) allow the relevant Candidate to participate as a Candidate in the election, but notify Members eligible to vote at the election of the contravention;
- (d) take any action permitted under:
 - (i) the AALA Code of Conduct and Conflict of Interest Policy;
 - (ii) the AALA National Anti-Discrimination, Bullying and Harassment Policy;
 - (iii) the AALA National Sexual Harassment Policy;
 - (iv) the AALA Social Media Policy;
 - (v) the AALA Technology and Data Policy;
- (e) take no action;

- (f) take any further or other action the Executive Committee considers appropriate.
- 5.3 The Executive Committee Members must carry out their duty under cl 5.2 in a reasonable and proportionate manner, having regard to:
- (a) the nature and extent of the contravention;
 - (b) whether the contravention was deliberate;
 - (c) whether the Candidate has taken corrective action and/or expressed contrition;
 - (d) the effect or potential effect on the integrity of the election; and
 - (e) the effect or potential effect on the reputation of the AALA and/or its Members.
- 5.4 A Candidate who has action(s) taken against them under this cl 5, and does not agree with the action(s) taken, may engage the grievance procedure set out in Part 3 Division 3 of the AALA Constitution.
- 6 Review details**
- 6.1 This policy was adopted by AALA on 8 November 2021.
- 6.2 This policy was last updated on 8 November 2021.