

By Laws: Code of Conduct for ADA NSW Elections

1. Purpose

The purpose of this Code of Conduct (Code) is to promote fairness and preserve the integrity of ADA NSW elections and election campaigns while at the same time encouraging candidates and their supporters to maintain a spirit of friendly competition and respect for the election process. To assist this purpose, the Code sets out the expected standards of behaviour during campaigns for ADA NSW elections and the requirements for campaign materials.

2. Scope

This Code applies to ADA NSW members involved in the conduct of ADA elections.

3. Policy principles

ADA NSW members are expected to follow the same high standard of conduct and behaviour during the campaign process as is expected of members generally. These expectations of members are set out in the Code of Conduct.

ADA NSW expects all people involved in election campaigns (including candidates, Returning Officer, candidates' supporters and voters) to conduct themselves in an ethical and honest manner and not to engage in any behaviour that causes or could cause unreasonable disruption, or compromise the integrity of, an election or election campaign, including through use of social networks such as Facebook.

Any campaign materials or activities must conform to this Code and must not contain images or language, or promote behaviour, that causes offence or that are misleading or defamatory.

4. Code of Conduct statements

4.1 Conduct of Campaigns

Candidates or their supporters must not, in the course of campaigning and during an ADA NSW election generally, release any information by any means containing a statement or inference that:

- a. they knew, or ought to have known, to be untrue

- b. is, or is likely to be, misleading or deceptive
- c. is discriminatory on the basis of ethnicity, disability, race, religion, sex, or sexuality,
or
- d. is defamatory.

4.2 Campaign materials

The Returning Officer may issue instructions on what is acceptable and unacceptable in relation to campaign materials and may require that campaign material is submitted for approval prior to dissemination or publication.

Any candidate issuing campaign materials, including emails must put their name to it. ADA NSW may impose additional requirements for campaign materials, including size, placement and distribution volume.

4.2.1. Email distribution of campaign material

Campaign materials must not be distributed by email to recipients who are unknown to the sender, unless an individual has first given his/her consent to a candidate to send him/her campaign material to his/her email address. ADA NSW does not provide lists of members email addresses to candidates.

4.3. Breaches of this Code

ADA NSW members are expected to observe a high standard of conduct and behaviour. If there are concerns about that conduct, ADA NSW will take such steps as are reasonably necessary to protect the good reputation of the ADA NSW.

Any nominee or member acting on behalf of a nominee who is found to be in breach of this code of conduct could be disqualified from the election.

4.3.1. Reporting a breach

If there are concerns due to the conduct of an election candidate, voter or member of a campaign team, the ADA NSW Returning Officer should be contacted in the first instance.

To contact ADA NSW Returning Officer, email manager@adansw.com.au.

A report or complaint regarding a breach of this Code provided to the Returning Officer must:

- a. be made in writing
- b. state the name, contact number and email address of the person making the report or complaint
- c. state the act or omission that constitutes a breach of this Code, and
- d. if known, state which candidate is, or candidates are, responsible for the relevant act or omission.

4.3.2. Review of a complaint

The Returning Officer will determine whether it is appropriate to:

1. Dismiss the complaint
2. Take further steps to investigate the alleged breach, or:
3. Take other appropriate steps, which may include:
 - a. Providing a warning
 - b. Commencing disciplinary action in accordance with the Code of Conduct, or:
 - c. Removing a candidate from an election.

The Returning Officer may refer the matter to the Board of ADA NSW who may convene a disciplinary sub-committee of the ADA NSW Board.