

Ruling #10

March 2013 Executive and BoG Election

Equal Access to Forums – William Lau, Candidate for Vice President (Student Life)

Parties to the Ruling

- William Lau, Candidate for Vice President (Student Life)
- Kevin Smith, Candidate for Vice President (Student Life)
- Erin Borden, Volunteer for Kevin Smith
- Farid Iskandar, Chief Returning Officer

Applicable Bylaws, Rules, and Regulations

- Rules delivered via email to all candidates and at the mandatory candidates' meeting.

Facts

1. All parties to this ruling were present or represented at the mandatory candidates' meeting on February 15 at 18:00.
2. Candidates William Lau, and Kevin Smith were represented at the mandatory candidates meeting on Friday March 1, 2013 at 17:00. At that candidates' meeting the Chief Returning Officer informed candidates that they are allowed to drive without being charged to the Augustana Forum (unofficial forum) and Campus Saint Jean Forum (official forum) so long they offer other candidates in their race a ride.
3. At approximately 14:55 on March 2, 2013 the C.R.O. sent an all candidates meeting asking candidates to notify him if they are planning to attend the Augustana by 14:00 on March 3, 2013 in order to notify the Augustana Faculty Association Deputy Returning Officer the number of candidates attending.
4. At approximately 13:20 on March 3, 2013 William Lau sent the C.R.O. an email notifying him that he will be attending the Augustana Forum.
5. At approximately 13:35 on March 3, 2013 the C.R.O. sent an email to William Lau asking if he is driving to the forum and requested that he offer candidate Kevin Smith a ride to the Augustana forum in the case that he is driving.
6. At approximately 15:55 on March 4, 2013 William Lau emailed Kevin Smith and Erin Borden and to offer them a ride to the Augustana Forum, that he will be leaving around 16:20, and requesting that they respond ASAP.
7. At approximately 16:10 the C.R.O. asked Erin Borden, who was on the third floor of SUB, to respond to William Lau's email in order to for him not to be charged for the ride.
8. At approximately 16:15 Erin Borden responded to William Lau's email stating:

*"Thank you for your offer, we will be respectfully declining.
Have a wonderful time down in Camrose!"*

9. Kevin Smith attended the Debate Society Forum (unofficial forum) at 17:00 on March 4, 2013.
10. At approximately 17:10 on March 5, 2013 received a complaint that the Kevin Smith campaign did not receive ample time to accept/decline the offer.

Ruling

1. All candidates and sides are required to read, understand, and comply with all Rules & Regulations and Bylaws and were informed as such in the nomination package and at the mandatory candidates' meeting. All parties to this ruling were present or represented at the mandatory candidates' meeting.
2. While the C.R.O. agrees that the Kevin Smith campaign did not receive ample time to respond to the invitation, the C.R.O. finds no reason to fine the William Lau campaign after they received confirmation that the Kevin Smith campaign declined their invitation. Therefore no counterbalancing fine shall be levied.
3. The C.R.O. does not believe that the William Lau intentionally waited to send out the email inviting the Kevin Smith campaign. Therefore no punitive fine shall be levied.

Fine

1. No fines shall be levied.

So decided: Tuesday, March 5, 2013 @ 20:30. Time limit for appeal: Thursday, March 7, 2013 @ 13:00

Please direct any inquiries towards:

Farid Iskandar
Chief Returning Officer
University of Alberta Students' Union