

Ruling #7

March 2013 Executive and BoG Election

Campaigning in Unauthorized Area – William Lau, Candidate for Vice President (Student Life)

Parties to the Ruling

- William Lau, Candidate for Vice President (Student Life)
- Farid Iskandar, Chief Returning Officer

Applicable Bylaw, Rules, and Regulations

- Bylaw 2200 §31 (Restriction on Campaign Activities)
- Bylaw 2200 §48 (Penalties Available)
- Rules & Regulations §2.8 (Student Group Interaction)
- Schedule of Fines and Penalties, provided as per Bylaw 2200 §48

Facts

1. William Lau, candidate for Vice President (Student Life) was present at the mandatory candidates' meeting on February 15 at 18:00.
2. William Lau, candidate for Vice President (Student Life) was present at the "Mac and Cheese Affair" event organized by the Campus Food Bank at the Maple Leaf Room in Lister Centre on March 1, 2013.
3. William Lau is not a volunteer of the Campus Food Bank.
4. At approximately 11:40 on March 2, 2013 the Chief Returning Officer received a complaint regarding an alleged violation of Bylaw 2200 §31(2)(a) and §31(2)(d), as well as §2.8 of the rules and regulations affixed to the nomination package. The alleged contravention was that of campaigning in a event hosted by a Students' Union Service "Mac and Cheese Affair" event program with Candidate Lau's campaign stamp. A picture of this event program was also posted on Candidate Lau's Facebook page.
5. At approximately 13:15 on March 3, 2013 Candidate Lau confirmed in an email that this event program was on his table, and that only one event program was stamped. The Chief Returning Officer cross examined this information with Students' Union staff present at the event, and is satisfied that this information is true.

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. William Lau, candidate for Vice President (Student Life) was in attendance at the mandatory candidates' meeting.

2. The rules and regulations state that candidates are prohibited from actively participating in student group event and student services events during the campaign period (in their role as a candidate). Furthermore Bylaw 2200 stipulates that candidate shall not campaign in any business or service operated by the Students' Union, as well as any residence.
3. The Schedule of Fines and Penalties affixed to the nomination package denotes that campaigning in an unauthorized area shall be issued a counterbalancing fine of removal of offending material plus an equal number of materials. The event has expired; therefore a counterbalancing fine cannot be issued in that form. However the Facebook post is still live, therefore the counterbalancing fine shall be removal of the Facebook post.
4. The Schedule of Fines and Penalties affixed to the nomination package denotes that posting and/or distribution of campaign materials shall be issued a punitive fine of \$2.00 + additional possibility of discretionary fines. A \$2.00 punitive fine shall be levied on William Lau's campaign budget for campaigning in a Students' Union service event. Furthermore a \$2.00 punitive fine shall be levied on William Lau's campaign budget for campaigning in a University residence.

Penalty

1. Candidate Lau shall remove the Facebook post advertising the event program with a campaign stamp within 4 working hours of the publication of this ruling (by Monday March 4, 2013 at 13:00).
2. Candidate Lau shall be levied a fine of \$4.00 against the candidate budget.

So decided on: Sunday, March 3 @ 16:00. Time Limit for appeal: Tuesday, March 5 @13:00

Please direct any inquiries towards:

Farid Iskandar
Chief Returning Officer
University of Alberta Students' Union