

**Ruling #1**

March 2011 Executive and BoG Election –Brennan Murphy, Colten Yamagishi

**Parties to the Ruling**

- Brennan Murphy
- Colten Yamagishi, Vice-President (Student Life) candidate
- Jaskaran Singh, Chief Returning Officer

**Applicable Bylaws, Rules, and Regulations**

- Bylaw 2000 § 42
- Schedule of Fines and Penalties

**Facts**

1. On Wednesday, February 23, 2011 at 16:47, Colten Yamagishi submitted a poster containing proprietary images obtained from the Students' Union website and the Edmonton Journal. The posters were promptly approved by the elections office, using the guideline set out in Bylaw 2000 § 42 (1)

The C.R.O. shall not approve campaign materials that

- a. have more than a nominal value when distributed;
- b. cannot be removed at the end of the Campaign; or
- c. are likely to permanently damage or alter property.

2. Brennan Murphy approached the Chief Returning Officer on Monday, February 28th, 2011 at 11:35. Murphy said that the use of Students' Union imagery was infringing on copyright and provided Yamagishi with an unfair advantage by implying that the Students' Union endorsed him as a candidate. The Chief Returning Officer informed Murphy that copyright law was beyond the scope of the elections office.

**Ruling**

1. The Elections Office rules that Candidate Yamagishi shall remove all the posters containing the SU imagery by March 1st, 2011, 12:00.

2. Candidate Yamagishi will be reimbursed in his election budget for all the posters (containing SU imagery) that are resubmitted to the elections office, as the posters do not contravene the criteria set out in Bylaw 2000 § 42 (1).

3. If any posters that contain SU imagery remain after March 1st, 2011, 12:00, candidate Yamagishi will be fined \$3.00 per poster.

So decided: Monday, February 28th @ 16:00

Time limit for appeal: Wednesday, March 2nd @ 14:00

Please direct any inquiries towards:

Jaskaran Singh, Chief Returning Officer, University of Alberta Students' Union