

Ruling #1

February 18, 2015

March 2015 Executive and BoG Election

Pre-campaigning: Live Facebook event – Blue Knox, Candidate for Vice President External

Parties to the Ruling

- Blue Knox, Candidate for Vice President External
- Elliot Tanti, Volunteer for Blue Knox
- Jessica Nguyen, Chief Returning Officer

Applicable Bylaw, Rules, and Regulations

- Bylaw 2200 §48 (Penalties Available)
- Bylaw 2200 §26 (Requirements of All Candidates and Plebiscite/Referendum Sides)
- Rules & Regulations §2.1 (Pre-campaigning)
- Rules & Regulations §3.1 (Material Approval)
- Rules & Regulations §3.16 (Social Media Policy)
- Schedule of Fines and Penalties, provided as per Bylaw 2200 §48

Facts

1. Blue Knox, candidate for Vice President External was present at the mandatory candidates' meeting on February 12 at 18:00.
2. At approximately 15:56 on February 16, Elliot Tanti, volunteer for Blue Knox, notified the Chief Returning Officer that a contravention to bylaw was made regarding unintentional pre-campaigning in the Blue Knox campaign in the following email:

"Hello Jessica,

My name is Elliott Tanti and I am working on Blue Knox's campaign for VP External. Approximately 15 minutes ago I created a draft event on Facebook as a reminder for Blue's supporters to vote on election day. The event was called "On March 4th and 5th I'm voting for Blue Knox". In my haste I neglected to adjust the settings to private, and thus the event was live and public upon creation. Fortunately, in returning to the private election group, I recognized my mistake and quickly deleted the event. The event was not live for longer than a few seconds.

In the interest of full disclosure I felt the need to bring this to your attention. I can assure you that this was an honest mistake and that I in no way meant to gain an unfair advantage by campaigning outside of the set time frame. Blue has set clear expectations regarding the conduct of her campaign and I in no way meant to undermine those expectations.

If you have any further questions feel free to contact me via this email address or by phone at XXX-XXX-XXXX.

Thank you for your time,

--

Elliott Tanti

President - Political Science Undergraduate Association

Host - What's Up Ualberta!

University of Alberta/CJSR 88.5 FM"

Ruling

1. All candidates and their volunteers 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. Blue Knox, candidate for Vice President External, was in attendance at the mandatory candidates' meeting.
2. The rules and regulations state that social media channels must not be made publicly available until the start of the campaign period. Furthermore, regulations specify material approval by the Chief Returning Officer is required prior to public release. Pre-campaigning rules are further stipulated in Bylaw 2200 and the Rules and Regulations.
3. The Chief Returning Officer appreciated that the Blue Knox campaign was forthcoming in providing information. The Chief Returning Officer was also satisfied the information provided was accurate.

Penalty

1. The Schedule of Fines and Penalties affixed to the nomination package denotes that unsolicited campaigning is a \$10.00 counterbalancing fine + \$0.10 for each individual contacted.
2. The Chief Returning Officer does not believe that anyone was reached in the few seconds that the event was unintentionally made public.
3. The Chief Returning Officer appreciates that the Blue Knox campaign was forthcoming making the contravention known to the Chief Returning Officer, therefore no punitive fine will be levied.
4. The Blue Knox campaign will be levied a fine of \$10.00 against the candidate budget.

So decided on: Friday, February 27 @ 10:00. Time Limit for appeal: Tuesday, March 3 @ 10:00.

Please direct any inquiries towards:

Jessica Nguyen
Chief Returning Officer
University of Alberta Students' Union