

Bylaw 2000
A Bylaw Respecting the Elections, Plebiscites and Referenda of the
Students' Union

1. Short Title

This Bylaw may be referred to as the "Elections, Plebiscites and Referenda Bylaw"

2. Definitions

In this bylaw

- a. "member" shall be anyone who is an undergraduate student currently enrolled in at least one course for credit at the University of Alberta;
- b. "C.R.O." shall be the Chief Returning Officer of the Students' Union;
- c. "D.R.O." shall be a Deputy Returning Officer of the Students' Union;
- d. "D.I.E. Board" shall be the Discipline, Interpretation, and Enforcement Board of the Students' Union, as set out in Judiciary of the Students Union Bylaw;
- e. "faculty" shall be any entity defined by the University of Alberta General Faculties Council as either a faculty or a school and in which members are registered and shall include Open Studies;
- f. "council" shall be either be Students' Council or General Faculties Council (GFC) as the context requires;
- g. "general election" shall be the General Election of the Executive Committee and the Undergraduate Board of Governors or the General Election of Faculty Councillors;
- h. "polling station" shall be a polling location sanctioned by the C.R.O. and staffed by the office of the C.R.O.;
- i. "plebiscite" shall be a vote, open to all members, held on a given question but whose result is not legally binding upon the Students' Union;
- j. "referendum" shall be a vote, open to all members, held on a given question and whose result is legally binding upon the Students' Union;
- k. "side" shall be any person or group of people who have their registration as a plebiscite or referendum side accepted under this bylaw;

- l. “side manager” shall be a person registered as part of a plebiscite or referendum side who has been selected by those members of that side to serve as side manager for the purposes of this bylaw;
- m. “candidate” shall be any member whose nomination is accepted under this bylaw;
- n. “joke candidate” shall be any candidate running either individually or as a member of a slate, who chooses not to use his/her given name or a reasonable derivative of his/her given name when appearing on the ballot;
- o. “slate” shall be any two (2) or more candidates each running for a different position who choose to run under the guidelines for slates as opposed to the guidelines for individual candidates;
- p. “campaign” shall be the period of time during which campaign activities are permitted;
- q. “campaign activity” shall be any act, planned or organized by or on behalf of any candidate, slate or side , that is calculated to convince members to vote in a given way;
- r. “volunteer” shall be any individual who assists in campaign activities;
- s. “campaign expense” shall be any and all expenditures incurred in engaging in campaign activities;
- t. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
- u. “banner” shall be any campaign material composed of paper, cloth, or similar material of a total area greater than four (4) square feet;
- v. “poster” shall be any campaign material composed of paper, cloth, or similar material, of a total area of under four (4) square feet that is designed to be posted on a wall or similar place;
- w. “voter” shall be any member who exercises his/her entitlement to vote;
- x. “forum” shall be any event organized by an entity other than the Students’ Union, a candidate, side, or a volunteer acting on behalf of a candidate or side at which campaign activities are facilitated;
- y. “University” shall be the University of Alberta;
- z. “academic year” shall be from May 1st to the following April 31st;

aa. “working hours” shall be any and all hours occurring between 0900 and 1700;

bb. “student newspaper” refers to *The Gateway*.

3. Mandate

This bylaw shall govern the conduct of all elections, plebiscites and referenda conducted by the Students’ Union.

4. Elections Staff Composition

The elections staff shall consist of:

- a. the Chief Returning Officer; and
- b. one (1) or more Deputy Returning Officers, at the discretion of the Chief Returning Officer and as permitted by budgeted availability of funds.

5. Elections Staff Hiring Process

- (1) The Chief Returning Officer shall be appointed by Students’ Council after a recommendation is issued by a committee composed of:
 - a. the Chief Returning Officer, as chair, voting only in the event of a tie; and
 - b. two (2) members of the D.I.E. Board
 - i. in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may make an appointment to the committee from outside of the D.I.E. Board, for each D.I.E. Board seat on the committee unable to be filled.
- (2) The Deputy Returning Officer(s) shall be appointed by the Council Administration Committee after a recommendation is issued by a committee composed of:
 - a. the Chief Returning Officer, as chair, voting only in the event of a tie; and
 - b. two (2) members of the D.I.E. Board
 - i. in the event that less than two (2) members of the D.I.E. Board are available to serve on the committee on at least seven (7) days' notice, the Council Administration Committee may make an appointment to the committee from outside of the D.I.E. Board, for each D.I.E. Board seat on the committee unable to be filled.

6. Elections Staff Eligibility Requirements

- (1) The Chief Returning Officer shall not concurrently hold any position of Students’ Council or any of its boards and committees, the D.I.E. Board or the Students’ Union’s paid staff.
- (2) The Deputy Returning Officer(s) shall be required to remain members for the Fall and Winter academic terms of their term in office and shall not concurrently hold any position of Students’ Council or any of its boards and committees, the D.I.E. Board, or the Students’ Union’s paid staff.

7. Elections Staff Terms of Office

The Chief Returning Officer and Deputy Returning Officer(s) shall serve from June 1 to

May 31 of the following year.

8. Duties of the Elections Staff

- (1) The duties of the Chief Returning Officer shall include:
 - a. overseeing the implementation of Bylaw 2000;
 - b. such duties as may be required of the Chief Returning Officer under Bylaw 2000; and
 - c. the submission to Students' Council of a written report of activities and recommendations prior to May 31.
- (2) The duties of the Deputy Returning Officer(s) shall include:
 - a. such duties as may be required of the Deputy Returning Officer(s) under Bylaw 2000; and
 - b. such assistance as required by the Chief Returning Officer in the discharge of his/her duties, as set out in Section 8(1).

9. Elections Staff Reporting and Dismissal

- (1) The Chief Returning Officer shall report directly to Students' Council, and shall be dismissed only by a two thirds (2/3) majority vote of Students' Council on two consecutive meetings, to be held not less than one (1) week apart.
- (2) The Deputy Returning Officer(s) shall report directly to the Chief Returning Officer, and shall be dismissed only by a simply majority vote of the permanent members of the Council Administration Committee.

10. Election Dates - Executive Committee and Board of Governors

- (1) The election shall be held annually on the Wednesday and Thursday during the second week following the Winter Term Reading Week.
- (2) An Executive Committee and Board of Governors by-election shall not occur during the months of May, June, July, and August.

11. Election Dates - General Faculties Council and Students' Union Council

- (1) The election shall occur fifteen (15) days after the General Election of the Executive Committee and the Undergraduate Board of Governors Representative as set out in Section 10.
 - a. Notwithstanding, the C.R.O. may establish one alternate date designated for the election to occur, where the faculty can prove that the above date is unsuitable for their electorate.
 - b. Notwithstanding, the election of representatives from Augustana Faculty to General Faculties Council and Students' Union Council shall be conducted concurrently with the General Election of the Executive Committee and Board of Governors Representative as set out in Section 10.
- (2) A General Faculties Council or Students' Union Council election or by-election shall not occur during the months of May, June, July and August.

12. Dates - Plebiscites and Referenda

Where the C.R.O. receives a valid petition or where Students' Council initiates a plebiscite or referendum, then the plebiscite or referendum in question shall be held on the dates of the next general election not occurring within thirty (30) days of receipt of the valid petition or initiation by Students' Council of the plebiscite or referendum in question.

13. Plebiscite and Referendum Initiation

- (1) Where a member wishes to initiate a plebiscite or referendum via petition, that member shall submit to the C.R.O.:
 - a. the intent of the question;
 - b. whether the question is a plebiscite or a referendum;
 - c. the name, faculty, and student identification of that member;
 - d. a twenty-five dollar (\$25.00) deposit in the form of cash or a certified cheque or money order payable to the Students' Union.
- (2) Upon receipt of a submission meeting the requirements set out in Section 13(1), the C.R.O. shall immediately forward the intent of the question to the Bylaw Committee.
- (3) The Bylaw Committee shall approve within fourteen (14) days from receiving the intent of the question from the C.R.O., a petition question which:
 - a. fully reflects the intent submitted by the member;
 - b. if carried and acted upon, would not violate any Students' Union bylaws or any federal or provincial law;
 - c. where the plebiscite or referendum is to approve the collection of a University non-academic fee, provides for the formation of a permanent committee to oversee and direct the expenditure of this fee, such committee to have Students' Union members in voting positions proportional to the contribution of Students' Union members;
 - d. where the plebiscite or referendum is to approve the collection of a fee for a University facility or service, provides access by any Students' Union member to that facility or service.
- (4) Students' Council shall, at the meeting following the drafting of the petition question by the Bylaw Committee as set out in Section 13(3), approve a question which meets the criteria set out in Section 13(3) unless the question would cause Students' Council to breach its fiduciary responsibility to the Students' Union.
- (5) Sections 13(2) and 13(3) notwithstanding, where it is not possible for the Bylaw Committee or Students' Council to approve a petition question which meets the criteria set out in Section 13(4), neither the Bylaw Committee or Students' Council shall approve such a question.

- (6) Students' Council shall have the authority to call a plebiscite or referendum without a petition.
- (7) Prior to being approved by Council all plebiscite and referendum questions must be drafted by the Bylaw Committee.

14. Acceptance of Plebiscite and Referenda Petitions

- (1) Where a valid petition bearing the names, signatures, and student identification numbers of at least five percent (5%) of the total membership of the Students' Union as of February 1 of that academic year requesting a plebiscite on a given Students' Council-approved question is submitted to the C.R.O., then a plebiscite shall be held on that question as set out in Section 13, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
- (2) Where a valid petition bearing the names, signatures, and student identification numbers of at least fifteen percent (15%) of the total membership of the Students' Union as of February 1 of that academic year requesting a referendum on a given Students' Council-approved question is submitted to the C.R.O., then a referendum shall be held on that question as set out in Section 13, provided that the names, signatures, and student identification numbers were all collected within ninety (90) days of submission of the petition.
- (3) Where a valid petition is submitted to the C.R.O., that member's deposit shall be refunded.

15. Plebiscite and Referendum Campaign Side Selection

- (1) At least twenty-eight (28) days in advance of the plebiscite or referendum, the C.R.O. shall:
 - a. schedule, announce, and advertise via every available edition of the student newspaper, a meeting for the registration of sides, such meeting to take place not more than twenty-one (21) and not fewer than fourteen (14) days in advance of the plebiscite or referendum in conjunction with the candidates meeting;
 - b. publish in every available edition of the student newspaper the wording of the question.
- (2) For each plebiscite or referendum, there shall be
 - a. a "yes" side;
 - b. a "no" side.
 - c. no other official sides.

- (3) Members wishing to register themselves as part of a side shall attend the meeting for registering sides, as set out in Section 15(1) (a).
- (4) A member's registration for a side shall be accepted when the member
 - a. attends the meeting for registering sides;
 - b. announces his/her intention to register for a side;
 - c. provides the C.R.O. with his/her name, student identification number, and contact information; and
 - d. the C.R.O. is satisfied that that member does not aim to falsely represent that side by registering for it.
- (5) Section 15(4) notwithstanding, no member shall register for more than one (1) side for any plebiscite or referendum.
- (6) Each side shall select, from among the members registered to it, one (1) side manager.

16. Side manager Eligibility

Any member of the Students' Union Executive Committee is eligible to serve as a side manager of a referenda/plebiscite sides without taking a leave of absence from their position as an executive.

17. Candidate Nomination Deadlines

The C.R.O. shall determine and announce the deadlines for the nominations of candidates prior to the end of November each year, to occur not fewer than

- a. thirteen (13) days before the date of the Executive Committee and Board of Governors Election; or
- b. nine (9) days before the date of the Faculty Councillor Election.

18. Candidate Nomination Packages

- (1) The C.R.O. shall make available to every member nomination packages not fewer than twenty (20) days before the nomination deadline as set out in Section 17, and shall advertise the availability of these in not fewer than three (3) editions of the student newspaper before the nomination deadline.
- (2) The C.R.O. shall produce nomination packages which shall contain, at minimum
 - a. complete and current copies of this bylaw and the Judiciary of the Students' Union Bylaw;
 - b. nomination papers soliciting the name, contact information, and student identification number of the proposed nominee, the position the nominee wishes to contest, and
 - i. for Executive and Board of Governors elections, nominations papers soliciting the names, faculties, years, signatures, and student identification numbers of at least fifty (50) and at most one hundred (100) members as nominators;

- ii. for General Faculties Councillor and Students' Union Councillor nominations papers soliciting the names, faculties, years, signatures, and student identification numbers of at least ten (10) and at most twenty (20) members registered in the same faculty as the nominee as nominators;
- c. contact information for the C.R.O. and D.R.O.s;
- d. the time, date, and location for the candidates meeting;
- e. the building code limits on banner size. In the absence of an upper limit, the C.R.O. will specify a size deemed appropriate

(3) Valid nomination packages shall contain

- a. a signed acceptance of the nomination by the proposed nominee;
- b. a signed letter from the proposed nominee's faculty confirming that he/she is in good academic standing under University regulations;
- c. a statement, signed by the proposed nominee, identifying the name under which he/she wishes to appear on the ballot, and
 - i. for Executive and Board of Governors nominees, papers soliciting the names, faculties, years, signatures, and student identification numbers of at least fifty (50) members identifying themselves as nominators as well as a fifty dollar (\$50.00) deposit in the form of cash or a certified cheque or money order payable to the Students' Union,
 - ii. for General Faculties Councillor and Students' Union Councillor nominees, papers soliciting the names, faculties, years, signatures, and student identification numbers of at least ten (10) members registered in the same faculty as the nominee as nominators;

(4) Candidates who are registered in Open Studies are exempt from 18(3) (c) (ii).

19. Restrictions on Candidate Nominees

- (1) No member shall be nominated for more than one (1) of the positions contested in each election.
- (2) Notwithstanding Section 19(1), members may be nominated for both Students' Council and General Faculties Council within the same election.
- (3) Members of Students' Council and its standing committees, in order for their nomination papers to be valid are required to take a leave of absence from their duties for the period beginning with the nomination deadline and ceasing with the conclusion of voting of the election in which they are contesting a position. The following exceptions apply:
 - a) Any member of Students' Council contesting an executive position when the race is uncontested,
 - b) An executive contesting a Councillor position when the race is uncontested,

- c) Any member of Students' Council, excluding members of the Executive, contesting a Councillor position.

For the purpose of this section, any race solely contested by a joke candidate shall be considered uncontested.

- (4) Where a member contravenes Section 19(3), all of the member's nominations shall be declared null and void.

20. Acceptance of Candidate Nominations

Where a member submits valid nomination papers, as set out in Sections 18(3) and 19 and prior to the nomination deadline as set out in Section 17, that member's nomination shall be accepted by the C.R.O. within twenty-four (24) hours of the nomination deadline.

21. No Candidate Nomination, or Plebiscite/Referendum Registration Received

- (1) Where no valid candidate or side for a given position, plebiscite, or referendum has been received by the deadline, the C.R.O. shall extend the deadline for that position or side by up to two (2) days.
- (2) Where the only nominations received for a given position is (are) joke candidate(s), the CRO shall extend the deadline for that position by up to two (2) days.

22. Candidate and Plebiscite/Referendum Registration Meeting

- (1) The C.R.O. shall hold a meeting for all candidates, referenda and plebiscite sides following the nomination deadline but prior to the commencement of the campaign.
- (2) All candidates and side managers shall either attend the candidates meeting in its entirety or designate, in writing, an agent who will do so.
- (3) Where a candidate or side manager contravenes Section 22(2), that candidate or side manager shall be disqualified.
- (4) The C.R.O. may, at his/her discretion, grant exemptions to Section 22(3) to candidates, but shall do so only where
 - a. the candidate requesting the exemption does so in writing at least forty-eight (48) hours prior to the commencement of the candidates meeting; or
 - b. the candidate informs and provides satisfactory evidence to the C.R.O. of an emergency for which no notice could be given.

23. Content of the Candidate and Registration Meeting

At the candidate and registration meeting, the C.R.O. shall, at minimum

- a. review all relevant bylaws, rules, and regulations, including this bylaw, and respond to questions about same;
- b. announce the time and date of any forums scheduled;
- c. determine and announce which candidates are joke candidates as set out in Section 2 (n);

- d. where two (2) or more candidates have asked to appear on the ballot under names that are either identical or so similar as to be effectively indistinguishable, determine and announce under what names each of the two (2) or more candidates shall appear on the ballot;
- e. announce any methods that will be regularly used to communicate with candidates;
- f. take attendance for the purpose of verifying compliance with Section 21;
- g. For the Executive Committee and Board of Governors and Plebiscite/Referendum campaign
 - i. announce the times, dates, and locations of daily meetings,
 - ii. create a register listing the members registered for each plebiscite and referendum side as well as the side manager for each.

24. Commencement of Campaign Activities

The C.R.O. shall determine and announce the time and date of the commencement of campaign activities, to occur no fewer than seven (7) days before the date of any vote prior to the end of November each year.

25. Myer Horowitz Forum

- (1) The C.R.O. shall determine and announce the date and location of the Myer Horowitz Forum, to occur after the commencement of Executive Committee and Board of Governors and Plebiscite/Referendum campaign activities, prior to the end of November of each year.
- (2) The C.R.O. shall chair the Myer Horowitz Forum and shall enforce the following rules
 - a. each candidate and side shall be afforded an opportunity to speak that is equal to the opportunity afforded to each candidate or side in his/her race;
 - b. no objects shall be thrown;
 - c. no heckling shall occur;
 - d. no campaign materials shall be distributed during the Myer Horowitz Forum in the room in which the Myer Horowitz Forum is held.
- (3) Where an individual contravenes Section 25(2), the C.R.O. shall remove that individual from the Myer Horowitz Forum.
- (4) Where a candidate or side contravenes Section 25(2), the C.R.O., in addition to the remedies prescribed under Section 71, shall have the authority to enforce further disciplinary action, as prescribed under Section 71.

26. Requirement for Forums

No candidate or side shall participate in any forum unless each candidate or side in his/her race has received at least twenty-four (24) hours notification of the forum and will be afforded an equal chance to speak at it.

27. Requirement to Report Keys

- (1) All candidates and side managers shall, within twenty-four (24) hours of the nomination deadline, report to the C.R.O. any keys, cards, and other means of access to any building or room on the University of Alberta campus.
- (2) The C.R.O. shall confiscate, until the commencement of voting, any keys, cards, and other means of access to any building or room on the University of Alberta campus where
 - a. the key, card, or other means of access in question would provide an unfair advantage to the candidate or side manager; and
 - b. the candidate or side manager is not academically, occupationally, or otherwise required to retain the key, card, or other means of access in question for the duration of the campaign.

28. Storage Space

The C.R.O. shall make arrangements for space to be available on the University campus to all candidates and side managers for the purpose of the storage of campaign materials.

29. Prohibition on Pre-campaigning

- (1) No side manager, volunteer, or candidate shall engage in campaign activities between the nomination deadline or Students' Council initiation of a plebiscite/referenda and the commencement of the campaign.
- (2) Any campaign activity involving social media or internet activity shall not commence or exist between the nomination deadline or Students Council initiation of a plebiscite/referendum and the commencement of the campaign. Social media and internet activity with the sole purpose to prepare campaign activities, campaign material, or to solicit volunteers may be undertaken during the pre-campaign period, so long as it is kept private.

30. Candidate Slates

- (1) Candidates wishing to run as a slate shall notify the C.R.O. in writing of their desire within twenty-four (24) hours of the nomination deadline.
- (2) Candidates providing written notification to the C.R.O. under Section 30(1) shall include a slate name, which shall not be the same as or a reasonable derivation of the name of any registered federal or provincial political party or referenda/plebiscite side.
- (3) Where candidates requesting to run as a slate are in compliance with Sections 30(1) and 30(2), the C.R.O. shall grant their request.
- (4) Candidates running as a slate shall be voted for individually with the slate affiliation being clearly identified on the ballot.

31. Joke Candidates

- (1) Where a candidate has been designated as a joke candidate, as set out in Section 2(o), and that candidate does not wish to be a joke candidate, that candidate may provide to

the C.R.O. a new signed statement indicating the name under which he/she wishes to appear on the ballot, within 36 hours of being designated as a joke candidate.

- (2) Where a candidate who has been designated a joke candidate exercises his/her right, as set out in Section 31(1), to submit a new name under which he/she wishes to appear on the ballot, and where the new name is, at the discretion of the C.R.O., a reasonable derivative of that candidate's legal name, that candidate's designation as a joke candidate shall be reversed.

32. Candidates with Same or Similar Names

Where two (2) or more candidates or slates submit names that are either identical or so similar as to be effectively indistinguishable, the C.R.O. shall determine and announce within forty-eight (48) hours of the nomination deadline what name each of the two (2) or more candidates or slates shall use.

33. C.R.O. Shall List Candidates

Within thirty-six (36) hours of nomination deadline, the C.R.O. shall post

- a. the legal name of each of the candidates;
- b. the name under which each shall appear on the ballot ;
- c. the name of each slate, and the abbreviation of each slate as it will appear on the ballot; and
- d. shall publish the same in the next available issue of the student newspaper.

34. Daily Meetings

- (1) On every weekday during the Executive Committee and Board of Governor campaign and Plebiscite/Referendum campaign, the C.R.O. shall hold a daily meeting, at which he/she shall review complaints, rulings, regulations, procedures, and announcements.
- (2) Each candidate and side manager shall either attend each daily meeting himself/herself or designate, in writing, a representative who will attend.
- (3) Where a candidate or side manager contravenes Section 34(2), he/she shall be fined ten dollars (\$10.00) for each meeting at which he/she is in contravention, and he/she shall not be assessed any further penalty.

35. Requirements of All Candidates and Plebiscite/Referendum Sides

Each candidate, side manager and slate shall act reasonably and in good faith, and specifically shall

- a. ensure that each volunteer engaging in campaign activities on his/her/its behalf is aware of all bylaws, rules, regulations, and orders;
- b. ensure that each volunteer is in compliance with all bylaws, rules, regulations, and orders while engaging in campaign activities on his/her/its behalf; and
- c. report any contravention of a bylaw, rule, regulation, or order to the C.R.O. immediately.

36. Third Party Activities

- (1) A candidate, slate, or side in a Students' Union election may distance themselves from a third party in the event the third party effectively conducts campaign activities under the following conditions:
 - a. the candidate, slate, or side must demonstrate to the C.R.O. that the third party acted without consent of the candidate, slate, or side; and
 - b. the candidate, slate, or side must demonstrate to the C.R.O. that steps have been taken to distance themselves from the third party and to attempt to halt unauthorized campaign activity by that third party.
- (2) Should a candidate, slate, or side demonstrate the conditions specified under Section 36.(1) to the C.R.O.'s satisfaction, the candidate, slate, or side would not be subject to punitive fines as a result of the third party's actions, but could still be subject to counterbalancing fines.

37. No-Use of Non-Universal Resources

No individual candidate, side or slate shall make use of any resource that is not

- a. available to all candidates, sides and slates;
- b. general volunteer labour or expertise; or
- c. accounted for as part of that candidate's, side's or slate's campaign expenses.

38. No Joint Use of Resources

- (1) No two (2) or more candidates, sides or slates shall jointly use any resources, including tables, posters, banners, and budgets but excluding volunteers, except that a candidate may jointly use tables with a slate of which he/she is a member.

39. Endorsements

- (1) No candidate shall
 - a. act as a volunteer for another candidate; or
 - b. endorse another candidate within his or her own race.
- (2) Any member with the exception of the C.R.O, the D.R.Os, candidates, and incumbent members of the Executive Committee shall be free to act as volunteers for or endorse any candidate, or slate.
- (3) Regulations regarding the endorsement of electoral candidates by Students' Union employees not referenced in Section 39.(2) shall be subject to the Students' Union operating policy.
- (4) Incumbent members of the Executive Committee and the incumbent Board of Governors Representative are allowed to endorse sides in a Students' Union election.

40. Restrictions on Campaign Activities

No candidate or side shall, without the permission of the C.R.O. engage in any campaign activity

- a. in any business or service operated by the Students' Union;
- b. in a University library;

- c. in a classroom during a class unless he/she first obtains the permission of the professor responsible for that class;
- d. in any residence; or
- e. in any building or on any land not owned or operated by the University or the Students' Union.

41. Campaign Materials

- (1) All campaign materials shall be approved in form, content, and cost by the C.R.O. before they may be used in campaign activities.
- (2) Candidates, sides and slates wishing to have campaign materials approved shall provide the C.R.O. with
 - a. a written estimate of the cost of the proposed campaign material, including the source of that cost; and
 - b. the complete contents of the proposed campaign material, including text, images and layout.
- (3) The C.R.O. shall provide in confidence a written approval or refusal of campaign materials within eight (8) working hours of receiving a request as set out in Section 39(2).

42. Forbidden Campaign Materials

- (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) Where a candidate, side or slate contravenes Section 41(1), the offending campaign materials shall be destroyed and the C.R.O. may assess an additional penalty to that candidate, side or slate, as set out in Section 71.

43. Media

All candidates and sides are free to pursue campus-based media as determined by the C.R.O; however, are restricted from contacting external media sources. All external media must be directed through the C.R.O office.

44. Use of Social Media and Public Internet Ventures

The C.R.O. shall be kept privy to elections-related social media and public internet ventures undertaken by candidates, and reserves the right to penalize candidates for any violation of this bylaw or related regulations.

45. Banners

- (1) No candidate, side or slate shall have more than one (1) banner on display in any given building at any given time.

- (2) Where a candidate side or slate contravenes Section 45(1), the offending banners shall be destroyed and the C.R.O. may assess an additional penalty to that candidate, side or slate as set out in Section 71.

46. Posters

- (1) No poster shall be displayed in such a way as to obscure another candidate, side or slate's campaign materials.
- (2) In any given building, at any given time
 - a. no Executive or Board of Governors Candidate shall have more than ten (10) posters;
 - b. no Plebiscite or Referendum side shall have more than ten (10) posters;
 - c. no General Faculties Council or Students' Council candidate shall have more than sixteen (16) posters.
- (3) The C.R.O. shall set a minimum distance between posters or signs that are placed outside belonging to the same candidate or side.
- (4) Where a candidate, side or slate contravenes Sections 46(1) and 46(2), the offending posters shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate, side or slate as set out in Section 71.

47. Designated Printer

- (1) All printed campaign materials shall be purchased at official list price costs from one (1) or more of the printing companies designated by the C.R.O.
- (2) The C.R.O. shall designate at least five (5) printers from which candidates and sides may purchase materials to be in compliance with Section 47(1).
- (3) Where a candidate or side demonstrates that a desired campaign material could not be produced by any of the five (5) or more printers designated by the C.R.O. as set out in Section 47(2), the C.R.O. shall grant a limited exemption from Section 47(2) to that candidate or side.
- (4) Where campaign materials can be produced by a Students' Union operated business, candidates and sides shall purchase those campaign materials from that business.
- (5) Where a candidate or side contravenes Section 47(1) or Section 47(4), the offending campaign materials shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side, as set out in Section 71.

48. Recycled Materials

Where a candidate, side, or slate chooses to print campaign materials on recycled paper containing one hundred per cent (100%) post consumer content, and where that candidate, side or slate demonstrates, to the satisfaction of the C.R.O., that this choice resulted in an

increased cost being incurred to it, then the amount of this increased cost shall not count against the limits set out in Sections 51 through 54.

49. Destruction of Campaign Materials

No candidate, side manager, or volunteer shall damage or destroy any other candidate's or side's campaign materials unless specifically authorized to do so by the C.R.O.

50. Campaign Material Removal

All campaign materials shall be removed by 21h00 the day before the commencement of voting.

51. Campaign Expense Limits – Executive Committee and Board of Governor Candidates

(1) No candidate for the Executive Committee or Board of Governors shall accrue more than five hundred and fifty dollars (\$550.00) in campaign expenses, all of which shall be paid by the Students' Union.

(2) No joke candidate shall accrue more than two thirds ($2/3$) of the expenses set out in Sections 51(1).

52. Campaign Expense Limits – GFC and Students' Council Candidates

(1) No candidate for General Faculties Council or Students' Council shall accrue more than thirty dollars (\$30.00), plus six dollars (\$6.00) for every one thousand (1,000) students' in his or her faculty beyond three thousand (3,000) in campaign expenses, all of which shall be paid by the Students' Union.

(2) Where the number of students in a faculty beyond three thousand (3,000) is not a multiple of one thousand (1,000), the amount of money in excess of the base amount as set out in Section 49(1) through 49(3), shall be prorated and rounded to the nearest cent.

(3) No joke candidate shall accrue more than two thirds ($2/3$) of the expenses set out in Sections 52(1) and 52(2).

53. Campaign Expense Limits - Slates

(1) Each candidate running with a slate shall have an expense limit equal to that of a candidate running individually.

(2) Each slate shall determine the distribution of campaign funds between the slate and slate candidates and must report the distribution to the C.R.O. prior to the start of campaigning.

(3) Each member of a slate shall provide a minimum of ten percent (10%) to a maximum of twenty-five percent (25%) of each candidate's budget towards the slate as a whole, with the remainder reserved for the individual candidate's campaign activities.

54. Campaign Expense Limits – Referenda and Plebiscite Sides

- (1) No Referenda or Plebiscite Side shall accrue more than one thousand dollars (\$1000.00) in campaign expenses, all of which shall be paid by the Students' Union.
- (2) No joke candidates will be allowed as specified under Section 15(2) (c).

55. Expense Reporting

- (1) Each candidate, side and slate shall keep an up to date and accurate record of all campaign expenses he/she/it incurs, and shall be responsible to the C.R.O. for all such campaign expenses.
- (2) Each candidate running as part of a slate shall keep separate records for individual expenses and expenses for the slate as a whole.
- (3) Each candidate running as part of the slate is accountable for expenses for the slate as a whole.
- (4) Each candidate, side and slate shall submit to the C.R.O. the record, as set out in Section 55(1), no less than twelve (12) working hours prior to the commencement of voting.
- (5) No candidate, side or slate shall incur any campaign expenses within twelve (12) working hours of the commencement of voting, except where those campaign expenses have been reported in the record submitted to the C.R.O. as set out in Section 55(4).
- (6) Where the C.R.O. determines that a candidate, side or slate has exceeded or falsified its campaign expense limit
 - a. the candidate, side manager for the side, or the slate shall be disqualified;
 - b. that candidate, side, or slate shall be prohibited from engaging in further campaign activities;
 - c. notice of this shall be posted with the campaign expense records;
 - d. the violation will be communicated directly to the candidate, the side's side manager or the slate in question;
 - e. the C.R.O. may recommend to the D.I.E. Board that further action be taken against that the candidate, the side's side manager, the side's members, and/or any volunteers.
- (7) The C.R.O. shall review all campaign expense records, and shall post summaries of same more than eight (8) working hours prior to the commencement of voting.

56. Fair Market Value

- (1) Where a product or service has been provided to a candidate, side or slate for no consideration or for consideration that is less than the official list price of the service provider, that candidate, side or slate shall be considered to have incurred a campaign expense at the fair market value of that product or service, as determined by the C.R.O.

- (2) Where a candidate, side or slate receives a product or service for consideration that is greater than the fair market value, then that candidate, side or slate shall be considered to have incurred a campaign expense equal to the actual consideration.
- (3) The fair market value shall be determined by the C.R.O. using the price that any other candidate, side or slate would have to pay for a comparable product or service as a guideline.
- (4) Candidates, sides and slates shall have the right, but not the obligation, to receive an assessment of a product or service's fair market value in advance.
- (5) A candidate, side or slate wishing to receive a fair market value assessment in advance shall make a written request to the C.R.O, which shall include
 - a. a full and accurate description of the product or service;
 - b. the supplier of the service, along with contact information for the same; and
 - c. the candidate, side or slate's estimation of the product or service's fair market value, and a rationale for same.
- (6) Where a complete request under Section 56(5), has been submitted to the C.R.O., the C.R.O. shall respond with a decision within eight (8) working hours.

57. General Labour

For purposes of Section 55, general labour and any expertise had by a significant portion of the population, including, but not limited to, poster design, web page design, and web page programming, shall be considered to have a fair market value of zero.

58. Right to Vote

- (1) Each member shall be entitled to cast one (1) ballot, except the C.R.O. who shall be entitled to cast a ballot only under the circumstances set out in Sections 63(9) and 65(2).
- (2) Where a member is found to have a cast more than one (1) ballot, only one ballot shall be counted.
- (3) All votes cast shall be by secret ballot.

59. Voting Days

- (1) Voting shall be conducted at times determined and advertised by the C.R.O.
- (2) No voting, other than a maximum of one (1) advance poll, shall be conducted prior to the D.I.E. Board ruling on all appeals covered by Section 73.

60. Voting

- (1) The C.R.O. shall conduct balloting by any means that provide precise, accurate results, and may use multiple methods in any combination.

- (2) At each polling station, there shall be a notice to voters that candidates are elected individually to each position, which shall also explain the balloting procedures.
- (3) On each ballot, there shall be an explanation of the balloting procedures, which shall include, at minimum, the following
 - a. that “None of the Above” shall be considered a candidate;
 - b. that voters shall rank each candidate according to their preferences;
 - c. that a portion of the ballot shall be considered spoiled where any of the conditions set out in Section 61(4) are met; and
 - d. that voters shall be permitted to rank as many as all or as few as zero of the candidates for each position.

61. Limitations During Voting

- (1) During voting, candidates, side managers, members of sides and volunteers shall not encourage members to vote or engage in any campaign activities.
- (2) During voting, candidates, side managers, and registered members of sides shall not be within twenty (20) feet of any polling station except to vote themselves.

62. Ballots

- (1) For each ballot the rank order of candidates shall be rotated randomly.
- (2) For each position ballots shall list all candidates, followed by “none of the above”
- (3) For the purposes of Section 60(3) (b) “None of the Above” Shall be considered a candidate.
- (4) Where a referenda or plebiscite question(s) is/are on the ballot, the ballot shall list “yes” followed by “no” for each referendum or plebiscite question.
- (5) Where a voter’s intention is clear, that voter’s ballot shall be counted.

63. Balloting and Counting– Executive, Board of Governors and Councillor Elections

- (1) Balloting shall be conducted by preferential balloting, in which each voter shall rank his/her choices for each position using natural numbers with one (1) representing the first choice, and increasing numbers representing less desirable choices.
- (2) A candidate shall require a majority of voters to indicate him/her as their first choice in order to be elected.
- (3) Voters shall be entitled to mark as few as zero candidates for any given position or as many as all of them.
- (4) A section of a voter’s ballot shall be considered spoiled where
 - a. that voter has indicated the same number for more than one (1) candidate;
 - b. that voter has not included the number one (1) next to any candidate;

- c. that voter has indicated more than one (1) number next to the same candidate;
 - d. that voter has used non-consecutive numbers; or
 - e. that voter has left all candidates in a race unranked.
- (5) In the event that no candidate receives a majority of first place votes in a given race, the candidate with the fewest first place votes shall be eliminated.
 - (6) Any voter who has indicated an eliminated candidate with a number shall have the candidate marked with the next highest number following the number by which the eliminated candidate has been indicated take the place of the eliminated candidate, and so on, in such a way that all candidates indicated by that voter as less desirable than the eliminated candidate are registered as being one (1) step more desirable than originally indicated.
 - (7) Where a ballot is left with no first place vote for a given race, the section of that ballot in question shall be considered spoiled.
 - (8) Where all remaining candidates have an equal number of first place votes, or where the remaining candidate with the fewest first place votes is tied with another remaining candidate, the candidate that had the fewest first place votes on the first count in which a differential existed shall be eliminated.
 - (9) Where all remaining candidates have an equal number of first places votes, or where the remaining candidate with the fewest first place votes is tied with another remaining candidate, and where this tie has existed on every count, and the C.R.O is a Students' Union member eligible to vote in that race, then the C.R.O. shall cast a ballot.
 - (10) Where all remaining candidates have an equal number of first places votes, or where the remaining candidate with the fewest first place votes is tied with another remaining candidate, and where this tie has existed on every count, and the C.R.O is a not a Students' Union member eligible to vote in that race, then the candidate to be eliminated shall be selected from those candidates with the fewest first place votes by a random or quasi-random method selected by the C.R.O.
 - (11) The process set out in Section 63 shall continue for each position until such a time as a candidate receives a majority of first place votes for that position at which point that candidate shall be declared the victorious and removed from the ballot, and the process repeated with the remaining candidates not yet declared victorious.
 - (12) The process set out in Section 63 shall continue for each position until such time as all the candidates are preferentially declared victorious.
 - (13) Candidates shall be allocated seats as specified in Bylaw 100.

- (14) Where “None of the Above” is declared victorious, no further candidates shall be declared victorious.
- (15) Where a joke candidate is declared victorious, the seat to which that joke candidate has been elected shall be considered vacant.

64. Requirements to Receive a Deposit

- (1) Where a candidate receives, on the first count, a number of first place votes totaling at least five percent (5%) of the total votes cast for his/her position, that candidate’s deposit shall be refunded.
- (2) Where a candidate withdraws from contention more than forty-eight (48) hours after the nomination deadline, that candidate’s deposit shall not be refunded.
- (3) Where a candidate has been disqualified from running for office, that candidate’s deposit shall not be refunded.

65. Balloting and Counting– Plebiscites and Referenda

- (1) The side that receives the greater number of votes shall be declared victorious.
- (2) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is a member, then the C.R.O. shall cast a ballot.
- (3) Where both sides receive an equal number of votes, and only if both sides receive an equal number of votes and the C.R.O. is not a member then the result of the election shall be determined by a random or quasi-random method of selected by the C.R.O.

66. Secure Handling of Ballots

The C.R.O. shall provide for the secure handling of ballots, and shall ensure that at all times ballots are either under the direct supervision of the C.R.O. or in a secure location.

67. Right to a Scrutineer

- (1) Each candidate and side shall be permitted to have one (1) person, designated in writing by the candidate or side manager, acting as scrutineer and being present at the counting of ballots.
- (2) Notwithstanding Section 67(1), the scrutineer may not be a candidate or side manager

68. Requirements of the C.R.O

- (1) The C.R.O. or at least one (1) D.R.O. shall
 - a. supervise the counting of ballots;
 - b. post final results within twenty four (24) working hours of all complaints and appeals being resolved;
 - c. notify the Speaker of Students’ Council and the President of the Students’ Union of the final results in writing

- i. Additionally for General Faculties Council Elections, notify the Vice President (Academic) of the Students' Union and the Secretary of the General Faculties Council of the final results in writing;
- d. post unofficial results at any time, including during counting;
- e. advertise final results in the first available edition of the student newspaper after the posting of final results as set out in Section 64(1) (b); and
- f. store the ballots in a secure location for at least two (2) weeks after the last recount has been completed.

69. Recounts

- (1) A request for a recount shall be granted by the C.R.O. where
 - a. the request is in writing and signed by a member;
 - b. the request is submitted to the C.R.O. within forty-eight (48) hours of the posting of Election results as set out in Section 68(1) (b); and
 - c. the difference between the votes of the victor and those of the second place candidate or side on the final count is less than two percent (2%) of the total votes cast.
- (2) The C.R.O. may initiate a recount independently for any reason.
- (3) The C.R.O. shall post the results of any recount within twenty-four (24) working hours of the recount being completed.

70. Complaints

- (1) The C.R.O. shall prepare and provide a complaint form which shall require complaints to indicate
 - a. their names and student identification numbers;
 - b. the specific bylaw and section, rule, or regulation that has allegedly been contravened;
 - c. the specific individual or group that is alleged to be in contravention;
 - d. the specific facts which constitute the alleged contravention; and
 - e. the evidence for these facts.
- (2) Where a complaint is received within twelve (12) working hours of the alleged contravention, and where the original complaint form is provided to the C.R.O., the C.R.O. shall rule on that complaint.
- (3) The C.R.O. shall provide a copy of the complaint form, with the complainant's student identification number blacked out, to each respondent.
- (4) Where a complaint is received and is found to be complete as set out in Section 70(1), the C.R.O. shall rule on the complaint within twelve (12) working hours of receiving the complaint.
- (5) The C.R.O. shall post all of his/her rulings, including
 - a. a summary of the complaint;

- b. a list of parties to the complaint;
- c. where the C.R.O. fails to possess jurisdiction as set out in Section 72(6), a summary of the reasons for this finding;
- d. a listing of all bylaws, rules, and regulations that apply;
- e. a finding regarding the facts;
- f. a ruling regarding the alleged contravention;
- g. the penalty assigned, if any;
- h. the time the ruling was posted; and
- i. the time limit for appeal.

71. Penalties Available

- (1) Where a candidate, side manager or volunteer has contravened a bylaw, rule, or regulation, regardless of the cause or the intent of the parties involved, and that contravention has provided an unfair advantage to a candidate, the C.R.O. shall assign a penalty that
 - a. fully counter-balances any advantage gained; and
 - b. where the contravention was intentional, penalizes the candidate or campaign manager who was or whose volunteer was guilty of the contravention.
- (2) Penalties available to the C.R.O. shall include
 - a. a fine, to be counted against the candidate's campaign expenses;
 - b. the confiscation or destruction of campaign materials;
 - c. limits, restrictions, and prohibitions on any type of campaign activities for any period of time up to the commencement of voting; and
 - d. disqualification of the candidate or side manager.
- (3) The C.R.O. shall draft a schedule of fines and penalties as an appendix to the rules and regulations concerning this bylaw.

72. Disqualification

- (1) A candidate or slate shall be disqualified where he/she/it is guilty of a contravention that
 - a. cannot be counter-balanced by a lesser penalty;
 - b. is malicious or substantially prejudicial to another candidate or slate; or
 - c. involves tampering with ballots, voting procedures, or counting procedures.
- (2) Where a slate is disqualified, all candidates running as a part of that slate shall also be disqualified.
- (4) Where the advantage gained by the "yes" side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O. as set out in Section 71, the C.R.O. shall cancel the referendum or plebiscite.
- (5) Where the advantage gained by the "no" side of a referendum or plebiscite due to a contravention cannot be fully counterbalanced by the penalties available to the C.R.O. as set out in Section 71, the C.R.O. shall counterbalance the advantage to the maximum

extent possible, and may recommend to the D.I.E. Board that further disciplinary action be taken against the members guilty of the contravention under the Judiciary of the Students' Union Bylaw.

- (6) Where a side's side manager is disqualified, that side shall select a new side manager.
- (7) The C.R.O. shall be empowered to investigate and rule upon every contravention of this bylaw or any other bylaw, rule, or regulation related to the election, plebiscite or referenda.

73. D.I.E. Board

- (1) Where a member is guilty of a serious contravention, the C.R.O. may recommend to the D.I.E. Board that further penalties be brought under the Students' Union Judiciary Bylaw.
- (2) Any member shall be entitled to appeal a ruling of the C.R.O. to the D.I.E. Board.
- (3) All appeals of the C.R.O.'s rulings, with the exception of those arising out of voting and Election results, shall be heard and ruled upon by the D.I.E. Board prior to the commencement of voting.
- (4) No appeal shall be considered by the D.I.E. Board unless it is received within twelve (12) working hours of the C.R.O.'s ruling being posted.
- (5) Where a complete appeal is received, the D.I.E. Board shall convene a hearing within twelve (12) working hours of the appeal being submitted.
- (6) The D.I.E. Board shall, at the meetings set out in Section 73, either
 - a. rule on all appeals; or
 - b. order a delay to the Election, Referenda or Plebiscite.
- (7) No appeal shall exist from a ruling of the D.I.E. Board on an appeal of a ruling by the C.R.O.

74. Multiple Coinciding Elections

- (1) The Election shall be divided into as many parts as there are councils for which elections are occurring.
- (1) All rules concerning nominations, campaign activities, campaign expenses, balloting, and penalties apply to a candidate per contested part of the Election and not to the candidate between multiple parts of the Election;
- (2) A slate may encompass candidates contesting multiple parts of the election.

75. By-Election - Executive Committee and Board of Governors

- (1) Where another Election is required by virtue of Section 63(14) or Section 63(15), the new Election shall be governed by this bylaw with the exception of Sections 10 through 12, 17, and Sections 24 through 26, which shall not apply.
- (2) The Campaign for the new Election shall begin a minimum of seven (7) days prior to the commencement of voting as set out in Section 75(4).
- (3) The nomination deadline for the new Election shall occur a minimum of thirteen (13) days prior to the commencement of voting as set out in Section 75(4).
- (4) The voting for the new Election shall occur on two (2) consecutive weekdays to be determined and announced by the C.R.O. at least twenty-one (21) days in advance.

76. By-Election – General Faculties Council and Students’ Council

- (1) Where vacancies exist in positions filled under this bylaw on August 15 of any year, the C.R.O. shall call a by-election to take place in September or October of that year for all those positions vacant on August 15.
- (2) Where the total voting membership of Students’ Council falls below twenty-three, the C.R.O. shall call a by-election to occur
 - a. not more than one month past the date that the voting membership of Students’ Council fell below twenty-three; or
 - b. where Students’ Council’s voting membership falls below twenty-three during the months of May, June, July, or August, in September.
- (3) Except as otherwise stipulated in this bylaw, there shall be no by-elections to fill positions filled under this bylaw.
- (4) The deadline for the nomination of candidates in any by-election shall be determined and announced by the C.R.O. at the same time as the date of the by-election is announced, such deadline occurring not less than nine (9) days prior to the Election.
- (5) The commencement of the Campaign for any by-election shall be determined and announced by the C.R.O. at the same time as the date of the by-election is announced, such commencement occurring not less than seven (7) days prior to the Election.
- (6) Except as otherwise stipulated in this bylaw, any by-election shall be conducted in accordance with the rules governing the Election.

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