

**Bylaw 2200**  
**A Bylaw Respecting the Executive Committee and Board of Governors**  
**Representative 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. "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;
- i. "referendum" shall be a vote, open to all members, held on a given question and whose result is legally binding upon the Students' Union;
- j. "side" shall be any person or group of people who have their registration as a plebiscite or referendum side accepted under this bylaw;
- k. "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;

- l. “candidate” shall be any member whose nomination is accepted under this bylaw;
- m. “joke candidate” shall be any candidate who chooses not to use his/her given name or a reasonable derivative of his/her given name when appearing on the ballot;
- n. “campaign” shall be the period of time during which campaign activities are permitted;
- o. “campaign activity” shall be any act, planned or organized by or on behalf of any candidate or side that is calculated to convince members to vote in a given way;
- p. “volunteer” shall be any individual who assists in campaign activities;
- q. “campaign expense” shall be any and all expenditures incurred in engaging in campaign activities;
- r. “campaign materials” shall be any physical or electronic media produced or distributed as part of campaign activities;
- s. “banner” shall be any campaign material composed of paper, cloth, or similar material of a total area greater than four (4) square feet;
- t. “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;
- u. “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;
- v. “University” shall be the University of Alberta;
- w. “academic year” shall be from May 1<sup>st</sup> to the following April 31<sup>st</sup>;
- x. “working hours” shall be any and all hours occurring between 0900 and 1700;
- ab. “student newspaper” refers to *The Gateway*.

**3. Mandate**

This bylaw shall govern the conduct of the Executive Committee and Board of Governors elections, plebiscites and referenda conducted by the Students' Union.

**4. 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.

**5. 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.

**6. 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 6 (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 6(3), approve a question which meets the criteria set out in Section 6(3) unless the question would cause Students' Council to breach its fiduciary responsibility to the Students' Union.
- (5) Sections 6(2) and 6(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 6(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.

## **7. 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 6, 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 6, 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.

## **8. 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 8(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 8(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.

## **9. 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.

## **10. 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

## **11. 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 10, 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 Bylaw 2200 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;
  - 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.

## **12. Restrictions on Candidate Nominees**

- (1) No member shall be nominated for more than one (1) of the positions contested in each election.
- (2) 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,

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

- (3) Where a member contravenes Section 12(2), all of the member's nominations shall be declared null and void.

### **13. Acceptance of Candidate Nominations**

Where a member submits valid nomination papers, as set out in Sections 11(3) and 12 and prior to the nomination deadline as set out in Section 10, that member's nomination shall be accepted by the C.R.O. within twenty-four (24) hours of the nomination deadline.

### **14. 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.

### **15. 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 15(2), that candidate or side manager shall be disqualified.
- (4) The C.R.O. may, at his/her discretion, grant exemptions to Section 15(3) to candidates, but shall do so only where
  - d. the candidate requesting the exemption does so in writing at least forty-eight (48) hours prior to the commencement of the candidates meeting; or
  - e. the candidate informs and provides satisfactory evidence to the C.R.O. of an emergency for which no notice could be given.

### **16. 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 Sections 14 and 15;
- g. announce the times, dates, and locations of daily meetings; and
- h. create a register listing the members registered for each plebiscite and referendum side as well as the side manager for each.

### **17. 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.

### **18. 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 18(2), the C.R.O. shall remove that individual from the Myer Horowitz Forum.
- (4) Where a candidate or side contravenes Section 18(2), the C.R.O., in addition to the remedies prescribed under Section 51, shall have the authority to enforce further disciplinary action, as prescribed under Section 51.

### **19. 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.



**20. 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.

**21. 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.
- (1) 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.

**22. Joke Candidates**

- (1) Where a candidate has been designated as a joke candidate, as set out in Section 2(n), 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 22(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.

**23. Candidates with Same or Similar Names**

Where two (2) or more candidates 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 shall use.

**24. 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 ; and
- c. shall publish the same in the next available issue of the student newspaper.

**25. Daily Meetings**

- (1) On every weekday during the Executive Committee and Board of Governors Representative 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 25(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.

## **26. Requirements of All Candidates and Plebiscite/Referendum Sides**

Each candidate and side manager 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.

## **27. Third Party Activities**

- (1) A candidate 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 or side must demonstrate to the C.R.O. that the third party acted without consent of the candidate or side; and
  - b. the candidate 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 or side demonstrate the conditions specified under Section 27(1) to the C.R.O.'s satisfaction, the candidate 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.

## **28. No-Use of Non-Universal Resources**

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

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

## **29. No Joint Use of Resources**

No two (2) or more candidates or sides shall jointly use any resources, including tables, posters, banners, and budgets but excluding volunteers.

### **30. Endorsements**

- (1) Any member with the exception of the C.R.O, the D.R.O.s, and incumbent members of the Executive Committee who are not also candidates shall be free to endorse any candidate.
- (2) Any member with the exception of the C.R.O, the D.R.O.s, candidates, and incumbent members of the Executive Committee shall be free to act as a volunteer for any candidate.
- (3) Notwithstanding Section 30(1), regulations regarding the endorsement of candidates by Students' Union employees not referenced in Section 31(1) shall be subject to the Students' Union operating policy.
- (4) Notwithstanding Section 30(2), regulations regarding the capacity of Students' Union employees not referenced in Section 30(2) to act as a volunteer shall be subject to the Students' Union operating policy.
- (5) Incumbent members of the Executive Committee and the incumbent Board of Governors Representative are allowed to endorse sides in a Students' Union election.

### **31. Restrictions on Campaign Activities**

- (1) 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.
- (2) During voting days, no campaign materials or campaign activities shall be within six (6) meters of any polling station.

### **32. 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.
- (3) Candidates and side 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.

- (4) 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 32 (2).

### **33. 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 or side contravenes Section 33(1), 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 48.

### **34. 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.

### **35. 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.

### **36. Banners**

- (1) No candidate or side shall have more than one (1) banner on display in any given building at any given time.
- (2) Where a candidate or side contravenes Section 36(1), the offending banners shall be destroyed and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 49.

### **37. Posters**

- (1) No poster shall be displayed in such a way as to obscure another candidate's or side'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;

- (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 or side contravenes Sections 37(1) through (3), the offending posters shall be destroyed, and the C.R.O. may assess an additional penalty to that candidate or side as set out in Section 48.

### **38. 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 38(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 38(2), the C.R.O. shall grant a limited exemption from Section 38(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 38(1) or Section 38(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 48.

### **39. Recycled Materials**

Where a candidate or side chooses to print campaign materials on recycled paper containing one hundred per cent (100%) post consumer content, and where that candidate or side 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 42 through 44.

### **40. 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.

### **41. Campaign Material Removal**

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

### **42. 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 42(1).

#### **43. 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 8(2) (c).

#### **44. Expense Reporting**

- (1) Each candidate and side 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 and side shall submit to the C.R.O. the record, as set out in Section 44(1), no less than twelve (12) working hours prior to the commencement of voting.
- (3) No candidate or side 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 44(2).
- (4) Where the C.R.O. determines that a candidate or side has exceeded or falsified its campaign expense limit
  - a. the candidate or side manager for the side shall be disqualified;
  - b. that candidate or side 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 or the side's side manager 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, and/or any volunteers.
- (5) 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.

#### **45. Fair Market Value**

- (1) Where a product or service has been provided to a candidate or side for no consideration or for consideration that is less than the official list price of the service provider, that candidate or side 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 or side receives a product or service for consideration that is greater than the fair market value, then that candidate or side 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 or side would have to pay for a comparable product or service as a guideline.
- (4) Candidates or sides 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 or side 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 or side 's estimation of the product or service's fair market value, and a rationale for same.
- (6) Where a complete request under Section 45(5), has been submitted to the C.R.O., the C.R.O. shall respond with a decision within eight (8) working hours.

#### **46. General Labour**

For purposes of Section 44, 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.

#### **47. 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 47(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 49(5) (c), 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.

#### **48. 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.

#### **49. Disqualification**

- (1) A candidate 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 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 50, the C.R.O. shall cancel the referendum or plebiscite.
- (3) 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 50, 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.
- (4) Where a side’s side manager is disqualified, that side shall select a new side manager.
- (5) 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.

#### **50. 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 50, 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.
- (8) No voting shall be conducted prior to the D.I.E. Board ruling on all appeals covered by Section 50.