

Bylaw 1500

Judiciary of the Students' Union Bylaw

1. Definitions

In this Bylaw

- (a) "Board" means Discipline, Interpretation and Enforcement Board;
- (b) "Committee" means Tribune Selection Committee;
- (c) "Council" means the University of Alberta Students' Council;
- (d) "Tribune" means a member of the Board;
- (e) "Executive" means Executive Committee of the Students' Union;

2. Mandate

The Board is the organ of the Students' Union responsible for the interpretation and enforcement of Students' Union legislation.

3. Scope of Cases

The scope of the Board shall be limited to actions and appeals brought before it that:

- (a) initiate a complaint about a contravention of Students' Union legislation or;
- (b) request an interpretation of Students' Union legislation.

4. Standing

- (a) The following have standing to initiate a complaint before the Board about the contravention of Students' Union legislation:

- (i) members of the Students' Union, except Tribunes;
 - (ii) any Students' Union constituted body, except the Board; or Council.

- (b) The following have standing to request an interpretation of Students' Union legislation from the Board:

- (i) Council,
 - (ii) members of Council, and
 - (iii) the Chief Returning Officer of the Students' Union.

5. Constitution of Board

The Board consists of

- (a) Chief Tribune;
- (b) two Associate Chief Tribunes; and,
- (c) five to eleven additional tribunes.

6. Nomination and Ratification of Chief Tribune and Associate Chief Tribunes

The Chief Tribune and Associate Chief Tribunes shall be nominated by two-third majority vote of the committee and ratified by a two-third majority vote of Council.

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- 7. Nomination and Ratification of Tribunes**
The tribunes shall be nominated by a two-third majority vote of the Committee and ratified by a two-third majority vote of Council.
- 8. Time of Nomination and Ratification**
When possible, appointments to the Board will be made between January and April of each year.
- 9. Composition of the Committee**
The Committee consists of
 - (a) two voting members of the Executive selected by the Executive;
 - (b) two voting members of Council selected by Council;
 - (c) two tribunes selected by the Board.
- 10. Quorum for Committee**
Any five of the members of the Committee shall constitute a quorum.
- 11. Chair of Committee**
The chair of the Committee shall be elected by and from the Committee.
- 12. Notice to be given of Committee decisions**
Notice of all appointments made to and chairs elected by the Committee will be reported to Council, the Executive, and the Board.
- 13. Who may be appointed Tribunes**
No tribune may be
 - (a) a voting member of Council,
 - (b) a voting member of a committee of Council, or
 - (c) an employee of the Students' Union.
- 14. Tenure of office**
Tribunes hold office as long as they continue to be members of the Students' Union, unless they resign or are removed by a two-third majority vote of the Committee ratified by a two-third majority vote of Council.
- 15. Registrar**
The Executive shall make a paid employee available to the Board to act as Registrar.
- 16. Duties of Registrar and filing of appeals**
The Registrar shall, under the supervision of the Chief Tribune,
 - (a) receive and forward to all tribunes all applications to launch actions,

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- (b) where a ruling is delivered by the Board, report to Council and the parties the ruling of the Board.
- 17. Applications in writing**
An application to launch an action or appeal shall be made to the Registrar in writing.
 - 18. Actions limited those founded in rule of law**
The Board shall grant applications for actions within the Board's scope and order a hearing.
 - 19. Time limit on scheduling a hearing**
The Board shall order a hearing no later than seven days after the Registrar has received a valid application, unless all parties to the application agree to an extension.
 - 20. Time limit on appeal**
Applications appealing a ruling of the Panel of First Instance must be submitted to the Registrar within seven days of the ruling.
 - 21. Panel of First Instance**
Actions shall be heard by a Panel of First Instance consisting of three tribunes, one of whom must be either the Chief Tribune or an Associate Chief Tribune.
 - 22. Panel of Appeal**
Appeals of rulings of the Panel of First Instance shall be heard by a Panel of Appeal consisting of five tribunes, at least one of whom must be either the Chief Tribune or an Associate Chief Tribune.
 - 23. No cross over between the Panel of Appeal and Panel of First Instance on any given application**
No tribune who took part in the decision of the Panel of First Instance on an action may sit on the Panel of Appeal or take part in the hearing or adjudication of the application for appeal.
 - 24. Replacement of the Chief Tribune or Associate Chief Tribune**
If neither the Chief Tribune nor any Associate Chief Tribune can hear an action or appeal, they will be replaced for the duration of that action or appeal by other tribunes selected by the Board.
 - 25. Exclusive ultimate appellate jurisdiction**
The Panel of Appeal shall have and exercise exclusive ultimate appellate jurisdiction within the Students' Union, and the ruling of the Panel of Appeal is, in all cases, final and conclusive.

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26. Administrative Support to be Provided

The Chief Tribune will have access to sufficient administrative support to carry out the logistical requirements of the Board.

27. Duties of Chief Tribune

The Chief Tribune is responsible for appointing tribunes to panels and scheduling hearings.

28. Duties of Associate Chief Tribune

The Associate Chief Tribunes are responsible for fulfilling the duties of the Chief Tribune in his or her absence.

29. General Powers of Enforcement

If the Board finds an application for action or application for appeal requires action by the Board may make any order proscribing any remedy the Board considers appropriate and just in the circumstances.

30. Effective date of rulings

Rulings of the Board shall be effective once registered with the Registrar.

31. Tribunes may make rules and orders

The Board may make general rules and orders:

- (a) for regulating the procedure of and in the board and the bringing of cases before it, and for the effectual execution and working of this bylaw;
- (b) for empowering the Registrar to do any thing and transact any business as is necessary to fulfill the mandate of the Board.

32. Extent of rules and orders

The rules and orders may extend to any matter of procedure or otherwise not provided for by this bylaw, but for which it is found necessary to provide, in order to ensure the proper working of this bylaw and the better attainment of the mandate of the Board.

33. Copies to be reported to Council

Copies of all rules and orders made under this bylaw shall be provided to the Registrar who shall report the same to Council.

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