

DECISION OF THE DISCIPLINE, INTERPRETATION,
AND ENFORCEMENT BOARD

REQUEST FOR INTERPRETATION

DATE:

January 12, 2004

D.I.E. BOARD MEMBERS PRESENT:

Christopher Samuel, Chair

Ben Aberant

Stephen Congly

Kyle Kawanami

Michelle Kelly

INTERPRETATION SOUGHT BY:

Christopher Jones

ISSUE:

Jones has brought forward the following requests for interpretation pertaining to bylaw 2100:

- 1) Does 2100 s. 39(a) ("No candidate shall ... engage in any campaign activity in any business or service operated by the Students' Union.") encompass rooms in the Students' Union Building such as (a) meeting rooms similar to those on the 4th floor; (b) the Alumni Room; or (c) Dinwoodie Lounge? If so, does this prohibition apply globally, or only while such locations are being actively operated as a business (e.g. during a room booking)?
- 2) Do Bylaw 2100 ss. 2(b), 10, 11, 25, 26, and 27 prohibit the formation of slates having multiple candidates for a particular position, and if so, how?
- 3) For the purposes of apportioning expenditures between candidates and slates for Bylaw 2100 ss. 62 and 63, could a slate pool contributions from its members to obtain a series of campaign items (e.g. posters) that featured each member? (I.e. doing this to obtain a discounted rate due to a larger poster run.)
- 4) May a slate candidate's campaign materials include an indication of (a) who the other candidates of the slate are, (b) which positions they're running for, and (c) what their beliefs on issues are?
- 5) Does s. 38 of Bylaw 2100 prevent the persons listed in the section from volunteering for only one candidate?

Interpreting Bylaw 2100 is within the authority, mandate and scope of the DIE board.

DECISION:

- 1) With respect to the first request for interpretation, the DIE Board believes that the three locations specified in the request (meeting rooms, Alumni room and Dinwoodie Lounge) can all be classified as either a business or service operated by the Students Union. However, simply meeting in these places does not qualify as a “campaign activity” as set out in Bylaw 2100, section 2e. Therefore, the DIE Board feels that a violation of Bylaw 2100 section 39a would generally only occur during a booking of these places where candidates used this booking as a means to engage in a campaign activity. The DIE board feels that booking a place for this purpose is wrong by virtue of the fact that it entails the use of Student Group Resources (or other forms of limited access), in order to occur. A conversation/gathering that happened in a place that was not booked would generally not be in violation of bylaw 2100 39a.
- 2) With respect to the second request for interpretation, the DIE Board believes that the pertinent sections of Bylaw 2100 governing the formation of slates are sections 25 and 26. The DIE Board does not believe that these sections, or any of the sections stated in the request, prohibit the formation of slates having multiple candidates for the same position.
- 3) With respect to the third request for interpretation, the DIE Board believes that the intention of Bylaw 2100 sections 62 and 63 is to keep separate slate expenditures and individual expenditures. Therefore, a slate could not pool contributions from its members to obtain a series of campaign items that featured each member, regardless if the intent is to obtain some type of discount. The Die Board believes that doing this would be in violation of Bylaw 2100 sections 62 and 63
- 4) With respect to the fourth request for interpretation, the DIE Board feels that interpretation is dependant upon where the money is coming from. If the money is from the money appropriated to the slate, then the candidates campaign materials may include an indication of the things specified in the request for interpretation. If the money is from the individual’s allocation of money, then the candidates campaign materials may not include an indication of the things specified in the request for interpretation. The DIE Board feels that only thing allowable on an individual’s poster would be the slates name.
- 5) With respect to the fifth request for interpretation, the DIE Board feels that Bylaw 2100 section 38 does prevent the persons listed in the section from volunteering for only one candidate. While not expressly stated, the DIE Board believes that this conclusion is obvious through the intention of the section.

The Discipline, Interpretation and Enforcement (D.I.E.) Board functions as the judicial branch of the Students' Union, and is responsible for interpreting and enforcing all Students' Union legislation. If anyone has any questions regarding the D.I.E. Board, feel free to contact the Chair, Chris Samuel, at dieboard@su.ualberta.ca