

Discipline, Interpretation and Enforcement (DIE) Board

Ruling of the Board

Re: Audited Financial Statements

Ruling: # 13

Date heard: March 2 2006

Appearing for the D.I.E. Board: Presiding Chair: Kanchana Fernando,

Tribunes: Alan Cliff, Joel David

Referring Party: Bryce Kustra

Interveners present: None.

Case summary:

The referring party asks: in order for the audit committee to approve disbursement of an external dedicated fee unit, do the audited financial statements need to be the final, signed audit or is an interim report from the auditors sufficient? The D.I.E panel dismisses the referred question due to the failure of the Applicant to attend the hearing.

Decision:

The D.I.E. board refers the applicant to Part III, Section 7 of the D.I.E. Board Protocols:

7. Attendance Required

A party to a hearing or his agent is required to attend the hearing of that matter.

In the event that a party or agent is not in attendance, the Board will:

(a) Summarily dismiss the complaint where the Applicant or his agent does not appear;

The failure of the Applicant to be in attendance at the hearing deprives D.I.E. Board of the opportunity to question the Applicant on the referred question. In the absence of any argument being presented to the Board, it cannot make an interpretation of the legislation. Furthermore, D.I.E. Board is loath to hold hearings where the parties do not make an effort to attend or to send an agent in their absence.

The panel strongly recommends that applicants familiarize themselves with the D.I.E. Board Protocols. Failure to adequately notify the board of the inability to attend a hearing not only prevents a ruling from being issued, but also wastes the time of tribunes and interveners. The Board will not take this lightly in the future.

The Discipline, Interpretation And Enforcement (D.I.E.) Board functions as the judiciary 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, Alex Ragan, at ea@su.ualberta.ca.