

Section One: PREAMBLE

This Elections Act is an act of the Cape Breton University Students' Union (hereinafter referred to as the Students' Union) and may be amended as outlined in Section 16 of the Students' Union By-laws. The act shall govern all Students' Union elections, referenda, and plebiscites. It shall not, however, override the by-laws of the Students' Union. This Act shall be reviewed in its entirety by an ad-hoc committee of the Students' Representative Council (SRC) at least every two years.

Section Two: ELECTIONS COMMITTEE

- A. Members of the Elections Committee are as follows:
 - i) Two (2) members of Students' Representative Council (SRC) selected by SRC;
 - ii) Chief Returning Officer (CRO), who shall chair the committee,
 - iii) Full-time staff member of the Students' Union,
 - iv) Deputy Chief Returning Officer,
- B. The Elections Committee shall be struck at the first regular meeting of the SRC in September, and may be subject to amendments following the results of a by-election.
- C. For a motion to be carried, the vote needs approval of 50% + 1 of the membership of the committee.

Section Three: ELECTION SCHEDULING

- A. The polling for the Student's Union General Election shall begin no later than the second Monday of February in the calendar year.
 - i. Students' Union Fall By-election polling dates shall be scheduled no later than the second Monday of October in the academic year.
- B. There shall be eight (8) days of active campaigning, including polling days.
- C. All other elections, including by-elections and referenda, will be scheduled by the Elections Committee of the Students' Union, in keeping with the nominations' procedure.
- D. Deadlines for opening and closing nominations will be set by the Chief Returning Officer (CRO) as per the rules outlined in Section 4.
- E. Any campaign days lost due to inclement weather will not be made up as slates/candidates are encouraged to campaign online.
- F. In the event of an act of God, the CRO and Elections Committee may choose to delay the elections procedure, giving no less than 48-hours notice to all parties involved.

*Section Four: **NOMINATIONS PROCEDURE: IN PERSON***

- A. Nominations for a Students' Union General Election shall be opened a minimum of fourteen (14) days before the election polling dates. The nominations should be open for a minimum of five (5) business days.

- B. Nominations will be closed a minimum of five (5) days before campaigning begins.
- C. Nominations for all other elections, including by-elections, shall be opened for a minimum of five (5) business days and a maximum of eight (8) business days before the election polling date.
- D. Nominations for all other elections, including by-elections, shall be closed for a minimum of five (5) days before election campaigning begins.
- E. The CRO, with the assistance of the Students' Union's promotions team, shall issue a proclamation no later than the day the nominations are opened indicating:
 - i) the position to be run for;
 - ii) when nominations open;
 - iii) when nominations close (including the exact time laid out by the nominations package);
 - iv) where to receive a nominations form
 - v) position description as outlined in Students' Union Administrative Policies & Procedures
 - vi) any other information deemed appropriate.
- F. Any student who wishes to pick up a nomination form must do so during the advertised CRO office hours. The CRO is to sign out nomination forms to ensure that the slate/candidates meet the requirements to hold the positions they are seeking nomination for.
- G. Where fewer nominations than available positions/seats have been received, the CRO may extend the nomination period for up to an additional seven (7) days.

NOMINATION PROCEDURE: ONLINE

- A. Nominations for a Students' Union General Election shall be opened a minimum of seven (7) days before the election polling dates. Nominations should be open a minimum of five (5) business days.
- B. Nominations will be closed a minimum of five (5) days before campaigning begins.
- C. Nominations for all other elections, including by-elections, shall be opened for a minimum of five (5) business days and a maximum of ten (10) business days before the election polling date.
- D. Nominations for all other elections, including by-elections, shall be closed for a minimum of five (5) days before election campaigning begins.
- E. The CRO shall issue a proclamation no later than the day the nominations are opened indicating:
 - i) the position to be run for.
 - ii) when nominations open.
 - iii) when nominations close (including the exact time laid out by the nominations package).
 - iv) where to receive a nominations form
 - v) position description as outlined in Students' Union Administrative Policies & Procedures
 - vi) any other information deemed appropriate.
- F. Where fewer nominations than available positions/seats have been received, the CRO may extend the nomination period for up to an additional seven (7) days.

Section Five: NOMINATION FORMS

5.1- In-Person Nominations

- A. All candidates must be a member of the Students' Union in good standing as outlined in Section 1 of the CBU Students' Union Bylaws.
- B. Valid information forms must be returned to the CRO or a full-time staff member of the Students' Union by the exact time as laid out by the nominations package (by 4PM on the closing date of nominations). The CRO will verify the validation of each of the forms and signatures.
- C. To be valid, nomination forms must contain the requisite number of eligible signatures and signed by the student themselves. Signatures must be legible as per the discretion of the CRO and Elections Committee. Students may sign more than one nomination form for any given position. The CRO will conduct an audit of signatures to ensure authenticity, and any discrepancies may lead to the disqualification of the candidate/slate.
 - i) Presidential/Executive Vice-Presidential slates require one hundred and fifty (150) nomination signatures.
 - ii) Students' Representative Council (SRC) candidates require fifty (50) nomination signatures.
- D. For a nomination signature to be accepted by the CRO, it must meet the following requirements:
 - i) The student in question must be a member of the Students' Union as per section 1 of the Students' Union By-Laws, prior to the opening of nominations.
 - ii) The Student must be registered as a part of the constituency in question, or able to provide proof of their eligibility as such (e.g. off-campus, on campus, school of study).
- E. In addition:
 - i) slates/candidates seeking nomination may not run for more than one elected position in the Union at any one time.
 - ii) any member of the Students' Union staff - elected, auxiliary or otherwise - intending to run for President or Executive Vice President, must recuse themselves from any discussions involving or relating to the electoral process, which begins on the first day of campaigning until the day after the polls close.
 - iii) if the CRO of the Students' Union intends to run for any position within the Union they must submit, to the Secretary of the SRC, written notice of resignation of their position for the duration of the electoral process. If this occurs, a supplementary meeting of the SRC will be called, and the President will put forth a recommendation for appointment to the SRC.
- F. The CRO reserves the right to re-issue invalidated nomination forms for a period of two (2) hours following the verification of nominations to allow the candidate to correct it. These hours must fall within regular Students' Union working hours (9:00-5:00). Candidates failing to correct invalidated nomination forms within the two (2) hour period will void their applications for nomination and will no longer be eligible for candidacy.
- G. i)The CRO will inform all slates/candidates who have been successfully nominated that their nomination has been accepted,

- ii) A mandatory meeting for all nominees (hereinafter referred to as the All-Nominees' Meeting) will be held 48 hours following the closing date of nominations. Exceptions may be made at the discretion of the CRO.
- iii) The CRO will also inform the nominees that until campaigning begins, all campaigning is strictly prohibited.
- H. All candidates must be a member of the Students' Union in good standing as described in Section 1 of the CBU Students' Union By-laws.
- I.
 - i) Candidates/Slates may not request nominations in an academic setting such as classrooms, active tutoring sessions, labs, etc.
 - ii) Candidates/Slates are not permitted to seek nominations through social media groups or pages.
- J. It is at the discretion of the CRO to decide if nominations will be collected online or in-person for each election.

5-2- Online Nominations

- A. Valid nomination forms must be returned to the CRO of the Students' Union by email at the exact time as laid out by the nominations package (by 4 PM on the closing date of nominations). The CRO will acknowledge receipt of the nomination form at this time and verify the validation of each of the forms and signatures in the following days.
- B. To be valid, nomination forms must contain the requisite number of eligible signatures and be properly legible as per the discretion of the CRO and Elections Committee. Students may sign more than one nomination form for any given position
 - i) Presidential/Executive Vice-Presidential slates require seventy-five (75) nomination signatures.
 - ii) Students' Representative Council (SRC) candidates require twenty-five (25) nomination signatures.
- C. For a nomination signature to be accepted by the CRO, it must meet the following requirements:
 - i) Candidates must collect signatures in a *Google Docs or Form* (chosen at the discretion of the CRO) document that is shared amongst the slate (if applicable) as well as the CRO. The document must not be shared with anyone else to protect private student information. If any information is found to be shared with anyone outside of the previously stated persons, demerit points may be issued.
 - ii) The information to be collected by the slate from a student to ensure that the signature is valid includes: 1. Student's name as it appears on their CBU account. 2. CBU student ID (must be the most up-to-date version). 3. CBU email address. 4. A photograph of the student's signature.

iii) The signing student in question must be a member of the Students' Union as per section 1.01 of the Students' Union By-Laws.

iv) The signing student must be registered as a part of the constituency in question, or able to provide proof of their eligibility as such (e.g. off-campus, on-campus, school of study).

D. Also:

i) slates/candidates seeking nomination may not run for more than one elected position in the Union at any one time.

ii) any member of the Students' Union staff – elected, auxiliary or otherwise – intending to run for President or Executive Vice President must recuse themselves from any discussions involving or relating to the electoral process, which begins on the first day of campaigning until the day after the polls close.

iii) if the CRO of the Students' Union intends to run for any position within the Union they must submit, to the Secretary of the SRC, written notice of resignation of their position for the duration of the electoral process. If this occurs, a supplementary meeting of the SRC will be called, and the President will put forth a recommendation for an appointment to the SRC.

E. The CRO reserves the right to re-issue invalidated nomination forms for a period of two (2) hours following the verification of nominations to allow the candidate to correct it. These hours must fall within regular Students' Union working hours (9:00am - 6:00pm). Candidates failing to correct invalidated nomination forms within the two (2) hour period will void their applications for nomination and will no longer be eligible for candidacy.

F. The CRO will inform all slates/candidates who have been successfully nominated that their nomination has been accepted,

i) A mandatory meeting for all nominees (hereinafter referred to as the All-Nominees Meeting) will be held after nominations close, which will be scheduled by the CRO in the days to follow. Exceptions on attendance for unforeseen circumstances can be made at the discretion of the CRO.

ii) The CRO will also inform the nominees that until campaigning begins, all campaigning is strictly prohibited.

G. All candidates must be a member of the Students' Union in good standing as described in Section 1 of the CBU Students' Union By-laws.

H. Virtual nomination forms may not be posted or shared:

i) on any form of social media, except for direct messaging.

ii) within CBU forums. Examples include, but are not limited to: virtual classes, virtual tutoring spaces, official or unofficial class groups (ie: WhatsApp, Facebook) etc.

- I. If the nomination procedure is held online, any actions relating to the nominations procedure that are taken in person will result in demerit points being issued.

Section Six: WITHDRAWAL OF NOMINATION PROCEDURE

- A. Slates/Candidates may withdraw their nominations by 12 p.m. the day before polls open.
- B. Slates/Candidates withdrawing their nomination must do so by delivering a signed written or electronic (email with clear subject line) notice to the CRO.
- C. If one member of a slate wishes to withdraw, the entire slate will be removed from the election, and must return the original nomination form to the CRO.
 1. If such a withdrawal takes place after nominations have closed, both members are entirely disqualified from the election.
 2. If such a withdrawal takes place before nominations have closed, the other candidate may find a new running mate. The new slate will then be required to re-start the entire process by meeting with the CRO to obtain a new nomination form. This will not trigger an extension of the nomination period
- D. Upon the delivery of signed notice to the CRO, withdrawal becomes effective immediately. The CRO is responsible for informing on-campus media and other slates/candidates of a confirmed withdrawal.

Section Seven: ACCLAMATIONS

- A. President/Executive Vice President slates and SRC candidates may not be acclaimed. If by the end of the nomination period only one nomination has been validated, the CRO will call a poll. The ballot will consist of a "YES/NO" vote, and the slate/candidate requires 50%+1 of the vote to be declared elected.

Section Eight: CAMPAIGNING REGULATIONS

- A. Campaigning shall be defined as, but not necessarily limited, to:
 - i) use of social media
 - ii) speaking to classes, residences, or individuals for the purpose of representation of a platform as a candidate or representative of a referendum position.
 - iii) off-campus promotion is restricted. Exceptions may be made upon the approval of the Elections Committee, such as use of personal vehicle, but must require prior approval from the CRO.
 - iv) distribution of physical campaign materials (flyers, brochures, or business cards) is prohibited.

- B. Candidates for President and Executive Vice President must form slates and participate in shared publicity.
- C. Slates/Candidates are responsible for reading all relevant documents, up to and including, but not limited to, the Elections Act, Students' Union Bylaws, and the Administrative Policies and Procedures of the Students' Union. The CRO may be contacted for clarification regarding the Elections Act. **Slates/Candidates are additionally responsible for reading all correspondence from the CRO and the Elections Committee.**
- D. Campaigning for the **General Election** begins with Midnight Madness, commencing at 12:00 AM (midnight) with the launch of social media campaigns. The CRO shall officially announce the beginning of Midnight Madness. The date will be announced at the All-Nominees Meeting. Campaigning for all other elections, including by-elections, begins at a date specified by the Elections Committee.
- E. Procedure for Midnight Madness is as follows:
 - i) All publicity materials must be approved by the CRO, 24 hours prior to the start of Midnight Madness.
 - ii) Workers may only assist slates whose list they appear on. Campaign workers can only assist one slate/candidate during the election. SRC candidates may have a total of 10 campaign workers and Slates may have a total of 15 workers. If a candidate/slate wishes to change a campaign worker, the name of the new worker and who they are replacing, must be submitted to the CRO within 24 hours of the opening of campaigning.
- F. All advertisements used during the campaign must follow both the Students' Union Elections Act Publicity Material Policy (see Section Nine: PUBLICITY MATERIAL POLICY).
- G. All student media have a responsibility to present news in a fair and unbiased manner. The publishing or broadcast of opinions in relation to elections/referenda will not be considered illegal campaigning so long as they are clearly marked EDITORIAL, or as a paid advertisement.
- H. It will be arranged for the slates/candidates to have their picture and one (1) article (maximum length not to exceed 250 words) entered into the Caper Times. This article must be submitted by the slate/candidate directly to the CRO for approval before going to the Caper Times (a deadline will be set according to Caper Times publication dates). Articles and pictures must be submitted in the file format requested by the Caper Times. These articles will be submitted by the CRO as received. All other media advertisement must follow Section Nine.
- I. During the campaign, the Elections Committee, Executive Committee, Staff of the Students' Union, and the SRC must remain impartial. If a current Students' Union staff member re-applies for candidacy, they are expected to take an unpaid leave of absence from work from the start of campaigning. Notification must be given to the staff member's direct supervisor upon the close of nominations. The staff member must also delegate office duties to another willing member of the Students' Union staff.
- J. Slates/Candidates are responsible for all campaigning except for a General Debate, which is the responsibility of the CRO, to be held on campus during a day of active campaigning **before polling dates.**

- K. Resources (including but not limited to office supplies, equipment, property, and telephones) of the CBU Students' Union may not be used by any slate/candidate for any purpose relating to the electoral process. Students' Union resources additionally may not be used on behalf of a slate/candidate by a CBUSU staff member or other party.
- L. All campaigning ends with the closing of polls on the final polling day.

Section Nine-1: PUBLICITY MATERIAL POLICY

For Slates:

- A. Slates/Candidates must submit a list of all intended publicity material 12 hours prior to Midnight Madness for approval by the CRO, as so long as the CRO is available, in which case alternate arrangements will be made. Any changes to this materials list must be approved by the CRO prior to carrying out the initiative. Slates/Candidates must also keep a log of all publicity materials produced for the campaign and submit this log to the Elections Committee within 24 hours following the unofficial election results. Slates/Candidates are required to keep their publicity logs up-to-date as the CRO may request it at any time throughout the election process.
- B. T-shirts are allowed for the purpose of campaigning.
- C. Slates are allowed to endorse their campaign by using on-campus media such as Caper Times or Caper Radio.
- D. Buttons shall be permitted.
- E. All social media platforms are permitted if the CRO can monitor the content. Slates are required to add/tag the CRO to all social media accounts/posts. All social media outreach is to be communicated in only English and French. Slates cannot request CBU staff, faculty or administration to endorse their campaign.
- F.
 - i) Only President and Executive Vice President Candidates can form slates and must participate in shared publicity.
 - ii) SRC Candidates cannot participate in shared publicity with another candidate/slate.
- G. To ensure publicity materials do not violate any of the rules outlined in this Act, all publicity material used shall be monitored by the CRO and the Elections Committee throughout the campaigns.
- H. Publicity materials must be original, and as such, must not be an infringement on any copyright. Publicity materials must not violate the spirit of the Canadian Charter of Rights and Freedoms. In the spirit of copyright, no publicity materials produced by slates may contain Students' Union logo.
- I. Publicity materials must not slander other slates/candidates. Slandering behaviour, or negative campaigning against another slate/candidate will result in an amount of demerit points awarded to the slate, to be determined by the CRO. The Students' Union follows Cape Breton University's Human Rights Act and the Human Rights Act of Nova Scotia, and any harassing or intimidating behaviour will not be tolerated and will lead to an **immediate disqualification**.
- J. Damage to university property by way of campaign materials will be at the expense of the slate, and demerit points will be issued at the

- discretion of the CRO for any damage caused to CBU or CBU Students' Union property.
- K. Publicity materials distributed via the CBU/CBU Students' Union networks or CBU/CBU Students' Union email systems are not permitted. Hacking or tampering into CBU or CBU Students' Union networks or online accounts is strictly prohibited and will lead to automatic disqualification.
 - L. Additionally, the advertisement of a slate or platform during an election or referendum on a CBU chalkboard/whiteboard is strictly prohibited. There shall be no use of public address systems, either audio or visual, during polling days. At the discretions of the CRO, slates may be asked to remove campaign materials on polling days. The Students' Union Election Act recognizes the limit it has to regulate what students wear and that the body is private property. However, the CRO restricts the presence of such publicity materials within the prescribed polling zone. Any publicity materials, regardless if they are on one's own person or not, are not permitted. It should also be stated that any person wearing any kind of publicity material around the polling zone will be asked to leave immediately.
 - M. There shall be no campaigning on Students' Union property (including Students' Union Building, Caper Convenience, etc.) There will be an automatic disqualification for any slate who publicly campaigns on Students' Union property, and campaign workers will receive demerit points for a first infraction. A second infraction will lead to the slate being disqualified.
 - N. Online regulations will be at the discretion of the CRO.

Section Nine-2: PUBLICITY MATERIALS POLICY

For SRC Candidates

- A. Each SRC candidate will be restricted to the following publicity items for use during their campaign:
 - i) Social Media campaigning
- B. All social media platforms are permitted as long as the CRO is able to monitor the content. Candidates are required to add/tag the CRO to all social media accounts/posts. All social media outreach is to be communicated in only English and French.
- C. SRC Candidates cannot participate in shared publicity with another candidate/slate.
- D. To ensure publicity materials do not violate any of the rules outlined in this Act, all publicity material used shall be monitored by the CRO and the Elections Committee throughout the campaign.
- E. Publicity materials must be original, and as such, must not be an infringement on any copyright. Publicity materials must not violate the spirit of the Canadian Charter of Rights and Freedoms. In the spirit of copyright, no publicity materials produced by candidates may contain Students' Union logo.
- F. Publicity materials must not slander other candidates/slates. Slanderous behaviour, or negative campaigning against another candidate/slate will result in an amount of demerit points awarded to the candidate, to be determined by the CRO. The Students' Union follows Cape Breton University's Human Rights Act and the Human Rights Act of Nova Scotia,

- and any harassing or intimidating behaviour will not be tolerated and will lead to an immediate disqualification.
- G. Damage to university property by way of campaign will be at the expense of the candidate, and demerit points will be issued at the discretion of the CRO for any damage caused to CBU or CBU Students' Union property.
 - H. Publicity materials distributed via the CBU/CBU Students' Union networks or CBU/CBU Students' Union email systems are not permitted. Hacking or tampering into CBU or CBU Students' Union networks or online accounts is strictly prohibited and will lead to automatic disqualification.
 - I. Additionally, the advertisement of a candidate or platform during an election or referendum on a CBU chalkboard/whiteboard is strictly prohibited.
 - J. There shall be no use of public address systems, either audio or visual, during polling days. At the discretion of the CRO, candidates may be asked to remove campaign materials on polling days.
 - K. The Students' Union Election Act recognizes the limit it has to regulate what students wear and that the body is private property. However, the CRO restricts the presence of such publicity materials within the prescribed polling zone. Any publicity materials in the zone, regardless if they are on one's own person or not, are not permitted. It should also be stated that any person wearing any kind of publicity material around the polling zone will be asked to leave immediately.
 - L. There shall be no campaigning on Students' Union property (including Students' Union Building, Caper Convenience, etc.) There will be an automatic disqualification for any candidate who publicly campaigns on Students' Union property, and campaign workers campaigning on Students' Union property will result in the-candidate receiving demerit points for first infraction. A second infraction will lead to the candidate being disqualified.
 - M. Online regulations will be at the discretion of the CRO.

Section Ten: VIOLATIONS AND DISCIPLINE POLICY

- A. The CRO shall have the authority to enforce the provisions of this act in consultation with the Elections Committee. Additionally, the CRO shall have the authority to lay charges and administer demerit points. **Demerit points are publicly displayed for the student body to view.**
- B. Charges of violation against a slate/candidate – or any of their campaign workers – may include but are not limited to:
 - 1) Harassment of the CRO, Elections Committee or other slates/candidates, including acts of libel, slander, or negative campaigning.
 - 2) Violation of the Campaigning Regulations as outlined in Section Eight (8) of this Act,
 - 3) Violation of the Publicity Material Policy, as outlined in Section Nine (9) of this Act.
 - 4) Violation of the Campaign Financing Policy, as outlined in Section Eleven (11) of this Act.

If a charge other than those specified above is laid, the validity of said charge is subject to the discretion of the CRO, in consultation with the Elections Committee. If such a charge is put forward, the ensuing

disciplinary action is also similarly subject, and all methods of appeal available to the slate/candidate in question.

- C. Certain acts of violation will result in a slate/candidate's automatic disqualification. These include but are not limited to:
- i) Non-attendance – notwithstanding prior arrangement with the CRO – by the slate/candidate or a pre-designated representative at the All-Nominees Meeting.
 - ii) Exceeding the maximum spending limit for a campaign, as outlined in Section 11, points A & B.
 - iii) The acquisition of over 150 demerit points in any context.
 - iv) Harassment of another candidate, the CRO, or Elections Committee member.
 - v) A slate/candidate or campaign worker personally campaigning on Students' Union property.
 - vi) Any attempted interference in the process of polling, as outlined within the confines of this Act, such as telling another student who to vote for while they are casting their vote.
- D. Other acts of violation shall result in a slate/candidate receiving demerit points. As per section 10C, point iii, if a slate/candidate exceeds 150 demerit points, they are automatically disqualified. Demerit Points shall be assessed on the following basis:
- i) A major infraction (75 demerit points) shall count as the following, as outlined within the confines of this act:
 - 1) Damaging CBU/CBU Students' Union property.
 - 2) Severe or repeated violation of the Publicity Material Policy (2 or more instances of the same violation).
 - 4) A charge not mentioned herein, which the CRO and committee determine to be sufficiently grave.
 - ii) A minor infraction (25 demerit points) shall count as the following, as outlined within the confines of this act:
 - 1) Illegal displays
 - 2) Social media violation (e.g. posting on the Cape Breton University Facebook page)
- In addition, the CRO may increase Demerit Point allocation based on the severity of the violation.
- E. The Demerit Point structure in Section 10D is for a first offence; repeat offences will double in amount.
- F. i) Charges of violation shall be submitted in writing to the CRO by a member of the CBU Students' Union (as per section 1.1 of the CBUSU by-laws).
ii) The CRO is vested with the authority to lay charges, without a formal written complaint, when they personally witness a violation. The Elections Committee must have a majority agreement if demerit points are to be laid.
- G. Charges of violation may be laid in writing at any time during the campaign period, but must be laid in writing within twenty-four (24) hours of the close of balloting to the Chief Returning Officer,
- H. The Elections Committee shall meet at the call of the CRO to discuss any charges of violations, and to decide on the appropriate actions to be taken.
- i) for a decision of the Elections Committee to be valid, the majority of the Elections Committee members must be present,

- but no decision will be made until all members have heard all sides of the case at a meeting.
- ii) a written report of any Elections Committee minutes will be made available to the public on written request within a forty-eight (48) hour period. The full-time staff member, serving on the Elections Committee, will act as recording secretary for all meetings.
- I. All charges levied by the Elections Committee shall be documented in writing and served in writing to any slate/candidate that has allegedly violated the regulations within twenty-four (24) hours of the alleged violation. Such notice shall be presented in the following format:
 - i) name of slate/candidate.
 - ii) time, place, and description of the alleged infraction including what regulations have allegedly been violated.
 - iii) potential disciplinary action to be taken.
 - iv) date, time and place of where the accused may present to the Elections Committee to contest the charges (minimum twenty-four (24) hours after the charge has been served).
 - v) signature of CRO.
 - J. The Elections Committee shall determine a time at which the majority of members can be available within twenty-four (24) hours of the charges being served. At this time the accused shall be allowed to present any evidence or witnesses in their defense. Should the complainant feel compelled, they may present the charges and the case therein in person at the hearing. The Committee, at its' discretion, may allow the accused slate/candidate to respond to allegations through a moderator on the committee depending on the severity of the charges. The Committee will not discuss or pass decision on any aspect of a charge until all non-Committee members have been excused.
 - K. Should an accused slate/candidate fail to appear before the Elections Committee to contest the allegation at the scheduled time, the charge will stand, and appropriate disciplinary action shall be taken.
 - L. The Elections Committee, where it finds there has been a violation may:
 - i) restrict campaign materials and/or activities.
 - ii) declare an election in a particular constituency or the election of a specific slate/candidate be ruled void.
 - iii) declare a referendum or plebiscite to be void.
 - iv) levy demerit points against a slate/candidate.
 - v) disqualify a slate/candidate from the election.
 - M. In the event a winning candidate in the election is disqualified, the runner-up will take the place of the disqualified winner.

Section Eleven: FINANCING POLICY

- A. Campaign materials for a President and Executive Vice-President slate, whether purchased or otherwise obtained, shall have a value no greater than four hundred dollars (\$400.00). Materials either donated or lacking proof of purchase shall be assigned a fair market value as

- determined by the CRO. The President and Executive Vice-President slate campaign materials limit is not to be exceeded.
- B. Candidates for SRC are assigned a limit of no greater than seventy-five dollars (\$75.00). Materials either donated or lacking proof of purchase shall be assigned a fair market value as determined by the CRO. This campaign materials limit for SRC candidates is not to be exceeded.
 - C. Slates/Candidates in good standing are eligible to receive reimbursement amounting to one-half ($\frac{1}{2}$) of the spending limit outlined in Section 11 A and B, if accompanying proof of purchase is submitted. Any slate/candidate who has incurred demerit points will not be eligible for reimbursement.
 - D. All slates/candidates must submit to the Chief Returning Officer a report of their election expenses. The election expense report must be received by the CRO no later than 24 hours following the closing of polls to be valid. If not submitted, the CRO will issue 25 demerit points which could possibly lead to disqualification and/or non-issuance of reimbursement.
 - E. An election expense report must include:
 - i) an itemized list of all expenses;
 - ii) receipts for all election expenses;
 - iii) a signed statement validating their submission.
 - F. The CRO may request to view any receipts at any time.

Section Twelve: QUALIFICATIONS OF ELECTORS

- A. A vote in any CBUSU General Election, By-Election, or referendum may be cast by any CBU Students' Union member (as per section 1.01 of the CBUSU By-Laws) within their electoral constituency (for example and not limited to Off- and On-Campus, Academic Schools, International seat etc.). Any masters student who has opted-in to the Students' Union will be eligible to vote/run in/for in their respective constituencies.
- B. The CRO will withhold their vote for all positions as well as matters involving referenda and plebiscite in case there is a tie vote.

Section Thirteen: PREPARING THE POLL

- A. The CRO shall grant a poll for the taking of votes for all nominated seats. If only one slate/candidate has been nominated for President, Executive Vice President, or SRC of the Students' Union the CRO will grant a poll of a YES/NO vote.
- B. The CRO, in conjunction with the Students' Union, shall advertise the opening of polls, declaring the polling location, dates, and times of the poll at least seven (7) days before the polling date.
- C. The CRO will determine the type of ballot most suitable for each election or referendum. All ballots for an election to the same office or for the same referendum shall be of the same description and as nearly alike as possible.
- D. The names of slates/candidates shall be shown alphabetically by surname on the ballot. If a candidate has a preferred name other than their legal given name, the candidate may be permitted to use said name on campaign materials and on the ballot, pending approval by

the CRO. The CRO is to use their discretion in matters of appropriate preferred names.

- E. The CRO shall compile the official electoral list for voting. The official electoral list shall contain the names of all students eligible to vote in the upcoming election.

Section Fourteen: PROCEDURE AT THE POLL

- A. The list from Registrar's Office should contain all names of registered students. Should a name not be on the list, notification that is signed and certified from the Registrar is needed to permit this individual to vote, or proof of enrolment for the given term must be provided.
- B. Once the scheduled hour for the closing of the poll arrives, the poll will close exactly on time. No late votes will be permitted.
- C. Proxy votes are not permitted for any Students' Union election or referenda.

Section Fifteen: BALLOT COUNTING PROCEDURE (In the Event of In-Person Voting)

- A. Campaign headquarters for all elections will be designated as the David C. Dingwall Boardroom (Students' Union Building). Only the following will be permitted access into campaign headquarters:
 - i) elections committee members
 - ii) any approved scrutineer for ballot counting.
- B. The slate/candidate who receives the plurality of the votes shall be deemed the winner. Results are not official for another forty-eight (48) hours,
- C. After the Elections Committee is satisfied with the counting of results, the CRO will leave the room to type up the unofficial results of the election.
- D. After the documentation of the results, the CRO will ask all witnesses to sign the document verifying the results.
- E. No person present during the counting of the ballots may divulge any information about an election or referendum until the results are announced by the CRO. Witnesses present during the counting of ballots may be sequestered by the CRO until the results are announced.

Section Sixteen: ANNOUNCING THE RESULTS

- A. The winning slate/candidate, or winning side in the case of a referendum, shall be made public in an announcement by the CRO at the Pit Lounge or Cafeteria following the completion of the counting procedure. The CRO must mention that the results are not official for another forty-eight (48) hours. Results must be revealed immediately once the Elections Committee and all scrutineers verify the results.
- B. The complete detailed results will be published in the first possible Caper Times following the election in an article written by the CRO.
- C. SRC will declare the candidates duly elected at the first regular meeting of Council after the election by accepting the report of the CRO.

Section Seventeen: TIE VOTE PROCEDURE

- A. In the event of a tie vote the CRO will cast the deciding vote before the results leave campaign headquarters. In the case that this does occur, all those present at headquarters are expected not to disclose the occurrence of a tie vote procedure. All scrutineers are required to sign a non-disclosure agreement. The disclosure of a tie vote procedure may result in the offender/s expulsion from the Students' Union.

Section Eighteen: APPEAL PROCEDURE

- A. An appeal may be launched by any member who is of the electorate corresponding to the election being appealed. However, the appeal must meet all of the following criteria:
 - i) the appeal must alter the outcome of the election in question. If an error is alleged to have occurred in the election process, and if rectification of said error would have declared a different slate/candidate the winner, an appeal would thus be rightly justified.
 - ii) Any allegation of error in the electoral process, resulting in appeal, must be supported by concrete evidence, provided to the CRO and appeals committee upon request.
- B. All appeals must be submitted within forty-eight (48) hours of the results being announced by the CRO.
- C. All appeals must be sent to the CRO, who, upon validating the charges, will forward all relevant information to the chair of the SRC, who will be duly responsible for striking an appeals committee, composed of the Chair of the SRC, two SRC member, one student member at large, and a full-time staff member. All members of the appeals committee must not have been sitting members of the elections committee.
- D. All appeals must be in written form with the charges and reasons explicitly set out with all evidence.
- E. The Appeals Committee will investigate the charges within an appeal. The Chair shall consider their decision based purely on the charges and evidence contained within the appeal. From herein this decision will be referred to as a "ruling".
- F. If the Chair should make a ruling to accept the appeal, the CRO will declare the previous election of the position in question null and void and the Chair will call a second election for the position, notifying all slates/candidates or representatives in the case of a referendum.
- G. If the Committee should make a ruling to reject the appeal, the results of the election will stand. This ruling will be announced at the first regular meeting of Student Council along with the official results of the election or referendum, and the declaration of the winning slate/candidate as duly elected if applicable.
- H. Once the CRO makes a ruling to reject an appeal, the CRO will inform the elector(s) who launched the appeal immediately.

Section Nineteen: APPEAL COMMITTEE

- A. If an election or referendum has been appealed in the prescribed manner as outlined in Section 19, and if the challenger(s) has (have) not been satisfied by the decision of the initial appeals committee, the challenger may launch a second appeal to the Chair of Council.
- B. An appeal to the Chair must be in written form and be received by the Chair within forty-eight (48) hours of notification of the CRO's ruling on the initial appeal.
- C. The appeal to the Chair must contain the identical charges, reason, and evidence as contained in the appeal to the CRO. New charges are inadmissible.
- D. At this point, the Chair is responsible for forwarding the case to further arbitration, in this case Students' Union Legal Counsel.
- E. Legal Counsel will then be responsible for forwarding a decision within 48 hours.

Section Twenty: CUSTODY OF DOCUMENTS

- A. All ballots used in an election or referendum shall be stored for safe-keeping by the CRO for a period of forty-eight (48) hours after an election. Ballots will be stored by Simply Voting.
- B. If an appeal is launched, ballots will be kept until all appeal processes are finalized.
- C. Once a slate/candidate has been officially declared duly elected after any appeal processes are finalized, ballots are to be destroyed in accordance with CBU Students' Union By-laws section 12.08.

APPENDIX A: REFERENDA and PLEBLICITES

Section One: GENERAL

- A. Referenda may be initiated by Student Council.
- B. Each referendum question will deal with only one issue.
- C. The Chief Returning Officer will ensure that all referendum questions do not violate the By-Laws of the CBU Students' Union.
- D. Referenda are regularly held during the periods from the eighth (8th) of February to the fifteenth (15th) of March and from the eighth (8th) of October to the fifteenth (15th) of November. Council may define exceptional referendum periods by a two thirds (2/3) majority vote.
- E. Policies adopted by referenda shall be inscribed in the Union's Policy Manual and shall not be amended by motion of Student Council for one (1) year.
- F. Quorum for all referenda shall be ten percent (10%) of the membership.
- G. The wording of all referenda resulting in a contractual agreement between the Students' Union and a third party shall be reviewed by legal counsel prior to being passed by SRC.

Section Two: STUDENT COUNCIL-INITIATED REFERENDA

- A. Any motion to place a question before the Union through a referendum must be presented as a written motion and signed by at least four (4) members of Student Council and distributed to all Council members at a meeting of Council. The motion shall then be put on the agenda of the next Student Council meeting at which time it will be discussed and voted upon. If passed, the question will be put to the membership during the following referendum period.
- B. The wording of the referendum question must be approved by Student Council no less than twenty-one (21) days prior to the beginning of the referendum vote. Once passed by council, the wording of a referenda question shall also be approved by Students' Union Legal Counsel.
- C. The majority necessary for the adoption of policies in a Student Council-initiated referendum shall be decided by Council on an issue-by-issue basis. A majority shall be fifty percent (50%) of voters plus one (1) vote unless otherwise decided by council. When applied to policy or by-law changes the deciding majority must be equal to or greater than the existing threshold.
- D. If a majority is obtained in a Student Council-initiated referendum, the policy change proposed by the referendum shall be adopted immediately after the referendum result is declared official.

Section Three: STUDENT-INITIATED REFERENDA

- A. Any motion to place a question before the Union through a referendum must be presented as a written motion to Student Council and signed by at least 10% of the student population, all who must be fees paying members. The motion will then be put on the agenda of the next regularly scheduled meeting and voted upon. If passed, the question will be put to the membership during the referendum period outlined in Section 2A.
- B. Wording of the referendum question must be approved by Student Council 21 days prior to the beginning of the vote.
- C. The majority necessary for the adoption of policies in a student-initiated referendum shall be 50% plus 1.
- D. If a majority is obtained in a Student-initiated referendum, the policy change proposed by the referendum shall be adopted immediately after the referendum result is declared official.

Section Four: OFFICIAL REPRESENTATIVES OF A REFERENDUM

- A. There can only be one (1) Official Representative For and one (1) Official Representative Against the proposed policy changes in each referendum question.
- B. Prior to being declared Official Representative, a Union member must sign a Letter of Intent. The Letter of Intent will be drafted by the CRO and shall indicate that as Official Representative, the Union member will comply with all regulations set forth in the Elections Act, and they will be subject to disciplinary action should they violate any of these regulations.
- C. In a student-initiated referendum, the initiator of the referendum shall be the Official Representative For the proposed policy change. In a

Student Council-initiated referendum, the Official Representative For the proposed policy change shall be any member of Council, chosen by a majority of Student Council.

- D. The first Students' Union member to present a signed Letter of Intent to the CRO shall be the Official Representative Against the proposed policy change.

Section Five: CAMPAIGNING

- A. Within fourteen (14) days of the approval of the referendum question, the CRO shall hold an Official Representatives Meeting at which time the CRO will outline the particular restrictions of the upcoming campaign.
- B. There shall be a period of active campaigning, which shall begin following the Official Representatives Meeting.
- C. Official representatives of a referendum must campaign according to the regulations outlined in Section Eight (8) of the Students' Union Elections Act.
- D. Official representatives who violate campaign regulations shall be subject to the disciplinary action outlined in Section Ten (10) of the Students' Union Elections Act.

Section Six: POLLING PROCEDURES

- A. Preparation of the poll and polling for a referendum shall follow the procedure outlined in Sections Thirteen (13) and Fourteen (14) of the Students' Union Elections Act.
- B. Any eligible voter, excluding official representatives of the referendum, the CRO, Poll Clerks, and members of the Elections Committee are eligible to serve as scrutineer. All scrutineers shall be subject to all regulations outlined in Section Fifteen (15) of the Students' Union Elections Act.
- C. The ballot counting and the announcement of referendum results shall follow the procedures outlined in Sections Sixteen (16) and Seventeen (17) of the Students' Union Elections Act.