



University Students' Council of the University of Western Ontario  
**BY-LAW #2**

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**BY-LAW #2**  
  
**of**  
  
**UNIVERSITY STUDENTS' COUNCIL  
OF THE  
UNIVERSITY OF WESTERN ONTARIO**  
  
**ELECTIONS PROCEDURES**

**Last Amended  
November 2014**

\_\_\_\_\_ **Chair of the Board**      \_\_\_\_\_ **President**  
\_\_\_\_\_ **Date**                              \_\_\_\_\_ **Date**



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**ELECTION PROCEDURES**  
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**UNIVERSITY STUDENTS' COUNCIL**

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**ELECTION PROCEDURE CODE**

The University Students' Council of the University of Western Ontario, hereinafter called the "Corporation" is a governing body incorporated in 1965 under Letters Patent with Directors and members duly elected by the students of the University of Western Ontario, and, in this capacity, the Corporation finds itself concerned with the democratic operation of electoral rules and procedures by which it abides. As such, the Corporation has approved the procedures and standards set out in this By-Law in an attempt to accomplish the following:

**VISION STATEMENT**

To maximize the opportunity for students to be involved in USC-governed elections at the University of Western Ontario, as candidates, voters and informed individuals.

Principles:

- To ensure fairness and democracy
- To provide a manner of balloting that is efficient, effective, impartial and confidential
- To increase student awareness as to the occurrence of student elections
- To allow any student to be a candidate in an election, regardless of financial status
- To raise the level of debate surrounding student issues
- To protect the reputation of the University and the USC in the city and elsewhere



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**PART A: ELECTIONS**

**1.00 DEFINITIONS:**

For the purpose of this By-Law, in addition to definitions from the USC's By-Law #1, these terms shall be defined as follows regardless of capitalization:

- 1.01 **"Arm's-length Party"** means any individual or group who is not a "Non-arm's-length party";
- 1.02 **"Building On Campus"** means any building owned and/or operated by the University of Western Ontario, except for a student residence;
- 1.03 **"Campaign Material"** means any item, giveaway, design, sound, symbol, or mark that is created or copied in any form in order to and/or likely to influence at least one voter to cast a ballot in favour or in opposition of a candidate;
- 1.04 **"Campaign Period"** means the designated days during which a candidate may campaign, as set by the CRO;
- 1.05 **"Campaigning"** means any attempt by an individual or organization to encourage a student to cast a ballot in favour or in opposition of a candidate. This may occur with or without campaign material;
- 1.06 **"Campaign Volunteer"** means an individual, group, or organization who a Candidate knew, or reasonably ought to have known, would assist that candidate with campaigning. An organization will be deemed to be a volunteer of a Candidate if the candidate is a member of the organization. Knowingly and actively distributing more than one of the same type of campaign item to an individual shall result in that individual being deemed a volunteer;
- 1.07 **"Candidate"** means any individual or group of individuals that appears as a single political entity on the voting ballot.
- 1.08 **"Candidate Forums"** means organized events by the Committee, where candidates may present their platforms;
- 1.09 **"Committee"** means the Elections **Governance** Committee;
- 1.10 **"Consultation"** means a meeting held to gather information for the purposes of assembling a campaign team and/or platform.
- 1.11 **"CRO"** means Chief Returning Coordinator of the USC;
- 1.12 **"Days"** means school days unless specified otherwise;



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- 1.13 **"Designated Polling Station"** means an electronic polling station installed and under the control of the CRO during balloting;
- 1.14 **"Distribute"** means the dissemination of campaign materials by a candidate, or a non-arm's-length party, to any individual or group;
- 1.15 **"Divisional Election"** means an election other than for the USC President or Vice Presidential Elections;
- 1.16 **"Election"** shall include any by-election;
- 1.17 **"Endorsement"** means supporting a candidate either verbally, or through the provision of materials, advertisements, or non-financial donations;
- 1.18 **"Fair Market Value"** of a product or service means the typical price, without special concessions or discounts, that is available to all persons who approach a person or company that sells, or deals in, that product or service.
- 1.19 **"Fall semester"** means the session of the academic year starting in September and ending at the conclusion of the December exam period;
- 1.20 ~~"GO" means the Governance Officer of the USC;~~
- 1.21 ~~"Non-arm's-length Party" means an individual, group, or corporation who a Candidate knew, or reasonably ought to have known, would assist that candidate with her campaign. An organization will be deemed to be non-arm's-length of a Candidate if the candidate is a member of the organization. Knowingly and actively distributing more than one of the same type of campaign item to an individual shall result in that individual being deemed an non-arm's-length party;~~
- 1.22 **"Prospective Candidate"** means an individual or group of individuals who have expressed an interest in running in a USC Election, regardless of having submitted a Declaration of Candidacy. One shall be considered a prospective candidate up until the moment one submits a valid nomination form.
- 1.23 **"PVP Election"** means an election as a slate for the USC President **and** Vice-President ~~External, and Vice-President Internal;~~
- 1.24 **"Proxy"** means an authorization by means of which a candidate has appointed another student to attend and act on the candidate's behalf.
- 1.25 **"Public Domain"** means any place to which the public has an automatic right of access;
- 1.26 **"Regulations"** means guidelines released by the Elections Committee indicating how the bylaw will be interpreted and applied.



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- 1.27 “**Secretary of the University**” as defined by the University of Western Ontario;
- 1.28 “**Slate**” means a pair of individuals – a President and Vice-President – that ~~group of individuals that~~ constitute a single political entity and run a single campaign.
- 1.29 “**Spoiled vote**” means any ballot cast that is not a valid vote;
- 1.30 “**Sponsorship**” means a financial contribution made for the purpose of supporting a candidate’s campaign;
- 1.31 “**Student**” includes any individual with undergraduate status registered at the University of Western Ontario or any of its affiliated colleges. ~~As well, the President of the Corporation shall be recognized as a student for the purpose of this By-Law;~~
- 1.32 “**University**” means The University of Western Ontario together with King’s University College, Huron University College and Brescia University College;
- 1.33 “**USC**” means University Students’ Council of the University of Western Ontario;
- 1.34 “**USC recognized organization**” shall include, but is not limited to, Members of Council, clubs, Faculty Councils, USC Services, Affiliate Councils, and accredited groups;
- 1.35 “**University recognized organizations**” shall include, but is not limited to, Western Athletics, sports teams, Residence Councils, Faculty Associations;
- 1.36 “**Valid Vote**” means any ballot that is cast with x number of candidates selected when the voter can legally select y number of candidates, and where  $y+1 > x > 0$ ;
- 1.37 “**Vice Presidential Election**” means an election for the USC Vice Presidential positions;
- 1.38 “**Votes Cast**” means the total of valid votes and spoiled votes;
- 1.39 “**Winter semester**” means the session of the academic year starting in January and ending at the conclusion of the April exam period.

### 2.00 JURISDICTION:

- 2.01 Jurisdiction of this By-Law shall extend to include all students registered at the University.
- 2.02 The provisions of this By-Law shall extend to the off-campus actions of any and all candidates and campaign volunteers, given that those actions are within the scope of a USC election, by-election, plebiscite and/or referendum conducted by the USC.



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- 2.03 The provisions of this By-Law shall apply to those USC elections, by-elections, plebiscites and referenda conducted by the USC.
- 2.04 Notwithstanding section 2.02, the Secretary of the University is the Chief Returning Officer of the Board of Governors' and Senate's elections. The CRO shall assist the Secretary of the University in the facilitation and regulation of Board of Governors and Senate campaigning.
- 2.05 For the purposes of expediency and fairness, in the event of a by-election for faculty, residence, or college representatives, the Committee may, at its discretion, surrender jurisdiction of the election to the respective faculty, residence or college student council.

#### 3.00 ADMINISTRATION OF BYLAW 2:

- 3.01 It will be the duty of the CRO and the Committee to administer this By-Law, and to uphold its Vision and Principles.
- 3.02 The CRO and the Committee shall have the sole authority to enforce the provisions of this By-Law ~~and no candidate may attempt to enforce the provisions of this By-Law.~~
- 3.03 The Elections **Governance** Committee shall:
- (1) Be composed of:
    - i. the Chief Returning ~~Coordinator~~ **Officer** (CRO), *ex-officio*, as chairperson, voting,
    - ii. **The Deputy Returning Officer (DRO), *ex-officio*, as vice-chairperson, voting,**
    - iii. **the ~~Governance Officer~~ Secretary-Treasurer, *ex-officio*, as a resource, non-voting,**
    - iv. **Up to nine (9)** students of the University, ~~at least one of whom is a first year student and at least one of whom is from an affiliate, voting,~~ and
    - v. ~~Legislative Assistant,~~ **Coordinator of Council Services,** non-voting,
      - a. shall act as an advisor, as required by the committee.
    - vi. **Further details of the Elections Committee composition are noted in the Elections Governance Committee Terms of Reference.**
  - (2) Oversee the Spring and the Fall Elections in accordance with the provisions of By-Law #2;





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- (3) Develop and maintain a clear set of criteria and considerations to be used by the Committee when making decisions relating to elections;
  - i. The Committee may release Regulations detailing how By-Law #2 will be interpreted and applied during an election period. The Regulations shall be binding as though they were a part of the bylaws, provided that:
    - a. The Regulations are consistent with the bylaws; and,
    - b. The Regulations are openly available to candidates at the start of nominations.
    - c. The Committee recommend to the Governance and Agendas Committee any By-Law amendments related to Regulations issued as soon as possible following the conclusion of the Election period.
- (4) Make recommendations to Council on all matters, including By-Law amendments, that relate to the elections;
- (5) Not seek office in an election, support any candidate, or endorse a position in a referendum administered by the Elections Committee during her term; and,
  - i. Failure to comply with this requirement will result in the immediate removal from the Elections Committee;
- (6) ~~Seek the USC President's advice on electoral matters.~~

**4.00 AMENDMENTS TO BYLAW 2:**

- 4.01 Written notice of any amendments to provisions of this By-Law regarding Board of Governors or Senate elections, as approved by the USC, shall be provided to the Secretary of the University by the ~~Governance Officer~~ **Secretary-Treasurer** as soon thereafter as practicable.

**5.00 ANNUAL ELECTIONS TIMETABLE:**

- 5.01 There shall be four sets of USC elections each year: Fall Elections, Spring Elections, Vice Presidential Elections, and the Speaker election. The Fall Elections will consist of Divisional candidates, whereas, the Spring Elections will consist of both Divisional and PVP candidates.
  - (1) All campaign periods shall be no longer than twelve (12) days and no shorter than seven (7) days. As an exception, the VP election campaign period may be up to fifteen (15) days.



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- (2) For the purposes of this By-Law, a campaign period is that determined by the Committee, in accordance with this By-Law.
  - (3) Referenda and plebiscites are subject to PART B of this By-Law, and they shall be held concurrently with either the Fall or Spring election period.
- 5.02 The Board of Directors Nominating Committee shall be struck each year and shall report to Council at the Annual General Meeting. The composition of this Committee shall be determined by By-Law #1 of the corporation.
- 5.03 Subject to necessary changes by the Corporation, the Fall Election timetable shall be as follows:
- (1) **Nominations:** Nominations for Divisional candidates shall open no later than September 28<sup>th</sup> and close no later than October 16<sup>th</sup> on the Friday preceding the commencement of the campaign period. In any event, nominations shall open no less than two (2) days prior to the commencement of the campaign period;
  - (2) **Campaigning:** The campaign period for Divisional candidates shall begin no later than October 19<sup>th</sup> and shall continue up to and including the day preceding the balloting; and,
  - (3) **Balloting:** Balloting shall take place on-line over two consecutive days (from 8:00 a.m. on day 1 to 8:00p.m. on day 2), and shall commence no later than October 29<sup>th</sup>.
- 5.04 Subject to necessary changes by the Corporation, the Spring Election timetable shall be as follows:
- (1) **Nominations:** Nominations shall open no earlier than January 1<sup>st</sup>, and no later than January 12<sup>th</sup>; and close the Friday preceding the commencement of the campaign period. In any event, not more than two (2) days prior to the commencement of the campaign period;
  - (2) **Campaigning:** The campaign period for both PVP and Divisional candidates shall begin not more than two (2) days after nominations close and shall continue up to and including the day preceding balloting. In any event, the campaign period shall begin no earlier than January 24<sup>th</sup> each year;
  - (3) **Balloting:** Balloting shall take place on-line over two consecutive days (from 8:00 a.m. on day 1 to 8:00 p.m. on day 2), and shall not commence earlier than February 1<sup>st</sup>.
- 5.05 **Election of Board of Directors**



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- (1) ~~Nominations for Board of Directors candidates — both students-at-large and community members — shall open no later than January 31st and shall not close before the announcement of the PVP elections results. The nominations shall be open for at least five (5) days.~~

#### 5.06 Vice Presidential Elections

- (1) Nominations for Vice-Presidential candidates shall be open no later than January 31st and shall not close before the announcement of the PVP elections results and close no later than fifteen (15) days prior to the second-half of the Annual General Meeting of the Corporation.
- (2) **Campaign Period** - The campaign period for Vice- Presidential candidates shall continue up to and including the day preceding balloting at the second half of the Annual General Meeting of the Corporation.

#### 5.07 Speaker of Council Elections

- (1) Each candidate shall be permitted to participate in a Candidates Forum **and election** at the first Duly Constituted Meeting following the second-half of the Annual General Meeting of the Corporation.
- (2) **The Chief Returning Officer shall administer the Speaker of Council elections by way of preferential ballot as outlined in section 15.00 of this By-Law.**
- (3) ~~Voting for the Speaker of Council shall take place at the occur at the first Duly Constituted Meeting following the second-half of the Annual General Meeting of the Corporation.~~

#### 6.00 THE CONSTITUENCY:

- 6.01 The constituencies and number of Councillors representing each shall be as indicated by the By-Laws of the Corporation.

#### 7.00 CANDIDATE ELIGIBILITY:

- 7.01 An individual shall be eligible to be a candidate if at the time of their candidacy they have been registered as a full- or part-time undergraduate or professional student at the University for two (2) consecutive semesters (e.g. Fall semester, Winter semester) including the one in which the election is to take place as determined by the records of the University.
- (1) For the purpose of Fall Elections, two (2) consecutive semesters shall be taken to mean the current Fall semester and the previous Winter semester.



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- (2) Individuals enrolled as a first year undergraduate student at the University shall not be required to meet the “two semesters” criterion for the Fall Elections.
  - (3) Undergraduate or professional students of the University that are on exchange at another academic institution at the time of voting for a given election shall be entitled to be a candidate and vote in said election.
- 7.02 Candidates in Divisional Elections shall be planning to remain registered as a full- or part-time undergraduate or professional student at the University for the duration of the term of office relating to the position for which they are running.
- 7.03 An individual shall only be eligible to be a candidate in the constituency in which they are enrolled as determined by the records of the University.
- 7.04 Any student who has any outstanding fines, as issued by the Elections Committee or the Secretary of the University shall be deemed ineligible to be a candidate for election, until such time as those fines are paid.
- 7.05 Any student who has outstanding loans from the USC PVP or divisional elections, and who has not made arrangements for the repayment of said loan with the Managing Director of Financial and Corporate Resources of the Corporation, shall be deemed ineligible for election until such time as repayment arrangements are made.
- 7.06 Any student who is an Executive, Associate Vice-President, Intern, or Coordinator with the USC shall be deemed ineligible to be a candidate unless she takes an unpaid leave of absence from her duties starting as of the day nomination forms are filed until the end of the voting period.
- 7.07 Any student who is an Executive, Associate Vice-President, Intern, or Coordinator cannot endorse a candidate, nor participate as a campaign volunteer, during the campaigning period of the election.
- (1) If an Executive, Associate Vice-President, Intern or Coordinator wishes to endorse a candidate, or become a campaign volunteer, they must take an unpaid leave of absence for the duration of the campaign period.

**Bonds (moved to Elections Governance Committee Campaign Finances Procedure)**

- 7.08 ~~Candidates shall only be eligible if, prior to the opening of the campaign they leave a deposit of:~~
- (1) ~~PVP candidates: \$300.00~~
  - (2) ~~Vice Presidential candidates: \$25.00~~



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- (3) ~~Divisional candidates: \$25.00~~
- (4) ~~Senate candidates: \$50.00~~
- (5) ~~Board of Governors candidates: \$75.00~~

~~with the USC Front Desk as a bond to cover campaign fines, with the balance to be returned to the candidate. Bonds for Senate and Board of Governors candidates are payable to the University Secretariat.~~

### **Nomination Forms**

7.09 Candidates for all elected positions must complete a nomination form.

- (1) A nomination form shall only be valid if the required nomination form has been submitted prior to the closing of nominations and has been filled out completely and accurately, including a valid Western email address.
- (2) Appeals regarding the validity of a nomination shall be made in writing to the Committee no later than twenty-four (24) hours following the closing of nominations. The Committee will render a decision prior to the beginning of the campaign period.
- (3) A person may not submit a nomination form to be both a Divisional and a Presidential or Vice-Presidential candidate in the same election.

- (4) Further details of nomination form requirements are outlined in the **Nominations Procedure**.

### **All Candidates Meeting**

7.10 Candidates will be declared ineligible if they fail to attend the All-Candidates Meeting or if the candidate fails to send a proxy to the All-Candidates Meeting. The Candidate, whether present in person or not, is entirely responsible for all information provided at the All-Candidates Meeting.

### **8.00 VOTER ELIGIBILITY**

8.01 In order to vote, each student must possess and login online using a unique University email username and password. Further requirements are detailed below.

### **8.02 USC Elections**



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- (1) For the purposes of this section, "USC Elections" refers to any USC-administrated election for Faculty Councillor, Affiliate Councillor, Faculty President, or USC President and Vice-Presidents.
- (2) In order to be eligible to vote in a USC Election, an individual must be registered as a full- or part-time undergraduate or professional student at the University pays tuition to the University for the current academic year.
- (3) For the elections specific to a particular faculty or affiliate, voters must be registered as a student in the corresponding faculty or affiliate.
- (4) ~~Despite the above, the President and Vice-Presidents shall be eligible to vote in the election for USC President and Vice-Presidents and in any referenda or plebiscites.~~
- (5) The USC will rely on records provided by the University to determine which students are registered as a full- or part-time undergraduate or professional student and pay tuition to the University, and in which constituency each student is registered.

#### 8.03 University Elections

- (1) For the purposes of this section, "University Elections" refers to the USC-administrated elections for Senate and Board of Governors.
- (2) The criteria for voter eligibility in University Elections shall be determined by the Secretary of the University.

#### 9.00 ADMINISTRATION OF ELECTIONS:

##### 9.01 The Committee

- (1) Elections sponsored by the Corporation shall be conducted and supervised by the Committee.
  - i. All Committee members must abide by the USC's Conflict of Interest Policy and sign confidentiality agreements.

##### 9.02 The Chief Returning Officer

- (2) The following items will be publicised by the CRO, on behalf of the Corporation, for the purposes of each election period:
  - i. call for nominations for USC elections;
  - ii. announcement of candidates for USC elections;



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- iii. announcement of the time and date for on-line balloting and,
- iv. announcement of official results for USC elections.

#### 10.00 THE BALLOT:

10.01 The fall and spring ballots shall include the following segments:

- (1) Fall Elections: the list of constituencies being contested by Divisional candidates and the names of candidates in each constituency;
- (2) Spring Elections: the names of Presidential and Vice-Presidential candidates, as well as a list of constituencies being contested by Divisional candidates and the names of candidates in each constituency; and,
- (3) Either Ballot: referendum/plebiscite question(s), if applicable.

10.02 A hyperlink to the voter sign-in page shall be placed in a prominent location on the USC Homepage and USC Elections page during the Fall and Spring Elections balloting periods.

10.03 The following criteria must be met when developing the layout of the ballot:

- (1) The names of the candidates for a constituency shall be listed in alphabetical order, by last name. Where the candidates are elected as a slate, the candidates shall be listed in alphabetical order by the last name of the slate member running for the position of President.
- (2) Only the legal names of candidates, or reasonable derivations thereof, shall appear on the ballot, as approved by the CRO.

10.04 The layout of the ballot shall be inspected by the Governance Officer prior to balloting, to ensure that it conforms with the criteria set out herein.

10.05 All candidates will have an opportunity to review the ballot not less than seventy-two (72) hours before balloting.

10.06 Any candidate who, after inspecting the ballot, has concerns about the layout of the ballot, may address those concerns in writing to the CRO for consideration by the Committee.

- (1) Any concerns regarding the ballot must be submitted to the CRO no less than twenty-four (24) hours before balloting opens.



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- (2) The Committee shall respond to any concerns within twenty-four (24) hours of the submission; and,
- (3) Any appeals of a decision made by the Committee with respect to a submission made under paragraph 10.06 must be submitted in writing to the ~~Governance Officer~~ **Secretary-Treasurer** not less than twenty-four (24) hours before balloting begins.

**11.00 RULES FOR ELECTIONS, PLEBISCITES AND REFERENDA**

- 11.01 ~~Candidates shall campaign in accordance with the rules of fair play. Breaking the rules of fair play include, but are not limited to, breaching generally accepted community standards, libel, slander, general sabotage of the campaigns of other candidates, and misrepresentation of fact.~~
- 11.02 ~~It is the responsibility of the Candidate to ensure that all campaign plans, materials, and/or advertisements, conform to all policies and regulations of the USC and the University, and with all municipal, provincial, and federal laws. Campaign displays and the distribution of literature on campus are also subject to the requirements of the Physical Plant and/or the Reservations Office.~~
  - (1) ~~Restrictions regulating campaigning that are unique to the University's Affiliated Colleges, student residences, and buildings on campus must be strictly adhered to. It is the responsibility of the candidates to familiarize themselves with the different rules which may govern each of the aforementioned entities.~~
- 11.03 ~~Candidates and non-arm's length parties are not entitled to use in their campaign, any service or tangible benefit conferred onto them by virtue of their holding any position in any organization on campus. This includes, but is not limited to, mailing lists, office space, office supplies, equipment, advertising space, and secretarial services.~~
- 11.04 ~~Candidates shall not campaign in the USC main offices (including the workspace or office of any Staff, Executive, or volunteer) or Council Chambers, or during any meeting of Council or the Standing Committees of Council regardless of location. This prohibition shall include but not be limited to the display of campaign materials, verbal campaigning, and discussion of campaign logistics.~~
- 11.05 ~~Candidates shall not solicit the aid or endorsement of any USC Staff or Executive member for the purposes of campaigning.~~
  - (1) ~~Any unsolicited aid or endorsement received by a candidate from a Staff or Executive member shall be handled internally by the corporation and the candidate shall not be subject to penalty.~~





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- 11.06 ~~Candidates shall be responsible for the actions, and violations stemming from such actions, of any non-arm's length party unless the Candidate satisfies the Committee that he or she did not direct the action, and could not have reasonably foreseen that the action would occur;~~
- ~~(1) Candidates may dissociate themselves from any person or organization who would otherwise be considered non-arm's length, provided that they give immediate notice to the CRO, in writing, and provided that the Committee is satisfied that the dissociation is genuine.~~
  - ~~(2) A candidate shall not be held responsible for the actions of any person or organization if the candidate has previously and adequately dissociated herself from that person or organization.~~
- 11.07 ~~Campaigning as a slate in any Divisional Election is prohibited. Each candidate must maintain separate finances, produce unique campaign materials, and present campaign platforms distinct from other candidates. Candidates may campaign together in campus buildings, so long as they present themselves as individuals.~~
- 11.08 ~~Candidates and prospective candidates are not permitted to influence or attempt to influence voters prior to the campaign period, including, for example, through the posting of material designed and/or likely to influence voters. Candidates and prospective candidates may engage in activities related to planning a campaign or assembling a campaign team and may answer questions from the media with regard to elections plans.~~
- ~~(1) The Committee reserves the right to find a candidate or prospective candidate in violation of this By Law if the actions taken by the candidate or prospective candidate in preparing for the campaign are adjudged to be designed/likely to influence voters.~~
- 11.09 ~~Candidates are not permitted to influence or attempt to influence voters while the polls are open but shall not be forced to remove any previously existing materials or objects from display until after the voting period. Candidates and their teams may attempt to remind students to vote in the election provided their efforts do not constitute an attempt to influence voters towards a certain candidate.~~
- 11.10 **Campaign Materials and Branding:**
- (1) Candidates in all elections, PVP and divisional, shall refrain from the use of the colour purple, the USC or University logo, and any other USC or University copyrighted material or image when producing materials, printed, written, or otherwise produced, for the purposes of campaigning.



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- (2) All campaign materials, including but not limited to posters to be printed commercially and promotional materials, shall be printed at Creative Services, unless the service required is unavailable, or a reasonably comparable replacement is unavailable at Creative Services.
  - i. Any work orders placed with Creative Services must be made via email.
- (3) Candidates may campaign and distribute campaign material at their own discretion, subject to the limitations within this By-Law. The Committee reserves the right to find a candidate in violation of this By-Law if their campaign materials do not conform to the following non-exhaustive limitations:
  - i. Campaign material cannot contain copyrighted material or images without the consent of the copyright holder;
  - ii. Campaign material may not depict images of alcohol or drug use;
  - iii. All campaign material must not be in violation of the UWO Code of Student Conduct or the USC Community Standards Policy, and;
  - iv. Any campaign material posted in an area designated by the Committee for posters shall not exceed a size greater than 11"x17".
- (4) Physical campaign materials may not be distributed to individuals without their consent.
- (5) All candidates shall be responsible for the removal of all posters and other materials, within the control of the candidate, within forty-eight (48) hours following the close of balloting.
  - i. Posters and other campaign materials shall not be within a direct line of sight of a Designated Polling Station during the balloting period, and may be removed at the discretion of the CRO.
  - ii. A candidate will forfeit an amount no greater than her bond from her eligible reimbursement if all campaign materials and posters that are within the control of the candidate are not removed within the forty-eight (48) hours following the close of balloting.

**11.11 Campaign Finances:**

- (1) Campaign finances shall be governed in accordance with the **Elections Governance Committee Finance Procedure**. The CRO shall be responsible to ensure all procedures are properly followed in accordance with that document.



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- (2) ~~The CRO shall set the spending limits for each candidate at least seven (7) days prior to the start of the campaign period for the election.~~
- (3) ~~Candidates shall have two separate spending limits for their campaign: one for expenses and one for contributions.~~
  - i. ~~Expenses shall be defined as costs incurred by or on behalf of a candidate for goods, privileges, or services for use in her election campaign.~~
  - ii. ~~Contributions shall be defined as goods, privileges, or services donated or given to, in whole or in part, a candidate or her campaign for the purposes of campaigning.~~
- (4) ~~The USC shall fully reimburse candidates for expenses incurred but not for contributions.~~
  - i. ~~The Committee reserves the right to reimburse only a portion of a candidate's expenses if it finds the candidate to have not competed in the spirit and purpose of the elections.~~
  - ii. ~~The following Divisional candidates will not be reimbursed by the USC for their campaign expenses:~~
    - a. ~~Senate and Board of Governors candidates; and~~
    - b. ~~Candidates in elections administered by their Faculty.~~
  - iii. ~~A PVP Candidate disqualified prior to the election shall be reimbursed 10% of the Candidate's campaign expenditures or 10% of the maximum spending limit as set by the Committee, whichever is less. This shall be subject to any fines issued and/or outstanding loans.~~
- (5) ~~A candidate will be eligible for reimbursement for an amount no greater than the sum of their campaign bond and expenses spending limit.~~
  - i. ~~Any fines levied upon a candidate by the Committee shall reduce the eligible reimbursement of the candidate and not affect the candidate's expenses spending limit.~~
- (6) ~~Only campaign expenses with valid, verifiable, and corresponding receipts will be eligible for reimbursement. Any item deemed not to be an appropriate campaign expense may be excluded from reimbursement by the Committee or the USC's Managing Director, Financial and Corporate Resources.~~



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- (7) ~~All candidates shall submit to the CRO original receipts of all expenditures and a list of all contributions received, or a signed statement to the effect that no campaign expenses were incurred or contributions received by four (4) p.m. on the last day of campaigning. The CRO may, at any time, request from any candidate, original receipts prior to this date;~~
- ~~i. Failure to submit receipts by the deadline will result in an automatic reduction in the candidate's eligible reimbursement by 10% per business day that the submission is late.~~
  - ~~ii. Lists of contributions must include the good or service contributed, a value for the good or service as determined by section 12.11 (11) below, the name of the contributor, and an email address or phone number at which the contributor can be contacted for the purposes of confirming the value of the contribution.~~
- (8) ~~Spending limits for a candidate's expenses shall be as follows:~~
- ~~i. The spending limit for PVP Elections shall be \$0.025 per voter.~~
  - ~~ii. The spending limit for Divisional Elections candidates, other than Faculty President candidates, shall be \$0.05 per voter, subject to the following limitations:~~
    - ~~a. The maximum spending limit shall be \$150.~~
    - ~~b. The minimum spending limit shall be \$50.~~
  - ~~iii. The spending limit for Faculty President candidates shall be \$25 more than the spending limit of other divisional candidates in the faculty.~~
  - ~~iv. The spending limit for Vice Presidential Elections shall be \$150.~~
- (9) ~~All candidates may accept contributions up to a value equal to \$0.042 per voter.~~
- (10) ~~A contributor shall not make contributions exceeding a total value of one third (1/3<sup>rd</sup>) of a candidate's contributions spending limit to any one candidate in an election.~~
- (11) ~~A candidate shall not accept cash, cheque, or any other monetary equivalent in any amount as a contribution.~~
- (12) ~~The monetary value of goods or services given as contributions shall be determined as follows:~~



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- i. ~~If the contributor is in the business of supplying these goods and services, the value shall be determined as the lowest amount the contributor charges the general public in the same market area for similar goods and services provided at or about the same time.~~
  - ii. ~~If the contributor is not in the business of supplying these goods and services, the value shall be determined as the lowest amount a business providing similar goods or services charges the general public for them in the same market area at or about the same time.~~
- (13) ~~If a candidate receives a contribution from a contributor in the form of a discounted price that is not available to the public (e.g. candidate receives 30% discount from supplier) the amount paid for the good or service shall be listed as an expense, and the difference between the lowest amount the contributor charges the general public and the discounted price shall be listed as a contribution (e.g. if the original price is \$100 and the candidate receives a 30% discount, the candidate shall list \$70 as an expense and \$30 as a contribution).~~
- (14) **Special Rules for Expenses and Contributions:**
  - i. ~~Where an item is used during the campaign period, but not entirely consumed during the campaign period, the cost may be prorated. The Committee shall have discretion to determine whether and to what extent it is appropriate to prorate the expense.~~
  - ii. ~~Candidates will only be required to declare expenses or contributions for the production of campaign media, including but not limited to videos, mobile apps, or graphics, for the costs of making said media available to the public (e.g. if a candidate develops a mobile app, they will only be required to list the cost of hosting the app on the app store in their expenses).~~
  - iii. ~~Candidates shall not be required to include in a list of expenses and contributions any food or drink provided to campaign team members during meetings for the purposes of planning or organizing the campaign~~
  - iv. **Campaign Loans**
  - v. ~~A PVP candidate may obtain an interest-free loan for the amount of the bond plus the spending limit established pursuant to Section 11(2)(a), by applying to the USC Managing Director, Financial and Corporate Resources:~~
    - a. ~~Any loans granted pursuant to this section must be repaid, subject to any amount reimbursed and fines owed, within 30 business days from the close of balloting, and,~~



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- b. ~~Any loan which is not repaid within this time period will be pursued legally and will be subject to an interest rate as provided for in the Courts of Justice Act, RSO 1990.~~

**11.12 Violation of Campaign Rules:**

- (1) If a winning candidate in any election is disqualified, the candidate who received the greatest amount of votes and who has not been disqualified shall be deemed the winner.
- (2) Violations shall be governed in accordance with the **Elections Governance Committee Violations Procedure**. The CRO shall be responsible to ensure all procedures are properly followed in accordance with that document.
- (3) ~~Any allegations of violation of this By law shall be submitted in writing to the Committee who shall decide whether the action specified constitutes a violation. The Committee may lay charges of violations of campaign rules on its own initiative.~~
  - i. ~~Any allegations of violations must be submitted to the Committee no later than five (5) days following the close of balloting.~~
- (4) ~~The Committee shall meet at the call of the CRO to discuss any charges of violations to this By Law, and decide on the appropriate action to be taken, subject to the following:~~
  - i. ~~The Committee shall classify any allegations of violations as Minor, Major, or Extraordinary prior to discussing the allegation and the Committee reserves the right to classify allegations at its discretion.~~
  - ii. ~~The CRO shall invite the candidate to the meeting where the alleged violation will be addressed, at least six (6) hours in advance. At the time notice is given, the candidate shall be informed of the nature of the complaint and all relevant facts surrounding the alleged violation. The candidate may attend a portion of the meeting and present her case.~~
- (5) ~~The Committee, where it finds there has been a violation of this By Law, must make the details of the violation public and produce the minutes of the meeting where the violation was discussed on written request within a forty eight (48) hour period.~~
  - i. ~~The Committee shall make every reasonable attempt to notify the candidate of the result of the meeting and the reasoning of the Committee prior to making the details of the violation public but shall be under no obligation to withhold details from the public after a violation has been found.~~



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- (6) ~~The Committee, where it finds there has been a violation,;~~
- i. ~~May assign a demerit point penalty and resulting fine against a candidate or a group representing a side, consistent with the guidelines in subsection 12.11 (5)(iv) below;~~
  - ii. ~~Shall disqualify a candidate from the election automatically if required by subsection (8) below;~~
  - iii. ~~May disqualify a candidate from the election discretionarily, if permitted by subsection **Error! Reference source not found.** below;~~
  - iv. ~~May reduce or eliminate a candidate's or referendum/plebiscite group's reimbursement, if permitted by section 12.11 (3) above;~~
  - v. ~~May declare that an election in a particular USC constituency or the election of a specific candidate be ruled void; and~~
  - vi. ~~Shall declare a referendum or plebiscite to be void, if the Committee determines that the violation(s) have compromised the integrity and/or reliability of the results.~~
- (7) ~~The Committee shall award demerit points to candidates as follows:~~
- i. ~~Where a candidate has been found guilty of a Minor violation the Committee may award up to four (4) demerit points.~~
  - ii. ~~Where a candidate has been found guilty of a Major violation the Committee may award up to eight (8) demerit points.~~
  - iii. ~~Where a candidate has been found guilty of an Extraordinary violation the Committee may award up to fifteen (15) demerit points and reserves the right to disqualify a candidate based on the seriousness of the violation.~~
  - iv. ~~Candidates will be levied a monetary fine against their eligible reimbursement on a per demerit point basis as follows:~~
    - ~~PVP \_\_\_\_\_ \$10 per point~~
    - ~~USC Vice President \_\_\_\_\_ \$6 per point~~
    - ~~All Other USC Candidates \_\_\_\_\_ \$6 per point~~
    - ~~Board of Governors \_\_\_\_\_ \$6 per point~~
    - ~~Senator At Large \_\_\_\_\_ \$6 per point~~
    - ~~All Other Senators \_\_\_\_\_ \$6 per point;~~



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- (8) ~~Violations of the following nature will result in automatic disqualification of a candidate:~~
- i. ~~Anyone improperly declared an eligible candidate;~~
  - ii. ~~Intentional misrepresentation of campaign expenditures;~~
  - iii. ~~A candidate accruing greater than 100% her allowable demerit point limit as follows:~~
    - ~~PVP 30 points~~
    - ~~USC Vice President 20 points~~
    - ~~All Other USC Candidates 20 points~~
    - ~~Board of Governors 20 points~~
    - ~~Senator At Large 20 points~~
    - ~~All Other Senators 20 points;~~
  - iv. ~~Any attempted interference in the election process as regulated by this By-Law;~~
  - v. ~~Solicitation of the login information necessary for voting; and~~
  - vi. ~~Action or conduct which represents a flagrant undermining of the purpose and effect of the electoral process set up under this By-Law.~~
- (9) ~~If a winning candidate in any election is disqualified, the candidate who received the greatest amount of votes and who has not been disqualified shall be deemed the winner.~~

## **12.00 INTERFERENCE BY OUTSIDE PARTIES**

- 12.01 No USC recognized organization or organization executive member shall act as an arms-length or non-arms-length party in order to engage in conduct that violates this By-law or brings the elections into disrepute.
- 12.02 Where a USC recognized organization or organization executive member has been alleged to have violated By-Law 2:
- (1) The Committee shall send a summary of the alleged violations to the organization e-mail address on file with the USC, including information about any subsequent action that may be taken under this By-Law and any relevant times or dates.





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- (2) The organization shall have a reasonable period of time to send a response to the ~~Governance Officer~~ **Secretary-Treasurer**, having regard to the timing and nature of the alleged violation.
  - (3) The Committee shall hold a hearing to determine if the organization has violated By-Law 2 and may impose sanctions or prohibitions on the club at the Committee's discretion that shall last for the remainder of the campaign and balloting period.
  - (4) Upon the announcement of the electoral results, the sanctions shall be suspended and the matter shall be referred to the Clubs Governance Committee for further measures at their discretion, where the organization is a club.
- 12.03 Notwithstanding provisions dealing with candidates, non-arms-length parties, and clubs, no student may engage in actions that are likely to bring the electoral process into disrepute. Where such an action takes place, the following procedure shall be followed:
- (1) Any student alleged to be violating this by-law by the Committee shall be notified via their UWO e-mail address, including information about any subsequent action that may be taken under this By-Law and any relevant times or dates.
  - (2) The student shall be given the opportunity to respond with a written statement to the Committee within a reasonable period of time.
  - (3) Where the Committee finds a violation has occurred, the Committee may refer the matter to an outside person or body with recommendations, including, but not limited to, the Vice Provost, Student Services regarding the Code of Student Conduct, University Police and Information and Technology Services.
- 13.00 ELECTION RESULTS**
- 13.01 In each constituency the candidate with the most number of votes shall be declared the winner.
- (1) Where there are multiple available positions, they shall be filled by the candidates who received the next highest amounts of votes.
- 13.02 In the event of a tie, the winner shall be decided by a coin toss initiated by the CRO.
- 13.03 Election results for a constituency will be valid only if at least half of the votes cast are valid votes.
- 13.04 At her discretion, the CRO may utilize a grace period of up to a maximum of forty-eight (48) hours following the close of balloting before releasing election results.



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- 13.05 In the event of an invalid election, the Committee shall convene and recommend a course of action to Council.

#### 14.00 SPECIAL RULES FOR VP ELECTIONS

- 14.01 Candidates may make campaign materials available to current Council members through the USC Office front desk.

- 14.02 No campaigning shall be allowed during the first-half of the Annual General Meeting of the Corporation, except for the following:

- (1) Candidates shall be allotted five (5) minutes to address Council.

- 14.03 No campaigning shall be allowed during the second-half of the Annual General Meeting of the Corporation, except for the following:

- (1) Candidates may place campaign materials in an area designated by the CRO; and,
- (2) A group-formatted question period shall be available for all candidates competing for a Vice-Presidential position. The Speaker of Council shall set the length of time for the question period.

#### 14.04 **Special Balloting Rules:**

- (1) Balloting for the Vice Presidential election shall occur during the second-half of the Annual General Meeting of the Corporation.
- (2) Voting shall take place by secret ballot.
- (3) Voting shall take place according to the Preferential Balloting Rules outlined in section 16.00 of this By-Law.
- (4) Each Voting Member, including the incoming and outgoing Council Voting Members, and the Assistant to the President shall be entitled to one (1) vote per ballot for any given Vice-Presidential position.
- (5) No Voting Member shall cast more than one (1) ballot for each Vice-Presidential position.
- (6) **Advanced Polling** - The CRO shall designate a time and place for advanced polling subject to the following:
  - i. Voting in the advanced poll shall take place the week prior to the second-half of the Annual General Meeting of the Corporation;



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- ii. The option to vote in the advanced poll shall not be available for more than 3 days;
- iii. The votes cast in the advanced poll shall be received by the CRO ~~or Governance Officer~~;
- iv. All votes must be cast in person;
- v. A vote cast in the advanced poll shall be placed in a sealed envelope and shall be counted at the same time as the votes that are cast at the second-half of the Annual General Meeting of the Corporation; and,
- vi. Notwithstanding By-Law #1, a vote cast in an advanced poll is final. Once a Voting Member has cast her vote the vote shall not be altered or cancelled.

14.05 **Vote of Confidence** - If only one candidate stands to be elected for a Vice-Presidential position, the Speaker of Council shall initiate a vote of confidence in place of balloting during the second-half of the Annual General Meeting. The candidate shall be acclaimed if a simple majority of eligible Council members votes in favour of the resolution to acclaim the candidate.

#### 15.00 PREFERENTIAL VOTING RULES

15.01 **Ballots:** Preferential voting will proceed by a numbered ballot such that on the preferential ballot for each position, each voter must indicate the order in which she prefers the candidates by placing a numeral '1' beside her first preference, a numeral '2' beside her second preference, in numerical order up to and including the final candidate.

15.02 **Counting Ballots:** The counting of the ballots shall take place according to the following:

- (1) Each candidate may designate an agent to act as her scrutineer during the counting of the ballots;
- (2) In the first count, first preference votes for each candidate are counted;
- (3) If a candidate receives 50% + 1 of the eligible votes cast, that candidate shall be elected.
- (4) Where the top place candidate fails to achieve 50% + 1, the second choice votes of the candidate finishing last in that round of ballot counting shall be reassigned accordingly. This process is repeated until one candidate receives the majority of the highest preferences remaining on the ballots;



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- (5) If two (2) or more candidates are tied for the least popular position, those candidates shall be redistributed accordingly;
- (6) Failure to select a preference in any round of voting shall result in that ballot being spoiled for that and all subsequent rounds of balloting. A ballot shall not be deemed spoiled so long as the voter's intentions can be reasonably ascertained from the ballot;
- (7) **Tie result** - In the event of a tie, whenever possible, ties shall be resolved in favour of the candidate with the most first place votes;
- (8) **Tie result**- Where the election outcome cannot be resolved by the method outlined above, the election shall be resolved by a re-vote between the tied candidates to take place at the next Duly Constituted Meeting. The re-vote shall be subject to the following procedures:
  - i. The tied candidates shall be permitted to campaign following the end of the meeting in which the Election was held until the start of the next Duly Constituted Meeting;
  - ii. All Voting Members who were eligible to vote at the meeting in which the initial vote was held shall be permitted to vote;
  - iii. The CRO shall designate a time and place for advanced polling in accordance with the procedures set out in paragraph (2) (iii.) (e.);
  - iv. The votes shall be counted in accordance with rules as set out above in paragraph (2)(iii)(g); and,
  - v. Should the re-vote result in a tie between two candidates, the election shall be resolved by way of a coin toss.

#### 16.00 ~~ELECTION OF BOARD OF DIRECTORS~~

- 16.01 ~~The Board of Directors Nominating Committee shall nominate a list of candidates to Council at the Annual General Meeting for approval.~~
- 16.02 ~~The Board of Directors Nominating Committee shall present to Council, in conjunction with the list of candidates, an overview of the nominating process and a summary of qualifications for the nominees.~~
- 16.03 ~~Should Council not approve the list of candidates, it shall task the Nominating Committee to return with another list at the next Duly Called General Meeting of Council.~~



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**17.00 SPECIAL RULES FOR SPEAKER ELECTIONS**

- 17.01 Campaigning for the position of Speaker of Council is strictly prohibited excepting activities that take place during the Candidates Forum provided for above in section 5.07(1).
- 17.02 With the exception of the timeframe, the voting process and method shall be held according to the Preferential Balloting Rules provided for in section 16.00.

**18.00 APPEALS OF COMMITTEE DECISIONS OR ELECTION RESULTS**

- 18.01 Any appeals of Committee decisions or elections results shall be heard by the USC Appeals Committee and governed by the procedures contained in By-Law #6.



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**PART B: REFERENDA AND PLEBISCITES**

**19.00 GENERAL**

- 19.01 Without limiting any section of By-Law #2, Part A, this Part covers any referendums or plebiscite conducted by the USC.
- 19.02 The administration of this Part, unless otherwise stated, is vested with the CRO.
- 19.03 The results of any referendum shall be binding on the USC unless the results affect the Letters Patent or the Articles of Incorporation of the USC or unless, by implementing the directive of the referendum, the Executive Council would be breaching its fiduciary obligations to the corporation.
- 19.04 The results of a plebiscite shall not be binding.
- 19.05 Any referendum or plebiscite requiring a motion of Council must be posted as required by By-Law #1. The CRO shall advertise meetings of Council, in which motions and writs to hold referenda or plebiscites will be put forward, in *The Gazette* at least forty-eight (48) hours prior to such a Council meeting.
- 19.06 For the purposes of this part, the number of students in the student body shall be the number of full-time equivalent students registered at the University during the previous academic year.
- 19.07 The results of any referendum shall be binding only if a minimum of 20% of the student body vote in the referendum.
- 19.08 A referendum may be initiated either by Council or by students at large.
- 19.09 A plebiscite may be initiated either by Council or by students at large.

**20.00 STUDENT-INITIATED REFERENDUM**

- 20.01 For the purposes of this Section:
  - (1) A “policy issue” means any issue or proposal which is not likely to have any direct financial or legal implications on the USC;
  - (2) The Executive Council, in consultation with any relevant individuals and/or committees, shall determine whether an issue is one which is likely to have direct financial or legal implications on the USC; and,
  - (3) An issue shall be deemed to have a direct financial implication on the USC if it will result in the imposition of any fee on students.



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- 20.02 Any student wishing to initiate a referendum shall contact the ~~Governance Officer~~ **Secretary-Treasurer** and Government Services Manager to review the process to have a referendum question put on the ballot prior to collecting signatures, including the collection of signatures, the campaigning process, and any other pertinent information.
- 20.03 Any student may present a petition to the CRO requesting that a referendum be held on any matter, subject to the following.
- (1) Student-initiated referenda may not establish any fee to fund the activities of a USC Ratified Club, or Clubs.
    - i. This does not prohibit funding for activities that are simply supported by a USC Ratified Club.
  - (2) Any petition requesting a student-initiated referendum must be submitted to the CRO no later than nine (9) days before the last Council meeting prior to the commencement of the campaign period for the election.
  - (3) A petition is only valid if it contains the following:
    - i. The names, student numbers and signatures of at least 10% of the student body when a request is being made for a referendum on any issue; and,
    - ii. A clear indication of the issue on which the requested referendum is to be held.
  - (4) The CRO shall check the validity of each name on the petition. If greater than 10% of the names are invalid, the petition is invalid.
  - (5) Any petition which contains any material misstatements of fact or material misrepresentations is invalid.
  - (6) For a petition to contain a clear indication of the issue, it must include at least the following:
    - i. The amount of any fee which will be levied upon students directly for the purpose of implementing the proposal; and,
    - ii. A statement summarizing the question which will be decided by the referendum.
  - (7) Any student-initiated referendum involving levying a student fee shall require:



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- i. A University administrative advisor to the Board of Governors to be contacted by the USC to determine whether or not the Board would allow such a fee to be collected by the USC; and
    - ii. The VP Finance to work with the student to determine the exact fee that is to be levied by means of a budget prepared by the student,
      - a. If no such budget exists, the VP Finance shall assist the student in putting together a budget from which a student fee can be derived.
  - (8) The Committee shall assess the validity of all petitions and shall notify the student submitting the petition if it is found to be invalid.
    - i. Prior to submitting a completed petition, any student may submit a draft petition question to the ~~Governance Officer~~ **Secretary-Treasurer** for review. Any petition question which is reviewed and endorsed by the ~~Governance Officer~~ **Secretary-Treasurer** shall be deemed to contain a clear indication of the issue and not to contain any material misrepresentations.
- 20.04 If a petition is found to be valid, a “**writ of referendum**” shall be drafted by the CRO in consultation with the Committee, which shall include the following:
- (1) The particulars of the petition, including the name of the petitioner and the number of student signatures on the petition;
  - (2) The Executive Council’s decision about the financial and legal implications of the proposal, with a brief summary of the reasons for that decision;
  - (3) The proposed referendum question;
    - i. the Committee shall be responsible for developing an objective referendum question; and.
  - (4) A budget outlining the projected cost of holding the referendum.
- 20.05 A valid petition requesting that a referendum be held on a policy issue shall automatically result in the initiation of a referendum and shall not require the approval of Council.
- (1) The CRO shall present the writ of referendum to Council.
- 20.06 A valid petition requesting that a referendum be held on an issue or proposal which is likely to have direct legal or financial implications on the USC must be approved by Council before a referendum may be initiated. A Simple Majority vote of Council will be required to prevent the referendum as requested from being placed on the ballot.





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- (1) The CRO shall present the writ of referendum as well as a motion to place the referendum question on the ballot.
- 20.07 In addition to the above, the following considerations apply to student-initiated referenda for Third Party Fees.
- (1) A **“Third-Party Fee”** is a fee that funds a program or service run by an organization other than the USC, and which benefits of Western students.
    - i. USC Clubs are not considered third parties for the purposes of this section.
  - (2) Any referendum question imposing a Third Party Fee must:
    - i. Include reasonable and meaningful constraints on the way the fee will be used, and must be conditional on adherence to those restraints; and
    - ii. Require Council renewal every four years in order to continue.
  - (3) A petition to hold a student-initiated referendum for a Third Party Fee will only be valid if the petition states the referendum question.
    - i. If the petition signed by students contains a referendum question that the Elections Committee finds to be misleading or inadequate, the Elections Committee may determine that the petition is invalid.
    - ii. The Elections Committee will draft a satisfactory referendum question if approached to do so.
    - iii. The referendum question appearing on the petition does not need to be identical to the referendum question ultimately approved by the Elections Committee, provided that the differences are not material.
  - (4) The referendum shall be classified as a Registered Interested Party referendum and the ‘Yes’ Campaign shall be run by the individual initiating the referendum or a proxy thereof.
  - (5) The USC will enforce the result of a student-initiated referendum to establish a Third Party Fee, subject to the following:
    - i. A referenda result may be invalidated by the Committee, if there is sufficient impropriety to cast doubt upon the result.
    - ii. The Board of Governors may refuse to allow the USC to collect the fee.



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- iii. If a fee is imposed, the VP Finance must be supplied with financial information describing the use of the fee at least once per year. The VP Finance shall be responsible for reviewing the way in which the student fee is being used, and evaluating compliance with the terms of the referendum.
  - a. If the VP Finance reports that any conditions of the referendum are not being satisfied, Council may resolve to terminate the fee from future budgets.

#### **21.00 COUNCIL-INITIATED REFERENDUM**

- 21.01 Council may initiate a referendum on any issue through a motion of Council, duly passed by a simple majority vote of those present and voting.

#### **22.00 STUDENT-INITIATED PLEBISCITE**

- 22.01 A student initiated plebiscite is subject to the same rules and procedures as a student-initiated referendum, with the only exception being as follows:
  - (1) The names, student numbers and signatures of at least 5% of the student body are required when a request is being made for a plebiscite on any issue.

#### **23.00 COUNCIL-INITIATED PLEBISCITE**

- 23.01 Council may initiate a plebiscite on any issue through a motion of Council, duly passed by a simple majority of those present and voting.

#### **24.00 REGISTERED INTEREST PARTY**

- 24.01 Registered interested parties are entitled to campaign on behalf of any side in any referendum or plebiscite. More than one registered interested party may represent each official side.
- 24.02 Any group may request recognition as a registered interested party provided that the following conditions are met:
  - (1) They are a student group, or party approved by the Committee, autonomous from the USC, that has been in existence for at least six (6) months prior to the writ, including, but not limited to the following: clubs, Faculty Councils, Affiliated Colleges and Residence Councils; or,
  - (2) If a student group or party approved by the Committee, as described above, does not register, then a group of students may register.



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- 24.03 When applying to be a registered interested party, a group must prepare a written submission indicating how they will be directly affected by the result of the referendum or plebiscite.
- 24.04 All applications for status as a registered interested party must be submitted to the CRO within seven (7) days of the passing by Council of the motion or writ of referendum or plebiscite.
- 24.05 The Committee will decide on the merit of an application for status as a Registered Interested Party with such decision being subject to appeal to the Board of Directors and finally to Council.
- 24.06 All registered interested parties must name an official spokesperson and this name must be handed into the CRO with the request.
- 24.07 Where there is only one registered interested party, it will constitute the only official side.
- 24.08 Subject to the following, all registered interested parties, including the USC, when applicable, are deemed to be candidates, and are bound by the campaign rules in Part A, as well as by the rules and procedures governing referendums and plebiscites, when representing their side of the issue.
- (1) All Campaign Materials produced by a registered party, including electronic materials, must clearly indicate that they are authored by a registered interest party.
  - (2) Registered interest parties shall be allowed a maximum of thirty (30) demerit points.
    - i. A registered interest party that accrues more than thirty (30) demerit points shall be automatically disqualified.
    - ii. A registered interest party shall be fined \$8 for each demerit point received, up to a maximum of \$240.
  - (3) **Consequences of Disqualification:**
    - i. If the disqualified group is a USC-ratified club, they shall be prohibited from further campaigning. Failure to adhere to this prohibition will be reported to the Clubs Governance Committee, and could result in further sanctions.
    - ii. Individual students cannot be prohibited from further campaigning. However, students that continue to campaign after their group has been disqualified will not be reimbursed for any new campaign expenses.



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- iii. A disqualified group will not be reimbursed for the cost of any campaign materials that continue to be used after the group's disqualification.
- iv. A disqualified group may not refer to themselves as an "official registered interest party".
- v. The disqualification of the "Yes" registered interest party does not automatically mean that a referendum fails. The Committee must make a separate determination as to whether the referendum result is valid. In doing so, the Committee must consider the potential impact of the infractions on the results.
- vi. The disqualification of the "No" registered party never means that a referendum carries.

### **25.00 USC-SPONSORED SIDE**

25.01 Subject to subsection 26.02(1), where the USC has an interest in the outcome of a referendum or plebiscite, or where it is felt that a side of an issue is not being adequately represented by a registered interested party, the Council has the option of campaigning or appointing someone to campaign on behalf of a particular side.

### **26.00 INFORMATION-BASED CAMPAIGN**

26.01 Where Council supports the provision of information to the electorate, the USC, by a simple majority vote of Council, may provide financing for an information-based campaign in accordance with the financing rules prescribed in section 25.00.

- (1) Information-based campaign funding can be allotted in addition to registered interest party campaign funding, or in place of registered interest party campaign funding.

26.02 The Elections Committee shall be responsible for administering information-based campaigns by selecting an Ad-Hoc Committee for this express purpose.

- (1) As a consequence, the Ad-Hoc Committee members shall be prohibited from sponsoring a side whenever an information-based campaign has been approved and shall refrain from participating in Committee discussions of referenda with regards to enforcement of campaign rules and demerit points.

26.03 All information-based campaign materials must be reviewed and approved by the Committee before being posted or distributed.

- (1) The Committee shall review the materials to ensure that they are neutral, and unbiased.



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#### **27.00 FINANCES**

- 27.01 Registered interested parties may apply to the Committee for the funding available for their official side.
- 27.02 Each official side shall be entitled to funding up to 100% of the PVP limit as established, unless there is only one official side in which case the spending shall be at 50% of the PVP limit.
- 27.03 An Information-Based Campaign shall be entitled to funding as follows
- (1) 100% of the PVP limit, if there are no registered interest parties;
  - (2) 75% of the PVP limit, if interest parties are only registered for one official side; or
  - (3) 50% of the PVP limit, if there is at least one registered interest party for both official sides;
- 27.04 Registered interested parties shall be entitled to spend the equivalent of 20% of the official side's allowable limit on non-campaign expenditures, which could include:
- (1) Research material; and,
  - (2) Administrative costs.
- 27.05 If any registered interested party overspends their allowable limit, the surplus shall be applied to the official side's spending in addition to an automatic fine of 100% of the surplus.
- 27.06 All official sides and registered interested parties shall present a full financial statement to the CRO by 12:00 noon on the last day of campaigning.
- 27.07 Each official side will give the USC a three hundred dollar (\$300.00) bond to be used for election fines.
- 27.08 Interested parties are not eligible for any USC loans for either bonds or expenses.

#### **28.00 APPEALS OF PLEBISCITE OR REFERENDUM RESULTS**

- 28.01 Any appeals of the validity of any referendum or plebiscite results shall be heard by the USC Appeals Committee and governed by the procedures contained in By-Law #6.