

**AMS BYLAW REVISIONS 2016:  
REFERENDUM RULES**

TO: COUNCIL  
FROM: LPC  
February 2016

Amendments to alter the requirements for referendum questions and to transfer the power to alter referendum questions from Student Court to Council.

Additions are indicated by ***bold italics***. Deletions are indicated by striking through (~~like this~~).

**BYLAW 4: REFERENDUM**

1. A referendum for the Society shall be called by the President upon:
  - (a) a Resolution of Council; or
  - (b) a petition duly signed by five percent (5%) of the active members or one thousand (1000) active members, whichever is the lesser number, evidencing their Student Numbers, and delivered to the Vice-President Academic and University Affairs.
  
2. The text of the referendum shall be drafted to ensure that the question is capable of being answered “yes” or “no.” ***The question also must not be leading, and must not call for doing anything illegal. “Leading” in this context means prompting or encouraging a particular answer.*** ~~and if in the opinion of Council a petition for a referendum does not meet this requirement, Council shall forthwith refer the referendum to the Court to prepare a clear and unambiguous question.~~
  
3. ***If in the opinion of Council a petition for a referendum does not meet the requirements in Bylaw 4(2), Council shall forthwith arrange to have the referendum question redrafted so that it meets the requirements in Bylaw 4(2). If the question cannot be so redrafted without fundamentally changing its meaning, the petition for a referendum shall be rejected and no referendum held for it.***

Comment [A1]: Adding two new requirements.

*[and renumber]*

3. Subject to Bylaw 4(5), a referendum shall be put to the members not less than ten (10) days and not more than thirty (30) days after the passing of a Resolution of Council calling for the referendum or the submission to the Vice-President Academic and University Affairs of a petition referred to in Bylaw 4(1)(b), or, ***if the petition for a referendum is arranged for redrafting under Bylaw 4(3), not less than ten (10) and not more than thirty (30) days after the Court supplies Council the redrafted question, now in accordance with Bylaw 4(2), is received by Council*** ~~with a suitable text for the question if the~~

~~referendum is referred to the Court in accordance with Bylaw 4(2).~~

4. A referendum of the Society shall, subject to these Bylaws, be acted upon by the Society where:
  - (a) a majority, or such greater percentage as may be required by the *Society Act* (as in cases where the *Society Act* requires a Special Resolution), of the votes cast support the referendum; and
  - (b) the number of votes cast supporting the referendum is equal to or greater than eight percent (8%) of the active members of the Society.
5. No referendum shall be held except during the School Year.

**BYLAW 21: STUDENT COURT**

2. The Court shall be constituted by and shall be governed by the following provisions.
- ...
- ~~(1) Court shall, within one (1) calendar week of Council referring a referendum to Court in accordance with Bylaw 4(2), supply Council with a suitable text for that referendum question.~~