

## CONSTITUENCY FEE RULES IN AMS CODE (2017)

### CODE SECTION XIII

#### Article 6. Determination of Constituency fee levies

1. In accordance with the *University Act* a Constituency may only raise its fees by referendum, such a referendum to be held in accordance with Bylaw 14, Section IX A, Article 9 of the Code and this Article.
2. A referendum to alter a Constituency fee levy must be held during the Winter Session, and early enough to enable the Board of Governors to order the collection of the levy in time for the following school year.
3. The President shall be provided with documentation of the results of the referendum within one (1) month of the release of results and shall place upon Council's next agenda a Resolution to accept the new fee. Such a Resolution shall be deemed to have been submitted by the Constituency in accordance with Section III, Article 2(2)(a), and shall appear under the "Constituency and Affiliates' Motions" section.
4. The Resolution referred to in paragraph 3 above shall take the following form:

*That Council, pursuant to the University Act and Bylaw 14(6) of the Society, give notice to the Board of Governors to increase the fee levy for students in (whichever faculty) from \$\_\_\_ to \$\_\_\_ starting in Winter Session 20\_\_\_/\_\_\_, and that the Vice-President Finance send this notice to the Board of Governors.*

5. The notice referred to in paragraph 4 shall contain the following elements:
  - (a) a letter addressed to the Chair of the Board of Governors notifying the board of a change in the Constituency fee levy;
  - (b) a copy of the Resolution adopted by Council; and
  - (c) a copy of the documentation specified in paragraph 3 above.
6. The notice referred to in paragraph 4 above shall be sent to the Secretary of the Board of Governors no more than fourteen (14) days after the Council meeting that adopted the Resolution.

## **CODE SECTION IX A**

### **Article 9. Constituency Elections and Referenda**

1. Constituencies shall determine the rules and procedures to be followed in conducting their elections and referenda, provided however that the following conditions are adhered to:
  - (a) the Constituency must appoint a chief elections official and an elections committee to conduct its elections;
  - (b) the Constituency's chief elections official and its elections committee must conduct elections in an unbiased and impartial manner;
  - (c) candidates in a Constituency election may not serve during that election on the Constituency's elections committee or on any other election appeal body in the Constituency; nor may they serve as the Constituency's chief elections official;
  - (d) the Constituency must establish rules governing election procedures and the penalties for violating such rules;
  - (e) the Constituency's rules and penalties must be in writing, and the Constituency must not introduce non-written rules or penalties;
  - (f) the Constituency must not introduce new election rules, or alter existing election rules, during the period lasting from the beginning of an election campaign until the final determination of the election results;
  - (g) no votes shall be deducted as a penalty in any Constituency election;
  - (h) for similar offences in the same election or referendum, the Constituency's elections committee shall impose similar penalties;
  - (i) the Constituency's council shall not have the right to overturn or refuse to accept the results of a Constituency election;
  - (j) all members of a Constituency in good standing shall be entitled to vote in all elections and referenda conducted by that Constituency;
  - (k) all members of a Constituency in good standing shall be entitled to run for any elected position in that Constituency;
  - (l) voting in all elections and referenda shall be by secret ballot;
  - (m) notice of elections and referenda shall be advertised in the Constituency publication or another campus publication and posted in prominent locations at least seven (7) days prior to the election or referendum;

- (n) notice of deadlines for nominations shall be advertised in the Constituency publication or another campus publication and posted in prominent locations at least seven (7) days prior to the deadlines;
  - (o) if only one candidate is nominated for a position, an election must still be held using a “Yes or No” ballot, and the candidate shall be declared elected only if more than half of the voters vote Yes for that candidate;
  - (p) a candidate who loses a “Yes or No” election for a position as described in paragraph (o) above must not be appointed to that position;
  - (q) in the case of a referendum to alter Constituency fees, the Constituency must follow the quorum requirements and other procedures in Bylaw 14 and Code Section XIII, Article 6;
  - (r) the Constituency must establish an internal appeals procedure to deal with protests and complaints concerning its elections and referenda;
  - (s) the Constituency shall require its chief elections official to not approve campaign material he or she deems to be offensive; and
  - (t) the decision of a Constituency chief elections official to not approve campaign material shall be appealable within the Constituency and may be subsequently appealed according to the procedures outlined in paragraph 2 below.
2. Provided that all internal appeals procedures within a Constituency have been exhausted, the Elections Committee shall rule on the validity of a Constituency election or referendum upon presentation to the Elections Administrator of a written petition from ten (10) Active Members of the Constituency or ten percent (10%) of the Active Members of the Constituency, whichever is less.
  3. Appeals of Elections Committee decisions on Constituency elections and referenda may be made to an Election Appeals Committee in accordance with Article 8 above.