

CODE CHANGES 2023: ELECTORAL PROCEDURES

TO: Council
FROM: Elections Committee
November 2023

Amendment to amend nomination dates, conflict of interest rules, referendum petitioning, contracts with other organizations, etc.

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

SECTION IX: CODE PROCEDURES

A. ELECTORAL PROCEDURES

Article 1. Elections Committee

A. Composition

1. The Elections Committee shall be composed of the following six (6) voting members, all of whom shall be Active Members of the Society:
 - (a) the Elections Administrator, who shall be Chair;
 - (b) the Chief Returning Officer, who shall be the Vice-Chair;
 - (c) ~~two (2)~~ ***three (3)*** Polling Officers. [*and amend the number of Polling Officers to three throughout*]

Article 2. Nomination and Campaign Regulations

2. Nominations
 - (a) Nominations shall open in the first full week of classes in the second term of the School Year, and close ~~on the Friday~~ ***ten (10) calendar days*** before the mid-term break in that term (also known as Reading Week), unless the break occurs at such a time that it will be impossible to complete the election by March 15, in which case the Elections Administrator shall ensure that nominations close at such a time as to allow the election to be completed by March 15. For the purposes of this provision, a full week of classes shall mean a week containing at least four (4) School Days.
7. Conflict of Interest Involving Members of the Elections Committee
 - (e) A close connection between an Elections Committee member and a candidate includes but is not limited to:

- (i) Being a family member or relative.
 - (ii) Being a member of the same club, fraternity, or similar organization.
 - (iii) Being a ~~former or~~ current employer, employee, or co-worker (not including any such work relationship created by being a member of the Elections Committee).
 - (iv) Being a close personal friend.
15. Pursuant to the rules against slates in paragraphs 11 through 13 above, current members of the Executive may not publicly endorse candidates other than themselves and also may not publicly help such candidates in any way. If a public endorsement is made by a member of the Executive, the candidate endorsed must reject the endorsement in accordance with the rules in paragraph 17 below. Any Executive who violates this provision shall be referred to the ~~Ethics and Accountability Committee~~ **Executive Performance and Accountability Committee**.

Article 4. Referendum Regulations

2. For greater clarity, to be duly signed in accordance with Bylaw 4(1)(b) a petition signature must have been freely given without coercion and must not have been provided in exchange for alcoholic beverages or monetary benefits. They must also be kept secure in accordance with the internal policy on petition privacy and they must each include the following elements:
- (a) the Active Member's name (printed);
 - (b) the Active Member's student number; and
 - (c) the Active Member's signature, either handwritten on paper or in electronic form produced by means of a system approved by **the Elections Committee** ~~Council on the recommendation of the Vice-President Academic and University Affairs.~~
4. Staff resources shall be made available to assist the drafters of potential referendum questions to assist them in an impartial and confidential manner. Staff providing such assistance shall do so in an impartial manner and shall not discuss potential questions except with members of Council or the Society's senior managers.
5. ***To ensure that referendum questions brought by petition meet the requirements in Bylaw 4(2), petitioners must consult either the Elections Administrator or the Clerk of Council.***

Article 7. Counting of Ballots and Release of Results

4. (b) As soon as the counting has been completed in Executive elections, the Elections Administrator shall release "partial unofficial results," to include ~~only~~ the winners for each Executive race. "Full unofficial results" for Executive elections shall be withheld for no more than forty-eight (48) hours after the release of the partial unofficial results. In the case of Society referenda, "unofficial results," consisting

of the number of votes received by each side, shall be released by the Elections Administrator as soon as the counting has been completed. The results of Executive elections and Society referenda shall be official only when received by Council.

Article 8. Interpretations, Rulings, Complaints, and Appeals

7. Council members shall not take part in hearing an appeal if:
 - (a) they are candidates in an ongoing election;
 - (b) they are actively working with or have endorsed a candidate in the race under appeal; or
 - (c) they have a close connection with a candidate in the race under appeal, including but not limited to:
 - (i) Being a family member or relative.
 - (ii) Being a member of the same club, fraternity, or similar organization.
 - (iii) Being a ~~former or~~ current employer, employee, or co-worker.
 - (iv) Being a close personal friend.

Article 12. Conduct of Elections for Other Organizations

1. The Elections Committee shall conduct elections and referenda for other organizations, including but not limited to the election of students to the Senate and Board of Governors and elections for the Ubysey Publications Society and the Student Legal Fund Society, only under the following conditions:

- (a) The election must primarily involve the Society's Active Members.
- ~~(b) A contract to run the election must exist between the Society and the other organization, such a contract to be approved by Council.~~

[and renumber]

- (c) ~~The contract between the Society and the other organization must specify that the~~ Elections Committee shall oversee the whole election from the close of nominations through to the counting of ballots.
- (d) ~~The contract must specify~~ **There must be an understanding about** the rules to be followed concerning the eligibility of candidates and voters.
- (e) The rules referred to in paragraph (d) must be in accord with the basic principles of democratic elections.
- (f) ~~The contract between the Society and the other organization must state that the~~ election shall be conducted according to the relevant provisions of the Electoral Procedures except for **other rules agreed to by the Society and the other organization** those rules specified in the contract.

- (g) The ~~contract~~ **other organization** must specify what body or person in the other organization shall be the liaison with the Elections Committee.
 - (h) ~~The contract must specify~~ **There must be an understanding about** what the duties of the other organization shall be in the running of the election.
 - (i) ~~The contract must specify~~ **There must be an understanding about** who shall pay for the costs of running the election and ~~specify~~ in what manner payment will be made.
 - (j) ~~The contract must prescribe~~ **There must be** a procedure for appealing decisions of the Elections Committee.
2. Where relevant, and unless otherwise stipulated in this section of Code or in **an agreement with the other organization** ~~the contract to run an election required by paragraph 1 above~~, the Elections Committee shall conduct elections and referenda for other organizations in accordance with the rules and procedures contained in this section of Code.