

Number and Title

GV5: Elections Rules and Regulations

Effective Date

May 1st, 2025

Approval Date

April 26th, 2025

Policy Type

Governance Policy

Review Date

This policy shall be reviewed every three (3) years.

Responsible Body

Governance Committee and Elections Committee

Responsible Executive

President

Responsible Personnel

Elections Administrator

Authority

AMS Bylaw 5, Section 3(b)

AMS Code of Procedure, Section II, Article 11(1):

“Council may create internal policies as well as strategic plans and frameworks.”

Purpose and Goals

This policy outlines the Society’s nominations and elections procedures.

Applicability

This policy applies to all Society members.

Exclusions**Definitions**

1. **“AMS Member”**: as defined by AMS Bylaw 2, Section 1(a);
2. **“AMS Club”**: a subsidiary organization constituted as an ‘AMS Club’ by the AMS Operations Committee;
3. **“Constituency”**: as defined by AMS Bylaw 2, Section 1(a);

Policy

Duties of the Members of Elections Committee

1. The Elections Administrator shall:
 - a. in collaboration with the Human Resources Department and the Human Resources Committee, conduct interviews of candidates for other positions on the Elections Committee;
 - b. provide potential interview questions and other relevant information that may be of assistance in hiring the next Elections Administrator;
 - c. chair the Elections Committee;
 - d. be the official liaison with other organizations whose elections or referenda are being conducted by the Elections Committee in accordance with paragraph 176;
 - e. be the signing officer for the Elections Committee;
 - f. place ads in a campus publication or publications on behalf of the Committee;
 - g. be responsible for preparing and updating the handbook for candidates referred to in paragraph 19;
 - h. cause all necessary election forms to be prepared;
 - i. cause the ballots for elections and referenda to be prepared;
 - j. be the technical liaison between the Elections Committee and the organization whose computers are handling the electronic aspects of the election or referendum, but neither the Elections Administrator nor any other member of the Elections Committee shall have access to the voting results before the end of the voting period;
 - k. along with the Chief Returning Officer, supervise the initial viewing of voting results at the end of the voting period;
 - l. have the power to bar unauthorized persons from the Elections Office during the initial viewing of results;
 - m. submit a written report on the ballot counting and the results of each election or referendum to the Elections Committee;

- n. be the official spokesperson for the Elections Committee and be responsible for the official release of results and reports to Council;
- o. prepare an election or referendum report in accordance with paragraphs 139 to 141;
- p. publish the results of an election after they have been reported to Council in accordance with paragraph 142;
- q. prepare a transition report for their successor, including but not limited to:
 - (i) relevant timelines;
 - (ii) essential personnel contacts both within and outside of the Society;
 - (iii) future recommendations for the position;
 - (iv) tasks or projects yet to be completed;
 - (v) an outline of duties mandated by the Code of Procedure;
 - (vi) important situational examples and advice for such occurrences;
 - (vii) information and passwords to access physical and online resources;
 - (viii) instructions on how to use the online voting system;
 - (ix) a review of new work completed; and
 - (x) other daily responsibilities and relevant information;
- r. work with the Vice-President Administration to obtain space for an Elections Office for the term of the Elections Administrator, such space to be located outside the main administrative office area of the Society;
- s. keep and maintain all files, records, memoranda, agendas, and minutes of the Committee until transferred to the archives;
- t. ensure that Constituencies have an Elections Administrator and provide training to such officials;
- u. actively encourage Constituencies to use the Society's electronic voting system and assist them in doing so;
- v. report to Council on the reasons for rejecting a request of a Constituency to use the Society's electronic voting system; and
- w. have such other powers and duties as are outlined in the Bylaws, the Code, this policy, or assigned by Council or the Elections Committee from time to time.

2. The Chief Returning Officer shall:

- a. ensure that Polling Officers and poll clerks are adequately trained pursuant to paragraph 178;

- b. be responsible for preparing and distributing information on relevant rules and regulations to the Polling Officers and poll clerks;
- c. assign poll clerks to polls, and ensure that the polls are adequately staffed during the polling period;
- d. be responsible for the design and layout of the Society's polling stations;
- e. along with the Elections Administrator, supervise the initial viewing of voting results at the end of the voting period; and
- f. have such other powers and duties as are outlined in the Code, this policy, or assigned by Council, the Elections Administrator, or the Elections Committee from time to time.

3. The Events and Communications Officer shall:

- a. in collaboration with the Society's Marketing and Communications Department, oversee all promotions for Society elections and referenda, including but not limited to promotions done through social media and the Society's election website;
- b. organize the All-Candidates Meeting pursuant to paragraph 18;
- c. manage the Candidate Forums and other events associated with the Society's elections; and
- d. have such other powers and duties as are outlined in the Code, this policy, or assigned by Council, the Elections Administrator, or the Elections Committee from time to time.

4. The Polling Officers shall:

- a. attend all meetings of the Elections Committee from the date they have been hired;
- b. attend all events organized by the Elections Committee, including but not limited to the All-Candidates Meeting and Candidate Forums;
- c. manage voting stations (including opening and closing, enforcing campaign regulations, and safeguarding electoral equipment);
- d. communicate any technical difficulties at the polling stations to the Chief Returning Officer; and

- e. have such other powers and duties as are outlined in the Code, this policy, or assigned by the Elections Committee, the Elections Administrator, or the Chief Returning Officer from time to time.

5. The Elections Administrator may recommend that Council remove a member of the Committee for failing to attend Committee meetings, or for non-performance of duties or for failing to maintain impartiality. To maintain impartiality, members of the elections committee shall:

- a. act impartially and shall not show bias towards any candidate in an election being conducted by the Committee.
- b. not sign the nomination form of any candidate in an election currently being overseen by the Elections Committee.
- c. not sign a petition related to a referendum overseen, or meant to be overseen, by the Elections Committee.

6. Prospective members of the Elections Committee holding positions in the Society referred to in Section V, Article 14(5) of the Code other than positions on the Executive Committee shall become eligible to serve on the Elections Committee as soon as they resign from their other Society positions, but the fact that they have recently held such positions must be pointed out to Council by the Human Resources Committee if that Committee recommends that they be appointed to the Elections Committee. Members of the Executive Committee are not eligible to serve on the Elections Committee during an academic year in which they serve on the Executive Committee.

7. Candidates in any election overseen by the Elections Committee, including but not limited to the Society's own elections and elections in Constituencies and other organizations, as described in paragraphs 165 to 172, and 176 to 177, are ineligible to be or to remain members of the Elections Committee. A member of the Committee who becomes a candidate during their term of office immediately ceases to be a member of the Committee.

8. During the Official Campaign Period for the Society's executive elections, as defined in paragraph 40, at least one member of the Elections Committee shall be on duty every weekday between the hours of 9 a.m. and 5 p.m.

9. The Elections Administrator shall be on duty every weekday during the Official Campaign Period during hours posted on the Elections Committee office door and shall post information on how they can be reached outside the posted hours.

Nomination and Campaign Regulations

10. Pursuant to Bylaw 5(3)(b)(i), the Elections Administrator shall determine when, in the period between February 15 and March 15, the election of members of the Executive shall be held, with the proviso that polling may not begin earlier than one week after the close of nominations.

11. Nominations shall open in the first full week of classes in the second term of the School Year, and close on the Friday 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.

- a. For the purposes of this provision, a full week of classes shall mean a week containing at least four (4) School Days.

12. The Elections Committee shall advertise the opening and closing of nominations for Executive candidates and for candidates for Senate and the Board of Governors in two (2) editions of a campus publication or publications as determined by the Committee.

- a. The first advertisement shall be in the edition immediately preceding the opening of nominations, and the second advertisement in the edition preceding the closing of nominations.

13. Each candidate running for an Executive position shall be an Active Member of the Society, and shall submit either a digital or hardcopy nomination form duly signed by the candidate and no less than fifty (50) nominators, each of whom shall be an Active Member of the Society.

- a. Digital forms shall be submitted to the Elections Administrator;
- b. Hardcopy forms shall be available in the Administrative Assistant's office and shall be submitted in person to the Administrative Assistant.

14. Even if nominated for more than one position, a candidate may run for only one Executive position in a given election.

15. The Administrative Assistant shall submit completed nomination forms to the Elections Administrator upon the request of the Elections Administrator.

16. The Elections Committee shall confirm the eligibility of candidates and nominators.

17. The names of the candidates in an election shall not be made public until the end of the All-Candidates Meeting, at which time they shall be released by the Elections Administrator.

All-Candidates Meeting and Candidates' Handbook

18. The Events and Communications Officer shall organize an All-Candidates Meeting to take place following the close of nominations, on the same day as the close of nominations.

19. At the All-Candidates Meeting, the Elections Administrator shall provide instructions concerning the parts of the Electoral Procedures relevant to candidates and shall distribute a copy of a candidates' handbook to all candidates.

- a. The Candidates' Handbook and Referendum Handbook must be presented to Council before their presentation to the All-Candidates Meeting. Any changes after this presentation may only be typographical.

20. The All-Candidates Meeting shall be closed to everyone but the candidates and the Elections Committee.

21. Paragraph 20 notwithstanding, the AMS President shall attend the All-Candidates Meeting to present on the duties, commitments, and accountability procedures of the AMS Executive

- a. In the case that the President is absent, or is a candidate in the election, the Clerk of Council shall deliver the presentation

22. At the meeting candidates may withdraw from the election if they so choose without their candidacies being made public.

23. At the All-Candidates Meeting members of the Elections Committee must declare any conflicts of interest they have in relation to candidates, in accordance with paragraphs 41 to 44.

24. All candidates must either attend the All-Candidates Meeting or meet privately with the Elections Administrator following the close of nominations to receive instructions on these Procedures and to receive a copy of the candidates' Handbook.

25. The handbook for candidates shall contain a summary and explanation of the parts of these Electoral Procedures relevant to candidates, including but not limited to the provisions on market cost, on spending and reimbursement limits, and on permissible forms of campaigning. The handbook shall also include a summary and explanation of rules and regulations which candidates are required to abide by but which are not in these Electoral Procedures.

26. All rules and regulations created by the Committee in accordance with Section V, Article 14(8)(o) of the Code must be in writing, and the Committee must not introduce non-written rules or regulations.

27. The Committee must not introduce new rules or regulations, or alter existing rules or regulations, during the period lasting from twenty-four (24) hours prior to the beginning of the All-Candidates Meeting of an election or the beginning of a referendum campaign until the final determination of the election or referendum results.

28. Candidates must sign the handbook and agree that they and anyone assisting them in their campaigns will follow the rules in the handbook.

29. If a referendum is taking place in conjunction with the elections, the Elections Administrator may combine the Referendum Meeting required by paragraph 106 with the All-Candidates Meeting.

Interview by a Campus Publication

30. The Elections Committee shall facilitate the publication of interviews with the candidates in a campus publication.

Candidate Forums

31. The Elections Committee shall organize two or more Candidate Forums during the Official Campaign Period prior to the commencement of voting.

32. The Candidate Forums shall be publicized in at least one issue of a campus publication or publications as determined by the Elections Committee.

33. Each Candidate Forum shall be for one or more positions in the Society's Executive elections and for one or more positions in non-Society elections such as the elections for the University Senate and for the University Board of Governors.

34. The Elections Committee shall organize forums so that all candidates in the Society's Executive elections have the opportunity to participate in at least one such forum.

35. The Elections Committee shall have final say over the location, budget, questions, rules, and moderation for the forums.

36. At least two (2) members of the Elections Committee shall be present at each forum.

37. The Elections Administrator may remove the moderator at a forum at any time before or during the forum, in which case a member of the Elections Committee shall conduct the rest of the forum.

38. All candidates for each position in the Society's Executive elections shall have the right to participate in all forums to which candidates for that position are invited.

39. All candidates for each position in the non-Society elections shall have the right to participate in all forums to which candidates for that position are invited.

Campaigning

40. There shall be an Official Campaign Period beginning after the conclusion of the All-Candidates Meeting at a time and for a duration as determined by the Elections Committee no

later than January 15. In no case shall the Official Campaign Period be less than ten (10) school days in length, including at least five (5) calendar days of voting.

41. Outside the Official Campaign Period, public campaigning, including but not limited to the forms of campaigning listed in this paragraph, shall be prohibited:

- a. classroom announcements;
- b. announcements on listservs, social media, or websites;
- c. public speaking, especially when amplified by megaphones, microphones, or other similar devices;
- d. distributing buttons, leaflets, brochures, handbills, food or drink;
- e. distributing or wearing T-shirts with campaign slogans or other campaign messages on them; and
- f. mass mailings, including e-mail mass mailings.

42. The prohibitions in paragraph 41 shall apply to the candidates themselves and to any persons, groups, or organizations acting on their behalf and with their consent.

43. Notwithstanding the prohibitions in paragraph 41, the following activities shall be permitted even if engaged in before the beginning of the Official Campaign Period:

- a. private communication concerning election plans, including but not limited to private communication by means of:
 - i. in-person conversations;
 - ii. e-mail;
 - iii. letters sent by regular mail or social media message; and
 - iv. telephone conversations;
 - v. the circulation of nomination forms and other reasonable measures as approved by the Elections Committee and taken in order to fulfill the nomination requirements in this section of Code.

44. Notwithstanding the prohibitions in paragraph 41, the following activities shall be permitted even if engaged in before the beginning of the Official Campaign Period, but only after the All-Candidates Meeting:

- a. responding to inquiries from the media about elections plans.

45. Only the following forms of campaigning, and no others, shall be permitted during elections and referenda:

- a. posterage: posters no larger than 30 cm x 45 cm (11" x 17") may be put up - the Elections Committee shall establish rules for posterage, including but not limited to rules on the type of paper used in posters, the number of posters permitted, and the moving, covering up, and defacing of other candidates' posters, provided that such rules comply with University and Society policies;
- b. the use of lawn signs: lawn signs no larger than 60 cm x 45 cm (24" x 18") may be put up - the Elections Committee shall establish rules for lawn signs, including but not

limited to rules on the type of lawn sign and the number of lawn signs permitted, provided such rules comply with University and Society policies;

- c. distribution of buttons: buttons may be distributed without restrictions, but may not be affixed to bulletin boards or other stationary objects;
- d. distribution of leaflets, brochures, and handbills: non-adhesive leaflets, brochures, and handbills may be distributed without restrictions, but may not be affixed to bulletin boards or other stationary objects;
- e. e-mailing and web pages: campaign-related e-mail messages may be sent, and campaign-related material may be posted on web pages, subject to restrictions put in place by the Elections Committee;
- f. social media: social media may be used for campaigning, subject to restrictions put in place by the Elections Committee;
- g. distribution of food and non-alcoholic drink;
- h. the distribution and wearing of T-shirts with campaign slogans or other campaign messages on them;
- i. speech-making and any other form of oral communication;
- j. advertising in the media: advertising in all forms of media shall be permitted, including in Society publications;
- k. letters to the editor and opinion pieces: these may be published in any newspaper or other media outlet, including Society publications; and
- l. any other form of campaigning approved by the Elections Committee before the beginning of the Official Campaign Period.

36. All campaigning must comply with all relevant University and Society policies, and with the provisions of the Society's Policies, Code, and Bylaws.

37. Except as provided in paragraphs 114 to 115, each polling station shall be surrounded by a buffer zone in which no campaigning shall be permitted, so as to allow voting to be carried on free of interference from campaigners; this zone shall be ten (10) metres in all directions from the polling station, as determined by the poll clerks.

- a. For the purposes of this provision, a polling station shall include any computer used by the Elections Committee, poll clerks, candidates, or their volunteers on which more than one voter is casting a vote.

38. Candidates and campaign organizations must ensure that their physical campaign material is removed within one (1) week following the end of the Official Campaign Period. If this is not done, the poll clerks shall remove the material and the cost of removal shall be deducted from the candidate's reimbursement.

Conflict of Interest Involving Members of the Elections Committee

39. No member of the Elections Committee may participate in Elections Committee discussions, debates, or votes concerning candidates with whom they have a close connection, as defined in paragraph 43.

40. No member of the Elections Committee may discuss election issues with a candidate with whom they have a close connection, as defined in paragraph 43, except that an Elections Committee member in such a situation may communicate with the candidate in question if such communication is necessary for the discharge of that member's duties, but only so long as another member of the Elections Committee is present.

41. If the Elections Administrator has a close connection with a candidate, the Elections Administrator must relinquish the chair if an issue concerning that candidate is being discussed at an Elections Committee meeting.

42. If the Elections Administrator has a close connection with a candidate, the Elections Administrator shall designate some other member of the Elections Committee to approve that candidate's campaign material and to make preliminary rulings under paragraph 143 concerning that candidate.

43. A close connection between an Elections Committee member and a candidate includes but is not limited to:

- a. Being a family member or relative;
- b. Being a member of the same club, fraternity, or similar organization;
- c. 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);
- d. Being a close personal friend.

44. The Elections Committee may at any time, by Resolution, declare that one of its members is in a conflict of interest for any reason. That member may not vote on the Resolution.

45. Members of the Elections Committee shall avoid socializing with candidates and shall not release confidential information to candidates or anyone else.

46. Candidates must not offer gifts to members of the Elections Committee and must not request confidential information from them.

47. Candidates shall avoid socializing with members of the Elections Committee.

Other Forms of Conflict of Interest

48. Candidates and anyone directed by a candidate shall not use the materials or resources of the Executive, the other branches of the Society's student government, the Student Services, the Student Resource Groups, the Constituencies, the Society's Clubs, the Administration Office, the Events Office, or other staff offices, including, but not limited to:

- a. mailing lists;
- b. office supplies;

- c. photocopiers, phones, faxes, computers, and printers.
 - i. This prohibition does not apply to materials and resources available to Society members generally, such as free phones in Constituency offices.

49. Candidates shall not use the Administration Office, the Events Office, other staff offices, Executive offices, or other offices of the various branches of the Society's student government, or the offices of the Student Services, the Student Resource Groups, or the Society's Clubs, or bookable rooms in the AMS Student Nest, for any purpose related to elections, including, but not limited to:

- a. use of such offices as campaign offices and for storage of campaign materials, display of campaign materials, campaigning, and campaign meetings.
 - i. To facilitate enforcement of this provision, candidates shall report to the Elections Committee all privileged access they have to University buildings.

50. Neither the Student Resource Groups nor the Society's Constituencies shall spend money or resources on behalf of any candidates. Any candidate who benefits from a violation of this provision may, at the discretion of the Elections Committee, be penalized in accordance with paragraph 73.

51. In accordance with Section X, Article 1(5) of the Code, the Student Services shall not take part in any Society election campaigns unless authorized to do so by Council.

Spending limits and Reimbursement of expenses

52. By January 15 of each year, the Elections Committee shall set an upper limit for campaign expenses. This upper limit shall be re-evaluated each year.

53. The upper limit for campaign expenses shall also be the upper limit for the amount of reimbursement candidates may receive for campaign expenses.

Declaration of Expenses and Application for Reimbursement

54. To demonstrate compliance with the spending limits established pursuant to paragraph 52, every candidate must submit to the Elections Committee a statement of campaign expenses:

- a. This statement, signed by the candidate and supported by itemized receipts, must be submitted no later than one week after the end of the Official Campaign Period;
- b. The submitted material may be audited at the discretion of the Elections Committee;
- c. Additional statements may be considered at the discretion of the Elections Committee, but in no case more than nine (9) days after the end of the Official Campaign Period.

55. The Elections Committee shall assess each candidate the actual Cost for each declared campaign expenditure. A candidate's total assessment must not exceed the upper limit for campaign expenses set by the Committee in accordance with paragraph 52.

56. All candidates who submit proper expense statements shall be considered as having applied for reimbursement of those expenses.

- a. For further clarity, any candidate who withdraws during the Official Campaign Period shall be eligible for reimbursement in accordance with the rules in this policy, but any candidate who withdraws before the start of the Official Campaign Period shall not be eligible.

57. Candidates shall be reimbursed for the actual cost of their materials.

- a. Their total reimbursement, including their reimbursement for minor supplies in accordance with paragraph 58, shall not exceed the limit set in accordance with paragraph 53;
- b. Reimbursement shall be made only for expenditures on forms of campaigning permitted by paragraph 45.

58. Minor supplies (tape, staples, etc.) as determined by the Elections Committee need not be declared on the statement of expenses.

59. If an organization to which a candidate belongs spends money on campaign materials explicitly endorsing that candidate, the money so spent shall be counted as part of that candidate's expenses when determining whether the candidate remained within the campaign spending limits, but the candidate shall not be eligible for reimbursement for such expenses.

- a. The term "campaign materials" in this provision does not include the publication of written endorsements.

60. Other third party spending on behalf of a candidate shall be dealt with in accordance with paragraphs 69 to 72.

Slates and Endorsements

61. Candidates shall not run in slates, real or apparent, or share expenses for campaign materials:

- a. A slate shall mean a group of candidates who run for elected office at UBC Vancouver (including but not limited to Executive positions and positions in the Senate and on the Board of Governors) on a similar platform for mutual advantage.

62. For further clarity, but without limiting the generality of paragraph 61, the following slate-like activities shall be prohibited:

- a. appearing on another candidate's campaign materials, including but not limited to posters, flyers, handouts, websites, and other social media sites;
- b. producing campaign materials that resemble those of another candidate in colour, branding, design, or appearance; and
- c. using the same slogan or slogans as one or more other candidates.

63. At its discretion, the Elections Committee may prohibit other activities it decides are slate-like.

64. Pursuant to the rules against slates in paragraphs 61 to 63, candidates may not endorse other candidates, either in public or in private, and also may not help other candidates in any way, including but not limited to helping with the preparation of graphics or other campaign materials.

65. Pursuant to the rules against slates in paragraphs 61 to 63, current members of the Executive may not publicly endorse candidates other than themselves and also may not publicly help such candidates in any way.

66. 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 68. Any Executive who violates this provision shall be referred to the Executive Performance and Accountability Committee.

67. Non-Executive Council members, employees in the Society's Student Services, Associate Vice-Presidents, and assistants to members of the Executive may endorse and assist candidates other than themselves only if they sign an Endorsement and Campaigning Agreement provided by the Elections Committee and submit the agreement to the Elections Committee before endorsing or assisting a candidate other than themselves.

Third Party Endorsements

68. Candidates must publicly declare their acceptance or rejection of third party endorsements by media outlets and any other group or individual.

69. When a third party endorsement is made from a third party that will also be a financial supporter, candidates must notify the Elections Committee of their acceptance or rejection within twenty-four (24) hours.

- a. However, the Elections Committee may at its discretion extend this period in exceptional circumstances. If the Elections Committee discovers an endorsement unknown to a candidate, it shall inform that candidate, who shall then have twenty-four (24) hours to accept it or reject it; the Elections Committee may at its discretion extend this period in exceptional circumstances.

70. Candidates who accept a third party endorsement must state whether that third party will be solely an endorser or also a financial supporter.

71. Any spending by a financial supporter on campaign materials explicitly endorsing a candidate shall be counted as part of that candidate's expenses when determining whether the candidate remained within the campaign spending limits, but the candidate shall not be eligible for reimbursement for such expenses.

- a. The term "campaign materials" in this provision does not include the publication of written endorsements by media outlets.

72. If a third party endorser who has not been accepted as a financial supporter begins spending money on campaign materials explicitly endorsing a candidate, that candidate may notify the Elections Committee that they no longer accept the endorsement, at which point the Elections Committee shall determine how much of the spending will be counted as part of that candidate's expenses.
- a. If the candidate decides to continue accepting the endorsement, the third party shall be considered a financial supporter, and the rules in paragraph 71 shall apply.

Violations and Penalties

73. The Elections Committee may penalize any candidate and determine the penalty for campaigning in violation of the campaign rules in paragraph 45 and for any other breach of the Electoral Procedures and any other election irregularity.
74. For serious offences, as defined in the Candidates' Handbook, the Elections Committee may disqualify a candidate.
75. If they decide not to disqualify, they must impose at least one of the penalties for less serious offences.
76. The Elections Committee shall consult with the UBC Registrars Office on the disqualification of any candidates for UBC Senate or Board of Governors before a decision is made.
77. For less serious offences, as defined in the Candidates' Handbook, the Elections Committee may withdraw one or more of a candidate's campaign rights, including, but not limited to, the rights enumerated paragraphs 41 to 45.
78. However, the Committee shall not remove a candidate's right to have an interview published in a campus publication pursuant to paragraph 30, and the Committee shall not remove a candidate's right to have a picture and a statement on the election website and on the ballot pursuant to paragraph 114.
79. The Elections Committee may, at its discretion, issue a warning rather than imposing a penalty for less serious offences, especially in the case of a first offence.
80. The Elections Committee shall not deduct votes as a penalty in any election or referendum.
81. If serious offences have been committed by more than one candidate in an election, the Elections Committee may declare the results of that election invalid.
82. If serious offences have been committed in a referendum, the Elections Committee may declare the results of that referendum invalid.
83. For similar offences in the same election or referendum, the Elections Committee shall impose similar penalties, except for repeat offenders.

84. If the Elections Committee disqualifies a candidate or declares an election or referendum invalid, such disqualification or declaration may be appealed to an Election Appeals Committee in accordance with paragraph 146.

85. The Elections Committee shall create a violations chart with examples and specific Punishments. This violations chart does not need to be exhaustive.

Referendum Regulations

86. The Elections Committee shall conduct Society referenda in accordance with Bylaw 4, the applicable portions of these Electoral Procedures, and other rules and regulations developed by the Committee, provided that those rules and regulations are consistent with the Constitution, Bylaws and Code of the Society.

87. 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.

88. 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.

89. On receiving a petition in accordance with Bylaw 4(1)(b), the President or the President's designate shall forward it to the Elections Administrator, who shall verify that it meets the requirements of the Bylaw and of this policy.

- a. If it has done so, the Elections Administrator shall forward the question on the petition to the President and Council so that a referendum may be held on it.

90. Staff resources shall be made available to assist the drafters of potential referendum questions to assist them in an impartial and confidential manner.

91. 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.

92. The Elections Committee shall publicize each referendum by means of advertisements containing the wording of the referendum question, such advertisements to appear in a campus publication or publications no later than seven (7) days prior to the referendum and during the week of the referendum.

93. All campaign material must be removed within one (1) week of the end of voting. Referendum campaigns shall be charged for the removal of materials after this period.

Neutrality

94. The Society shall be neutral in all referenda unless Council decides by resolution to support a side. Council may only support one side in a referendum, and it must be either the Yes or No side of the referendum.

95. If Council does not decide to support a side in a referendum, then none of the Society's offices, materials, or resources, as described in paragraphs 48 to 51, may be used by either side in the referendum.

96. If Council decides to support a side, it must abide by all campaign rules set out in the Code or in the Referendum Handbook. It must also make public its campaign expenditures.

Yes and No committees:

97. The Elections Committee shall allocate \$1,000 for reimbursement of expenses for one Yes committee and \$1,000 for reimbursement of expenses for one No committee in every referendum.

98. If Council endorses a side in a referendum there will not be a Yes or No Committee for the side that Council has endorsed, unless a committee has already been established.

99. To qualify for funding, a Yes or No committee must:

- a. obtain a copy of the referendum handbook referred to in paragraph 19; and
- b. submit to the Elections Committee a petition for funding before voting has begun on which must appear the following:
 - i. the signatures and student numbers of at least one hundred and fifty (150) Active Members;
 - ii. a list of the members of the Yes and No Committee identifying them as members of that committee; and
 - iii. a budget outlining any proposed expenditures.

100. The Elections Committee shall verify through the Registrar's office that the names and numbers appearing on petitions presented in accordance with paragraph 99 are those of Active Members.

101. In the case of a referendum initiated by petition, the petitioning side shall be deemed to have fulfilled the requirements of paragraph 99 above, provided that it includes on the petition for a referendum a list of committee members as required by paragraph 99.

102. When originally submitting its petition for funding, a Yes or No committee must consist of five members.

- a. If the committee fulfills the requirements of paragraph 99, the Elections Committee shall designate it as the body entitled to receive referendum funding.

- b. Notwithstanding this provision, the Elections Committee may decide to put a different committee in place or to add or subtract members from the original committee.

103. A committee must submit an application for reimbursement and supporting receipts to the Elections Committee in order to receive reimbursement.

104. The Elections Committee shall publicize the availability of funding for Yes and No committees by means of advertisements appearing on the Committee's and the Society's social media sites within two (2) business days of the receipt of a referendum petition by the President or the passing of a motion by Council calling for a referendum.

105. Anyone taking part in campaigning of any sort in favour or against a referendum must be an Active Member. Without limiting the generality of the foregoing, no one who is not an Active Member may organize campaigning, recruit campaigners, or circulate campaign material, and the offices, materials, and resources of the University or any other external organization may not be used to assist campaigning. This provision notwithstanding, individuals who are not Active Members may provide information for Active Members to use during referendum campaigning, and the staff of the Society who are not Active Members may assist in creating referendum campaign materials, but only in their capacity as the Society's staff and when directed to do so by the Society's student executive and their representatives.

106. The Elections Administrator shall organize a Referendum Meeting to take place no later than seven (7) days prior to the referendum.

107. At this meeting, the Elections Administrator shall provide interested parties with information about the parts of the Electoral Procedures relevant to referenda and shall distribute a copy of a referendum handbook to interested parties.

108. If a referendum is taking place in conjunction with the elections, the Elections Administrator may combine the All-Candidates Meeting required by paragraph 18 with Referendum Meeting.

109. The referendum handbook shall contain a summary and explanation of the parts of these Electoral Procedures relevant to referenda. The handbook shall also include a summary and explanation of rules and regulations relevant to referenda which are not in these Electoral Procedures.

Polling Regulations

110. The Elections Committee shall ensure that all Active Members have an opportunity to vote and shall establish polling stations and take other measures to publicize the election or referendum so as to ensure that as many Active Members as possible do vote.

111. Polling stations shall be in conspicuous locations, including a location in the AMS Student Nest and in other conspicuous locations at the discretion of the Elections Committee.

112. Except in the case of by-elections, paper ballot elections, or other special elections, voting during Society elections and referenda through electronic or paper means shall be available for at least five (5) school days.

113. The Elections Committee shall ensure that each polling station has the equipment and personnel required to conduct the voting in an efficient and secure manner, making sure to preserve the secrecy of each voter's ballot and ensuring that voters are properly informed about voting procedures and how to mark their ballots.

- a. Instructions on voting procedures shall be clearly posted at each polling station.

114. Each candidate shall be permitted to have a picture and a statement on the election website and on the ballot, the word limit and picture size to be determined by the Elections Committee.

- a. The deadline for submission of the picture and statement shall be set by the Elections Committee and publicized in the Candidates' Handbook.

115. Each Yes or No committee in a referendum shall be permitted to have a statement on the election website, the word limit to be determined by the Elections Committee.

- a. The deadline for submission of the statement shall be set by the Elections Committee and publicized in the Referendum Handbook.
- b. If Council endorses a side in the referendum, the Society shall be permitted to have a statement on the elections website and on the ballot, the word limit to be determined by the Elections Committee. The Society shall not be entitled to this statement if a Yes or No committee was established before Council endorsed that side. The deadline for submission of the statement shall be set by the Elections Committee and publicized in the Referendum Handbook.

116. The Elections Committee shall take whatever steps necessary to ensure that only eligible voters cast ballots and to ensure that each eligible voter votes only once.

Ballots

117. In Executive elections, candidates may choose to have their full name appear on the ballot as it appears on their UBC card or they may choose to have any combination of their given names or initials of their given names appear along with their surname. Candidates may also choose to have their pronouns appear on the ballot.

118. If a candidate has been recalled or removed from an AMS Executive office, that fact shall be indicated on the ballot in the following manner:

- a. **[Removed from Office]*** alongside the candidate's name;
- b. *[*In accordance with the AMS Policy GV5 - Elections Rules and Regulations, Paragraph 118, this is notice that this candidate has previously been recalled or removed from an AMS Executive office*]* as an addendum to their submitted ballot bio;

119. For all ballots, if possible, various versions shall be prepared with the names of the candidates listed in different random orders on each version, so that voters will not all vote on identically ordered ballots.

120. In Executive elections, the positions to be voted on shall appear in the following order on the ballot:

- a. President;
- b. Vice-President Academic and University Affairs;
- c. Vice-President Finance;
- d. Vice-President Administration;
- e. Vice-President External; and
- f. Vice-President Student Life.

121. If elections are being conducted for other organizations, those positions shall appear on the ballot after the Executive positions in the following order:

- a. University Board of Governors;
- b. University Senate;
- c. Ubysey Publications Society;
- d. Student Legal Fund Society; and
- e. any other organizations.

122. On referendum ballots, "Yes" shall appear above "No" or to the left of it.

Counting of Ballots and Release of Results

123. The Elections Committee shall take whatever measures necessary to ensure the security of the ballots and the balloting process.

124. The Elections Committee shall take all measures necessary to ensure that an accurate count of the ballots cast is obtained.

125. The Elections Committee shall take all measures necessary to ensure that only validly cast ballots are counted.

126. The Chief Returning Officer and at least one (1) other member of the Elections Committee must be present at all times during ballot counting.

127. Ranked ballots shall be used for Executive elections. The voters shall be asked to rank candidates for each position using numeral marks, with "1" indicating the most preferred, "2" the second most preferred, and so on.

128. Identically marked (or unmarked) candidates shall be counted equally, with no preference between them.

129. Candidates who are not ranked shall be considered to have a lower preference than any ranked candidate.

130. Instant Run-Off voting shall be used for each Executive position:

- a. Voters shall rank the candidates in order of preference. Ballots are first counted for each voter's top choice. If a candidate has more than half of the top-choice votes, that candidate wins the election.
- b. If not, then the candidate with the fewest votes is eliminated, and the voters who selected the eliminated candidate as a first choice then have their votes added to the totals of their next choice. This process continues until a candidate has more than half of the votes.
- c. If there are only two candidates remaining after eliminating all other candidates, but both candidates receive less than half the votes, the candidate with the most votes will win the election.
- d. If there is no clear winner as defined in paragraphs 130(a) to 130(c), the election shall be decided by a coin toss by the Elections Administrator witnessed by the Elections Committee and the two remaining candidates.

131. Ballot counting shall be completed no more than two (2) hours after the close of polling on the last day of polling.

132. As soon as the counting has been completed in Executive elections, the Elections Administrator shall release "partial unofficial results," to include the winners for each Executive race at an election results event, to be organized by the Elections Administrator.

133. "Full unofficial results" for Executive elections shall be withheld for no less than forty-eight (48) hours and no more than seventy-two (72) hours after the release of the partial unofficial results to allow winning candidates to withdraw.

134. 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 at an election results event, to be organized by the Elections Administrator as soon as the counting has been completed.

135. The results of Executive elections and Society referenda shall be official only when received by Council.

136. If a winning candidate withdraws from an Executive election before the release of the "full unofficial results," a new winner shall be determined by recounting the ballots using the procedure described in paragraph 130.

137. Results for elections conducted for other organizations shall be released in accordance with the agreements made with those organizations.

- a. In the case of elections to the Board of Governors and Senate, a formal letter shall be sent to the UBC Vancouver Registrar's Office (or other University office responsible for elections) to certify that the rules in force for University elections have been followed.
- b. Results for the elections to the Board of Governors and Senate may be released once approval has been received from the Registrar's Office (or other University office responsible for elections).

138. Records of elections and referenda shall be kept intact until the results become official by being presented to Council and shall then be stored for a year where technically feasible.

Presentation of results

139. The Elections Administrator shall prepare a written report on the election or referendum, including the results, such results to include the number of votes received by each candidate in the election and the number of votes received by each side in the referendum.

140. The Elections Administrator shall present the report to Council once any complaints or appeals pending before the Elections Committee or an Election Appeals Committee have been ruled on in accordance with paragraphs 143 to 164.

141. Once the Elections Administrator's report is presented to Council, the results shall be official and binding upon the Society. A Resolution of Council to receive or approve the report is not required for the results to be binding.

142. Once the results have been presented to Council, the Elections Administrator shall publish them using an AMS platform.

Interpretations, Rulings, Complaints, and Appeals

143. During an election or referendum, the Elections Administrator, or their designate in the case of a conflict of interest, may make preliminary rulings and interpretations which must be ratified by the Elections Committee within forty-eight (48) hours.

144. Protests or complaints of irregularities regarding candidates, referendum campaign groups, or election officials may be submitted to the Elections Committee, provided that the protest or complaint is in writing, is signed by at least three (3) Active Members, and is submitted no more than 72 hours after the close of balloting.

145. The Elections Committee must reach a decision on the protest or complaint no more than twenty-four (24) hours after it has been received in person by a member of the Committee.

146. Rulings and interpretations made by the Elections Administrator and ratified by the Elections Committee in accordance with paragraph 143, and decisions made by the Elections Committee regarding protests or complaints as described in paragraph 144, may be appealed to an Election Appeals Committee, whose membership is determined by the Code.

147. Members of the Election Appeals Committee shall:

- a. avoid socializing with candidates and shall not release confidential information to candidates or anyone else;
- b. undergo training provided by the Clerk of Council; and
- c. not take part in hearing an appeal if they:
 - i. are actively working with or have endorsed a candidate in the race under appeal; or
 - ii. they have a close connection with a candidate in the race under appeal, including but not limited to being a family member or relative; being a member of the same club, fraternity, or similar organization; being a current employer, employee, or co-worker; or being a close personal friend.

148. Candidates shall:

- a. not offer gifts to members of an Election Appeals Committee or request confidential information from them; and
- b. avoid socializing with members of an Election Appeals Committee.

149. In the case of an appeal of a ruling or interpretation made by the Elections Administrator, the appellant must submit an application in writing to the Chair of the Election Appeals Committee no more than forty-eight (48) hours after the Elections Committee ratifies the ruling or interpretation.

150. In the case of an appeal of a decision made by the Elections Committee, the appellant must submit an application in writing to the Chair of the Election Appeals Committee no more than forty-eight (48) hours after the Elections Committee has made its decision.

151. The appellant's application must include:

- a. a description of the issue in question;
- b. a report of the decision being appealed;
- c. a statement of the remedy being sought; and
- d. a description of the errors allegedly made by the Elections Administrator or the Elections Committee.

152. The appellant must also provide copies of all supporting documents that the appellant wishes to have considered by the Election Appeals Committee.

153. On receiving the appellant's application, the Chair of the Election Appeals Committee shall decide whether it meets the requirements of paragraphs 151 to 152.

- a. If it does, the Chair of the Election Appeals Committee shall notify the Elections Committee of the appeal and provide it with a copy of all relevant documentation

154. The Elections Committee shall make a written response to the appellant's application.

155. Once constituted, the Election Appeals Committee shall create procedures as it sees fit to deal with the issue before it, but it must allow the appellant and the Elections Administrator to appear before it in person and make statements. It must also allow them each to name a representative to appear with them or in place of them if they so choose, such a representative to be an Active Member.

156. After receiving an appeal application submitted in accordance with the provisions of paragraphs 146 to 155, the Election Appeals Committee may overturn a decision of the Elections Administrator or the Elections Committee if it determines that in arriving at that decision:

- a. the Elections Administrator or the Elections Committee acted in a manner inconsistent with the Electoral Procedures in the Code or with the procedures contained in the candidates' handbook issued by the Elections Committee;
- b. the Elections Administrator or the Elections Committee failed to consider relevant evidence;
- c. the Elections Administrator or the Elections Committee acted in an obviously unfair manner; or
- d. the Elections Administrator or the Elections Committee imposed inconsistent penalties for similar offences in the same election or referendum.

157. If the Election Appeals Committee decides to overturn a decision of the Elections Administrator or the Elections Committee in accordance with paragraph 156, it may:

- a. substitute its own decision for that of the Elections Administrator or the Committee; or
- b. order the Elections Committee to reconsider the decision.

158. An Election Appeals Committee must hold its first meeting concerning an application made in accordance with paragraphs 149 to 150 no more than forty-eight (48) hours after the submission of that application.

159. An Election Appeals Committee must come to a decision no more than twenty-four (24) hours after holding its first meeting.

160. The decision of an Election Appeals Committee must consist of the following elements:

- a. the decision itself;
- b. the reasons for the decision; and
- c. a dissenting opinion if there is one.

161. All the elements of the decision referred to in paragraph 160 must be in writing, and copies must be given to the appellant, the Elections Committee, and Council.

162. No protests or complaints of irregularities regarding candidates, referendum campaign groups, or election officials may be submitted to an Election Appeals Committee unless they have first been submitted to and ruled on by the Elections Committee in accordance with the procedures prescribed in paragraphs 143 to 146

163. Notwithstanding paragraph 162, a complaint may be submitted to an Election Appeals Committee before the Elections Committee has ruled on it if:

- a. the Elections Committee has failed to rule on it within a reasonable time; or
- b. the Election Appeals Committee determines that it would be unreasonable to wait for a decision by the Elections Committee.

164. Candidates and other persons involved in elections or referenda must comply with rulings of the Elections Administrator and the Elections Committee even if those rulings are in the process of being appealed to an Election Appeals Committee.

- a. Only if an Election Appeals Committee overturns a ruling may compliance with it cease.

Constituency Elections and Referenda

165. The Committee shall conduct elections for Constituencies if so directed by Council, and in such elections shall have the same powers and duties as specified in Section V Article 14(8) of the Code.

166. The Committee shall provide advice and assistance to Constituencies if requested and may also do so on its own initiative if it determines that there has been a violation of paragraph 167 in a Constituency election or referendum.

167. 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 an Elections Administrator and an elections committee to conduct its elections;
- b. the Constituency's Elections Administrator 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 Elections Administrator;
- d. a Constituency's Elections Administrator must undergo training provided by the AMS Elections Administrator in order to use the Society's electronic voting system;
- e. if using the Society's electronic voting system, the Constituency must abide by the rules prescribed by the AMS Elections Administrator;
- f. the Constituency must establish rules governing election procedures and the penalties for violating such rules;
- g. the Constituency's rules and penalties must be in writing, and the Constituency must not introduce non-written rules or penalties;
- h. 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;
 - i. for greater clarity, the beginning of a Constituency election campaign shall be the end of the meeting at which candidates accept or reject their nominations.

- i. no votes shall be deducted as a penalty in any Constituency election;
- j. for similar offences in the same election or referendum, the Constituency's elections committee shall impose similar penalties;
- k. the Constituency's council shall not have the right to overturn or refuse to accept the results of a Constituency election;
- l. all members of a Constituency in good standing shall be entitled to vote and run in all elections conducted by that Constituency, and to vote in all referenda conducted by that Constituency, except that Constituencies may hold elections for representatives from specific years or programs that are limited to members in those years or programs, with the following proviso:
 - a. if the Constituency limits who can vote in an election, it must make the same limitation on who can run, and vice versa;
- m. voting in all elections and referenda shall be by secret ballot;
- n. 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;
- o. 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;
- p. 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;
 - i. a candidate who loses a "Yes or No" election for a position as described 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(6) and Section XIII, Article 6 of the Code;
- r. the Constituency must establish an internal appeals procedure to deal with protests and complaints concerning its elections and referenda;
- s. results of Constituency elections and referenda shall be certified by the AMS Elections Administrator in reports made both to the Constituency and to Council.

168. Constituencies may not introduce election or referendum rules that contradict the requirements of this policy or are otherwise in conflict with the Society's Code or Bylaws.

169. Provided that at least one internal appeal has taken place within a Constituency, the Elections Committee shall rule on the validity of a Constituency election or referendum and on any decisions made by that Constituency's election officials if requested to do so by an Active Member of that Constituency.

170. Appeals of Elections Committee decisions on Constituency elections and referenda may be made to an Election Appeals Committee in accordance with paragraphs 143 to 164.

Club Elections

171. The Clubs and Societies Committee shall develop procedures to regulate the elections of Clubs constituted under Bylaw 13(3).

172. The electronic voting system used for Constituency elections is not to be used for Club elections, without approval from the Clubs and Societies Committee. Other electronic means may be used for Club elections.

By-Elections, Paper Ballot Elections, and Other Special Elections

173. Notwithstanding the provisions elsewhere in these Electoral Procedures prescribing the number of polling hours for elections and the procedures to follow for nominations, the Elections Committee may set different polling hours and prescribe different procedures for nominations in the case of a by-election to fill an Executive vacancy and in the case of other special elections.

174. Council may decide, by Resolution, to hold an election or referendum exclusively by paper ballot, or for technical reasons it may be necessary for all or some of the voters to vote by paper ballots.

175. If all or some of the voters are voting by paper ballot in accordance with paragraph 174, the Elections Committee shall prescribe procedures for conducting such a vote. Such procedures may deal with any or all of the following:

- a. the rules on the timing of the vote;
- b. the deadline for finishing the counting of the ballots;
- c. the use of instant run-off voting;
- d. absentee voting;
- e. scrutineers;
- f. procedures for handling ballot boxes; and
- g. the rules for counting paper ballots.

Conduct of Elections for Other Organizations

176. 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 Ubyssy 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.
- 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 the rules to be followed concerning the eligibility of candidates and voters, which must be in accord with the basic principles of democratic elections.

- e. 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 those rules specified in the contract.
- f. The contract must specify what body or person in the other organization shall be the liaison with the Elections Committee.
- g. The contract must specify what the duties of the other organization shall be in the running of the election.
- h. The contract must specify who shall pay for the costs of running the election and specify in what manner payment will be made.
- i. The contract must prescribe a procedure for appealing decisions of the Elections Committee.

177. Where relevant, and unless otherwise stipulated in this paragraph 176, or in the contract to run an election required by paragraph 176, the Elections Committee shall conduct elections and referenda for other organizations in accordance with the rules and procedures contained in this policy.

Poll Clerks:

178. All poll clerks and Polling Officers shall be required to attend a training session arranged by the Chief Returning Officer, at which they shall be given information on the rules and regulations relevant to them.

179. While working at a polling station, no poll clerk shall make remarks supporting or opposing any candidate or referendum question; nor may a poll clerk inspect a voter's marked ballot; nor may a poll clerk vote while working. Once hired, a poll clerk shall not work as a volunteer or otherwise assist in any way in any candidate's campaign or in any referendum campaign.

180 Poll clerks shall:

- a. manage voting stations (including opening and closing, enforcing campaign regulations, and safeguarding electoral equipment);
- b. communicate any technical difficulties at the polling stations to the Chief Returning Officer; and
- c. have such other powers and duties as are outlined in the Code, this policy, or assigned by the Elections Committee, the Elections Administrator, or the Chief Returning Officer from time to time.

History:

This is the second draft of the first version of this policy. The first draft of this policy was the 2022 draft.

Consultations:

The following groups and individuals were consulted during the development of the first version of this policy: AMS Elections Committee, AMS Governance Committee, AMS Executive Committee, AMS Elections Administrator.