



King's University College Students' Council
BY-LAW #2

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RELATED DOCUMENTS: By-Law #1

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BY-LAW #2

of

KING'S UNIVERSITY COLLEGE

STUDENTS' COUNCIL

**THE PROCEDURES, POLICIES AND ADMINISTRATION OF GENERAL
ELECTIONS, ELECTIONS, BY-ELECTIONS, PLEBISCITES AND
REFERENDUMS OF THE KUCSC**



PREAMBLE TO BY-LAW #2

The King's University College Students' Council is a student-led and organized body, intended to further the democratic representation of the Student Body At-Large of King's University College.

It is the intent of the Corporation to uphold the principles of democracy, through the enactment, compliance and enforcement of democratic operations and electoral rules and procedures.

Purpose

The Corporation exists to further the democratic interests of constituents; the Student Body. Furthermore, the Corporation is interested in the recruitment, development and experiential education of its constituents through the democratic process.

Mission

This By-Law establishes the jurisdictional independence of the Governance Associate and the Elections Committee. These two institutions and their independence are essential to the democratic process. These Officer are accountable to and shall regularly report to the Council of Student Representatives, the main representative and legislative branch of the Corporation.



Vision

For the purpose of the maximization of opportunity for its constituents and students involved, as candidates, voters informed persons and leaders.

The management and administration of all elections, internal and external of the Corporation, in accordance with this By-Law.

Ensuring such elections are free and fair.

To promote conditions conducive to free and fair elections and increase knowledge of the democratic electoral process.

The certification and declaration of election results.

To further debate and discussion on issues of relevance to students.

To promote the reputation of the Corporation, in the realm of advocacy, leadership and representation.

The Spirit of this By-Law



The Spirit of this By-Law (“the Spirit”) shall refer to the meaning and intention of this By-Law and the intention of the Corporation, even if the way it is written does not express this.

In general, the Spirit is;

To serve the Constituents; the Students of King’s, through means of ensuring the Corporation is welcoming, engaging, empowering, education, developing, honouring and prioritizing them.

The Corporation’s responsibility is that which respects the mandate derived from the Students to serve as their advocates and representatives.

To understand, accessible and transparent.

In specific, the Spirit is;

Every election held shall be in a manner of friendly competition.

Every candidate is personally responsible for their entire campaign, including those representing or campaigning for them.



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1. SHORT TITLE

1. This By-Law may be cited as the *KUCSC Elections By-Law*.

2. INVALIDITY OR UNENFORCEABILITY

1. If any provision or any provisions of this By-Law shall for any reason become to any extent invalid or unenforceable, the remaining provisions of the By-Law shall remain in full force and effect.

3. DEFINITIONS AND INTERPRETATIONS

1. The definitions and interpretations of By-Law #1 shall apply to this By-Law, and in this By-Law and resolutions of the Committee.



1. **“Candidate”** or **“Eligible Candidate”** means any person who may run in any election of the Corporation;
 2. **“Election Cycle”** means any of; the Spring Election, the External Vice-Presidential Election, the Internal Officers Election, or the Fall Election;
 3. **“Election Year”** means four consecutive election cycles commencing with the Spring Election and concluding with the Fall Election;
 4. **“Indiscriminate”** means done at random, or without distinction or differentiation;
 5. **“Party Contesting an Election”** or **“Election Contestant”** means any person who is contesting in any election of the Corporation;
 6. **“Person”** means any individual at the Western University;
 7. **“Precedent”** means the historical decisions of the Elections’ Committee;
 8. **“Registered Interest Party”** means any party registered to contest or otherwise represent any side of a referendum or plebiscite campaign.
 9. **“the Committee”** or **“Committee”** means the Elections’ Committee;
 10. **“University”** means the King’s University College;
2. Other definitions
 1. The terms are defined in the context in which they appear and shall have the meanings therein indicated.
 3. Headings
 1. The headings used throughout the By-Laws are inserted for reference purposes only and are not to be considered in construing the terms, and provisions or to be deemed in any way to clarify, modify, or explain the effect of such terms or provisions.
 4. Time Determination
 1. The term “days prior to” shall exclude the date of the event being described but shall include all other days.
 2. The term “consist of a minimum or maximum of days” shall exclude the date of the event being described but shall include all other days.
 5. Tables
 1. The tables used throughout this By-Law are inserted for reference purposes only and not to be considered in construing the terms, and



provisions or to be deemed in any way to clarify, modify or explain the effect of such terms or provisions.

6. Interpretation

1. Words, terms, phrases, or sentences written in singular form include the plural;
2. Words, terms, phrases, or sentences written in the masculine include the feminine;
3. Wherever the terms “include, “includes”, or “including” are written in the By-Laws, the Policies or Procedures, they shall be deemed to be followed by the words: “without limitation”.

4. **AMENDMENTS TO BY-LAW #2**

1. Any amendment or modification to By-Law #2 shall be in compliance with the provisions and procedure of By-Law #1.

5. **PART A: ELECTIONS**

1. Jurisdiction

1. Jurisdiction of this By-Law shall extend to include all students registered at the University.
2. The provisions of this By-Law shall extend to include the on-campus and off-campus actions of any or all candidates and campaign members, within the scope of general elections, by-elections, plebiscites, and referenda conducted by the Corporation.
3. The provisions of this By-Law shall apply to those general elections, elections, by-elections, plebiscites, and referenda conducted by the KUCSC.



4. No elections, plebiscites, or referenda conduct outside the jurisdiction of this By-Law shall concerning the Corporation shall be recognized by the Corporation.
2. The Administration of By-Law #2
 1. The administration of this By-Law shall be to uphold its Spirit, letter, vision and purpose.
 2. The Governance Associate and the Elections Committee shall have the sole authority over the enforcement of this section of this By-Law.
3. The Governance Associate and Elections' Committee;
 1. The Governance Associate shall;
 - i. Exercise general direction and supervision over the conduct of elections;
 - ii. Ensure that all members of the Elections' Committee act with fairness and impartiality and in compliance with this By-Law;
 - iii. Issue to the members of the Elections' Committee the instructions that the Governance Associate consider necessary for the administration of this By-Law;
 - iv. Exercise the powers and perform the duties and functions that are necessary for the administration of this By-Law, and;
 - v. Remove any Member of the Elections' Committee for cause.

The Elections' Committee shall be composed of;

 - .The Governance Associate, *ex-officio*, as Chair, voting; and,
 - i. a minimum of five (5) and a maximum of (9), students of King's University College, voting that shall;
 - a. be students enrolled in any undergraduate faculty or department of the College;
 - b. have no direct or indirect interest in the outcome of any election, plebiscite or referendum;
 - c. have no shared interest in the outcome of any election, plebiscite or referendum with any candidate, registered interest party or otherwise;



- d. shall have only arm's length and no arm-in-arm relationship, that is an existing relationship or shared interest, with any candidate in any election;
- e. may not be a candidate in any election, endorse any party to an election or support any candidate;
- f. act in accordance with the principle of fairness and impartiality and in compliance with this By-Law;
- g. sign or otherwise affirm the Confidentiality Agreement of the King's University College, and;
- h. abide by the Corporation's Conflict of Interest Policy.

Shall exercise specific direction and supervision over the conduct of election, including;

- .Regulations providing the interpretation of any provision in this By-Law,
- i.Procedures providing the application of any provision in this By-Law,
 - Shall issue, on the request of any candidate, or upon their own volition;
 - .a guideline or interpretation note on the application of a provision in this By-Law.
 - Shall develop, maintain, amend or otherwise manage any criteria or consideration, relating to the decision making of the Committee, for the purposes of;
 - .Ensuring the equality under this By-Law of any candidate, that is;
 - . that each independent candidate is treated equally by and under this By-Law and that all candidates are subject to the same due process in any proceeding.

The precedent of Elections' Committee

- .Includes; any regulation, procedure, guideline, interpretation or other precedents of the Elections' Committee, and shall have the same binding authority and force of law as any provision in this By-Law, with the following exception;
 - . the precedent is inconsistent with the By-Laws;
 - a. the precedent is not openly or readily available to candidates, prior to the date of the commencement of the nomination period of any election cycle;
 - b. the precedent is not available, as amendments to any By-Law, to the Agenda and Council Operations Committee, following the commencement of the election and before the commencement of the Annual General Meeting.



i. Any precedent of the Elections Committee, that in the same fiscal year in which the election was decided is not available to the Agenda and Council Operations Committee, shall cease to be binding.

Make any recommendation on any matter pertaining to elections to the Council.

6. ANNUAL ELECTIONS

1. The Annual Elections of the KUCSC, which shall be held in four (4) cycles, includes;

1. the first (1st) cycle; the Spring Election, consisting of the election of;

- i. the President, and;
- ii. all Student Representatives of the Council,

excluding the;

- a. the First Year Off-Campus and First-Year Residence Student Representatives.

The second (2nd) cycle; the External Vice-Presidential Elections, consisting of the election of;

- .the Vice-President Student Affairs, and;
- i. the Vice-President Student Events.

the Third (3rd) cycle, the Internal Officers Election, consisting of the election of;

- .the Chief Financial Officer, and;
- i. the Chief Communications Officer.

The fourth (4th) cycle; the Fall Elections, consisting of the election of;

- .the First Year Off-Campus Student

Representative;

- i. the First Year Residence Student

Representative, and;

- ii. any position remaining vacant from the first (1st) or second (2nd) election cycle of the same election year of the Corporation.



Council may reopen nominations for any unfilled position in a subsequent election cycle by a Resolution of Council.

7. THE TIMETABLE OF THE ANNUAL ELECTIONS

1. The Timetable for the first (1st) cycle; the Spring Election:

1. The Election Period for the first (1st) cycle:

i. The Election Period shall commence on the day of the commencement of the Nomination Period and shall conclude on the day of the conclusion of the Voting Period.

the Nomination Period of the Election Period which shall;

.commence not prior to the first day and no later than the twelfth (12th) day of any calendar year;

i. conclude not prior to two (2) days preceding the day of the commencement of the Campaign Period.

ii. Consist of a minimum of five (5) and a maximum of ten (10) consecutive days.

the Campaign Period of the Election Period, which shall;

.commence not prior to one (1) day, and no later than two (2) days, following the day of the conclusion of the Nominations Period;

i. conclude on the day prior to the day of the commencement of the Voting Period, and;

ii. consist of a minimum of nine (9) and a maximum of fifteen (15) consecutive days.

the Voting Period of the Election Period, which shall;

.commence on the day immediately following the conclusion of the Campaign Period;

i. consist of two (2) consecutive days, in which;

a. the ballot shall open on the eighth (8th) hour of the first day, and;

b. the ballot shall close on the twentieth (20th) hour of the second day.



- c. Conclude on the day of the close of balloting.

Sample Allowance for Spring Election under this By-Law*

	Minimum	Maximum
Election Period Commences	January 12 th	January 1 st
Nomination Period Commences	January 12 th	January 1 st
Nomination Period Concludes	January 16 th	January 10 th
Campaign Period Commences	January 18 th	January 13 th
Campaign Period Concludes	January 26 th	January 26 th (15 days)
Voting Period Commences	8 th Hour of January 27 th	8 th Hour of January 27 th
Voting Period Concludes	20 th Hour of January 28 th	20 th Hour of January 28 th
Election Period Concludes	January 28 th	January 28 th

***2007 dates used as a reference.**



2. Timetable for the second (2nd) cycle; the External Vice-Presidential Election:

1. The Election Period for the second (2nd) cycle:

i. The Election Period shall commence on the day of the commencement of the Nomination Period and shall conclude on the day of the conclusion of the Voting Period.

the Nomination Period of the Election Period which shall;

.commence no prior to fourteen (14) days prior to the conclusion of the Nomination Period;

i. conclude two (2) days following the day of the close of the Voting Period of the Spring Election, and;

ii. consist of a minimum of seven (7) and a maximum of twelve (12) consecutive days.

the Campaign Period of the Election Period, which shall;

.commence no prior to one (1) day, and no later than (2) days, following the day of the conclusion of the Nominations Period, and;

i. conclude on the day prior to the day of the commencement of the Voting Period, and;

ii. consist of a minimum of seven (7) and a maximum of thirteen (13) consecutive days.

the Voting Period of the Election Period, which shall;

.commence on the day immediately following the conclusion of the Campaign Period;

i. consist of two (2) consecutive days, in which;

a. the ballot shall open on the eighth (8th) hour of the first day,

b. the ballot shall close on the twentieth (20th) hour of the second day, and;

ii. conclude on the day of the close of balloting.

Sample Allowance for External Vice-Presidential Election under this By-Law*

	Minimum	Maximum
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Election Period Commences	January 24 th	January 20 th
Nomination Period Commences	January 24 th	January 20 th
Nomination Period Concludes	January 31 st	January 31 st
Campaign Period Commences	February 2 nd	February 3 rd
Campaign Period Concludes	February 8 th	February 15 th
Voting Period Commences	8 th Hour of February 9 th	8 th Hour of February 16 th
Voting Period Concludes	20 th Hour of February 10 th	20 th Hour of January 17 th
Election Period Concludes	February 10 th	January 17 th

***Using Spring Election Sample Allowance as reference.**

3. The Timetable for the third (3rd) cycle; the Fall Election:

1. The Election Period for the third (3rd) cycle:

i. The Election Period shall commence on the day of the commencement of the Nomination Period and shall conclude on the day of the conclusion of the Voting Period.



the Nominations Period of the Election Period, which shall;
 .commence no prior to ten (10) days prior to the conclusion of the Nomination Period;

- i. conclude on or before the first day of October in any calendar year, and;
- ii. consist of a minimum of five (5) and a maximum of ten (10) consecutive days.

the Campaign Period of the Election Period, which shall;

.commence no prior to one (1) day, and no later than (2) days, following the conclusion of the Nominations Period, and;

- i. conclude on the day prior to the day of the commencement of the Voting Period, and;

- ii. consist of a minimum of nine (9) and a maximum of fifteen (15) consecutive days.

the Voting Period of the Election Period, which shall;

.commence on the day immediately following the conclusion of the Campaign Period;

- i. consist of two (2) consecutive days, in which;

- a. the ballot shall open on the eighth (8th) hour of the first day;
- b. the ballot shall close on the twentieth (20th) hour of the second day, and;

- ii. conclude on the day of the close of balloting.

Sample Allowance for Fall Election under this By-Law

	Minimum	Maximum
Election Period Commences	September 28 th	September 23 rd
Nomination Period Commences	September 28 th	September 23 rd
Nomination Period Concludes	October 1 st	October 1 st



Campaign Period Commences	October 3 rd	October 4 th
Campaign Period Concludes	October 11 th	October 18 th
Voting Period Commences	8 th Hour of October 12 th	8 th Hour of October 19 th
Concludes	20 th Hour of October 13 th	20 th Hour of October 20 th
Election Period Concludes	October 13 th	October 20 th

4. The Timetable for the 4th cycle; the Internal Officers Election;

1. The Election Period for the 4th cycle:

i. The Election Period shall commence on the day of the commencement of the Nomination Period and shall conclude on the day of the conclusion of the Voting Period.

the Nomination Period of the Election Period, which shall;

.commence no prior to twenty-one (21) days, and no later than fourteen (14) days prior to the date of the Annual General Meeting, and;

i. consist of a minimum of six (6) and a maximum of nine (9) consecutive days.

the Campaign Period of the Election Period, which shall;

.commence no prior to two (2) days following the day of the conclusion of the Nominations Period;

i. concludes on or prior to the date of the Annual General Meeting, and;



ii. consist of a minimum of six (6) and a maximum of ten (10) consecutive days.
 the Voting Period of the Election Period, which shall;
 . commence following the Call to Order of the Annual General Meeting, and;
 i. conclude prior to the adjournment of the Annual General Meeting.

Sample Allowance for Internal Officer Election under this By-Law*

	Minimum	Maximum
Election Period Commences	March 8 th	March 1 st
Nomination Commences	March 8 th	March 1 st
Concludes	March 14 th	March 10 th
Campaign Commences	March 17 th	March 13 th
Concludes	March 22 nd	March 22 nd
Voting Commences	Call to Order – March 22 nd	Call to Order – March 22 nd
Concludes	Adjournment – March 22 nd	Adjournment – March 22 nd



Election Period Concludes	March 22 nd	March 22 nd
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***Using March 22nd as reference AGM date.**

8. CANDIDATE ELIGIBILITY

1. For the purposes of this Section 8.0 of this By-Law, person means any student at Western University. Candidate means any person who contests for a position in an election.
2. An eligible candidate for any position in any election shall be, at the time of the registration of their candidacy, and for the following academic year, any of the following;

i.a full-time undergraduate student at King’s University College, or;

ii.a part-time undergraduate student at King’s University College.

In the case of a candidate for a Student Representative position, an eligible candidate, shall be, at the time of the registration of their candidacy, and for the following academic year, any of the following;

.a full-time undergraduate student at King’s University College enrolled in the Honours Specialization degree in the faculty or department they seek to represent, or;

i.a full-time undergraduate student at King’s University College, enrolled in the Honours Double Major degree in the faculty or department they seek to represent, or;

ii. a part a time undergraduate student at King’s University College, enrolled in the Honour’s Specialization or Honours Double Major degree in the faculty or department they seek to represent.

Any person who is not an eligible candidate under the provisions of this section of the By-Law may become an eligible candidate for any position in any election, subject to the following;

.the person is a full-or part-time undergraduate or professional student at Western University, Huron University College or Brescia University College, and;



i.has been sanctioned by a two-thirds (2/3) resolution by the Council, at the General Meeting preceding the nomination period of the election they wish to contest.

The following position of the Council are restricted exclusively to students at King's University College;

- .Student Department Representatives;
- i.University Students' Council Representative;
- ii.King's College Council Representative;
- iii.External Vice-Presidents, and;
- iv.the President.

9. CANDIDATE INELIGIBILITY

1. Any person shall be ineligible to be a candidate if they meet any of the following;

- i.Their academic grade average is below sixty-five (65%) per cent, either cumulatively or in the previous academic year, whichever is higher, except for;
 - a. Their academic grade average is below seventy (70%) per cent, either cumulatively or in the previous academic year, in the case of candidates for Student Department Representatives or Executive positions.
- ii.Has any outstanding fine issued by the Elections Committee, unless the fine is paid prior to the conclusion of the nomination period of the election in which they wish to contest;
- iii.Has been disqualified from candidacy in any election, the ineligibility of the candidate, shall extend to;

. The election in which they were disqualified and three subsequent election periods. Following the completion of four consecutive election periods, the person may become an eligible candidate for any position in any election;

- a. A candidate may run sooner than this if their eligibility has been sanctioned by a two-thirds (2/3) resolution by the Council, at the General Meeting preceding the nomination period of the election they wish to contest.

iv.Is unable to provide verified proof of their enrolment or academic grade average;



v. The candidate, or designate registered with the Governance Associate, fails to attend the All-Candidate Meeting.

10. THE NOMINATION FORM

1. Candidates for any position in any election shall complete a valid nomination form. A valid nomination form is one which;
 - i. has all the required information provided;
 - ii. has been submitted prior to the conclusion of the nomination period of any election the candidate wishes to contest, and;
 - iii. Contains 10 nominating signatures from King's Students;

No candidate shall submit more than one (1) valid nomination form any election.

The Elections' Committee has the jurisdiction to hear and overturn any appeals regarding the rejection of a candidate due to invalidity of the nomination form. Any appeal shall be;

- .Submitted in writing to the Governance Associate for the attention of the Committee no later than twenty-four (24) hours following the conclusion of the nomination period of the election the candidate wishes to contest.

11. VOTER ELIGIBILITY

1. An eligible voter for any election, shall;
 - i. Possess, have access to, and be able to login to a unique Western University email account.
 - ii. Be a student at King's University College.

An eligible voter for any specific Student Department Representative election, shall;

.Be a registered member of the corresponding department in which they wish to vote.



12. THE ADMINISTRATION OF ELECTIONS

1. The Elections' Committee

i. All elections sponsored or otherwise sanctioned by the Corporation under the jurisdiction of this By-Law, shall be conducted and supervised by the Elections' Committee, subject to any provisions in this By-Law.

The Chief Communications Officer, shall on the request of the Governance Associate publicize or disseminate the following;

.The call for nominations;

i. Announcement of the registered candidates;

ii. Announcement of the time and date of the Voting Period, and;

iii. Proclaim the Official Results

13. THE BALLOT

1. The Ballots of the Fall and Spring Elections shall include;

i. The list of all registered candidates contesting the election; and,

ii. If applicable the question of the plebiscites or referenda.

The Ballots of the Vice-Presidential Election shall include;

.The list of all registered candidates

contesting the election.

The Layout of the ballot shall include;

.The list of candidates contesting each position, listed alphabetically by surname of the legal last name of the candidate, or reasonable derivations thereof, as approved by the Governance Associate.

The correctness of the ballot shall be ensured by the following ways;

.The Governance Associate shall inspect and

approve the ballot.

i. The Governance Associate shall provide each candidate with the ballot for their inspection, no later than



seventy-two (72) hours prior to the commencement of the Voting Period.

- a. Any candidate may, byways of a written request to the Governance Associate for consideration of the Elections' Committee no later than forty-eight (48) hours prior to the commencement of the Voting Period, request amendments to the ballot.

All balloting shall be conducted by secure online or electronic means, and shall;

.Require the verification of the eligibility of a voter, by requiring login to their unique Western University email account.

Voting Booths or Polling Places are permitted by this By-Law, however, are subject to the following conditions;

.Shall be operated by members of the Election Committee, selected at the discretion of the Governance Associate.

i.Votes shall be cast by secure electronic means on an electronic computing device, selected at the discretion of the Governance Associate.

Dissemination and Advertisement of Voting Period

.The Governance Associate shall ensure the general dissemination and advertisement of information regarding the ballot and the Voting Period.

i.The Chief Communications Officer, shall on the request of the Governance Associate disseminate and advertise information regarding the ballot and the Voting Period.

14. ELECTION RESULTS

1. In each constituency in each election the candidate with either the plurality or majority of the votes cast shall be declared the winner.

i.In the case of an election with multiple positions available, they shall be filled by the candidates who received the next highest number of votes cast.



In the event of a tie, the winner shall be decided, in the presence of both candidates, by a coin toss initiated by the Governance Associate, and this winner of the coin toss shall be declared the winner of the election.

15. SPECIAL RULES FOR INTERNAL OFFICER ELECTIONS

1. No campaigning shall be allowed during the Voting Period of Election.
2. Special Balloting Rules:
3. Balloting for the Internal Officers Election shall occur during the second half of the Annual General Meeting of the Corporation, and;
 - i. Voting shall be conducted by secret ballot,
 - ii. Voting shall use a Preferential Ballot,
 - iii. Each Voting Member shall be entitled to one (1) ballot, and may receive a second ballot if they hold a Voting position on both Incoming and Outgoing Council.

Preferential Voting

.The Ballot for Preferential Voting shall be;

- a. one in which each voter numerically indicates the order of preference of candidates, by ranking them in ascending order from '1' up to and including the final candidate.

i.Counting of Ballots:

- . Every candidate may designate a scrutineer to scrutinize the counting of the ballots;
 - a. On the first ballot; the first preference votes for each candidate are counted;
 - a. If a candidate receives fifty (50%) per cent plus (+) one (1) of the eligible votes cast, that candidate shall be declared the winner.



b. If no candidate receives a majority on the first ballot, proceed to the second ballot.

b. On the second ballot; the candidate with the least number of votes on the first ballot is eliminated, the second preference votes of the candidate eliminated shall be redistributed to the remaining candidates.

. If a candidate receives fifty (50%) per cent + one (1) of the eligible votes cast, that candidate shall be declared the winner.

a. If no candidate receives a majority on the second ballot, proceed to the third ballot, repeating the process of elimination and redistribution.

c. If two (2) or more candidates are tied for the least number of votes on any ballot, those candidates shall be eliminated, and their votes redistributed.

d. If two (2) candidates tie on the final round of balloting, the candidate with the most first-place votes shall be declared the winner.

. In the event of a tie on first-place votes, the winner shall be decided, in the presence of both candidates, by a coin toss initiated by the Governance Associate, and this winner of the coin toss shall be declared the winner of the election.

e. A voter is not required to rank in preference more than one candidate, however failure to select a preference in any ballot, other than the first one, shall result in that ballot being spoiled for that and all subsequent rounds of balloting.

16. APPEALS OF GOVERNANCE ASSOCIATE AND COMMITTEE DECISIONS OR ELECTION RESULTS.



1. Appeals of Governance Associate Decision

i. Appeals from a Governance Associate decision shall be appealed to the Elections' Committee.

ii. An appellant can appeal the decision of the Governance Associate by providing in writing, to the Governance Associate and the Speaker of the Council for the attention of the Committee, an application to appeal a decision.

iii. If the Governance Associate is alleged to have been in violation of any policy or procedure of the Corporation, in the making of their decision, they may reconsider the decision before the appeal is heard by the Committee.

Appeal of Elections' Committee Decision

. Appeals from a Committee decision shall be heard by the HBK Appeals Board ("the Appeals Board").

i. The Appeals Board shall be governed by the Appeals Board Terms of Reference.

ii. The decision of the Appeals Board may be overturned by a $\frac{2}{3}$ vote of Council.

Appeal of Election Result

. A candidate may appeal the results of an election, byways of submitting a written request to the Governance Associate containing their name, contact, rationale and evidence for their appeal, no later than five (5) days after the date of the commencement of the Voting Period.

i. The Elections' Committee shall have the jurisdiction to hear an Appeal of Election Result.

17. RULES FOR ELECTIONS, PLEBISCITES, AND REFERENDA

1. All candidates in any election shall be knowledgeable, and act in compliance of the Rules for Elections, Plebiscite and Referenda, and



shall ensure the education and compliance of candidate's campaign team with the provisions of this By-Law

2. Rules for Compliance with the Spirit of the By-Law;

i. Candidates and campaigns shall ensure that all activities related to the campaign are in compliance with the Spirit of the By-Law, which is;

- a. every election shall be held in a free, fair and responsible manner;
- b. all candidates and campaigns shall be treated dignified and respectful manner;
- c. no candidate or campaign shall have any undue advantage;
- d. no candidate shall bring the legitimacy of the election disrepute
- e. no candidate or campaign shall be an improperly eligible;
- f. no candidate or campaign shall undermine, circumvent or manipulate any rule or provision in this By-Law, and;
- g. no candidate or campaign shall disturb, interfere, interrupt, bribe, coerce, intimidate, or otherwise unfairly influence any individual's right to vote.

Rules for Compliance of the Laws;

.Candidates shall ensure that all campaign plans, material and activities comply with;

- . All policy or regulation of the Physical Plant Department,
- a. All policy or regulation of the Dean of Students',
- b. All policy or regulation of the Residence Manager,



c. All policy, procedure, guideline, regulation or By-Law of the Corporation,

d. All policies, procedures, guidelines regulations and By-Laws of the Corporation, and;

Rules for the Neutrality of the Corporation;

.No candidate may, for the purposes of campaigning, solicit the aid or endorsement of any Member, Employee or Agent of the Corporation. This includes one-on-one consultations for the purpose of the creation or development of a platform.

Rules for Slate Campaigning

.Slate campaigning shall be strictly prohibited. Each candidate shall maintain separate finances, produce unique campaign materials and present campaign platforms distinct from other candidates.

Rules for Benefit or Service Not Available to Others

.Candidates and members of the campaign teams shall not be entitled to use in their campaign, any service or tangible benefit, either digital or physical, not available to other candidate, conferred onto them by virtue of their holding any position in any organization.

Rules for the Organization of a Campaign

.The candidate shall be responsible for their entire campaign organization, including;

Rules for the Campaign Team

ii. the Campaign Team, which shall;

a. be comprised of a maximum of ten (10) persons as campaign team members, excluding the candidate;

b. designate a specific and defined purpose, role and responsibilities for each position of the campaign team;

c. submit a list, detailing the name, position and contact of the campaign team member, prior to the commencement of the campaign period of any election period, and;



d. be subject to and in compliance with the same rules and provisions that govern the candidate and campaign.

iii.the violation of the campaign team, which shall;

. be applied to the candidate as if the candidate committed the violation, and;

a. be considered to have been under either the; direction, knowledge or control of the candidate.

iv.Expulsion of Member of the Campaign Team:

. The candidate may expel any member of the campaign team at any time, and shall;

a. provide immediate written notice of the expulsion of the member, and the circumstance or situation of the expulsion, to the Governance Associate.

v.Limitation to candidate's responsibility of actions of members of the campaign team:

. The candidate in their defence, to any charge of any violation against the candidate committed by a member of the campaign team, may rely on;

. the written notice of expulsion of a member of the campaign team.

a. evidence proving the candidate did not direct, have knowledge of or have control of the violation.

8. Rules for Campaign Finances

Rule for Limit of Total Expenditures

i.the limit of total expenditures of any candidate or campaign, shall be;

a. for the Presidential and Vice-Presidential Elections one-hundred and twenty-five (\$125) Canadian Dollars, and;

b. for all other elections, fifty (\$50) Canadian Dollars.

Rule for the Projected Budget



- ii. the projected budget of expenditure of the campaign shall be;
- a. submitted to the Governance Associate, no later than one (1) day prior to the date of the commencement of the campaign period.

Rule for the Statement of All Expenditures or no Expenditures Incurred

- iii. the statement of all campaign expenditures, or statement of no campaign expenditures incurred, shall be;
- a. submitted to the Governance Associate, no later than two (2) days following the day of the commencement of the voting period.

Rule for the Reimbursement of Expenditure

- iv. the reimbursement of total campaign expenditures incurred by, the candidate or campaign, and paid by the Corporation, subject to;
- a. the receipt by the Governance Associate of a statement of all expenditures of the campaign, within the, mandated time period;
- b. the verification and validation of any proof of campaign expenditure by the Governance Associate;
- c. the Governance Associate determining the appropriateness of any campaign expenditure, any expenditure deemed inappropriate shall be excluded from the reimbursement;
- d. no expenditure being reasonably available at a lower price than that report in the statement of all expenditures of the campaign;



- e. the candidate receiving a minimum of ten (10%) per cent of total votes cast in the election in which they contested.
- a. for each percentage of the popular vote received by a candidate below 10%, 10% of the reimbursable expenses will be deducted from the reimbursement paid back to the candidate.

Rule for the Less than Ten Percent Reimbursement of Expenditure

- v. the campaign may receive a reimbursement of less than ten (10%) per cent of total campaign expenditures, subject to;
 - a. all the rules and provisions required in this By-Law for the ten (10%) per cent reimbursement, and;
 - b. For every one (1%) per cent below the required ten (10%) per cent, or part therefore of, the candidate shall be deducted ten (10%) per cent of the reimbursement of campaign expenses, or part therefore of.
- 9. Rules for the Campaign Election Period.
 - i. The Election Period shall consist of the;
 - a. Nomination period;
 - b. Campaign period, and;
 - c. Voting period.
 - ii. The period before the campaign period includes the;
 - . Nomination period, and;
 - a. Election period (“the pre-campaign election period”).
 - iii. The period after the campaign period includes the;
 - . Voting period, and;
 - a. Election period (“the post-campaign election period”).



The Rules for the Pre-Campaign Period

- iv. During the pre-campaign election period, candidates and campaigns;
 - a. shall not in any way, method or form influence voters or otherwise campaign, including;
 - a. any effort to influence the decision making of any voter;
 - b. any announcement of the candidate's candidacy or the campaign;
 - c. addressing any meeting of the Corporation or the College.
 - b. may conduct the following activities;
 - . platform creation or development;
 - a. one-on-one consultations with any individual student;
 - b. one-on-one consultations with any member of the Corporation;
 - c. one-on-one consultations with any member of the College.

The Rules for the Post-Campaign Period

- v. During the post-campaign election period, candidate and campaigns;
 - a. shall not distribute any physical campaign material;
 - b. shall not campaign in any prohibited places, including in the vicinity of any Polling Places;
 - c. shall not assist any voter in casting a ballot, and;
 - d. may conduct get out the vote efforts to affect voter turnout.

10. Rules for Campaigning in the Prohibited Places

- i. No campaigning in any way, method or form, including the hanging or posting of any posters or campaign material shall occur in the prohibited places of;
 - a. the Office of the Corporation;
 - b. the Cardinal Carter Library;



- c. in the vicinity of any Polling Places, and;
- d. the classrooms, seminar-rooms, or any other instructional space of the College, the following situation is exempt from this provision;
 - a. A candidate may campaign in the instructional space, byways of address a class of students and distributing campaign material if granted prior approval by the professor or lecturer.

11. Rules for Campaign Materials

.Candidates may, campaign and distribute campaign material, either digital or physical at their discretion, subject to the rules and provisions of this By-Law.

Rule for the Approval of Campaign Materials

- ii. All campaign signs, posters and printed materials shall be approved by the Governance Officer in advance of their hanging or posting.

Rule for Prohibited Items in Campaign Materials

- iii. Candidates shall not use, in their campaign material, the following;
 - a. any illegal, immoral, improper or inappropriate material or matter;
 - b. The colours of the Corporation or the University;
 - c. The logo of the Corporation or the University, and;
 - d. The colours purple or green.

12. **Rule for Indiscriminate Distribution of Campaign Materials**

- i.Candidates may not distribute campaign material to any individuals indiscriminately, which includes without limitation to the following;
 - a. digital Communications byways of blind carbon copy, automated or mass message;
 - b. distribution in mailboxes, mail-slots or under doors;



- c. distribution by mailing list or e-mailing list, and;
- d. the use of any digital or social media paid advertising.

13. Rules for Campaign Signs and Posted Material

Rule for Campaign Signs and Posted Materials in the Prohibited Places

i. no posting of campaign signs and materials shall occur in the prohibited places of;

- a. the Office of the Corporation;
- b. the Cardinal Carter Library;
- c. the Polling Places, and;
- d. the classrooms, seminar-rooms, or any other instructional space of the College.

Rule for Hanging or Posting of Campaign Signs and Posted Materials;

- ii. Campaign Signs and Material, shall not;
 - a. attach, overlap or impede another campaign sign;
 - b. be removed prior to the close of the Voting Period, except for;
 - a. a Candidate may remove their own campaign sign or material;
 - c. be posted on any property, plant or equipment owned or leased by the Corporation or the College.

Rule for the Posting of Outdoor Signs

iii. A candidate may, upon the approval of the Governance Associate, and the Office of the Dean of Students', place one (1) 32" x 48" a-frame board or outdoor sign on the College's Campus.

Rule for the Posting of Posters

iv. A candidate may, upon the approval of the Governance Associate, may hang or otherwise post, a maximum of fifty (50) 8.5" x 11.5" posters.



a. The maximum number shall include any posters, hung or posted, in any residence.

14. Rules for Campaigning in Residences:

i. Any candidate may campaign in any student residence, subject to the following provisions;

Rule for Authorization of Candidate

ii. The candidate shall prior to campaigning in any residence, obtain;

a. The express prior written authorization from the Residence Manager of a residence and provided it without delay to the Governance Associate.

Rule for Registration of Candidate

iii. The candidate shall sign the register or logbook of visitors of the residence upon arrival and departure.

Rule for Designated Times to Campaign

iv. The candidate may only campaign in residence;

a. between 4:30 p.m. and 10:00 p.m. Monday through Friday.

b. between 2:00 p.m. and 4:00 p.m. on Saturday.

Rule for Campaigning in Private Rooms

v. The candidate shall not campaign in a private room of a resident, except;

a. When provided prior invitation by the resident, and;

b. When in compliance with the Rule for Designated Times to Campaign.

Rule for Addressing any Residence Meeting

vi. The candidate shall not address any meeting of the residence, except;



- a. When provided prior invitation by the Chair of the meeting,

Rule for Booking of Space for Campaign

- vii. The candidate upon the approval of the Residence Manager, may book any space, to distribute campaign material.

Rule for Door-to-Door Campaigning

- viii. The candidate may campaign door-to-door, subject to;
 - a. the candidate shall be accompanied by a member of residence staff;
 - b. the candidate may be accompanied by a maximum of three (3) Campaign Team Members or volunteers;
 - c. the candidate, accompanying staff and individuals must remain together at all times;

Rule for Hanging or Posting of Campaign Materials or Posters.

- ix. A candidate may hang or post a maximum of four (4) posters per residence, subject to;
 - a. The poster shall be approved by the Residence Manager.
 - b. The poster shall only be hung in a central location designated by the Residence Manager.
 - c. The poster shall in a central location designated by the Residence Manager.
 - d. The following is not included in the provisions governing posters in residence;
 - a. Posters hung or posted by residents of the residence in their private rooms or on the door to said room.

15. Rule for Mandatory Removal and Cleanup of Materials:

- i. Any candidate or campaign shall ensure or cause to ensure the removal of all campaign sign, posters and material, either digital or physical, within the control of



the candidate and the campaign team, within three (3) days following the conclusion of the campaign period.

18. Administration of Campaign Rules

1. The Governance Associate and the Committee shall have the sole authority to enforce the provisions of this By-Law, and no other candidate, campaign, person, or student shall attempt to enforce said.

i. Any party who attempts to interfere or otherwise engages in any action that brings disrepute to the electoral process shall be punishable to the full extent of this By-Law, any policies or regulations of the College and any federal, provincial or municipal laws, regulations or by-laws.

Any allegations of any violation of any Rules for Election or other provision of this By-Law by any person shall be submitted in writing to the Governance Associate, no later than forty-eight (48) hours following the hour on which the Voting Period concludes.

The Governance Associate and the Committee, may;

.lay charges of violations of the campaign rules upon their own volition.

The Governance Associate, may;

.adjudicate any charge of minor or major violations without the decision of the Committee;

i. reduce the penalty for any minor or major violation by half where there are mitigation factors or circumstances;

ii. impose the full penalty for any minor or major violation where there are no mitigating factors or circumstances, or there are mitigating and aggravating factors or circumstances, or there are aggravating factors or circumstances.

iii. elect to impose any penalty provided in the provisions of this By-Law under any violation of any campaign rule.



The Governance Associate, at their discretion, shall consult the Committee for any minor or major offence.

The Committee shall hold a Disqualification Hearing for any candidate or campaign charged with a disqualifiable offence for any violation of the campaign rules.

An allegation of any violation shall be considered by the Governance Associate, who may;

.Dismiss the allegation,

i.Charge the candidate under any Types of Violations and Penalties, and may;

a. For Minor Violations

a. Find the candidate guilty and impose the full penalty, or;

b. Find the candidate guilty and impose half the penalty.

b. For Major Violations

. Find the candidate guilty and impose the full penalty, or;

a. Find the candidate guilty and impose half the penalty.

c. For Disqualifiable Violations

. Shall defer to the Committee for Hearing, decision and judgement.

d. For Compound Violations

. Find the candidate guilty of any combination of minor and major violation and impose the full penalty.

e. For Repeat Offences

. Find the candidate guilty of any combination of minor and major violation and impose the full penalty.

Disqualification Hearing:

.Any candidate or campaign subject to disqualification shall be entitled to the following rights;

. To be notified by the Governance Officer, prior to the Hearing, of;



- . any charge of a disqualifiable violation;
- a. any charge of any repeated major violation that is upgraded to a disqualifiable violation, or;
- b. when the candidate or campaign is subject to disqualification for amassing the maximum allowance for penalties.
 - a. To be confronted by any evidence, facts or material related to any alleged violation, prior to the Hearing.
 - b. To be given a Disqualification Hearing, by the Elections' Committee, in which the candidate or campaign may present a defence to any violations.
- i. Prior to any decision to disqualify a candidate or campaign is rendered, the Elections' Committee shall hold a disqualification hearing.
- ii. After the Disqualification Hearing the Committee may;
 - . dispose of any violation in any of the following ways;
 - . Reduce any disqualifiable offence to a minor or major offence;
 - a. Upgrade any minor or major offence to a disqualifiable offence;
 - b. Overturn any charge for any disqualifiable offence;
 - c. Reduce any penalty for a minor or major offence;
 - d. Upgrade any penalty for a minor or major offence, or;
 - e. Overturn any charge for any minor or major offence.
 - a. and, render a judgement to disqualify the candidate or campaign;
 - b. and, render a judgement to not disqualify the candidate or campaign, or;

19. Types of Violations and Penalties

1. This section shall refer to the penalties available to the Governance Associate and the Committee for any Candidate or Campaign's Violation of any Rule for Election, Plebiscite or Referenda.



2. There are five (5) types of violations of Rules for Election, Plebiscite or Referenda.

- i.Minor Violations,
- ii.Major Violations,
- iii.Compound Violations,
- iv.Repeat Violations, and;
- v.Disqualifiable Violations.

Types of Punishments Available to the Governance Associate

.Cautions

i.Warnings

ii.Upgradation of any Minor, Major, Compound or Repeat Offence to Disqualifiable Offence.

Type of Punishment Available to the Committee

.Cautions

i.Warnings

ii.Upgradation of any Minor, Major, Compound or Repeat Offence to a Disqualifiable Offence, when provided for in the provisions of this By-Law.

iii.Disqualification

Maximum Allowance for Penalties

.Any candidate that amasses the following penalties shall be subject to Disqualification Hearing by the Committee;

- a. Six (6) Cautions, or;
- b. Four (4) Warnings.

i.Any candidate or campaign that amasses any combination of Cautions or Warnings that exceed the maximum allowance shall be subject to Disqualification Hearing by the Committee that is;

- . Any one (1) warning is equivalent to one and a half (1.5) cautions.



Disqualification:

.Any candidate or campaign may be subject for disqualification, in the following circumstances;

- . The candidate or campaign amasses the maximum allowance for penalties;
 - a. The candidate or campaign is charged with a disqualifiable violation, or;
 - b. The candidate or campaign is charged with a repeated major violation that is upgraded to a disqualifiable violation.
- i.Any disqualification is subject to the approval of the Committee.

Type 1: Minor

.Minor Violations are the lesser of all violations, including those which are unlikely to influence the outcome of the election.

- i.The penalty for any one (1) Minor Violation shall be;
- . one (1) Caution against the candidate or campaign, where;
 - a. there are mitigating factors or circumstances.
 - a. two (2) Caution against the candidate or campaign, where;
 - . there are no mitigating factors or circumstances;
 - a. there are mitigating and aggravating factors or circumstances, or;
 - b. there are aggravating factors or circumstances.
 - b. Upgradation to one (1) major offence, where;
 - . the provisions of this By-Law, under the penalty for any violation of any rule provide;
 - a. there are no mitigating factors or circumstances;
 - b. there are mitigating and aggravating factors or circumstances, or;
 - c. there are aggravating factors or circumstances.

Type 2: Major



.Major Violations are serious violations, including those which that are likely to influence the outcome of the election.

i.The penalty for any one (1) Major Violation, shall be;

- . one (1) Warning against the candidate or campaign, where;
 - . there are mitigating factors or circumstances.
- a. two (2) Warnings against the candidate or campaign, where;
 - . there are no mitigating factors or circumstances;
 - a. there are mitigating and aggravating factors or circumstances, or;
 - b. there are aggravating factors or circumstances.
- b. upgradation to one (1) disqualifiable offence, where;
 - . the provisions of this By-Law, under the penalty for any violation of any rule provide;
 - a. there are no mitigating factors or circumstances;
 - b. there are mitigating and aggravating factors or circumstances, or;
 - c. there are aggravating factors or circumstances.

Type 3: Compound Violation

.Any minor or major violation done in combination of any other minor or major violation shall be assessed the full penalty for each individual violation. The Governance Associate and Committee may not elect to impose a reduced penalty on any of the individual violations of the Compound Violation.

i.The penalties for compound violations shall be;

- . any one (1) minor and any other one (1) minor violation committed in combination, shall be;
 - . 4 Cautions.
- a. any one (1) minor and one (1) major violation committed in combination, shall be;
 - . 2 Cautions and 2 Warnings.



b. Any one (1) major and any other one (1) major violation committed in combination, shall be:

. 4 Warnings.

c. Any one (1) minor and any other two (2) or more minor violations committed in combination, shall be;

. 6 Cautions.

d. Any one (1) major and any other two (2) or more major violation committed in combination, shall be:

. 4 Warnings.

Type 4: Repeat Violations

.Repeat violations are any minor or major violation that any candidate or campaign commits and has received a penalty for, and the violation is repeated in a different occurrence.

i.The penalty for repeat violations shall be;

. for any one (1) minor violation that the candidate or campaign received one (1) Caution for, and has repeated the violation in a different occurrence, shall;

. have the original penalty of one (1) Caution, upgraded to two (2) Cautions, and shall receive two (2) Cautions for the repeated violation.

a. for any one (1) minor violation that the candidate or campaign received two (2) Cautions for, and has repeated the violation in a different occurrence, shall;

. retain the original penalty of two (2) Cautions and shall receive one (1) Warning for the repeated violation.

b. for any one (1) major violation that the candidate or campaign received one (1) Warning for, and has repeated the violation in a different occurrence, shall;

. have the original penalty of one (1) Warning, upgraded to two (2) Cautions, and shall receive two (2) Warnings for the repeated violation.

c. for any one (1) major violation that the candidate or campaign received two (2) Warnings for, and has repeated the violation in a different occurrence, shall;



. retain the original penalty of two (2) Warnings, shall two (2) Warnings for the repeated violation, and be subject to a Disqualification Hearing.

Type 5: Disqualifiable Violation

.Disqualifiable Violations are the most serious violations and show disregard, negligence or contempt of the rules for elections, plebiscite and referenda, or would influence the outcome of the election.

i.The penalty for any one (1) disqualifiable violation is disqualification, subject to a Disqualification Hearing.

20. Violations of Rules for Election, Plebiscite and Referenda.

Violation of the Rules for Compliance of the Spirit of the By-Law:

1. Every candidate or campaign that is in violation of; Rules for Compliance with the Spirit of the By-Law, is guilty of;

- i.A Minor Violation;
- ii.A Major Violation; or,
- iii.A Disqualifiable Violation.

Violation of the Rules for Compliance of the Laws:

2. Every candidate or campaign that is in violation of;

i.Any policy or regulation of the Physical Plant Department is guilty of;

- a. A Minor Violation; or,
- b. A Major Violation

ii.Any policy or regulation of the Dean of Students', is guilty of;

- . A Minor Violation;
- a. A Major Violation; or,
- b. A Disqualifiable Violation.



iii. Any policy or regulation of the Residence Manager is guilty of;

- . A Minor Violation;
- a. A Major Violation; or,
- b. A Disqualifiable Violation.

iv. Any policy, procedure, guideline, regulation or By-Law of the Corporation, is guilty of;

- . A Minor Violation;
- a. A Major Violation; or,
- b. A Disqualifiable Violation.

v. Any federal, provincial or municipal, law, by-law or regulation, is guilty of;

- . A Major Violation; or,
- a. A Disqualifiable Violation.

Violation of the Rules for the Neutrality of the Corporation:

3. Every candidate or campaign that is in violation of; the Rules for the Neutrality of the Corporation, is guilty of;

- i. A Minor Violation; or,
- ii. A Major Violation.

Violation of the Rules for Slate Campaigning

4. Every candidate or campaign that is in violation of; the Rules for Slate Campaigning, is guilty of;

- i. A Major Violation; or,
- ii. A Disqualifiable Violation.

Violation of the Rules for Benefit or Service Not Available to Others

5. Every candidate or campaign that is in violation of; the Rules for Benefit or Service Not Available to Others, is guilty of;

- i. A Major Violation; or,



ii.A Disqualifiable Violation

Violation of the Rules for the Organization of a Campaign

6. Every candidate or campaign that is in violation of; the Rules for the Campaign Team, is guilty of;

i.A Minor Violation;

ii.A Major Violation; or,

iii.A Disqualifiable Violation.

Violation of the Rules for the Campaign Finances

7. Every candidate or campaign that is in violation of; the Rule for Limit of Total Expenditures, is guilty of;

i.A Disqualifiable Violation.

8. Every candidate or campaign that is in violation of; the Rule for the Projected Budget, is guilty of;

.A Minor Violation; or,

i.A Major Violation.

9. Every candidate or campaign that is in violation of; the Rule for the Statement of All Expenditures or no Expenditures Incurred, is guilty of;

.A Minor Violation; or,

i.A Major Violation.

Violation of the Rules for the Election Period

10. Every candidate or campaign that is in violation of; the Rules for the Pre-Campaign Period, is guilty of;

i.A Minor Violation;

ii.A Major Violation; or,

iii.A Disqualifiable Violation.

11. Every candidate or campaign that is in violation of; the Rules for the Post-Campaign Period, is guilty of;



- .A Minor Violation;
- i.A Major Violation; or,
- ii.A Disqualifiable Violation.

Violation of the Rules for Campaigning in the Prohibited Places

12. Every candidate or campaign that is in violation of; the Rules of Campaigning in the Prohibited Places, is guilty of;

- i.A Major Violation; or,
- ii.A Disqualifiable Violation.

Violation of the Rules for the Campaign Materials

13. Every candidate or campaign that is in violation of; the Rule for the Approval of Campaign Materials, is guilty of;

- i.A Minor Violation;
- ii.A Major Violation; or,
- iii.A Disqualifiable Violation.

14. Every candidate or campaign that is in violation of; the Rule of Prohibited Items in Campaign Materials, is guilty of;

- .A Major Violation; or,
- i.A Disqualifiable Violation.

15. Every candidate or campaign that is in violation of; the Rule for Indiscriminate Distribution of Campaign Materials, is guilty of;

- .A Major Violation; or,
- i.A Disqualifiable Violation.

Violation of the Rules for Campaign Signs and Posted Materials

16. Every candidate or campaign that is in violation of; the Rule for Campaign Signs and Posted Materials in the Prohibited Places, is guilty of;

- i.A Major Violation; or,
- ii.A Disqualifiable Violation.



17. Every candidate or campaign that is in violation of; the Rule for Hanging or Posting Campaign Signs and Posted Materials, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

18. Every candidate or campaign that is in violation of; the Rule for the Posting of Outdoor Signs, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

19. Every candidate or campaign that is in violation of; the Rule for the Posting of Posters, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

Violation of the Rules for Campaigning in Residences:

20. Every candidate or campaign that is in violation of; the Rule for Authorization of Candidate, is guilty of;

i.A Major Violation; or,

ii.A Disqualifiable Violation.

21. Every candidate or campaign that is in violation of; the Rule for Registration of Candidate, is guilty of;

.A Minor Violation.

22. Every candidate or campaign that is in violation of; the Rule for Designated Times to Campaign, is guilty of;

.A Minor Violation,

i.A Major Violation; or,



ii.A Disqualifiable Violation.

23. Every candidate or campaign that is in violation of; the Rule for Campaigning in Private Rooms, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

24. Every candidate or campaign that is in violation of; the Rule for Addressing any Residence Meeting, is guilty of;

.A Minor Violation; or,

i.A Major Violation.

25. Every candidate or campaign that is in violation of; the Rule for Booking of Space for Campaign, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

26. Every candidate or campaign that is in violation of; the Rule for Door-to-Door Campaigning, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

27. Every candidate or campaign that is in violation of; the Rule for Hanging or Posting of Campaign Materials or Posters, is guilty of;

.A Minor Violation,

i.A Major Violation; or,

ii.A Disqualifiable Violation.

Violation of the Rule for Mandatory Removal and Cleanup of Materials



28. Every candidate or campaign that is in violation of; the Rule for Mandatory Removal and Cleanup of Materials, is guilty of;

i. A Major Violation; or,

ii. A Disqualifiable Violation.

21. PART B – Referenda or Plebiscites

1. Nothing in this Part of By-Law #2 limits any other section of this By-Law. This part shall cover any referenda or plebiscites conducted by the Corporation.
2. The Governance Associate shall have the sole authority over the enforcement of this section of this By-Law.
3. The results of any referendum shall be binding on the Corporation, unless;
 1. The result affects the Letters Patent of the Corporation;
 2. Or the implementation of the directive of the referendum would breach the fiduciary obligations of the Corporation.
4. The results of any plebiscites shall not be binding.
5. Any referenda or plebiscites requiring a resolution of the Council shall be posted as required by By-Law #1.
6. For the purpose of this part, the number of students in the student body shall be the number of full-time equivalent students registered at the College.
7. The result of any referenda shall only be binding if a minimum of thirty (30%) per cent of the student body cast a ballot in the referenda.
8. Any referenda or plebiscites may be initiated by, either the Council or by the students at-large.

22. STUDENT-INITIATED REFERENDUM

1. 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 Corporation.
 2. The Executive Council, in consultation with any relevant individuals and committees, shall determine whether an issue is likely to have any direct financial or legal implications on the Corporation.
 3. An issue which results in the imposition of any fee on students is one which has a direct financial implication on the Corporation.
2. Any student interested in initiating a referendum shall contact the Governance Associate prior to beginning the process.
 3. Any student may present a petition, requesting a referendum be held on any matter, to the Governance Associate, subject to;
 1. The petition shall be submitted to the Governance Associate no later than eleven (11) days prior to the Council meeting prior to the commencement of the Election Period for the election.
 2. A valid petition contains;
 - i. The names, student numbers, contact and signatures of at least ten (10%) of the student body, and;
 - ii. A clear issue or question on which the requested referendum is to be held, which includes;
 - a. The amount of any fee which would be levied upon students directly for the purpose of implementing the proposal,
 - b. A statement summarizing the question of the referendum.
 2. An invalid petition contains;
 - i. ten (10%) percent or greater of the names or signatures of any petition are invalid;
 - ii. any material misstatement or misrepresentation of any fact or material.
- Any student-initiated referendum involving the levying of a student fee requires;



.A written statement from the Chief Financial Officer of the King's University College stating a willingness to allow such a fee to be collected by the Corporation, and;

i.The Chief Financial Officer of the Corporation and the student shall determine the exact amount of any fee to be levied, by ways of a budget prepared the student in consultation with the Chief Financial Officer.

Should the petition be deemed to be valid, the Governance Associate shall issue a 'Writ of Referendum', in consultation with the Elections' Committee, which shall include;

The particulars of the petition, including the name of the petitioner and the number of student signatures on the petition;

The Executive Council's decision, and reasons for the decision, about the financial and legal implications of the proposal;

The proposed referendum question;

A budget outlining the projected cost of holding the referendum, any costs associated with the implementation of the policy or proposal, and the revenues from any student fees levied.

A valid petition approved by the Governance Associate shall result in the initiation of a referendum and shall not require a resolution of the Council.

The Governance Associate shall present the Writ of Referendum to the Council for approval by resolution.

A valid petition requesting a referendum be held on an issue or proposal which is likely to have direct legal or financial implication on the Corporation must be approved by a resolution of the Council, before a referendum may be initiated.

The Governance Associate shall present the Writ of Referendum and a motion to initiate the referendum to the Council for approval by resolution.

23. COUNCIL-INITIATED REFERENDUM

The Council may imitate a referendum on any issue by resolution of the Council.

24. STUDENT-INITIATED PLEBISCITE



A student-initiated plebiscite is subject to the same rules and procedures as a student-initiated referendum, with the following exception;

The names, student numbers, contact and signatures of at least five (5%) of the student body, are required.

25. COUNCIL-INITIATED PLEBISCITE

The Council may imitate a plebiscite on any issue by resolution of the Council.

26. REGISTERED INTEREST PARTY

Any number of registered interest parties are entitled to campaign on behalf of any side in any referenda or plebiscite.

Any group may request designation as a registered interest party, subject to;

They are a King's University College student group, or other party approved by the Governance Associate, autonomous from the Corporation, that has been in existence for at least six (6) months prior to the Writ, including without limitation to;

.Ratified clubs, and;

i.Residence Councils.

Providing a written submission detailing the impact of any direct effect of the result of any referenda or plebiscite.

The request or application for designation as a registered interest party must be submitted to the Governance Associate within nine (9) days of the resolution of the Council approving the Writ or referenda or plebiscite.

The Governance Associate shall decide on the merit of an application or request for designation as a registered interest party. This decision is subject to appeal, under the jurisdiction of the Committee.

A registered interest party shall have an official spokesperson and shall be registered with the Governance Associate upon submission of a request or application.

Should there be only one registered interest party, it will constitute the only official side.



All registered interest parties, including the Corporation, are deemed to be candidate or campaigns and are bound by the rules for elections, referenda or plebiscite, and the rules and procedures governing referenda and plebiscites.

The rules and procedures for referenda and plebiscite include without limitation to;

All campaign signs and materials produced by a registered interest party shall indicate that they are authored by that party.

In the event of the disqualification of any registered interest party, they shall be prohibited from further campaigning.

Any disqualified group may not refer to themselves as 'registered interest party'.

The disqualification of the 'Yes' or 'No' registered interest party of any referendum does not result in the automatic failure of that referenda.

The Governance Associate and the Committee shall make a determination as to whether or not the referenda result is valid in the event of the disqualification of the 'Yes' or 'No' party.

27. KUCSC-SPONSORED SIDE

The Corporation, where it has an interest in the outcome of a referendum or plebiscite, or in any other circumstance deemed necessary by the Council, may by resolution of the Council, register as registered interest party, or appoint any other agent to represent the Corporation by registering as a registered interest party.

28. INFORMATION BASED CAMPAIGN

Where the Council supports the provisioning of information to the electorate, the Corporation, by a resolution of the Council, may provide financing for an information-based campaign in accordance with rules for finance of plebiscites or referenda.

The Governance Associate and Committee shall be responsible for administrating information-based campaigns by selecting an Ad-Hoc Committee for this purpose, and;



The members of the ad-hoc Committee shall be bound by the same rules and responsibilities pertaining to neutrality and confidentiality that are applicable to the Committee.

The Governance Associate and the Committee shall review and approve all information-based campaign materials, to ensure they are neutral and objective, prior to the posting or distribution.

29. FINANCES

Registered interest parties may apply to the Governance Associate for the funding available for their official side.

Each official side shall be entitled up to three-hundred (\$300) Canadian Dollars in funding, in the event that there is only one official side that party shall be entitled to up to one-hundred and fifty (\$150) Canadian Dollars.

An Information-Based Campaign shall be entitled to the following funding;

100% of the Presidential campaign expenditure limit, if there are no registered interest parties;

75% of the Presidential campaign expenditure limit, if there are only interest parties registered on one official side, or;

50% of the Presidential campaign expenditure limit, if there is at least one (1) registered interest party on both official sides.

30. Appeal of Referendum or Plebiscite Result

Any student may appeal the results of any plebiscite or referenda, byways of submitting a written request to the Governance Associate containing their name, contact, rationale and evidence for their appeal, no later than five (5) days after the date of the commencement of the Voting Period.

The Elections' Committee shall have the jurisdiction to hear an Appeal of Referendum or Plebiscite Result.