

By-Law 3

(Union Elections Act)

Acadia Students' Union

Amended in November 2017

Article 1: Neutrality of Union Representatives ~~Section 2: Students' Representative Council Rules and Regulations~~

~~All members of S.R.C. who are not running in an election, must remain neutral within their position towards all candidates, referenda, and plebiscites during election period.~~

(1) All Union employees and Members of the Students' Representative Council shall remain officially neutral while acting in their capacity as Union representatives during the campaign period of any Union election.

a. "Officially neutral" shall be defined as:

- i. Engaging in no active campaigning whatsoever;
- ii. Being non-exclusive in providing information and/or insight to candidates for election and sides in a referendum and plebiscite.

b. "Acting in their capacity" shall be defined as carrying out the duties required in the Union representative's job description (only when getting paid), including but not limited to:

- i. Designated office hours
- ii. Attending any Union-sanctioned events such as:
 1. Council Meetings
 2. Committee Meetings
 3. House Council Meetings
 4. House Meetings and Events
 5. Internal Organization (IO) Meetings and Events
 6. Club and/or Society Meetings and Events
(StFX App B, Section 4(5))

Article 2: ~~Section 3: Dates for Union of Elections~~

(1) Dates for both **annual** Elections shall be determined and announced by the Chief Returning Officer prior to the commencement of **each the fall** academic term.
(moved from being Section 5 to Section 1)

(2) A General Election shall be annually in February of each year, by or on the Friday of the third full week of February, for the following elected positions:

- a. President
- b. Vice President Student Life

- c. Vice President Events and Promotions
 - d. Vice President Academic and External
 - e. Councillors (4)
 - f. **Equity Officer**
 - g. **Sustainability Officer**
 - h. **Community Relations Officer**
 - i. Student Senators (3)
 - j. Student Board of Governors Representative
- (3) A By-Election shall be held annually by or on the **last** Friday **of the last week** in **the month of** September **each year** for the **following** elected positions **of**:
- a. First Year Officer,
 - b. Any vacant Council seats not filled in the General Election with the exception of members of the Executive **Board**,
 - c. **Any other non-executive seats that had become vacant following the General Election.**
- (4) The following positions **may will** be elected by their constituencies based on the procedure in their organization's Constitution:
- a. Graduate Studies Senator; and
 - b. Theology **Student** Senator.
- (5) The Debate must be held at least 36 hours before the opening of **the** polls on the first day of **voting the Election**. **(moved from Article 8, Section 10(a))**
- (6) **Voting for** both the General Election and the By-Election shall be held on two (2) days each.
- a. **In case of inclement weather resulting in full day campus closure over voting days (as defined by Acadia's Cancellation of Classes – Closure of the University Policy)**
 - i. **In case of full-day campus closure, voting days will be moved forward by twenty-four (24) hours. (CBU Section 3 (E-1))**

(7) In the event that any position is left vacant after the By-Election, or if the offices of any member of the Executive Board are vacant after the General Election, a by-election shall be held within thirty (30) days of the date the positions should have been filled.

- a. All constitutional election rules will apply to By-Elections,
- b. The Chief Returning Officer shall have discretion over which events to hold during by-elections, subject to the approval of their Election Plan.

Article 3 Section 4: ~~Application for~~ Nominations

(1) To qualify as a candidate in any Union election, potential candidates shall submit completed nomination papers to the Chief Returning Officer by the deadline so stipulated.

(2) ~~No person shall be nominated for or hold more than one (1) position on Council at any one time.~~ (UNB Section 3(4)(1))

(3) Period of nomination:

- a. The period of nominations for all positions to be elected in the General Election shall be open the first day of the winter semester and shall close twenty-one (21) days thereafter.
- b. The period of nominations for all positions to be elected in the By-Election shall be open by the first day of classes, and shall close eleven (11) days prior to the date of the election, discounting Election Day.
- c. Nomination forms must be submitted to the Chief Returning Officer no later than 4:00 PM ~~4:30 p.m.~~ on the day which nominations close.
- d. The Chief Returning Officer may extend the deadline of nominations by no more than twenty-four (24) hours for those elected positions that have zero nominees applying.
- e. The Chief Returning Officer will also widely publicize a further call for nominations.
- f. Upon exercising this option an announcement shall be made to the student body.
- g. Should no qualified person apply for nomination at the end of the extension, the position shall be filled in the following Union Election.

(4) Nomination papers:

- a. All nomination papers must be signed by the nominee and ten (10) ordinary or associate members of the Union, and contain the student numbers of the nominee and those signing, in order to be considered valid.
- b. A nomination paper will be considered invalid for the following reasons:
 - i. The signature of the candidate is a forgery;
 - ii. Any person who signed it is not an ordinary or associate member of the Union;
 - iii. There are not ten (10) signatures from ordinary or associate members of the Union;
 - iv. The nomination paper is void of any of the nominees' requisite signatures or initials; or
 - v. The form is submitted after the close of nominations.
- c. The nomination form must require the candidate to acknowledge that they have read and understood the ASU constitution, specifically By-Laws 3.
- d. The nomination form must require that the candidate provide consent to the Chief Returning Officer to verify the eligibility requirements of said candidate under Article 4 of By-Law 3 (Union Elections Act).
- e. The nomination form must require the candidate to acknowledge that ignorance of the constitution does not constitute an excuse for an election offence(s).
- f. The nomination form must stipulate the mandatory nature of the Official Candidates' Meeting, as well as the date and location of the meeting.

Article 4 Section 5: Eligibility

- (1) Only ordinary or associate members of the Union may file a nomination form for any elected position of the Union, so long as they meet the eligibility requirements as outlined in Article II-of the **Acadia Students' Union Constitution By-Laws 1**.

- ~~(2) No person may hold more than one elected or appointed position on the S.R.C. at any one time.~~
- (3) The Chief Returning Officer, Deputy Chief Returning Officer, and all other election officials, are not eligible to apply for nomination, to publicly support any candidate, or to run in a Union election for which they are serving this function.
- (4) All poll attendants are not eligible to apply for nomination, to publicly support any candidate on election days, or to run in a Union election for which they are serving this function.
- (5) **Candidates for First Year Officer Representatives** must be a student in their first year of studies at Acadia University **at the time of nomination.**
- (6) Candidates for Student Senator must be a registered student in their respective faculties at the time of nomination.**
- (7) All candidates must possess a sessional GPA of at least 2.0 in the previous semester.
- a. This requirement will be confirmed by the Chief Returning Officer within 72 hours of the closing of nominations.
 - b. This requirement is waived for all students in the first semester of their first year of post-secondary study.
- (8) **The Chief Returning Officer must validate each nomination form with their signature or initials after confirming that all eligibility requirements have been met by the candidate.**
- a. **This validation must be commenced within twenty-four (24) hours after receiving the nomination form.**

Article 5 ~~Section 6~~: Withdrawal of Nomination

- (1) A candidate may withdraw their nomination before the closing of the nomination period ~~whereupon~~ and that **such candidate(s)** shall be **determined to not deemed not to** have been officially nominated.
- a. Any withdrawal of nomination must be submitted in writing to the Chief Returning Officer and must be signed by both the Chief Returning Officer and the candidate wishing to withdraw their nomination.
- (2) Any candidate wishing to withdraw from an election after **the closing of the nomination period after nominations close** may do so at the discretion of the Chief Returning Officer.

- a. Upon receipt of a withdrawal submission ~~Should the Chief Returning Officer accept the withdrawal,~~ the Chief Returning Officer shall declare that candidate ~~had not been deemed shall be deemed not to have been~~ officially nominated.
- (3) The creation and/or publication of a false statement of withdrawal intended to prevent an election of a candidate constitutes an offence under ~~Section~~ Article 12 of ~~this~~ By-Law 3 (Union Elections Act).

Article 6 ~~Section 7~~: Death of a Candidate

(1) Death of a candidate before close of nominations:

- a. If a candidate dies before the close of nominations, they shall be ~~determined to not deemed not to~~ have been officially nominated.

(2) Death of a candidate between the close of nominations and the day of the election:

If the ~~deceased~~ candidate ~~that died~~ was the ~~only sole~~ person running for a non-executive position ~~an elected position other than one on the Executive Board,~~ the Chief Returning Officer ~~omit that position from the ballot and the position will be filled in the next Union Election.~~ shall hold a By-Election to fill the position(s) within thirty (30) days from the Chairperson's issuance of a Public Notice and Declaration of Vacancy on the Students' Representative Council.

- i. If the ~~deceased~~ candidate was not the only individual running during the campaign and voting periods, the candidate shall be ~~deemed not to have been~~ officially nominated. (Dal Section 4 (E) (2))
- b. If the ~~deceased~~ candidate ~~that died~~ was the ~~only sole~~ candidate running for a certain position on the Executive Board, the Chief Returning Officer ~~shall will~~ hold a by-election to fill the position(s) within thirty (30) days of the date of the General Election. ~~The by-election shall be initiated under the guidelines and procedures as stated these By-Laws.~~
 - i. If the ~~deceased~~ candidate was not the only individual running during the campaign and voting periods, the candidate shall be ~~deemed not to have been~~ officially nominated. (Dal Section 4 (E) (2))

Article 7 ~~Section 8~~: Campaign Financing

- (1) The maximum amount permitted for each candidate to spend on a campaign includes any and all costs associated with a candidate's campaign during the election period including posters, food items, pins, beverages, etc.
- (2) All candidates must hand in any and all receipts to the Chief Returning Officer within **seven (7) academic days after the election results are announced to candidates at the final All-Candidates Meeting.** ~~from Election Day.~~
 - a. If a previously owned item by the candidate is used in the campaign, then they will submit instead to the Chief Returning Officer exactly what the item is, its estimated cost, and the logic behind the estimation. (made a sub-point – wording has remained the same)
- (3) The value of all campaign materials used in the election, regardless of whether they were purchased specifically for the election or not, including any homemade materials such as t-shirts and baked goods, are included in the maximum amounts as stated below.
- (4) Any gifts, donations, or sponsorships made to a candidate are included in the total maximum amount for campaign financing. The Chief Returning Officer must estimate the value of any gifts, donations, and sponsorships unless a receipt is provided.
 - a. If the Chief Returning Officer suspects the receipt does not represent the market value, they can provide a reasonable estimate for its market value, and that value shall be included in the total maximum amount for the campaign. (made a sub-point – wording has remained the same)
- (5) The items/expenses not included in the maximum allowable amount are tape, sticky tack, staples, and glue.
- (6) Each candidate may spend up to the maximum amounts listed below on financing their campaign:
 - a. President – \$300
 - b. Vice President Student Life – \$250
 - c. Vice President Academic and External – \$250
 - d. Vice President Events and Promotions – \$250
 - e. All other candidates – \$150

~~(7) Only Executive Board candidates will be eligible to receive reimbursement for campaign expenses. Executive Board candidates are eligible to receive up to a \$100.00 reimbursement or 50 percent (50%) of the amount spent on their campaigns, whichever is less with the provision that they receive a minimum of 10 percent of the popular vote, and that they have not committed an offence as defined in Section 12 of By-Laws 3.~~

(8) Candidates with resources insufficient to meet the outlined maximum spending amounts listed may apply, in writing to the Chief Returning Officer to receive financing for their campaign by the Union;

- a. All money unspent, as determined by the candidate's election receipts will be due to the Union;
- b. If a successful candidate has outstanding campaign debts to the Union on the day they are to take office they will be considered ineligible to take office and a by-election will be scheduled;
- c. If a candidate has outstanding campaign debt to the Union they will be ineligible to run in a future election until it is paid in full.

~~(9) Any complaints of suspected corrupt campaign financing must be submitted to the Chief Returning Officer using the Official Complaints form. Should the Chief Returning Officer recognize any abuse of election expenses, they shall convene the Elections Sub-Committee of the Review Board to review the complaint based on the guidelines set out in By-Laws 3, Section 12.~~

- ~~a. Complainants may choose to have their identities concealed from the accused(s), but the complainant must complete the Official Complaint form in its entirety.~~
- ~~b. Should the complaint pertain to misconduct on behalf of the Chief Returning Officer the complainant may submit the form to the Deputy Chief Returning Officer.~~

(10) Failing to remit receipts for campaign expenses is considered an election offence and is therefore subject to **Article 12 of By-Law 3 (Union Elections Act)**.
~~By-Laws 3, Section 12.~~

Article 8 Section 9: Campaign Rules and Regulations

(1) Candidates are expected to maintain a professional attitude and conduct themselves in a professional manner during the campaign and voting period
(MTA Limits on Campaigning, Sec 12)

(2) No candidate shall engage in libel, or distribute material which could be constructed as slanderous towards another candidate (DAL Sec 5, Sub B, Point 11)

(3) No campaigning shall be permitted until the conclusion of the All Official Candidates' Meeting with Chief Returning Officer.

a. The meeting shall be held within twenty-four (24) hours after the closing of the nomination period. ~~on the day the nomination period closes;~~

~~b. It shall be mandatory for all candidates to attend the meeting; The candidates shall attend the mandatory All Candidates Meeting.~~

i. The meeting shall provide a ~~brief~~ summary of the Election rules and regulation and an overview of scheduling for the period;

ii. A candidate may be excused from the meeting at the Chief Returning Officer's written discretion; and

iii. Any candidate who is unable to attend the meeting shall be responsible for obtaining the information discussed at the meeting from the Chief Returning Officer.

iv. ~~Missing any All Candidates Meeting without the written permission of the Chief Returning Officer shall constitute an election offense under Article 12 of By-Law 3 (Union Elections Act).~~

(4) Active campaigning on- or off-campus shall include, but not be limited to, any of the following;

a. Distribution of Campaign Materials;

b. Production of Media Advertisements, excluding static website and social networking electronic media; and

c. All campaign materials, in question, must be approved by the Chief Returning Officer before distribution. (MTA Campaigns, Sec 2)

(5) Candidates cannot form slates or participate in shared publicity (CBU Sec 8, Sub B)

~~(6) Campaigning will be permitted on both election days;~~

~~a. On voting day, no campaigning will be permitted within a specified radius of all polling stations to be determined by the GRO and communicated to candidates at the mandatory all-candidates meeting; and~~

(7) All candidates are responsible for reading the **Acadia Students' Union Constitution and By-Laws 3 (Union Elections Act)** pertaining to Union Elections;

- a. Ignorance may not be used as an acceptable defense for election offences covered in either the Union constitution or the Official Candidates' Meeting.

~~(8) No employee of the Union shall publicly support a candidate while engaged in duties pertaining to their job;~~

~~a. This includes but is not limited to:~~

- ~~i. Full-time staff;~~
- ~~ii. Part-time staff; and~~
- ~~iii. All members of Council~~

(9) All candidates shall comply with all building regulations on and off campus, and any regulations of the University pertaining to Union elections or the display of materials.

(10) Campaign materials:

- a. No candidate or supporter of a candidate may deliberately cover, destroy, damage, deface or remove any campaign material of any other election candidate during the campaign period;
- b. If posted campaign material falls off the surface on which it is hung, candidates shall have twenty-four (24) hours to repost the material before other candidates may occupy that space;
- c. ~~Active Campaigning Distribution of materials~~ in support of or opposition to any candidate(s) shall not be permitted:
 - i. In any class/classroom or lab/laboratory of the University;
 - ii. In any University library;
 - iii. In any University residence (except the public outer entryway, subject to the discretion of Residence Life Assistant Residence Director and Physical Plant discretion);
 - iv. In the Athletics Complex;
 - v. In the **Axe Bar & Grill (formerly the Axe Lounge)**;
 - ~~vi. In the MacKeen Room;~~

- vii. At any social event of the Acadia Students' Union, an Internal Organization, House Council or club/society of the Union;
 - viii. In the dining area of Wheelock Dining Hall (WDH); and
 - ix. Any office belonging to the Acadia Students' Union.
- d. No candidate shall use the logo, corporate seal or any other copyright material of the Union in their campaign or on any campaign material;
- e. No candidate, or supporter of a candidate, may use their position to their advantage over other candidates by using resources from their office or of their current position during the campaign period if they are:
 - i. Holding any elected or appointed position of Council or the Union;
or
 - ii. Any Union employee.
- f. Any promotional materials distributed throughout the campaign will be counted towards the maximum allowable financing amount;
- g. All candidates are responsible for removing all campaign advertising and literature twenty-four (24) hours after the announcement of election results.
 - i. If any campaign or advertising literature remains up past this time, any person or candidate may remove said materials;
 - ii. This includes but is not limited to the removal of all:
 - 1. Posters;
 - 2. Banners; and
 - 3. Advertisements. (moved from Section 3)
- h. Handbills shall be no larger than 8.5 inches by 5.5 inches in size (DAL Sec 5 (b)(10))
 - i. The design may be submitted electronically to the Chief Returning Officer for prior review.
- i. Any campaign materials not covered in this By-Law shall be subject to the written approval of the Chief Returning Officer.

(11) Posters:

- a. All campaign materials including posters, signs, sheets, and banners located both on and off campus must be officially stamped on the side shown to the public by the Chief Returning Officer or the Deputy Chief Returning Officer;
- b. Unapproved and undistributed materials shall not count against the spending or poster display limits;
- c. Posters approved by the C.R.O. may not be the cause of subsequent disciplinary action against a candidate, with the exception of the potential removal of the posters;
- d. The following candidates may hang the following maximum number of paper posters which are to be included in the above poster maximum:
 - i. President – 125
 - ii. Vice President Student Life – 100
 - iii. Vice President Academic & External – 100
 - iv. Vice President Events & Promotions – 100
 - v. All other candidates – 75
- e. All posters shall not exceed 11 x 17 inches in size with the following exceptions:
 - i. Executive Board candidates may hang a maximum of two (2) posters exceeding 11 x 17 inches in size either on or off campus.
 - ii. Candidates for other elected positions may hang a maximum of one (1) poster exceeding 11 x 17 inches in size either on or off campus.
- f. Candidates are required to number every poster that is put up during the campaign period. (King's App A, Sec 11)
- ~~g. If candidates choose to campaign together, then the maximum campaign material allotment for each individual candidate cannot be combined. Each candidate is permitted to have their name on only the number of posters as specified above; and~~

(12) All physical campaign material within eight (8) metres or eyeshot of a polling station must be removed twenty-four (24) hours before the opening of the polls. (moved from Section (2) (b))

a. "Eyeshot" shall be defined as being able to understand the content of physical campaign material from a polling station.

(13) Electronic Campaigning:

a. Electronic Campaigning is defined as, but is not limited to,:

i. Social Media

1. Facebook, Twitter, Snapchat, Instagram, LinkedIn, Swiflie, Tumblr, Flickr, Pinterest, YouTube, Vimeo, Periscope, Reddit, Google +, Quora, Slack, and Twitch

ii. Static Media

1. Websites

b. Any electronic campaigning sites, pages, groups or events must be approved by the Chief Returning Officer before ~~it~~ they may become publicly available (moved from Section 8 (c))

i. The Chief Returning Officer must be an administrator and/or host of all social media (pages, groups and events) and static media.

c. Campaign representatives are not permitted to post on behalf of a candidate.

i. "Campaign representative" shall be defined as individuals who are officially advocating on behalf of a candidate with their knowledge.

ii. Shares, likes, retweets, and other methods on personal accounts are permitted by campaign representatives.

(14) Food and Drink

a. All Food and Drink are permitted as active campaigning.

i. All food and drink must be approved by the Chief Returning Officer.

(15) Candidates are responsible for removing all electronic campaign material within twenty-four (24) hours after the election results are announced;

- a. This includes but is not limited to the removal of all:
 - i. Electronic campaign websites or pages; and
 - ii. Electronic campaign material on all platforms of social media.
(moved from Section 4)
- (16) All candidates must be informed of the All Candidates Debate by the Chief Returning Officer.
- a. ~~The debate must be held at least 36 hours before the opening of polls on the first day of the election;~~ (moved to Article 2, Section 5)
 - b. The debate must include a segment for audience questions; and
 - c. The Chief Returning Officer shall have discretion over any other aspect of the format of the debate, subject to Council's approval of the Chief Returning Officer's election plan.
- (17) An information session ~~for on-campus students may will~~ be held, upon scheduling and approval of the Chief Returning Officer and ~~the Manager of Residence Life Senior Residence Advisor of the residence, in each residence during which Candidates may campaign within the residence.~~
- a. ~~Candidates can only meet with students and distribute materials in support of their campaign in the agreed upon lounge/study area;~~
 - b. ~~Candidates cannot place posters on the walls of the residence; and~~
 - c. If a candidate is unable to attend ~~the an~~ information session, another information session will not be scheduled ~~unless otherwise determined~~ by the Chief Returning Officer.
- (18) Any candidate that contravenes any of the campaign rules and regulations outlined in ~~Article 8 of By-Law 3 (Union Elections Act) as stated in ByLaws 3, Section 7~~ is guilty of an offence and subject to appropriate disciplinary action as described in ~~Section Article 12 of By-Law 3 (Union Elections Act) these By-Laws.~~
- (19) Any campaign infraction not covered in these By-Laws shall be subject to the discretion of the Chief Returning Officer.

Article 9 Section 10: ~~Election Publicity through the Union Media in Elections~~

(1) “ Union Media” shall be defined as:

- a. The Athenaeum;
- b. Axe Radio;
- c. Any other Internal Organization or ASU-ratified Club/Society that acts as a means of mass communication to students.

(2) Candidate Write-Ups

- a. All candidates are entitled to have a photo of themselves and a limited write-up of their election platform published in The Athenaeum.
- b. The deadline and directions for submitting these write-ups and photos will be established by the Chief Returning Officer in cooperation with the Editor-in-Chief of The Athenaeum and given to candidates at the Official Candidates' Meeting.
 - i. Should a candidate miss the deadline or choose not to attend the meeting, no additional space shall be granted in The Athenaeum.
- c. All photos must be in head-shot format and should be appropriate for publication, subject to the discretion of the Chief Returning Officer and the Editor-in-Chief of The Athenaeum.
- d. Write-ups for the candidates shall not exceed the following word maximums:
 - i. Presidential candidates: 300 words,
 - ii. Vice Presidential candidates: 250 words,
 - iii. All other candidates: 150 words.
- e. The issue of The Athenaeum that the photos and write-ups appear in shall not appear before the close of nominations, but at least 48 hours before the opening of the polls.
- f. The Editor-in-Chief shall ensure that no person(s) reads any of the candidates' write-ups before publication, except for The Athenaeum staff member(s) responsible for laying-out the paper. These staff members shall be bound to confidentiality.
- g. Acceptability of The Athenaeum write-ups shall be determined by the Chief Returning Officer in cooperation with the Editor-in-Chief.

- (3) Any ~~Union Media-Athenaeum~~ staff member who is a candidate in the election shall not in any way be involved with **Union Media** from the opening of **the nomination campaign period** to the end of **the Election Day**.
- ~~(4) The Athenaeum~~ **Union Media** shall have the right to report and analyze election happenings but shall not have the right to endorse **or oppose** any candidate or side.
- a. Any publicity must offer every candidate for each position equal opportunity to participate.
 - b. Any publicity that pertains to a specific candidate shall include a disclaimer stating that the ideas printed are those of the author, not of Union Media or the Acadia Students' Union.
- ~~(5) Axe Radio shall have the right to report and analyze election happenings but shall not have the right to endorse any candidate or side, and any shows pertaining to the election must offer every candidate equal opportunity on the show. Any shows that pertain to a specific candidate shall include a disclaimer stating that the ideas expressed are those of the broadcaster, not of Axe Radio~~
- (6) No candidate may slander another candidate in Union Media ~~(The Athenaeum and Axe Radio)~~ or in their ~~his or her~~ write-up. Candidates may address another candidate's platform, but attacks of a personal nature shall not be tolerated.

Article 10 Section 11: Election Officials

- (1) The following persons are defined as Election Officials:
- a. The Chief Returning Officer;
 - b. The Deputy Chief Returning Officer, and;
 - c. The **Poll Clerks Election Assistants**.
- (2) All Election Officials shall:
- a. Carry out their duties in impartial and objective manner;
 - b. Not support or endorse any candidate in any manner;
 - c. Not submit nomination papers for an elected position in an election for which they are an official.
- ~~(3) For each election an Election Appeals committee shall be formed to judge appeals to rulings of the Election Officials, where applicable. The committee shall consist of three members not participating in the election and shall be selected through a motion of council.~~
- (4) If a person constitutionally mandated to assist in the administration of an Union election has been nominated **for an elected position** in the election they are to be

assisting with, they will not be allowed to partake in the administration of the election and

- a. ~~Council shall appoint alternate poll clerks by resolution. Their position will be filled by a motion of Council.~~

(5) The Chief Returning Officer shall be hired no later than April 1 to serve a one (1) year term beginning May 1.

- ~~a. They shall be hired by a committee chaired by the outgoing C.R.O. and two (2) other members as decided by Council.~~

- b. The Chief Returning Officer ~~C.R.O.~~ shall be ratified by Council before they take office.

- c. The Chief Returning Officer ~~C.R.O.~~ may not run in a Union election ~~during their term. from the beginning of their term to the following May 1~~

- d. The Chief Returning Officer ~~C.R.O.~~ may resign or be impeached by Council ~~and but~~ will remain ineligible to run in any Union Election for the remainder of the current term of Council, ending on May 1st of the year following their appointment. ~~until the subsequent May 1.~~

- e. In addition to any responsibilities specified elsewhere in the Constitution and By-Laws, the Chief Returning Officer is responsible for:

- i. Advertising of elections, plebiscites and referenda through posters, banners, flyers, social media and other media;

- ii. Presenting the Council with a formal election plan for ratification ~~prior to the commencement of each academic semester, at the first meetings of September and January for the By-Election and the General Election, respectively,~~

1. ~~The Formal Election Plan should~~ include dates of major deadlines and events, as well as debate format, among other relevant information; ~~(moved into sub-point)~~

- iii. Keeping the public, the Council and all election candidates informed of any issues arising that are related to ~~voting the election;~~

- iv. Liaising with ~~Technology Services Computing Services~~, the User Support Centre and the Registrar's Office to ensure that all voter lists are accurate and that there is reliable infrastructure to accommodate electronic voting;

- v. Ensuring that no person(s) have access to ballots or voter lists before the date of the election except for those person(s) involved in their creation;
 - ~~vi. Ensuring that candidates are reimbursed for campaign expenses where appropriate;~~
 - vii. Overseeing the campaigns of each candidates, and ensuring that no candidate contravenes any portion of By-Laws 3;
 - viii. Overseeing the work of all other Election Officials;
 - ix. Ensuring that candidates have full and fair access to the complaint resolution procedures as outlined in ~~Article Section 12 of these By-Laws;~~ By-Law 3 (Union Elections Act);
 - x. Arranging a public debate for all elections, referenda and plebiscites;
 - xi. Announcing election results to candidates at a meeting held before results are made publicly available;
 - xii. Announcing election results to the general student body ~~within twenty-four (24) hours after the closing of the voting period on the day of election after polls have closed~~ through all student email, and the following day at the Info Desk and outside the Council Chair's Office;
 - xiii. Providing Council, The Athenaeum, and any other Union member who so requests with a paper copy of the summary of results of any Union election, referendum or plebiscite;
 - xiv. Providing a formal exit report concerning all aspects of the election to Council, to be posted on the Union website;
 - ~~xv. Validating each nomination form with their signature or initials after confirming that all eligibility requirements have been met by the candidate within twenty-four (24) hours after receiving the nomination form.~~
- f. In addition to any powers specified elsewhere in this Constitution and By-Laws, the ~~Chief Returning Officer C.R.O.~~ shall have the following powers:
- i. In consultation with the Elections Sub-Committee of the Review Board, to remove any Election Official(s) who have contravened any part of this Constitution and By-Laws;

ii. In consultation with the Elections Sub-Committee of the Review Board, to expel from any Union election a candidate who has contravened any portion of this Constitution and By-Laws;

~~iii. In consultation with the Elections Sub-Committee of the Review Board, to appoint either an alternate Deputy Chief Returning Officer should the Deputy Chief Returning Officer resign or otherwise be unable to fulfill his/her office.~~

g. Ensure the creation of election advertising materials including but, not limited to, social media campaign, print materials, word documents and website content; (MSVU Sec1, Sub 2, Point 5)

h. Act as an advisor for the House Council Executive Assistant during their respective House Council Elections. (Suggestion from the VP Student Life)

(6) The Deputy Chairperson of the Council shall serve as the Deputy Chief Returning Officer ~~(DCRO)~~ for all Union elections, plebiscites and referenda.

a. The ~~Deputy Chief Returning Officer DCRO~~ shall assist the Chief Returning Officer at all times during Union elections, plebiscites and referenda;

b. The ~~Deputy Chief Returning Officer DCRO~~ is responsible for completing any tasks assigned by the Chief Returning Officer;

c. The ~~Deputy Chief Returning Officer DCRO~~ shall be responsible for determining the location and staffing of each poll station during elections;

d. The ~~Deputy Chief Returning Officer DCRO~~ shall serve as a poll supervisor on the day of election unless otherwise excused by the Chief Returning Officer;

e. Should the Chief Returning Officer resign or be unable to fulfill his/her duties, the ~~Deputy Chief Returning Officer DCRO~~ shall fulfill his/her duties during the nomination, campaign, and election period;

f. ~~The Deputy Chief Returning Officer may resign or be impeached by Council and will remain ineligible to run in any Union Election for the remainder of the current term of Council, ending on May 1st of the year following their appointment;~~

g. Council shall have the power to appoint an alternate Deputy Chief Returning Officer should the Deputy Chief Returning Officer resign or be otherwise unable to fulfill their office.

- (7) Both the Chief Returning Officer and Deputy Chief Returning Officer shall hold office hours:
- a. The Chief Returning Officer shall hold at least six (6) office hours per week during the nomination, campaign and voting periods.
 - b. The Deputy Chief Returning Officer shall hold at least three (3) office hours per week during the campaign and voting periods.
 - c. Office hours shall not run concurrently.
- (8) It will be the responsibility of the poll supervisors to inform all poll attendants of their duties and responsibilities.
- (9) Members of Council shall serve as poll clerks for all Union Elections, Referenda, and Plebiscites.
- a. The following shall serve as poll clerks:
 - i. Chairperson
 - ii. Councillors (4)
 - iii. Equity Officer
 - iv. Sustainability Officer
 - v. Community Relations Officer
 - vi. First Year Officer
 - vii. Student Senators (5)
 - viii. Student Board of Governors Representative
 - b. Members of the Executive Board may act as poll clerks at the discretion of the Chief Returning Officer.
- (10) The Elections Sub-Committee of the Review Board membership shall consist of:
- a. The Chairperson, who shall act as the chair of the Sub-Committee
 - b. The President, who shall act as the vice-chair of the Sub-Committee
 - c. One additional member of the Executive Board of Council as appointed to the Review Board
 - d. Two (2) non-executive voting members of Council as appointed to the Review Board
- (11) The Elections Sub-Committee of the Review Board shall deal with complaints against the Chief Returning Officer, appeals resulting from decisions of the Chief Returning Officer, and provide advice to the Chief Returning Officer as necessary.

Article 11 ~~Section 12~~: Election Days

(1) Ballots

- a. Candidates' names on ballots shall be listed in alphabetical order according to last name.
- b. Under the Chief Returning Officer's discretion or as otherwise stated by the Candidate each candidate's name on the ballot shall be listed as the student is registered at Acadia.
- c. No campaign logos, slogans, or photos shall be displayed on ballots.
- d. The Chief Returning Officer shall be responsible for the creation of electronic ballots in conjunction with **Technology Services**;
- e. A spoiled ballot shall not be counted as an eligible vote.
 - i. Spoiled ballot shall be defined as a ballot in which a voter selects more than the requisite number of positions available in the Election.
- f. **Should only one candidate apply for any elected position in an election, the Chief Returning Officer shall arrange for a yes/no vote to be taken for the candidate in that position in an election. The election of the candidate shall be require a yes vote of at least 50% plus one (1) of the total number of eligible votes cast. (Moved from Article 3 Section 3)**

(2) Voting Rights

- a. Only ordinary or associate members of the Union may vote in any Union election, referendum or plebiscite.
- ~~b. The definition of an eligible voter for the position(s) of:
 - i. President shall be an ordinary or associate member of the Union;
 - ii. Vice President Student Life shall be any ordinary or associate member of the Union;
 - iii. Vice President Academic and External shall be any ordinary or associate member of the Union;
 - iv. Vice President Events and Promotions shall be any ordinary or associate member of the Union;
 - v. Councillors, First Year Officer and Community Relations Officer shall be any ordinary or associate member of the Union;
 - vi. First Year Officer shall be any ordinary or associate member of the Union in their first year of study at Acadia University;~~

- ~~vii. Equity Officer, Community Relations Officer and Sustainability Officer shall be any ordinary or associate member of the Union;~~
- ~~viii. The Student Board of Governors Representative shall be any ordinary or associate member of the Union;~~
- ~~ix. The Student Senators shall be an ordinary or associate member of the Union registered in their respective faculties;~~
- c. The eligible voter, ~~as defined above in Subsection 2, Part (b),~~ shall be considered a member's constituents for the purpose of By-Laws 2, Section 9, Subsection 3.
- d. Each voter shall be allowed to vote for only one candidate for each position of which they are an eligible voter with the exception of the position of Councillor ~~at Large~~, for which each voter may choose up to ~~four~~ ~~three~~ candidates.
- e. The right to vote of the Chief Returning Officer and Deputy Chief Returning Officer ~~right to vote~~ in any Union Election shall be withheld.
 - i. ~~The Chief Returning Officer shall only vote in the case of a tie in an elected position.~~
 - ii. ~~If the Chief Returning Officer is unable to cast the tie-breaking vote, the final decision will rest with Council.~~
- f. ~~There shall be no voting by proxy (MSVU Sec 7 (5))~~

(3) Campaigning

- a. ~~All active campaigning shall cease by the opening of the polls on the first day of voting.~~
- b. ~~Non-Active campaigning may remain posted during the voting period. No new information can be posted to social media platforms after the polls open. (STFX App B, Sec 2, Sub 9, Point ii)~~
- c. ~~Notwithstanding Section (3)(b), the promotion of the democratic process shall be permitted during the voting period. (Constitution 10-11 Sec 8, Sub 7, Point j)~~

(4) Polling

- a. ~~Polling shall take place online from at least 8:30 AM a.m. of the first day of voting Election Day until 4:00 PM 6:00 p.m. of the second day of voting Election Day unless otherwise decided by the Chief Returning Officer. All~~

students shall be able to login to the University network and vote during this time.

- b. The Chief Returning Officer shall ensure that there are (at minimum) polling stations in the Beveridge Arts Centre, **Huggins Science Hall, Patterson Hall**, Students' Union Building, **and** Wheelock Dining Hall, **and** where students may vote online.
 - i. **Polling stations will be open from 8:30 AM to 4:00 PM on both voting days.**
- c. **Once the scheduled hour of the closing poll arrives, the poll will close exactly on time. No late votes will be permitted. (STFX App B, Sec 11, Sub 8)**

(5) Results:

- a. In order for a candidate to be successfully elected, they must receive the largest percentage of all eligible votes cast. For **Councillor positions** ~~the position of Councillors-At-Large~~, the top candidates with the largest individual percentages of all eligible votes cast are considered the elected representatives, subject to the number of positions being contested.
 - i. All eligible votes cast includes all votes received by Technology Services from the time polls open until the time polls close except for those ballots deemed spoiled.
 - ii. ~~Spoiled ballots are not included in the total number of eligible votes.~~

(6) The Chief Returning Officer shall announce the results to the candidates before the Union Membership at the final All Candidates Meeting.

(7) The Chief Returning Officer shall announce **the results within twenty-four (24) hours after the closing of the polls at the end of the final day of election** through ~~an~~ all student email.

Article 12 Section 14: Offences

- (1) Any person who is a candidate or Election Official in a Union election will be subject to discipline by the Chief Returning Officer and/or the Elections **Sub-Committee of the Review Board of the** for the following offenses:
 - a. Contravention of any part of By-Laws 3; or

- b. Commitment of an action deemed by the Chief Returning Officer to be an offence, such as the bribing of Election Officials.

(2) Complaints

- a. Any **Union employee and** ordinary or associate member of the Union may make a complaint against a candidate.
- b. To submit a complaint, the complainant shall complete and submit an Official Complaints Form (~~attached~~) to the Chief Returning Officer any time after the close of nominations but no later than two weeks **after the closing of the voting period**.
 - i. This form shall include ~~statements of~~ at least one (1) named witness and name the candidate who is being accused of contravening By-Laws 3 (**Union Elections Act**).
- c. Upon receipt of an Official Complaints Form, the Chief Returning Officer shall:
 - i. Verify the validity of the complaint by contacting witnesses and, where possible, by visually verifying the infraction;
 - ii. Upon verification, send an outline of the complaint to the accused(s), and request an explanation;
 - iii. Act as the primary arbiter for Union Elections and take disciplinary action (if necessary) ~~according to By-Laws 3, Section 12, Subsection 3~~ within 48 hours; and
 - iv. Send a written response to the complainant and the accused candidate within 48 hours.
- d. If a complainant or the accused(s) is unsatisfied with the resolution provided by the Chief Returning Officer, they may appeal to the Elections Sub-Committee of the Review Board.
 - i. The complainant or accused shall complete and submit an Official Appeals Form to the Deputy Chief Returning Officer, who shall inform the Chairperson;
 - ii. The Chairperson shall convene the Elections Sub-Committee **of the Review Board** within 24 hours of a request for appeal;

- iii. The original Official Complaints Form shall be provided to the Elections Sub-Committee **of the Review Board** by the Chief Returning Officer;
 - iv. **The Chief Returning Officer shall be allowed 20 minutes to explain the original Complaint, their investigation and the reasoning behind why their decision should stand, and then shall leave.**
 - v. The complainant or accused shall be allowed 5 minutes to explain the basis for their appeal, and then shall leave;
 - vi. The Elections Sub-Committee **of the Review Board** shall decide upon the validity of the appeal and take disciplinary action (if necessary) ~~according to By-Laws 3, Section 12, Subsection 2~~ within 24 hours; and
 - vii. The Elections Sub-Committee **of the Review Board** shall send a written response to the complainant, the accused candidate and the Chief Returning Officer within 24 hours.
- e. If the complaint is held against the Chief Returning Officer, the complainant may submit their form to the Deputy Chief Returning Officer who shall **inform the Chairperson. The Chairperson shall** convene the Elections Sub-Committee of the Review Board within 24 hours. Upon receipt of a complaint against the Chief Returning Officer, the Elections Sub-Committee of the Review Board shall:
- i. Verify the validity of the complaint by contacting witnesses and, where possible, by visually verifying the infraction;
 - ii. Take disciplinary action (if necessary) ~~according to By-Laws 3, Section 12, Subsection 3~~ within 48 hours; and
 - iii. Send a written response to the complainant and the Chief Returning Officer within 48 hours.

(3) Punishment of Election Offences

- a. Any candidate, advocate, or Election Official in an election or a referendum who has been found guilty of committing an election offence may be:
 - i. ~~Penalized by means of a reduction in the amount of election refund eligibility;~~

- ii. Disqualified to participate in any debate;
 - iii. Penalized by means of being required to remove all or part of campaign promotional material both on and off campus;
 - iv. Recommend for impeachment, as per the procedure outlined in this constitution, if already a member of **Council**;
 - v. Disqualified as a candidate in a Union Election; and/or
 - vi. Any other penalty as deemed appropriate by the Elections Sub-Committee of the Review Board.
- b. Disqualifications shall be based on the accumulation of “points”, with no candidate allowed to continue running or assume office if they acquire 100 or more points.
- c. At the discretion of the Chief Returning Officer and/or the Elections Sub-Committee of the Review Board, the point allocations may be levied against the guilty candidate.

Section	Offense Descriptions	Point Value
5 (3)	Creation of False Statements of Withdrawal	75-100
7 (2)	Receipts	10-50
7 (6)	Spending Limits	50-100
8 (1)	Failure to Maintain Professional Attitude	10-50
8 (2)	Libel in Campaign Materials	50-100
8 (3)	Pre-Campaigning	10-50
8 (3) (b) (iv)	Missing any All Candidates Meeting	5-10
8 (5)	Slates	50-100
8 (9)	Building Regulations	10-50
8 (10) (a)	Deliberate Destruction of Campaign Materials	10-50 per infraction
8 (10) (c)	Active Campaigning in Restricted Areas	50-100 and/or 10 per poster

8 (10) (d)	Use of Corporate Logo	10-50
8 (10) (e)	Use of Union Resources	50-100
8 (10) (g)	Removal of Physical Campaign Materials	10 per item
8 (12)	Removal of Physical Campaign Materials around Polling Stations	20-100
8 (13) (b)	Approval of Electronic Campaign Material	50-100
8 (15)	Removal of Electronic Campaign Material	10 per item
8 (19)	Contravention of Chief Returning Officer Instructions at All Candidates Meeting	20-100
11 (3) (a)	Active Campaigning on Voting Days	50-100

- d. The Chief Returning Officer and the Elections Sub-Committee **of the Review Board** shall take the severity and frequency of infractions into account when deciding upon disciplinary action.

(4) Overturning of an Election or Referendum

- a. Upon hearing all evidence at the request of the Chief Returning Officer, the Elections Sub-Committee of the Review Board may overturn any Union election or referendum in whole or in part.
- b. If the Elections Sub-Committee of the Review Board overturns an election or referendum in whole or in part, the Chief Returning Officer shall inform all Union members of the new date of the election or referendum.
- c. After the date which the election or referendum was overturned, a by-election or referendum shall be held within 30 days.

Article Section 13: Amendments

- (1) Amendments to all sections of By-Laws **3 (Union Elections Act)** shall be carried out in accordance with Article **III ~~IV~~ of Acadia Students' Union Constitution By-law 4.**
- (2) No amendments to By-Laws **3 (Union Elections Act)** may be entertained at Council during the **~~nomination period and~~ campaign period** of any Union Election. **~~Referenda and/or Plebiscite.~~**