

Queen's Students' Union

Referendum Rules and Regulations 2023-24

(Updated on: 24 November 2023)

It is extremely important that anyone campaigning in these referendums reads this document in its entirety.

Participants in breach of any election / referendum regulations may not, in their defence, claim ignorance of such regulations.

The full Rules and Regulations for referendums are available from the Returning Officer (su.voice@qub.ac.uk) and are on the Students' Union website. (www.q-su.org)

Overview

The purpose of referendums (all-student votes) is to determine the opinion of the student membership of Queens' Students' Union on a specified matter.

Referendums are conducted in accordance with the relevant rules in the Students' Union Constitution and Rules and are summarised and clarified in this document.

The rules ensure that the referendum is conducted fairly, with students having an opportunity to participate in the referendum and a generally equal opportunity to campaign being provided to those in support, or opposing, a specific referendum question.

Official Campaign Teams and Campaigning in the Referendum

For the purposes of providing publicity material (posters and leaflets) and posting statements on the Students' Union website in relation to the referendum, the Students' Union will recognise one student as the lead campaigner in support, and in opposition, to each referendum question.

If there are multiple students wishing to be a lead campaigner, the Returning Officer shall determine the student to be the lead campaigner.

Any student member of the Students' Union can campaign / participate in the Referendum. A student does not have to be part of an official campaign to be involved / advocate for a particular position.

Students do not have to be a member of an official campaign team. Students may only campaign in accordance with the Referendum Rules.

This is a referendum for Queen's students. Only Queen's students can vote in the referendum and participate in the referendum.

Clearly, it is beyond the authority of the Students' Union to prevent external individuals / groups from participating in the Referendum and from taking a position on the issues.

However, if the activities/actions of non-students and/or external groups are alleged to be in breach of the Referendum Rules, these will be investigated as if the alleged breach(s) were undertaken by a student. This could result in sanctions being imposed on the officially recognised campaign teams or could affect the validity/result of the Referendum.

Contacting Campaign Teams

The Students' Union recognise official campaigners / supports for both 'sides' of the referendum question. The recognised campaigns may get campaign materials printed by the Students' Union.

If students want to contact the lead campaigners for either side of this campaign, they can do so through the SU Voice team in the Students' Union who will forward on any correspondence received.

Printed Materials and Publicity

No individual, whether supporting or opposing the Referendum questions, shall make use of printed publicity materials for the purpose of the Referendum, without the prior approval of the Returning Officer.

No physical referendum materials (including posters, flyers, banners, T-Shirts, badges etc.) may be displayed or distributed on campus until after Returning Officer personally authorises them to do so.

Official campaign teams will have the following materials printed for them by the Students' Union.

- 200 A3 Posters (single-sided, black & white)
- 500 A4 Posters (single-sided, black & white)
- 1000 A5 Flyers (double-sided, black & white)

No other groups will be allowed printed materials, such as posters and leaflets.

Individual or other groups may not print or distribute any other printed materials. To do so will be considered a breach of the Referendum Rules.

The Returning Officer may amend the entitlement to printed publicity material, provided that each side in a referendum campaign receive the same entitlement.

Official campaign teams will also be given space on the Students' Union website and on the online voting system to outline their position to voters. (This is like online manifestos used by election candidates.)

They may also be given additional opportunities by the Students' Union to communicate with students during the Referendum campaign.

The Returning Officer

The Returning Officer shall be the sole arbitrator in all matters relating to the referendum.

The Returning Officer shall be responsible for conducting the referendum.

The Returning Officer shall make rulings and issue further determinations as required. Such a determination shall have the same standing as a Rule and shall be effective for that referendum only.

Rulings and determinations shall be made available on an authorised noticeboard of the Union and shall be communicated to leading campaigns in support, and in opposition, to the referendum question.

A determination issued by the Returning Officer may be challenged by referral to an Election Court upon petition.

If the Returning Officer is satisfied that a person's failure to comply with any Election/Referendum regulation is directly due to circumstances beyond that person's control, they may at their discretion exempt that person from that regulation. Such a decision may be challenged by reference to an Election Court upon petition.

Complaints and Election Courts

If a Student Member wishes to lodge a complaint regarding any aspect of the referendum, they may do so by submitting it, via email, to the Returning Officer. (su.voice@qub.ac.uk)

A complaint should include: the name of the complainant and their contact details; the details of the alleged issue, including details of any individuals involved; any evidence that may be available.

Complaints will be investigated by the Returning Officer, but they will not constitute a formal request for an 'Election Court'.

Any Student Member who has reason to believe that there was any irregularity of any kind regarding the conduct of a Referendum, shall have the right to lodge a Referendum Petition with the Returning Officer within 72 hours of the alleged irregularity, according to the provisions of Rule 2 of the Students' Union Constitution. An Election Court will then be held to investigate and rule on the petition (complaint). Further information can be obtained from the Returning Officer. (su.voice@qub.ac.uk)

Campaigning and Canvassing

The Rules and Regulations for Elections and Referenda apply to all student members participating in any canvassing and campaigning activity in relation to referendums. The Rules and Regulations apply to non-members where applicable.

All individuals participating in the referendum are bound by, the Rules of the Students' Union Constitution, the University's Conduct Regulations, Equality and Diversity Policy, Social Media Policy and Student Anti-Bullying and Harassment Policy. These apply to all activities, whether on-campus or off-campus, whether online or offline.

All individuals shall make all reasonable efforts to ensure that their campaigning is conducted in an appropriate manner (including any canvassers/campaigners acting on their behalf), regardless of which medium is being utilised. Any campaigner or supporter failing to comply with the instructions contained within the Rules for this Referendum may be subject to disciplinary action under the University's Student Conduct Regulations.

All individuals participating in the referendum should not undertake campaigning activity which others could not also reasonably undertake.

Printed Referendum materials shall only be displayed in authorised places and must comply with any specific directions in this regard set down by the Returning Officer.

Adhesive material must not be used for attaching Referendum materials to walls, noticeboards etc. which would damage property. Stickers and other self-adhesive materials are strictly prohibited as these can damage paintwork and other surface finishes. The repair of any damage caused by such prohibited materials may be charged to the lead campaigner, or student, in question.

Referendum materials must not cover up any existing posters (including Referendum posters), although campaigners may remove posters that are unconnected to the referendums and are out of date.

Referendum posters must not be moved or removed without the permission of those responsible for initially putting up the posters. Students who believe that posters are incorrectly displayed should report this to the Returning Officer for adjudication.

All individuals shall make all reasonable efforts to ensure that their campaigning is conducted in an appropriate manner (including any canvassers/campaigners acting on their behalf), regardless of which medium is being utilised. Any campaigner or supporter failing to comply with the instructions contained within the Rules and Regulations for this referendum may be subject to disciplinary action under the University's Student Conduct Regulations.

All reasonable efforts shall be made by canvassers/campaigners to ensure that information contained within Referendum material is true and accurate.

The Returning Officer shall have the power to limit the number of canvassers at any polling area.

Unauthorised printed Referendum material may not be displayed or distributed.

Referendum materials may only be distributed in University buildings or in the Students' Union – local byelaws prohibit the distribution of flyers or similar in public areas.

Only official noticeboards should be used. Seek permission from the porter or supervisor in advance.

Posters must not be placed over the plasma screens in the Students' Union building.

Referendum posters displayed in the Students' Union building may only be placed on noticeboards.

Canvassing in any of the University's Libraries is prohibited. Students must not be disturbed by campaigners or canvassers whilst they are studying.

For health and safety reasons, no materials may be displayed at a height of greater than eight feet, or in any location that requires the use of a step ladder (or similar). Any materials that breach this rule shall be removed by the Returning Officer (or their nominee).

Commercial partnerships/ "tie ins" are not permitted. No part of any referendum document may be used as a discount voucher or may offer any commercial benefit to its bearer.

Only pre-packaged edible goods may be distributed as a part of any campaign (e.g. sweets or lollipops that have a wrapper). For health and safety reasons, cooked, baked, or heated goods may not be distributed. These will be considered as non-printed materials, and a cost must be determined for these materials.

The use of chalked wording and/or images to promote any referendum position is prohibited both on and off campus.

Campaigner must not send unsolicited text messages or emails to any voter.

The use of megaphones, public address systems, the broadcast of loud music and so on, is prohibited by campaigners and their supporters on campus and in local community areas (such as the Holylands, the Stranmillis area, and the Lisburn Road area).

Campaign leads are responsible for compliance of their campaign with the EU General Data Protection Regulation and the Data Protection Act 2018.

All referendum publicity, in whatever format, must conform to the Students' Union's Equal Opportunities Policy in the Students' Union's Constitution which prohibits discrimination, be it direct or indirect, on the basis of gender, appearance, ethnic, national, regional or racial origin, age, socio-economic background, disability, personal, religious or political beliefs, sexual orientation, family circumstances, health, including HIV status, or other irrelevant distinction. Any material that breaches any of the above stipulations may be ruled out of order by the Returning Officer.

Students' Union equipment or resources must not be used in any way in the furtherance of a Referendum campaign, unless those resources are made available by order of the Returning Officer to those in support of, and in opposition to, the Referendum question.

Canvassers / campaigners may approach the media in relation to any publicity that may be generated by the Referendum campaign. However, canvassers / campaigners are not permitted to make or receive any financial payment in return for media coverage. In any public comments made, canvassers / campaigners may not, at any stage, state or imply that they represent the views of Queen's University Belfast Students' Union.

Table / foyer / stall bookings may not be made by campaigns in/about the Students' Union without the prior authorisation of the Returning Officer.

Online campaigning may begin at any stage.

Campaigners are permitted to use are permitted to use social network websites such as Facebook.

All students are required to adhere to the University's Social Media Policy.

Participation by Clubs, Societies and Student Associations

Students' Union Clubs and Societies, including Student Associations, may participate in the Referendum. They may support particular positions, encourage their members to vote in the Referendum and recommend that they vote in support, or in opposition to the Referendum.

A decision by a Club or Society, or Student Association, to participate in the Referendum must be agreed by the Committee of the Club or Society. It must be formally recorded and minuted. The formal record and minute may be requested at any stage by the Returning Officer or may be requested as evidence in an Election Court.

If a Club or Society, or Student Association, formally agrees to participate in the Referendum, they may make relevant communications to their members to that effect (including recommendations to support or oppose a particular referendum position). This includes the use of email and social media.

Clubs, Societies, and Student Associations may not produce printed or non-printed Referendum materials. Club, Society, and Student Association resources, financial or otherwise, may not be used in the furtherance of a Referendum campaign.

Directions for Elected Student Officers and Members of the Executive Management Committee

Members of the Executive Management Committee (EMC) may participate in the referendum in the same manner as any other student.

If the Executive Management Committee endorses a position on this referendum, those sabbatical (full-time) student officers campaigning in favour of that position may do so during hours of work. In this case, they are not required to take annual leave. Any other participation in this referendum by a sabbatical (full-time) student officer, during their hours of work, shall require them to take annual leave.

All members of the Executive Management Committee (full-time and part-time) may must not abuse their position in any way in the furtherance of a referendum campaign. They may not use opportunities to campaign that are available to them arising from their elected membership to the Executive Management Committee.

EMC members may not use Students' Union resources such as email or social media, or email addresses and social media established for activities related to their roles, for the furtherance of a referendum campaign. Personal (i.e. non-Students' Union) email accounts and personal social media accounts may be used.

EMC members may not use opportunities such as 'induction talks' or presentations in the furtherance of a referendum campaign. They may make general class / lecture addresses as these are available to all students participating in the referendum. However, EMC members may not use their title or their role to secure access to classes / lectures.

Students' Union stall(s) at Union / University events may not be used in the furtherance of a referendum campaign. Separate stalls shall be made available at the event for both 'sides' in a referendum.

APPENDIX: Election Candidates 2023-24 - Data Protection Statement

We will use your personal data in compliance with the [University's Data Protection Policy](#) and [Student Privacy Notice](#) for the purpose of enabling your participation and awareness of elections and other representation and campaigning activity conducted by the Students' Union.

Data supplied by participants in referendums shall be treated in a manner similar to data supplied by candidates standing for election in the Students' Union.

APPENDIX: Election Candidates 2023-24 - Data Protection Details (Privacy Notice)

Queen's Students' Union Elections 2023-24 - Data Protection Details

We will use the contact details, personal information and sensitive information provided for the purposes of conducting elections / referendums for which you submit yourself as a candidate, referendum petitioner or voter, as appropriate, or for your registration of interest in academic representation opportunities in the Students' Union.

This will include using the data provided to ensure that you are eligible to stand or vote in the appropriate election, or volunteer for the appropriate opportunity.

We may use the contact information provided to communicate with you about standing and voting in QUBSU elections for the 2023-24 academic year.

We may also use this information to inform you of other democratic, representation, campaigning and development opportunities that arise over the course of the 2022-24 academic year and of the 2024-25, 2025-26, 2026-27 and 2027-28 academic years.

We will remove your contact details from our contact database at the end of the 2027-28 academic year. You may request to be removed from our contact database at any time, by emailing su.voice@qub.ac.uk. You may contact us to complain if you believe that your personal data is being used inappropriately.

Your personal data may be used for statistical purposes. (E.g. aggregating data to identify areas of under-representation and levels of engagement from different Schools, faculties and year groups.)

If you are standing for election, or voting, for a position which requires you to self-define, we will consider this information to be 'sensitive data' for the purpose of compliance with the Data Protection Act.

If you are a candidate in an election, this information will be made publicly available when we publish the list of candidates for elections. (E.g. If you self-define as an LGBT+ student and stand for election for the position of LGBT+ Students' Association Chairperson, you will be listed publicly as a candidate for the position of LGBT+ Students' Association Chairperson.)

Your data will be stored securely and processed in compliance with the [University's Data Protection Policy](#), [Student Privacy Notice](#) and [Students' Union Privacy Notice](#).

Your data may be shared with third-party software organisations for the purpose of streamlining our communications and the provision of services to you. (e.g. through our use of external mailing list software or external online voting software.) Your personal data will be shared with the following third-party software companies, in line with our Data Protection Policies and Procedures: Mail Chimp, Survey Monkey, Eventbrite, Membership Solutions Limited.

If you are elected, your name, course / election constituency and your email address will be made available online to enable fellow students to contact you as their representative and shared internally within the Students' Union for communications purposes. This information will also be shared with relevant University departments / Schools to enable them to contact you about representation-related activities and opportunities.

If elected, training and representation events that you attend may be photographed, recorded and/or live streamed by the Students' Union with this information made available on the World Wide Web.

Any data provided by you for promotional purposes in your application / nomination, may be used to promote you to students during any election and to promote you to students if elected. (This includes any supplied photos, videos, content of manifestos / slogans.)

If you are elected to attend national students' union conferences or wish to attend other national students' union events facilitated by Queen's Students' Union, we may share your personal data with the following relevant organisations: The National Union of Students' (NUS-UK), The National Union of Students' – Union of Students' in Ireland (NUS-USI) and the Union of Students' in Ireland (USI). This data will be used for the purpose of registering you for the conference/event and making relevant attendance / accommodation / travel arrangements, in line with the data protection policies and procedures of these organisations.

APPENDIX: Students' Union Constitution – Relevant Excerpts

QUEEN'S UNIVERSITY BELFAST
STUDENTS' UNION CONSTITUTIONAL RULES

Rule 1

**PROCEDURES FOR THE COUNCIL, UNION GENERAL MEETINGS, REFERENDA AND REMOVAL
OR RESIGNATION OF ELECTED UNION OFFICERS**

1. REFERENDA

- 4.1 A Referendum shall be held on any proposal when more than half of all of the voting members of the Council deem it necessary or upon receipt by the Returning Officer (see Rule 2) of a Petition bearing the names, signatures and student numbers of 1.5% of the Student Membership. The Returning Officer shall determine the form of a Petition document and may also, at their discretion, accept digital Petitions provided that they can verify the identity and authenticity of petitioners. Petitions shall not be deemed valid unless submitted to the Returning Officer within twenty working days from the date on which the Petition commenced.
- 4.2 A Referendum held under 4.1 shall be on a proposal decided by the Council, or as stated on the submitted Petition. If more than one proposal is submitted, the procedure in 4.1 must be adhered to with regard to each separate proposal.
- 4.3 If the Referendum is called by the Council as in 4.1, then the date on which the Council decision is minuted and placed on the Students' Union website and authorised noticeboards shall be treated as comparable to the receipt of a Referendum Petition as in 4.1 and shall be used for the purpose of calculating when the Referendum is to be held.
- 4.4 The Referendum must begin within 21 clear days from the receipt of the Referendum Petition, but no earlier than eight clear days from the receipt of the Referendum Petition, and can last no longer than ten working days (excluding Saturday and Sunday).
- 4.5 Polling for any Referendum must open and close in term time on a Monday, Tuesday or Thursday.
- 4.6 The Returning Officer shall be responsible for the conduct of all Referenda and shall appoint such assistants as may be necessary.
- 4.7 Each side in the Referendum shall be entitled only to the following printed publicity which must be printed by the Students' Union:
- 4.7.1 200 A3 Posters;
 - 4.7.2 500 A4 Posters;
 - 4.7.3 1000 A5 Flyers.

The Returning Officer may amend the entitlement to printed publicity material, provided that each side in a referendum campaign receive the same entitlement.

- 4.8 Referendum publicity that is to be printed must be handed in an electronic format to the Returning Officer by a date specified by the Returning Officer.
- 4.9 The Returning Officer and assistants may require each intending voter to produce for inspection the intending voter's Union membership card.

- 4.10 The Returning Officer will make arrangements for polling to take place, and shall publicise such arrangements in advance of all Referenda.
- 4.11 A decision relating to the policy of the Students' Union taken by a Referendum and voted upon by at least 10% of the Student Membership, with the exception of the Constitution and associated Rules, shall be mandatory and binding on the Union or any Union body to which it is directed, provided that those votes in favour exceed 50% of the total number of votes cast.
- 4.12 A motion or proposal to alter or rescind a mandatory decision of the Student Membership shall not be considered within 12 months from the date of passing such a decision.
- 4.13 A mandatory decision of the Student Membership shall only be amended or overturned by a mandatory decision of the Student Membership.
- 4.14 A decision taken by a Referendum and voted upon by less than 10% of the Student Membership shall have powers of recommendation which shall be advisory only, provided that those votes in favour exceed 50% of the total number of votes cast.
- 4.15 A body which has carried out a mandate or recommendation of the Student Membership shall report to the next Statutory Council Meeting.
- 4.16 The Returning Officer will post the result of any Referendum submitted under 4.2 on all of the authorised noticeboards not later than two clear days (excluding Saturday and Sunday) after the Referendum has been held.
- 4.17 Any Student Member who has reason to believe that there was any irregularity of any kind regarding the conduct of a Referendum, shall have the right to lodge a Referendum Petition with the Returning Officer within 72 hours of the alleged irregularity, according to the provisions of Rule 2.

QUEEN'S UNIVERSITY BELFAST
STUDENTS' UNION CONSTITUTIONAL RULES

Rule 2

ELECTIONS

1. INTRODUCTION

- 1.1 All elections to the Council and the Executive Management Committee and all elections to committees and delegations which are elected by the Council, shall be:
 - 1.1.1 held only during normal teaching weeks;
 - 1.1.2 by secret ballot;
 - 1.1.3 conducted by the single transferable vote system of proportional representation according to the provisions of this Rule;
 - 1.1.4 conducted in a free and fair manner.
- 1.2 All Students as defined within the Constitution shall be entitled to vote in any Union election. All candidates and all proposers and all seconders of candidates in any election, as defined in 1.1, shall be Students.
- 1.3 Whenever in this Constitution the term 'conduct of an election' is used, it shall be deemed to include all stages from the calling of nominations to the declaration of the result.
- 1.4 The Director of the Students' Union shall appoint a Returning Officer at the beginning of each academic year:
 - 1.4.1 At the beginning of each academic year, the Director of the Students' Union shall appoint a separate Returning Officer, to oversee the Elections for full-time officers to serve on the Executive Management Committee. This Returning Officer may neither be a member of the student body nor a member of staff of the Union or University. The appointment must be approved by Council at its first possible Meeting. If an appointment is not approved, the Director shall nominate other candidates as necessary, subject to the same criteria.
 - 1.4.2 At the beginning of each academic year, the Director of the Students' Union shall appoint a Returning Officer, to oversee the Elections for part-time officers to serve on the Executive Management Committee. This shall normally be the Clerk of Council (or their nominee).
 - 1.4.3 At the beginning of each academic year, the Director of the Students' Union shall appoint a Returning Officer, to oversee the Elections for all other posts, delegations, committees and referendums not detailed in 1.4.1 and 1.4.2. This shall normally be the Clerk of Council (or their nominee).
- 1.5 The Returning Officer shall appoint such assistants as they deem necessary provided that no such assistant shall be involved in the election for which they are an Assistant Returning Officer.

- 1.6 For elections to the Executive Management Committee where there are any nominations, ballot papers shall include as an option the statement 'Re-Open Nominations'.
- 1.7 In all other elections, in the event of the number of candidates for any election being equal to or less than the number of vacancies, the said candidates shall be returned.
- 1.8 As the sole arbitrator in all matters relating to the election, the Returning Officer may issue regulations and rulings concerning polling areas, areas of valid campaigning, guidance for voters, the validity of votes, the process for the counting of votes and other operational matters for all elections conducted using manual or electronic voting.
- 1.9 Notwithstanding any provision to the contrary, the Returning Officer may, at their discretion, accept electronic submission of Election Nomination Forms and election materials for all elections conducted under the Rules.
- 1.10 The Returning Officer shall determine whether any election conducted under the Rules shall be conducted manually or electronically.

2. INSTRUCTION FOR THE GUIDANCE OF VOTERS

- 2.1 A vote shall be cast by placing the figure '1' in the space provided at the right hand side of the name of the candidate of the voter's first choice.
- 2.2 A voter may also place the figures '2', '3', '4', etc. in the appropriate spaces opposite the names of the other candidates in the order of the voter's preference.
- 2.3 A ballot paper is liable to be rejected on which:
 - 2.3.1 the figure '1' is placed opposite the name of more than one candidate;
 - 2.3.2 the figure '1' is not placed opposite the name of any candidate;
 - 2.3.3 the figure '1', together with some other figure denoting a different number is placed opposite the name of the same candidate.

3. VALIDITY OF VOTES

- 3.1 A ballot paper:
 - 3.1.1 which does not bear an official mark;
 - 3.1.2 on which anything is written or marked by which the voter can be identified;
 - 3.1.3 which is unmarked or void for uncertainty;
 - 3.1.4 on which the figure '1' or other symbol aforesaid is placed opposite the name of more than one candidate;
 - 3.1.5 on which the figure '1' or other symbol aforesaid together with some other figure or symbol denoting a different number is placed opposite the name of any candidate;

may, subject to Paragraphs 2.2 and 2.3, be void and not counted.

- 3.2 A ballot paper shall not be void by reason only that the figure '1' or other symbol denoting the number '1' is placed opposite the name of one candidate and that any or all of the spaces opposite the names of the other candidates are either left blank or marked with a mark other than a number.
- 3.3 A ballot paper on which the vote is marked elsewhere than in the proper place, or by more than one mark, shall not be deemed void if:
- 3.3.1 there is a clear intention that the vote has been cast for a particular candidate;
 - 3.3.2 the paper is not so marked as to identify the voter;
 - 3.3.3 it is not shown that the voter can be identified by means of such a mark.

4. PROCEDURE FOR THE COUNTING OF VOTES IN MANUAL ELECTIONS

4.1 First Stage

- 4.1.1 the voting papers will be sorted according to first preferences, setting aside any invalid papers and the number of invalid papers will be determined;
- 4.1.2 the first preference vote for each candidate will be determined;
- 4.1.3 the quota will be determined as follows: divide the total valid vote by one more than the number of places to be filled. If the result is more than 100, ignore the remainder, and add one. If the result is less than 100, continue the division to two decimal places, ignore the remainder, and add 0.01;
- 4.1.4 any candidate shall be deemed to be elected whose vote equals or exceeds the quota, provided that the number of candidates deemed elected does not exceed the number of places to be filled.
- 4.1.5 this completes the first stage of the count.

4.2 Subsequent Stages

- 4.2.1 If one or more candidates have surpluses above the quota, and the total of such surpluses together with any vote in suspense does not exceed the differences between:
 - a) the vote of the candidate credited with the least vote and the vote of the candidate next above, or
 - b) the total vote of two or more candidates with the least votes and the vote of the candidate next above,the transfers of such surpluses shall be deferred.
- 4.2.2 Otherwise, if one or more of the candidates have surpluses, the largest surplus shall be transferred. If the surpluses of two or more candidates are equal, the surplus of the candidate who had the greatest vote at the earliest stage at which they had unequal votes shall be transferred. If the votes of the two or more such candidates have been equal at all stages of the count, the Returning Officer shall decide by lot which surplus to transfer.

- 4.2.3 If after all surpluses have been transferred or deferred, one or more places remain to be filled, the candidate or candidates with the least votes shall be excluded.
- 4.2.4 The two or more candidates with the least votes shall be excluded together if the total votes of such two or more candidates, together with the total of any deferred surpluses does not exceed the vote of the candidate next above.
- 4.2.5 Otherwise the candidate with the least vote when that vote, together with the total of any deferred surpluses and any vote in suspense, does not exceed the vote of the candidate next above or the vote required on election deposit shall be excluded. If the votes of two or more candidates are equal least, the candidate who had the least vote at the earliest stage at which they had unequal votes shall be excluded. If the votes of the two or more such candidates have been equal at all stages of the count, the Returning Officer shall decide by lot which candidate to exclude.

4.3 Transfer of Surplus

- 4.3.1 In the case of a surplus arising at the first stage, all of the papers which a candidate has received shall be examined.
- 4.3.2 In the case of a surplus arising at a later stage consequential on the transfer of another surplus or from the exclusion of a candidate or candidates, only the last batch of papers, all of one value, which gave rise to the surplus shall be examined.
- 4.3.3 The voting papers to be examined shall be sorted according to next available preferences for continuing candidates. Those papers on which no next available preference is expressed shall be set aside.
- 4.3.4 The number of papers for each candidate shall be determined.
- 4.3.5 The present total value of the transferable papers shall be determined. If this exceeds the surplus, the transfer value of each paper shall be determined by dividing the surplus by the number of transferable papers to two decimal places, ignoring the remainder. Otherwise, the transfer value of each paper is its present value.
- 4.3.6 The values to be credited to each candidate shall be determined and the total reconciled.
- 4.3.7 Any candidate whose vote now equals or exceeds the quota shall be deemed to be elected.
- 4.3.8 The transfer of a surplus constitutes a further stage in the count.

4.4 Exclusion of a Candidate or Candidates

- 4.4.1 The papers of the excluded candidate or candidates shall be arranged in batches in descending order of transfer value. The number and total value of the papers

in each batch shall be ascertained and reconciled with the total vote of the excluded candidate(s).

- 4.4.2 The batch of papers of highest transfer value shall be transferred. The papers shall be sorted according to next available preferences for continuing candidates and those papers on which no next available preference is expressed shall be set aside as non-transferable.
 - 4.4.3 The number of papers for each candidate and the number of non-transferable papers shall be determined.
 - 4.4.4 Except in the cases of papers at full value, the value of the papers for each candidate and of the non-transferable papers shall be determined and the total reconciled.
 - 4.4.5 The voting papers for each candidate shall be placed with those previously received.
 - 4.4.6 In the same way, each batch of papers shall be sorted and transferred in turn in descending order of transfer value.
 - 4.4.7 Any candidate whose vote now equals or exceeds the quota shall be deemed to be elected.
 - 4.4.8 The exclusion of a candidate or candidates constitutes a further stage in the count.
- 4.5 Final Count
- 4.5.1 If at any stage, as a result of a proposed exclusion of one or more candidates, the number of continuing candidates would equal the number of places remaining unfilled, such continuing candidates shall be deemed to be elected.
 - 4.5.2 If at any stage the number of candidates deemed to be elected is equal to the number of places to be filled, no further transfers of papers shall be made and the remaining continuing candidate(s) shall be formally excluded.
 - 4.5.3 The count is now completed.

5. PROCEDURE FOR THE COUNTING OF VOTES IN ELECTRONIC ELECTIONS

- 5.1 When electronic voting is being used, the mathematical methodology for determining electoral results shall be on the basis outlined within Rule 2 Section 4.
- 5.2 The Returning Officer make rulings to amend the procedure for the counting of votes in electronic elections to take account of technological limitations, provided that all counting is conducted by the single transferable vote system of proportional representation. Any such ruling shall be published with the Elections Pack before the close of nominations.

6. GLOSSARY OF TERMS

First Preference

The figure '1' standing alone against just one candidate on a voting paper or the name of the candidate entered on a voting paper as a first preference.

Valid Voting Paper

A voting paper on which a first or an only preference is unambiguously expressed.

Invalid Voting Paper

A voting paper on which no first or only preference is expressed, or on which any first preference is void for uncertainty.

Subsequent Preferences

The figure '2', '3', etc. standing alone against different candidates on a voting paper or the names of candidates entered in order on a voting paper as second, third, etc. preference.

Candidate's Vote

The value of voting papers credited to a candidate at any stage of the count.

Stage of the Count

The determination of the first preference vote for each candidate (first stage) or the transfer of a surplus or the exclusion of a candidate, two or more candidates at the same time.

Quota

The vote which, if attained by as many candidates as there are places to be filled, leaves at most a quota for all other candidates, the total valid vote divided by one or more than the number of places to be filled.

Surplus

The amount by which a candidate's vote exceeds the quota.

Continuing Candidates

Any candidate not yet elected or excluded.

Next Available Preference

The next preference in order, passing over earlier preferences for candidates already elected or excluded.

Transferable Paper

A voting paper on which a next available preference for a continuing candidate is expressed or on which any next available preference is void for uncertainty.

Non-Transferable Paper

A voting paper on which no next available preference for a continuing candidate is expressed or on which any next available preference is void for uncertainty.

Transfer Value

The value, being unity or less, at which a voting paper is transferred from an elected or an excluded candidate to a continuing candidate.

Non-Transferable Vote

The value credited as non-transferable at any stage of the count. A paper not marked in numerical order is only transferable to such preferences that are in numerical order e.g. a paper marked 1,2,3,5 may not be transferred beyond preference number 3.

7. CONDUCT OF MANUAL ELECTION COUNT

- 7.1 The Returning Officer shall be responsible for the conduct of an Election Count.
- 7.2 The Returning Officer shall appoint tellers for the counting of votes.
- 7.3 Each candidate may at their discretion appoint scrutineers up to a maximum determined by the following formula – number of tellers / number of candidates.
- 7.4 Any candidate or proposer of a candidate may at any time during the count, either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise) request the Returning Officer to re-examine and re-count the papers of all or any of the candidates (not being paper at any previous transfers as finally dealt with) and the Returning Officer shall comply with such reasonable requests.
- 7.5 Where the Returning Officer is not satisfied with the accuracy of any count, they may at their discretion re-count the votes either once or more than once.
- 7.6 Nothing in the foregoing provisions of the Rule shall make it obligatory on the Returning Officer to re-count the same votes more than once.
- 7.7 If, upon consideration of an Election Petition under Paragraphs 11.1 to 11.17, any ballot papers counted by the Returning Officer are rejected or held invalid, or any ballot papers rejected by the Returning Officer are held valid, the Election Court may direct that the whole or any part of the ballot papers be re-counted and that the results of the elections be ascertained in accordance with these Rules.
- 7.8 On a re-count each paper shall, subject to such modifications as may be necessary by reason of any error in the original count, take the same course as at the original count.
- 7.9 If any question arises in relation to any transfer of votes, the decision of the Returning Officer whether expressed or implied by their acts shall be final unless any candidate or their proposer objects thereto before the declaration of the result of the Election and where

an objection is so made that the decision may be reversed by means of an Election Petition; and where such a decision is so reversed:-

7.9.1 any ballot papers counted by the Returning Officer are rejected or held invalid;

7.9.2 the Election Court shall direct:

- (a) what transfer is to be made in lieu thereof;
- (b) that the subsequent operations be carried out and the result of the Election ascertained in accordance with these Rules.

7.10 The Returning Officer shall declare the result of the Election immediately after the completion of the final count.

8. ELECTIONS TO THE COUNCIL

8.1 Student Members not following a postgraduate course may offer themselves as candidates and exercise the right to vote in the following constituencies:-

Arts, Humanities and Social Sciences
Engineering and Physical Sciences
Medicine, Health and Life Sciences

8.2 Except where otherwise stated, the number of Students which may be elected to the Council by any constituency for any session of the Council shall be determined by the Returning Officer. The number of seats in the constituencies referred to in 8.1 shall be proportionally calculated on the basis of the number of students that are enrolled within that constituency, and there shall be a minimum of five seats in each such constituency. The total membership of the Council shall be 140.

8.3 There shall be one Postgraduate constituency in which Students following a postgraduate course may offer themselves as candidates and exercise the right to vote. There shall be a minimum of five seats in this constituency.

8.4 There shall be an All First Year Student constituency. All Students, other than Postgraduate Students, in their first year of attendance at the University shall be entitled to offer themselves as candidates and exercise the right to vote in this constituency. There shall be a minimum of five seats in this constituency.

8.5 There shall be an All Student Constituency. All Students as defined in the Constitution shall be entitled to offer themselves as candidates and exercise the right to vote in this Constituency. There shall be a minimum of five seats in this constituency.

8.6 There shall be an International Student constituency. All International Students, whom would be classified as students whose country of residence is outside the United Kingdom and the Republic of Ireland, shall be entitled to offer themselves as candidates and exercise the right to vote in this constituency. Students of INTO Queen's University Belfast shall be entitled to offer themselves as candidates and exercise the right to vote in this constituency. There shall be a maximum of five seats in this constituency.

- 8.7 There shall be a Queen's Accommodation Constituency. All Students as defined in the Constitution shall be entitled to offer themselves as candidates and exercise the right to vote in this Constituency. There shall be a maximum of five seats in this constituency.
- 8.8 There shall be an Undergraduate School Representative constituency whose membership shall be an Undergraduate School Representative from each School and Institute in which students are enrolled, elected by the Students of each School / Institute, as defined by University Regulations. All undergraduate Students as defined in the Constitution, not in their final year of study, shall be entitled to offer themselves as candidates for the position of School Representative. All undergraduate Students as defined in the Constitution shall be entitled to exercise the right to vote for the position of School Representative. Non withstanding any provision to the contrary, the Returning Officer may conduct elections for the School Representative constituency of Council in the second semester.
- 8.9 There shall be a Postgraduate School Representative constituency whose membership shall be a Postgraduate School Representative from each School and Institute in which postgraduate students are enrolled, elected by the postgraduate Students of each School / Institute, as defined by University Regulations. All postgraduate Students as defined in the Constitution shall be entitled to offer themselves as candidates and exercise the right to vote for the position of Postgraduate School Representative.
- 8.10 There shall be a Student Associations constituency whose membership shall be a Student Association Chairperson from the recognised Student Associations as prescribed by the Rules. Eligibility shall be as detailed in the Rules. Candidates and voters in these elections shall, where possible, be defined by the relevant University student classification system, or Students' Union records system, as being members of the constituency in which they are standing and / or voting. Non withstanding any provision to the contrary, the Returning Officer may conduct elections for the Student Association constituency of Council in the second semester.
- 8.11 There shall be an Undergraduate Faculty Representative constituency whose membership shall be an Undergraduate Faculty Representatives from each Faculty in which students are enrolled, elected by the Students of each Faculty, as defined by University Regulations. All undergraduate Students as defined in the Constitution, not in their final year of study, shall be entitled to offer themselves as candidates for the position of Undergraduate Faculty Representative. All undergraduate Students as defined in the Constitution shall be entitled to exercise the right to vote for the position of Faculty Representative. Non withstanding any provision to the contrary, the Returning Officer may conduct elections for the Undergraduate Faculty Representative constituency of Council in the second semester.
- 8.12 There shall be a Postgraduate Taught Faculty Representative constituency whose membership shall be a Postgraduate Taught Faculty Representative from each Faculty in which postgraduate taught students are enrolled, elected by the postgraduate taught Students of each Faculty, as defined by University Regulations. All postgraduate taught Students as defined in the Constitution shall be entitled to offer themselves as candidates and exercise the right to vote for the position of Postgraduate Taught Faculty Representative.
- 8.13 There shall be a Postgraduate Research Faculty Representative constituency whose membership shall be a Postgraduate Research Faculty Representative from each Faculty

in which postgraduate research students are enrolled, elected by the postgraduate research Students of each Faculty, as defined by University Regulations. All postgraduate research Students as defined in the Constitution shall be entitled to offer themselves as candidates and exercise the right to vote for the position of Postgraduate Research Faculty Representative.

- 8.14 The electoral status, being the Faculty of any intending candidate and / or voter, shall be determined by reference to the information held in the student records department of the University. Where the aforesaid electoral status is uncertain, the matter shall be referred to the Returning Officer for resolution; such resolution shall be final unless an Election Petition is lodged in accordance with the Rules.
- 8.15 For all elections to the Council, the Returning Officer and assistants may require each intending voter to produce for inspection the intending voter's Union Membership Card.
- 8.16 The name and student number of each voter may be recorded by a polling clerk.
- 8.17 No Student may seek election for a constituency of which they are not an elector. No Student may represent more than one constituency on the Council.
 - 8.17.1 A Nomination Form for an Election to the Students' Union Council shall be a document officially issued by the Returning Officer. Any such Nomination Form shall include information on accessibility matters.
 - 8.17.2 A Student may submit a nomination for only one of the following constituencies: Arts, Humanities and Social Sciences; Engineering and Physical Sciences; Medicine, Health and Life Sciences; Postgraduate; All First Year Student; All Student Constituency and International Student. If a student submits a nomination to more than one post in a single set of elections, the Returning Officer shall have sole discretion in determining the validity of each nomination, and shall decide by lot the constituency to which a student shall be deemed to have submitted a valid nomination.
 - 8.17.3 A Student offering themselves as a candidate in any constituency of the Council must complete a Nomination Form and return it to the Returning Officer or an assistant authorised by the Returning Officer, before the close of nominations for the relevant election;
 - 8.17.4 A candidate shall obtain a receipt when handing in their nomination form as evidence of having done so;
 - 8.17.5 The Returning Officer shall publish an Elections Pack which shall contain the Election Regulations as outlined in this Rule and any other such regulations which the Returning Officer may issue. This shall take place before the closure of nominations.
- 8.18 A candidate may withdraw from an Election in any constituency of the Council providing that a written declaration of their intention is lodged with the Returning Officer or an assistant authorised by the Returning Officer before a deadline determined by the Returning Officer.

- 8.19 For each Election to the Council, the Returning Officer shall make arrangements for polling to take place and shall publicise such arrangements.
- 8.19.1 No person shall canvass within a polling area;
- 8.19.2 The Returning Officer shall specify in the notice announcing any Election the extent of each polling area with regard to each polling area;
- 8.19.3 Any candidate who canvasses, or knowingly permits another to canvass on their behalf in a polling area, after having been warned by the Returning Officer or an Assistant Returning Officer, that they are contravening the constitutional requirements, shall be liable, at the discretion of the Returning Officer, to have their nomination for that Election declared void;
- 8.19.4 A determination by the Returning Officer shall be effective only if posted in writing on at least one of the authorised noticeboards as listed in Rule 3 before 7.00 p.m. on the day of polling and it shall also be communicated to the candidate concerned as soon as possible.
- 8.20 On or before the fourteenth day of the first semester, the Returning Officer for all constituencies of Council shall post notices on authorised noticeboards declaring:-
- 8.20.1 the vacancies to be filled in each constituency;
- 8.20.2 the dates and times for closure of nominations and withdrawals;
- 8.20.3 the dates and times of polling.
- 8.21 On or before the twenty-first day of the first semester, the Returning Officer shall post notices on all authorised noticeboards calling for nominations in the All First Year Student and All Student constituencies:-
- 8.21.1 the dates and times for closure of nominations and withdrawals;
- 8.21.2 the dates and times for polling.
- 8.22 In addition to Paragraphs 8.23 to 8.25, the Returning Officer shall endeavour to create the widest possible interest in the Election amongst the student body.
- 8.23 Nominations for Council Elections shall close not later than 5.00 p.m. on the sixth day before the date on which the relevant Election is to be held:
- 8.23.1 the Returning Officer shall post on at least one authorised noticeboard within the Students' Union, not later than three working days after the closure of nominations, a list of all candidates for each of the constituencies;
- 8.23.2 the Returning Officer shall post on all authorised noticeboards, not later than three working days after the closure of nominations, the arrangements for polling and those credentials that are to be produced by each intending voter.

- 8.24 The Returning Officer shall post on all authorised noticeboards, not later than seven working days after an Election Count, the names of the candidates elected for each constituency.
- 8.25 A copy of the complete results for all elections shall be available from the Returning Officer to any Student upon request.
- 8.26 Candidates shall be responsible for their own publicity with regard to the Council Elections.
- 8.27 All such publicity must be approved by the Returning Officer prior to being displayed and candidates are required to satisfy the Returning Officer that such publicity did not cost more than £60.00 to produce at normal prices (2007 is the base year for this amount, which will increase annually by the rate of RPI.)

9. ELECTIONS TO THE EXECUTIVE MANAGEMENT COMMITTEE

- 9.1 The Executive Management Committee posts of Union President, Student Officer Undergraduate Education, Student Officer Postgraduate Education, Student Officer Campaigns and Engagement, Student Officer Equality and Diversity, and Student Officer Welfare shall be elected in the second semester by a cross campus ballot, as in Council Elections.
- 9.2 The Non-Sabbatical post of Union Speaker shall be elected at the first Statutory Meeting of the Council.
- 9.3 The Returning Officer shall organise at least one 'question time' event for an Executive Management Committee Election for each full-time position between the close of nominations and the time of the election. At such an event, all duly nominated candidates may attend / participate. The Returning Officer may, at their discretion, permit the proposer or seconder of a candidate to participate on behalf of that candidate.
- 9.4 For all Elections to the Executive Management Committee, the Returning Officer and assistants may require each intending voter to produce for inspection the intending voter's Union Membership Card.
- 9.5 A Nomination Form for an Election to the Executive Management Committee shall be a document officially issued by the Returning Officer. Any such Nomination Form shall include information on accessibility matters.
 - 9.5.1 Any student may offer themselves as a candidate in any Executive Management Committee Election provided that they complete a Nomination Form and return it to the Returning Officer before the close of nominations for the Executive Management Committee Election;
 - 9.5.2 A student may submit a nomination for only one post in a concurrent set of elections to the Executive Management Committee. If a student submits a nomination to more than one post in a single set of elections, the Returning Officer shall have sole discretion in determining the validity of each nomination, and shall decide by lot the single post to which a student shall be deemed to have submitted a valid nomination. A bye-election shall be considered to be a separate election.

- 9.5.3 A candidate shall obtain a receipt when handing in their Nomination Form as evidence of having done so;
- 9.5.4 The Returning Officer shall publish an Elections Pack which shall contain the Election Regulations as outlined in this Rule and any other such regulations which the Returning Officer may issue. This shall take place before the closure of nominations.
- 9.6 A candidate may withdraw from any Executive Management Committee Election provided that a written declaration of their intention, bearing their signature, be lodged with the Returning Officer (or an assistant authorised by the Returning Officer) before a deadline determined by the Returning Officer.
- 9.7 When an Executive Management Committee post is to be elected by the General Union Membership, the Returning Officer shall make arrangements for polling to take place and shall be responsible for publicising such arrangements.
- 9.8 When an Executive Management Committee post is to be elected by the General Union Membership:
- 9.8.1 No person shall canvass within a polling area;
- 9.8.2 The Returning Officer shall specify, in the notice announcing any Election, the extent of each polling area;
- 9.8.3 Any candidate who canvasses or knowingly permits another to canvass on their behalf in a polling area, after having been warned by the Returning Officer or an Assistant Returning Officer that they are contravening the constitutional requirements shall be liable at the discretion of the Returning Officer to have their nomination for that Election declared void;
- 9.8.4 A determination by the Returning Officer under paragraph 9.8.3 shall be effective only if posted in writing on at least one of the authorised noticeboards as listed in Rule 3 before 7.00 p.m. on the day of polling and it shall also be communicated to the candidate as soon as possible;
- 9.8.5 All leaflets, hand-outs and other printed Election material issued by the candidate or on their behalf in the furtherance of their campaign must be printed by the Students' Union. These and other forms of Election campaign material must be authorised by the Returning Officer and a costing calculated before they may be produced and used. The cost of these forms of Election campaign material must not exceed £60.00 (2007 is the base year for this amount, which will increase annually by the rate of RPI);
- 9.8.6 The Returning Officer shall specify in the notice of Election and in the Election Pack when candidates must hand in their Election material to the Returning Officer and when it shall be handed out to candidates;

- 9.9 On or before the twenty eighth day before the date on which an Election to the Executive Management Committee is to be held, the Returning Officer shall post notices on authorised noticeboards as listed in Rule 3 declaring:
- 9.9.1 The Executive Management Committee post to be filled;
 - 9.9.2 The dates and times for closure of nominations and withdrawals of nominations;
 - 9.9.3 The dates, times and places of polling for each Election;
 - 9.9.4 The dates and times for the handing in and out of Election material.
- 9.10 The Returning Officer shall be responsible for publicising the Election in order to attract maximum possible interest to it.
- 9.11 Nominations for an Executive Management Committee post which is to be elected by the General Union Membership shall close not later than 5.00 p.m. on the twelfth day before the date on which the relevant Election is to commence.
- 9.12 Not later than 5.00 p.m. on the fifth day (excluding Saturday and Sunday) after the closure of nominations for an Executive Management Committee post, the Returning Officer shall post on authorised noticeboards as listed in Rule 3:
- 9.12.1 a list of all of the candidates (with the names of their proposers and seconders);
 - 9.12.2 the extent of the polling area with regard to each polling booth, where applicable;
 - 9.12.3 the credentials to be produced by each intending voter, where applicable.
- 9.13 Candidates may withdraw from an Election for any Executive Management Committee post, provided that a written declaration of their intention and bearing their signature is lodged with the Returning Officer before the close of nominations for the relevant Election.
- 9.14 By no later than 5.00 p.m. on the third day (excluding Saturday and Sunday) after an Executive Management Committee Election, the Returning Officer shall post notices on authorised noticeboards as listed in Rule 3 declaring the candidate elected. The Returning Officer shall make the complete result available to any Student upon request.
- 9.15 If any Executive Management Committee post is vacant for any reason, the Returning Officer shall hold a Bye-Election for the said Executive Management Committee post, which should be held within a reasonable period of time.
- 9.16 Elections to each Executive Management Committee post in which at least one valid nomination has been received shall include on the ballot the option to Re-Open Nominations (RON).
- 9.17 If the Re-Open Nominations candidate is elected, the Returning Officer shall hold another Election as soon as the provisions of this Rule shall allow.

- 9.18 Candidates unsuccessful in an Election where Re-Open Nominations has been elected shall be allowed to stand in a subsequent Election provided that they remain Students of the University.
- 9.19 Candidates for Sabbatical posts shall normally be entitled to the following printed Election material and services provided by the Union:
- 9.19.1 Three x A0 Colour Posters
 - 9.19.2 200 A3 Posters (one-sided);
 - 9.19.3 500 A4 Manifestos (double-sided, four pages – one A3 sheet folded in half);
 - 9.19.4 2500 A5 Flyers (double-sided);
 - 9.19.5 Five x Colour T-Shirts with candidate's branding (front and back);
 - 9.19.6 Four x Colour Placards; and
 - 9.19.7 Adequate on-campus childcare between the hours of 9.00am and 5.00pm on the days of polling.
- 9.20 Candidates shall only display printed Election material in authorised places and must comply with any specific directions in this regard set down by the Returning Officer.
- 9.21 Candidates or others working on the candidates' behalf must not use any adhesive material by attaching Election materials to walls, notice-boards etc. which would damage property.
- 9.22 Posters must not be placed over other candidates' posters or existing current posters or notices.
- 9.23 Candidates or others working on the candidates' behalf must not remove other candidates' posters or other current posters and notices. Candidates who believe that posters are incorrectly displayed should report this to the Returning Officer for adjudication.
- 9.24 Candidates shall make all reasonable efforts to ensure that their campaign is conducted in an appropriate manner (including canvassers acting on their behalf), regardless of which medium is being utilised. Candidates should not undertake campaigning activity which others could not also reasonably undertake. Any candidate or supporter failing to comply with the instructions contained within Rule 2 Section 9 may be subject to disciplinary action under the University's Student Conduct Regulations.
- 9.25 Candidates shall make all reasonable efforts to ensure that information contained within Election material is true and accurate.
- 9.26 The Returning Officer shall have the power to limit the number of canvassers at any polling area.
- 9.27 The display of unauthorised printed Election material is an irregularity and may be considered by an Election Court upon petition.
- 9.28 Students' Union equipment and resources must not be used in any way in the furtherance of an Election campaign. The Returning Officer may at their discretion, with the approval of the Director of the Students' Union, make specified Union resources available to all candidates.

- 9.29 Candidates may approach the media in relation to any publicity that may be generated by the Election campaign. However, candidates are not permitted to make or receive any financial payment in return for media coverage.
- 9.30 Sabbatical Officers are free to take part in an Election in the same manner as any other student. However, they must not abuse their position in any way in the furtherance of an Election campaign. In particular, they must not take part in any Election campaign during hours of work unless they have been granted annual leave.
- 9.31 The Returning Officer shall be the sole arbitrator in all matters relating to the election.
- 9.32 Any candidate or their canvassers who breach any Election Rule will be given a warning by the Returning Officer. If the Rule is broken a second time or another Rule is breached, the candidate will forfeit their nomination. If the candidate is running on a ticket, then the ticket will receive a warning in place of the candidate. Further breaches will result in the entire team being disqualified. Appeals can be made to the Election Court.
- 9.33 Should any circumstances arise in an Election which are not covered by this Rule or the Constitution as a whole, the Returning Officer shall issue a written determination on the matter. Such a determination shall have the same standing as a Rule and shall be effective for that Election only. The Executive Management Committee shall, as soon as possible after the Election is over, bring forward new regulations through the Election Working Group to cover such a circumstance in the future.
- 9.34 A determination issued by the Returning Officer may be challenged by referral to an Election Court upon petition.
- 9.35 If the Returning Officer is satisfied that a person's failure to comply with any Election regulation under this Rule is directly due to circumstances beyond that person's control, they may at their discretion exempt that person from that regulation. Such a decision may be challenged by reference to an Election Court upon petition.
- 9.36 Paragraphs 9.20 – 9.35 also apply to Council Elections and other Elections held under this Constitution, including Referenda as appropriate.

10. CONFERENCE DELEGATION ELECTIONS

National Union of Students (NUS), Union of Students in Ireland (USI) and National Union of Students - Union of Students in Ireland (NUS-USI)

- 10.1 Delegates to NUS Conference, NUS-USI Conference and USI Congress shall be elected by cross campus ballot as in the Council Elections.
- 10.2 One delegate to NUS Conference, six delegates to NUS-USI Conference and two delegates to USI Congress may be appointed ex-officio.
- 10.3 All Election materials shall be regulated as in the Council Elections (see Rule 2, Section 8).

- 10.4 A Nomination Form for a Delegation Election shall be a document officially issued by the Returning Officer and must be accompanied with a deposit of £40, which will be refunded after attendance at Conference. (2007 is the base year for this amount which will increase annually by the rate of RPI).
- 10.5 The Returning Officer shall post on authorised noticeboards, at least 14 days before the date on which the Delegation Election is to be held, a notice declaring:
- 10.5.1 the number of delegates to be elected;
- 10.5.2 the dates and times for closure of nominations;
- 10.5.3 the dates and times of polling.
- 10.6 The Returning Officer shall be responsible for publicising the Election in order to attract the widest possible interest in it.
- 10.7 Other aspects of these Elections shall be regulated as outlined in other parts of this Rule.

11. ELECTION COURT

- 11.1 Any Student who has reason to believe that there was any irregularity of any kind regarding the conduct of an Election or Referendum or Plebiscite shall have the right to lodge an Election Petition with the Returning Officer within 72 hours of the alleged irregularity or within 72 hours of the alleged irregularity becoming known.
- 11.2 An Election (or Referendum or Plebiscite) Petition shall contain all details regarding the alleged irregularity and shall be signed by at least one person who is willing to substantiate the statements therein.
- 11.3 An Election (or Referendum or Plebiscite) Petition shall only be valid if its purpose is to challenge or appeal a decision of the Returning Officer, or if there is valid reason that prevented the irregularity being presented to the Returning Officer for a ruling prior to the close of polling.
- 11.4 On receipt of an Election (or Referendum or Plebiscite) Petition, the Returning Officer (or Assistant Returning Officer) shall instruct the Director of the Students' Union to convene within seven days (excluding Saturday and Sunday) a meeting of the Election (or Referendum or Plebiscite) Court to consider the Petition. The Court shall rule on the validity of the Petition and subsequent action at the meeting.
- 11.5 In considering an Election (or Referendum or Plebiscite) Petition, the Election (or Referendum or Plebiscite) Court shall consider whether the alleged irregularity has, or may have, occurred and the Court shall, at its discretion, declare the Election (or Referendum or Plebiscite) valid or invalid, disqualify a candidate prior to or following an Election if they or their canvassers are found to have breached Election Rules, whether it is perceived that the outcome of the Election would have been affected or not. The Court may also, at its discretion, invoke the University's Student Conduct Regulations against any Student whom the Court believes to be guilty of misconduct.

- 11.6 The Election (or Referendum or Plebiscite) Court shall consist of the following members:
- 11.6.1 a member of Academic Staff nominated by the Director of Academic and Student Affairs;
 - 11.6.2 a member of Academic-Related Staff nominated by the Director of Academic and Student Affairs;
 - 11.6.3 a Lay Member of Senate who shall be Chair;
 - 11.6.4 the Director of the Students' Union (or their nominee) who shall act as Secretary;
 - 11.6.5 the President of the Students' Union, or a member of the Executive Management Committee (elected by the Executive Management Committee) if the President should be involved in any incident under consideration or unavailable.
- 11.7 Nominees shall not be Students of the University. Nominees of the Director of Academic and Student Affairs shall be members of staff of the University of an Academic or Academic-Related nature and shall not have direct connection to the Students' Union. Direct connection shall be defined as having their normal workplace within the confines of the Students' Union.
- 11.8 The nominee of the Director shall normally be a Deputy Director.
- 11.9 No person shall be a member of the Election (or Referendum or Plebiscite) Court who is involved in the Election in which the alleged incident has occurred;
- 11.10 The Returning Officer shall be in attendance but shall not have voting rights;
- 11.11 The candidate in the Election or Plebiscite or proposers of a Referendum in which the alleged incident occurred shall be informed of the date and time of the meeting and the members of the Election (or Referendum or Plebiscite) Court in writing by the Director of the Students' Union not less than 3 days (excluding Saturday and Sunday) before the scheduled meeting of the Court;
- 11.12 A candidate may object to a member of the Election (Plebiscite or Referendum) Court by informing the Chair not less than 24 hours before the scheduled time of meeting of the Court. The Chair shall rule on objections after consulting with the Returning Officer;
- 11.13 Should all members of the Executive Management Committee be involved with the Election in which the alleged incident has occurred, a Deputy Director of the Union shall sit on the Election (Referendum or Plebiscite) Court;
- 11.14 Members of the Election (or Referendum or Plebiscite) Court must declare any interest in the case appearing before them;
- 11.15 Witnesses may be called to appear and give evidence if the Court so wishes;
- 11.16 Three voting members shall constitute a quorum of the Court;

11.17 The decision of the Election (or Referendum or Plebiscite) Court shall be final and not open to challenge.