

Bye-Law 5: Election Regulations Pursuant to the Articles of Association

These are the rules governing the election of Student Officers, Equal Opportunities Officers, Course Representatives, Union Council Representatives and delegates to the NUS National Conference.

Rules governing the election of Student Officers and the NUS National Conference Delegates.

Returning Officer

- 5.1 The Returning Officer shall be a suitably qualified person external to the University of East Anglia, appointed by the Board of Trustees of the Union of UEA Students and formally approved by the University Registrar. The Returning Officer shall be ultimately responsible for the election.
- 5.2 The Returning Officer shall monitor the actions of the Deputy Returning Officer, who shall be appointed by the Student Officer Committee and cannot be an ordinary member of the Union, for each election, and will determine any complaint relating to the conduct of the election where appropriate.
- 5.3 The Returning Officer, and the Deputy Returning Officer, shall undertake any duties necessary to ensure the fair and proper conduct of the elections.
- 5.4 The Returning Officer shall publish a list of any election rules or interpretations and the timeline for each election in advance of the election taking place having taken advice from the Deputy Returning Officer and the Democratic Procedures Committee.
- 5.5 The Returning Officer has executive responsibility for interrupting the election regulations and other bye-laws which may impact on the election. They will not normally have "day-to-day" interaction with candidates however retain powers to intervene in the election alongside acting as the final route of appeal for candidates.
- 5.6 The Deputy Returning Officer will have the delegated powers from the Returning Officer to issue rulings and warning to those taking part in the election in relation to the election regulations and other bye-laws.

- 5.7 The Deputy Returning Officer shall be responsible for ensuring there is support and guidance provided to candidates and potential candidates wishing to take part in the elections. The details of this support and guidance should be advertised in advance of the election period.
- 6.8 During the course of the election period additional support may be called on to ensure elections are well run and administered correctly. The Returning Officer and Deputy Returning Officer have the discretion to introduce other election officials to provide this.

Principles of a Union of UEA Students Election and Rules

- 5.9 All elections taking place at the Union of UEA Students shall be: fair and open, democratic, accessible and transparent.
- 5.10 A timetable for the election period will be set out by the Deputy Returning Officer, on advice from the Student Officer Committee and Democratic Procedures Committee and made available to members in advance of the election period. All voting figures will be published in good time after the election closes.
- 5.11 The Returning Officer and the Deputy Returning Officer will publish election campaigning rules, on advice from the Student Officer Committee and Democratic Procedures Committee, that adhere to these principles in advance of the close of nominations for an election.
- 5.12 It is the role of the Returning Officer, and Deputy Returning Officer, to ensure these principles and the subsequently adopted rules are upheld. Where it is felt that these adopted rules are not being upheld by a candidate the Returning Officer, on advice from their Deputy, make take the following action:
- 5.12.1 the disqualification of a candidate or candidates from the election;
 - 5.12.2 that promotional materials (including but not limited to posters, flyers and online materials) contravening the regulations be removed;
 - 5.12.3 that publicity be displayed at any fixed Union polling stations and online giving details of an infringement;
 - 5.12.4 order a re-election, starting the election process at any stage

- 5.12.5 order a re-vote, which shall mean all the election stages which follow completion of nominations, and shall not include the reopening of nominations
- 5.12.6 order the non-payment of a campaign expenses claim
- 5.12.7 Student Officers are prohibited from endorsing electoral candidates. 'Endorsement' is defined as showing support for candidates through attempting to persuade or dissuade persons to vote for a candidate. This may be through writing, creating and distributing a candidate's campaign materials and manifesto.
- 5.12.8 Student Officers that choose to re-stand for a second term are exempt from self-endorsement. 'Self-endorsement' is defined as showing support for candidates through attempting to persuade or dissuade persons to vote for oneself. This may be through writing, creating and distributing their own campaign materials and manifesto
- 5.12.9 Part time officers will have their officer rights suspended for the duration of the election period if they have actively solicited in an endorsement.
- 5.12.10 Full time officers will be suspended from their role for the duration of the election period if they have actively solicited in an endorsement.
- 5.12.11 Society and club members may endorse individually but not on the behalf of the entire student group. For example, a president of a club can say you should vote, but cannot say you should vote on behalf of the entire club membership.
- 5.13 The Deputy Returning Officer has the power, devolved from the Returning Officer, to issue warnings to candidates in the election and should set out in these warnings the action which shall follow if they are not heeded which could be any of the above.
- 5.14 The Deputy Returning Officer has the power, devolved from the Returning Officer, to suspend a candidate from the election pending the outcome of an investigation into an alleged breach of rules. During this period, the candidate is not permitted to actively campaign or discuss publicly the reasons for their suspension.
- 5.15 In a Referendum, there shall be boxes for "Votes For", "Votes Against" and "Abstention".
- 5.16 The Question for the Referendum shall be determined by the body that calls the referendum, as outlined in Bye-Law 1.3, subject to its approval by Management Committee who

shall rule on the wording, being careful to avoid loaded questions. In the case of a petition, students should propose a question for Management Committee's approval before the petition is launched.

- 5.17 These principles and rules will be kept under review to enable and maximise participation in elections and measures to restrict activity of candidates and campaigns to ensure fairness, and to this effect the Deputy Returning Officer will make recommendations in their Annual Report to the Union Council on adaptations.

Standing in the Election and Campaigning

- 5.18 Members wishing to stand as a candidate in any election will be required to complete and supply to the Deputy Returning Officer all relevant nomination material in advance of the close of nominations.
- 5.19 Where possible manifestos or their equivalent will be promoted via student media. It is the responsibility of the Deputy Returning Officer to organise this and no individual candidate should attempt to promote themselves in any Union run student media.
- 5.20 An opportunity will be provided to members to ask question to the candidates standing in the election. The rules for taking part in this will be developed by the Deputy Returning Officer and made available to candidates in advance of the event.
- 5.21 Candidates accept any terms and conditions of employment relating to the post at the point of nomination by completing the relevant nomination form.
- 5.22 Any candidate may withdraw their nomination by informing the Deputy Returning Officer and the Returning Officer, in writing, at any point.
- 5.23 Whereas candidates may well adopt similar policy stances and use similar publicity materials to other candidates, no candidate's publicity will be permitted to promote another candidate, in the same or other election.
- 5.24 Should any member have objections regarding the eligibility of any candidates these should be made in writing to the Deputy Returning Officer in advance of the voting period opening.

The Ballot Paper

- 5.25 In any election where there are any nominations the ballot paper shall include the statement "Re-open Nominations" (RON). RON will be treated like any other candidate and as such will have a campaign budget equal to the other candidates, will have their votes counted in the same manner and will fall under the same disciplinary actions as the other candidates. If at any stage of the count RON candidate gains the required number of votes to be elected, it shall be deemed to have been elected and any surplus and any further votes, transferred to a further RON candidate. This stage shall be repeated as often as required. The returning officer shall declare unfilled the number of vacancies equal to the number of 're-open nominations' candidates deemed to have been elected, if any.

Voting

- 5.26 The voting system used will be the Single Transferable Vote.
- 5.27 Candidates and their representatives shall not attempt to bully or intimidate a member into voting for a particular candidate or preference. As such, they must not approach any member who in the process of casting their vote.

Complaints and Results

- 5.28 Any complaint on the conduct of the election or of any violation of these Regulations must be made in writing to the Deputy Returning Officer prior to the count, except where the complaint relates to the conduct of the count itself. If the complainant is dissatisfied with the resolution of the Deputy Returning Officer, or the Deputy Returning Officer is the subject of the complaint, the complainant may make the complaint in writing to the Returning Officer whose ruling shall be final.
- 5.29 All election results shall be reported, by the Deputy Returning Officer to the next meeting of Union Council.

The Count

- 5.30 The count shall be supervised by the Returning Officer or their nominee

- 5.31 The Count should be conducted in accordance with rules outlined by the Electoral Reform Society for running elections by Single Transferable Vote.
- 5.32 Complaints about the count must be made in writing to the Returning Officer no later than one working day after the announcement of the result.
- 5.33 The results of the election will only come into effect once the Returning Officer has certified that the result is the accurate outcome of a free and fair democratic procedure.
- 5.34 A count shall only commence once all complaints and appeals about campaigners have been resolved.
- 5.35 The count should commence only after the Deputy Returning Officer is satisfied that all complaints relating to the conduct and administration of the election have been resolved.

Rules governing the election of Union Council representatives

- 5.37 The Campaigns and Democracy Officer shall be responsible for the organisation of elections to Union Council positions, including the appointment of a Returning Officer and the creation of an election timetable.
- 5.38 Elections to clubs, societies and peer support groups' representatives will take place at the same time as elections to their committees.
- 5.39 Elections to school representatives will take place at least 1 week before the first council of the first term of an ordinary academic year (as defined by UEA), to allow for the announcement of results
- 5.40 Election rules, where deemed applicable by the Campaigns and Democracy Officer and the Returning Officer, will be the same as those used for elections to other UUEAS positions.
- 5.41 Elections will take place through Single Transferable Vote and will be contested by all valid candidates nominated as well as 'Re-Open Nominations'.
- 5.42 The Campaigns and Democracy Officer shall be responsible for co-ordinating by-elections for positions that remain vacant after the main elections for Council positions have taken place.

- 5.43 The Education Officers shall be responsible for the organisation of this election process and will publish a timetable and details accordingly.
- 5.44 If the number of candidates is less than or equal to the number of vacancies they shall be declared elected without a ballot being held. If an election is held it will be by Single Transferable Vote.