



# BYE-LAW 1: ELECTIONS

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## 1. Introduction

1.1 Elections shall be held per this bye-law for the following positions:

- a. Officer Trustees
- b. Student Trustees
- c. Volunteer Officers
- d. NUS Conference Delegates (where appropriate)

## 2. Electoral Qualifications

2.1 Only full ordinary members of AberSU may stand and vote in AberSU elections, subject only to:

- a. No member can stand for election for more than one position of each type of role.
- b. Members are limited to two terms of office as Officer Trustees.
- c. Must not be opted out of Students' Union membership on the date that nominations open

2.2 In the case of the Welsh Culture Officer and UMCA President the Union will limit standing to those who speak and write Welsh fluently and have been an UMCA member in the previous semester.

- a. Members will be considered fluent if they match one or more of the following criteria:
  - i. They have previously studied to the level of GCSE first language Welsh, A level first language Welsh,
  - ii. They hold a Welsh Language Skills Certificate – 'Tystysgrif Sgiliau Iaith'.
  - iii. At least one third of their undergraduate degree is taught through the medium of Welsh.
  - iv. They receive a Coleg Cymraeg Cenedlaethol full scholarship.

2.3 In the case of positions which represent students from specific liberation groups and sections of the student body, the Union may limit standing to those who self-identify with said liberation group or section.

2.4 In the case where two individuals decide to share a single position, for all purposes of the election they will be treated as though they are a single candidate, for example receiving the same campaigning expenditure, equal space for publicity and having penalties applied equally.

- a. Members who decide to run together will meet with staff prior to voting to go through the practicalities of how responsibilities and other aspects would be split if elected. This discussion will be documented and agreed by both parties.

## 3. Returning Officer

3.1 The Returning Officer, who shall not be a member of the Union, and who shall be independent of the Union, shall be appointed annually by the Annual Members Meeting.

3.2 The Students' Union shall appoint permanent member(s) of staff to be Deputy Returning Officer(s) to act on behalf of the Returning Officer to delegate duties as appropriate.

3.3 The Returning Officer and Deputy Returning Officer(s) shall be responsible for the good conduct and administration of all Union elections.

3.4 The Returning Officer shall have the ultimate responsibility for the interpretation of the election rules, regulations and issued guidelines.

3.5 The Deputy Returning Officer(s) shall propose an election timetable that ensure the timely election of Officer Trustees, Student Trustees, Volunteer Officers and delegates to NUS Annual Conferences and others as may be required from time to time.

3.6 The Deputy Returning Officer(s), shall publish election rules and regulations prior to any election. The rules and regulations will be focused on establishing a fair and transparent election

process and provide clarity on campaigning behaviour, campaigning publicity, campaigning expenditure and union facilities available to candidates.

3.7 The Deputy Returning Officer(s) will organise opportunities for students to ask questions of candidates.

3.8 The Returning Officer will have power to:

- a. Disqualify or penalise candidates;
- b. Give directions to candidates during an election;
- c. Order recounts;
- d. Annul an election and order a new one in its place.

3.9 The Deputy Returning Officer(s) will have power to:

- a. Penalise candidates;
- b. Give directions to candidates during an election;
- c. Order recounts.

## 4. Elections Timetable

4.1 The Deputy Returning Officer(s) will publish an Elections Timetable, which shall include the dates and times for completion of the following:

- a. Nominations
- b. Candidates' Briefing
- c. Publicity
- d. Candidates' Question Time (where appropriate)
- e. Voting
- f. Results

4.2 The Election Timetable shall be published and adequately circulated with materials promoting the election.

4.3 The timescales specified by an Election Timetable shall be of a length sufficient to permit the highest reasonable level of participation in the election.

## 5. Nominations

5.1 Nominations will be submitted in accordance with guidelines issued by the Deputy Returning Officer.

5.2 The nomination period will be a minimum of seven (7) clear days prior to the start of canvassing

5.3 When the Deputy Returning Officer(s) is satisfied, all valid nominations will be confirmed with the candidates.

## 6. Candidate Publicity

6.1 The Deputy Returning Officer(s) will issue guidance on publicity in the elections rules and regulations.

6.2 Publicity will only be accepted if submitted by the date laid down in the Election Timetable.

6.3 Publicity will be displayed on the Union website, and elsewhere as determined by the Deputy Returning Officer(s).

## 7 Conduct in Elections

7.1 The Deputy Returning Officer(s), will provide to candidates' guidelines on acceptable conduct during elections. Candidates must act in accordance with these guidelines.

7.2 The Deputy Returning Officer(s) will provide training sessions in the rules of this Bye-Law and any issued guidelines to all candidates.

7.3 Throughout an election notwithstanding existing wider laws and rules which govern individual and student behaviour, all candidates must adhere to the following principles of acceptable conduct:

- a. Do only what other candidates have an equal opportunity to do;
- b. Treat all students, candidates, and staff members with respect.

7.4. Unacceptable conduct during elections includes but is not limited to any of the following practices (including attempts):

- a. The use of University or Students' Union resources to further the election of a candidate (except where explicitly permitted by the Returning Officer);
- b. The defacement of or interference with a candidate's publicity;
- c. Bribery of voters or election officials;
- d. Behaviour which is threatening, harassing or risking the wellbeing and safety of others;
- e. Producing offensive or defamatory publicity;
- f. Preventing the free and confidential exercise of a vote by voters, including the improper use of mobile devices;
- g. Compromising or interfering with the integrity of the election.

7.5 The Deputy Returning Officer(s) may issue penalties to candidates for breach of the conduct guidelines. In cases of disqualification or annulling of an election, the final decision must be taken in consultation with the Returning Officer.

7.6 Candidates may make use of individual campaigners who assist them during the election, sometimes also collective referred to as a campaign team. A campaigner is defined as someone who would be reasonably thought to be acting on behalf of a candidate to further the election of that candidate.

7.7 Candidates will remain responsible for the conduct of campaigners, and therefore must take all practicable steps to ensure campaigners follow this Bye-Law and issued guidelines. Breaches of this Bye-Law and issued guidelines that are committed by campaigners will be treated as if the candidate themselves breached this Bye-Law and issued guidelines.

7.8 For the purpose of an election, campaigning is defined as working in an organised and active way towards a particular goal such as the election of a candidate.

## 8. Incumbent Candidates

8.1 Current Officer Trustees must declare paid holiday to the Deputy Returning Officer if they wish to undertake campaign activity during normal office hours in the election period.

8.2 Current Officer Trustees may not use any of the resources of their current position to assist any election campaign.

8.3 The Deputy Returning Officer will produce information to assist incumbent Officer Trustees in complying with Clause 7 of this Bye-Law.

## 9. Voting

9.1 Details of the elections and voting process shall be published through the Students' Union website, and elsewhere as determined by the Deputy Returning Officer(s).

9.2 All elections will be conducted by secret ballot, where each voter has only one transferrable vote, following the methodology set out by the Electoral Reform Society of Great Britain and Ireland in 1997.

9.3 Re-Open Nominations shall be a candidate on each ballot. If Re-Open Nominations is elected, the position will be declared vacant and a new election will be held at a time and date specified by the Deputy Returning Officer(s).

9.4 Votes will not be counted while there are outstanding complaints awaiting a decision. As such, individual results may be held until such a time when outstanding complaints have been resolved.

## 11. Complaints

11.1 Complaints that a candidate or campaigner(s) has contravened a Bye-Law(s) or issued guidelines will be accepted up until one hour after the close of voting.

11.2 Complaints must be submitted in writing in a format decided upon by the Deputy Returning Officer(s).

11.3 If necessary, the Deputy Returning Officer(s) will investigate the complaint to obtain further evidence.

11.4 The Returning Officer and where appropriate Deputy Returning Officer(s) will rule upon the complaint and if necessary issue penalties at their discretion. Including, but not limited to:

- a. Halting elections for specific post(s)
- b. Referring a matter to be dealt with by the Union or University disciplinary procedures

- c. Disqualifying specified candidate(s)

## 12. Appeals

12.1 An appeal against a decision of the Returning Officer or Deputy Returning Officer(s) may be made on the following grounds:

- a. The interpretation of this Bye-Law or any of the issued guidelines used during the election is unreasonable;
- b. The correct procedure set out in this Bye-Law or issued guidelines has not been followed;
- c. The Returning Officer or Deputy Returning Officer(s) has been prejudiced or biased;
- d. The Returning Officer or Deputy Returning Officer(s) has failed to fully consider the available evidence.

12.2. Appeals must be made no later than 12 noon on the day after the decision of the Returning Officer is communicated to that candidate.

12.3 If an appeal is made by a candidate, an appeals panel will be convened by a Students' Union staff member who has not been involved in the administration of that election. The appeals panel will consist of the University Secretary and two independent people who would be eligible to be appointed as the Returning Officer.

12.4 The appeals panel will appoint a chair from within its number.

12.5 The appeals panel will hear the evidence from the Deputy Returning Officer(s) and any representations made by the appealing candidate.

12.6 The appeals panel's decisions are final and cannot be appealed further.

## 13. Declaration

13.1 Results of the elections shall be declared by the Deputy Returning Officer when the count for each post has been successfully completed.

13.2 Results of the elections shall be posted on the Union website within one (1) working day of the count.