

BYE LAWS D

THE ELECTION REGULATIONS

Appointment and Duties of the Returning Officer (RO)

1. The Returning Officer (RO) who shall not be an Ordinary Member of NSU, shall be appointed annually by the Board of Trustees. The RO shall be fully conversant with the method of election outlined in the schedule to this Bye Law.
2. The Returning Officer shall appoint a Deputy Returning Officer (DRO), usually the most senior member of staff within the Students' Union. The RO may designate any responsibilities to the DRO except for the duties outlined under "Complaints and Right of Appeal".
3. The RO shall ensure the good conduct of the elections.

The RO shall be responsible for the annual elections and by-elections to the following positions:

Executive Committee

President

Vice-President

Academic Officer

Equality and Campaigns Officer

Events and Activities Officer

Societies Officer

Sport and Health Officer

RaG and Community Officer

Other Positions

NUS Delegate(s)

General Election Regulations

1. The term of office of these positions shall normally be from 1 July to 30 June.
2. Annual elections shall take place before the end of May for Executive Committee positions.
3. Any Ordinary Members of NSU shall be eligible to stand for election and vote in any election for the above posts with the following restrictions:
 - a. No member shall hold sabbatical office for more than two years in total at the University;
 - b. No Executive Committee member may hold more than one seat at the same time within the Executive Committee;
 - c. Individuals cannot hold a position of both an Executive Committee member and Student Trustee unless they hold a full-time Sabbatical position;
 - d. No Executive Officer can hold a Sports or Societies Committee role, or a Student Academic Officer (StAR) position during their term of office; and
 - e. No member may stand for election having been previously disqualified on the grounds of attempting to disrupt an election or any other dishonest conduct (failure to attend mandatory election events is not considered an attempt to disrupt an election).

Before the Election

1. The Returning Officer or their Deputy shall determine a set of rules and regulations for the good conduct of the election.
2. The method, times, dates and purpose of the election shall be appropriately publicised to the membership in advance of the election, and the Board of Trustees shall be notified in advance.
3. Official nomination forms clearly specifying the post for which the candidate is standing, signed by the candidate shall be handed to the Returning Officer or their nominee not later than the time and day appointed. No nomination shall be accepted after that date. Nominations shall remain open for at least five working days.
4. Nomination forms shall include a template for the candidates manifesto.

5. When a nomination form is received, the Returning Officer or their Deputy shall formally acknowledge receipt of the form. The Returning Officer or their Deputy shall confirm all Candidates once the nomination period closes. Once candidates are confirmed, profiles shall be completed on the NSU website with their name, position, photograph and manifesto.
6. The Returning Officer and/or their Deputy shall review all election regulations and ensure that the election process, candidates briefing and hustings are communicated to the membership.
7. Candidates briefing will take place no less than five working days before the opening of the ballot. Candidates Briefing shall include, but is not limited to:
 - a. The election rules and regulations determined by the Returning Officer;
 - b. The dates and times of hustings;
 - c. The name and email address of the Returning Officer and their Deputy;
 - d. How and where to vote; and
 - e. How the voting system works.

During the Election

1. Voting shall be open for a minimum of three working days.
2. Voting shall take place by secret ballot and ballots shall be held securely free from being tampered with. The locations and opening of voting stations shall be determined by the Returning Officer or their Deputy.
3. Where possible, elections shall be by electronic means via the NSU Website. If there are material reasons why this is not possible, a paper ballot shall be used.
4. Ballots for Alternative Transferable Voting (ATV) elections shall provide the option of 'Re-Open Nominations'.
5. A member may campaign on behalf of 'Re-Open Nominations' but shall be considered a candidate for the purposes of the election regulations.
6. The Alternative Transferable Vote System of voting shall be employed to determine the result of the election as defined by the Electoral Reform Society for posts with a single seat unless contrary to NSU policy or regulations.

7. Electors shall only be entitled to vote once for any one position in any Election.
8. If the elector accidentally spoils their paper, the elector may obtain another ballot paper from the Poll Clerk, providing the elector returns the 'spoilt' paper to the Poll Clerk.
9. Only current members of Newman University Students' Union can campaign on behalf of a candidate or endorse a candidate.

In the Event of a Paper Ballot

1. In the event of a paper ballot, the Returning Officer or their Deputy shall produce an appropriate system for members to vote. Provisions such as postal voting shall be put in place by the Returning Officer to maximise participation in the election process.
2. An elector shall be required to prove their identity before being issued a ballot paper and allowed to vote and must be checked off a list of enrolled students provided by the institution.

After the Election

1. The 'Count' shall take place in accordance with the Rules outlined by the Electoral Reform Society immediately after the closing of polling.
2. Votes shall be counted or the count supervised, by the Returning Officer or their nominee who may appoint a sufficient number of tellers to assist in the count. No teller shall serve in the same election in which that person is a candidate. The candidates and one person nominated by each of the candidates shall be entitled to be present. No other person shall be present without the express permission of the Returning Officer or their nominee.
3. Results shall be announced once all objections have been resolved and at the discretion of the Returning Officer. No announcement regarding the elections of the candidates may be made without the permission of the Returning Officer.
4. Objections or complaints to the procedure, result or any other aspect of any NSU elections must be made in writing to the Returning Officer or their nominee not later than two working days after the result(s) have been published, and objections raised after this time will not be considered. The Returning Officer or their nominee may consider objections at any time during the election and need not necessarily wait until voting has been completed.
5. Objections or Complaints shall be published in writing by the Returning Officer or their Deputy on the NSU Website. The Returning Officer's decision shall be final and binding.

Disciplinary and Disqualification

1. No candidate or other person shall make or cause to be made deliberate misrepresentation of other candidates either verbally or on any publication or by any other means.
2. No candidates or any other person shall bribe, or attempt to bribe, any elector in any way whatsoever.
3. A candidate may be subject to disciplinary procedures including disqualification if they or someone acting on their behalf or for their benefit;
 - a. Bring NSU into disrepute;
 - b. Responsible for corrupt practice (as defined by the Returning Officer);
 - c. Disrupt elections;
 - d. Dishonest conduct;
 - e. Act to threaten, intimidate, deceive, coerce, collude, conspire or use force to interfere with the election process;
 - f. Falsify, deceive, deface or destroy any election material;
 - g. Artificially create an advantage that any other candidate cannot reasonably (as determined by the Returning Officer or their nominee) replicate;
 - h. Interfere in a vote or voting process; or
 - i. Act in a way that infringes the rules and regulations set out by the Returning Officer.
4. A candidate may be subject to disciplinary procedures, including disqualification if they breach any Union or University policy or regulation.
5. If a candidate faces disciplinary, the procedures can be found outlined in Bye Laws F, Disciplinary Procedures for Members of Newman students' Union.

Complaints and Right of Appeal

1. Complaints shall be made in writing to the Deputy Returning Officer. The Deputy Returning Officer shall investigate and aim to respond to any formal complaint within 48 hours.
2. There shall be a Right of Appeal for complaints, which shall be referred to the Returning Officer. The nature of any appeal to the Returning Officer shall only be based on whether the Deputy Returning Officer's decision was not:
 - a. Entirely based on appropriate regulations and/or;
 - b. Fair, proper and unbiased.
3. The Returning Officers ruling shall be final.

Society Elections

1. Society elections shall take place at their respective Annual General Meeting (AGM). Each Society shall be given a dedicated slot to hold their AGM which shall be before the end of the Academic Year and at a time determined by the Societies Officer.
2. All Society elections shall be in accordance with the Society AGM guidelines.
3. The Society Officer shall review the guidelines on an annual basis.