

Students' Union

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SUARTS Bye-Laws | All Student Votes (Referenda)

This explains some of the rules around all student votes at SUARTS. They are further detailed in the Guidance Document on Elections and Referenda.

Powers and Duties

1. All Student Votes (Referenda) are established by the Memorandum & Articles of Association.

From the Memorandum & Articles of Association (July 2011)

13 Referenda

- 13.1 The Union shall hold an ordinary Referendum at least three times in each Academic Year. An extraordinary Referendum may be called on any issue by:
 - 13.1.1 a resolution of the Trustees; or
 - 13.1.2 a majority vote of the Student Executive, provided the Democracy Scrutiny Committee agrees that there is a broad support amongst the student body for calling the Referendum; or
 - 13.1.3 a Secure Petition signed by at least 300 Members.
- 13.2 Subject to Articles 40.3 and 60.2, a resolution may only be passed by Referendum if at least 2% of the total membership cast a vote in the Referendum and a simple majority of the votes cast are in favour of the resolution.

General Regulations for Voting Ballot

1. No member shall have more than one vote
2. The Returning Officer will be appointed by the Trustee Board with approval from the University for the period of any election, for the purpose of administering the election regulations. The Returning Officer shall be reported to the Student Council.
3. The Returning Officer shall be responsible for the conduct of all matters regarding the referendum

General Provisions for Ordinary Referenda

4. Business for Ordinary Referenda can be submitted by any full member of the Union
5. Business submitted for an Ordinary Referendum must be debated prior to polling.
6. Questions for Ordinary Referendum can be withdrawn only by the person proposing the question unless they are being withdrawn on specific legal advice in which case the Trustee board may withdraw the motion.

General Provisions for Extraordinary Referenda

7. Extraordinary Referenda can only take place outside of the Ordinary Referenda process. This includes the time from Ordinary Referenda Question submission closes, until the publication of the Referenda Results. Extraordinary Referenda can not take place outside of the normal Undergraduate academic term time.
8. An Extraordinary Referendum may be called on the presentation of a Referendum Petition of 300 full members. The petition will state the dates on which voting will take place and the question that is proposed for referenda.
9. The Student Council has the ability to call an Extraordinary Referenda but must demonstrate to the Returning Officer that the request is based on a broad request from the student body.
10. A request for an Extraordinary Referenda must be in the form of a signed, hardcopy Referendum Petition, with their UAL Student Number.

11. No collection of signatures for an Extraordinary Referenda shall begin until the Students' Union has been notified, and acknowledgement has been provided. The Proposer shall be notified as to the total length of time they have to collect the names needed for the Extraordinary Referenda to take place.
12. An Extraordinary Referendum will take place at a time ruled appropriate by the Returning Officer.
13. The business of an Extraordinary Referendum shall be restricted to the question or business for which the Extraordinary Referendum was called.
14. Motions for Extraordinary Referendum can be withdrawn only by the person proposing the question unless they are being withdrawn on specific legal advice in which case the Trustee Board may withdraw the question.

Requirements for Referenda Questions

15. Questions proposed to either Ordinary or Extraordinary Referenda must comply with the published Guidance Document on All Student Votes

General provisions for Trustee Board Referenda Responsibilities

16. The Trustee Board will appoint the Chair of the Trustee Board to rule 'Out of Order' the passage of motions or amendments under the following, but not limited, criteria:
 - 16.1. Where student safety may be put at risk.
 - 16.2. Where passage of the motion would endanger the future of the organisation due to breach of the law, undue financial risk or serious risk to the reputation of the organisation
 - 16.3. Where the motion or amendment is proven factually inaccurate
 - 16.4. Where the motion or amendment has no relevance to students
 - 16.5. All decisions made by the Trustee Board regarding referendum will be published, and notified to the Student Council. There are no opportunities to appeal this decision.

General Provisions for Referenda Voting

17. Referendum voting shall take the form of a secret cross campus ballot in which members are asked to vote in answer to a clearly defined question or questions
18. Referendum voting shall last not less than one working day and no more than five working days.
19. Quorum for Referendum
 - 19.1. The quorum for a Policy Referendum will be 2% of the student body and will require a simple majority.
20. Rules on Referenda polling, publicity, conduct and counting shall be as per the relevant Bye-Laws and published guidelines

Requirements for Referenda Campaigning

21. Campaigning for or against individual motions may only begin once all appropriate campaign briefings have been completed overseen by the Returning Officer or their deputy.
22. Campaigning must follow relevant Guidance documents on Campaigning, as overseen by the Returning Officer and according to other published Byelaws.

Campaign Complaints and Disciplinary Procedures

23. A formal complaint may be made to the Returning Officer regarding campaigning by any member. The Returning Officer has the right to take disciplinary action where they have witnessed breaches of procedure themselves or where any member of the public or University has requested an investigation into campaign activity be conducted.
24. All complaints must be brought in writing and shall receive a written response within 48 hours.
25. If a complaint is upheld against an individual nominee, the Returning Officer has the power to apply any disciplinary sanction short of dismissing the question and or campaign. Such sanctions might include, written warning, ban from using specific publicity materials or media, or a ban from active campaigning until polling closes. This list is not exhaustive. Sanctions must be confirmed in writing.
26. If the Returning Officer believes the offence to have been fundamentally and significantly detrimental to the integrity of the vote to the extent that the question and / or campaign should be dismissed then they should make this recommendation to the Trustee Board to consider.
27. Appeals against the rulings of the Returning Officer should be made in writing within one working day of the decision being confirmed in writing. The appeal should be submitted to the appointed office for the attention of the Trustee Board who will be convened at the earliest opportunity. The appeal should state the grounds for

appeal, the desired outcome and whether the appellant wishes to present the appeal in person or for Trustee Board to review the Returning Officer's judgments based on the written statement of appeal alone.

28. Complaints regarding the outcome of Trustee Board decision on appeal may be reviewed only via the University complaint procedure.
29. In the event of an Appeal being upheld against a decision which had resulted in a question being removed from a ballot, Trustee Board shall have the discretion to order the individual Referendum question to be re-submitted to the membership at the earliest convenient time or to automatically carry the question forward to the next Ordinary Referendum. In either circumstance the nominee shall receive a new budget for campaign purposes.

Timings for Ordinary Referenda

30. The deadline for members to submit questions for Ordinary Referenda will be a published date during term time.

Bye-Law Conditions

31. This Bye-Law is in addition, but pursuant, to the Union's Memorandum & Articles of Association.
32. Words and phrases used in this Bye-Law have the same meaning as ascribed to them in the Union's Memorandum & Articles of Association.
33. This Bye-Law was last updated and approved in October 2015