

Residents' Association and JCR Committee Election Rules

1. Returning Officer

- 1.1. There will be a Returning Officer, who will be a staff member of the Students' Union. They will receive support from the National Union of Students' elections team.
- 1.2. The Returning Officer is responsible for the fair, impartial and constitutional conduct of an election.
- 1.3. The Returning Officer will have power to:
 - (a) Issue rulings on the interpretation and meaning of these Election Regulations,
 - (b) Issue guidelines to govern the conduct of an election,
 - (c) Rule as out-of-order any publicity used by candidates in an election,
 - (d) Give directions to candidates and students with regards to an election,
 - (e) Penalise or disqualify candidates for breach of these Election Regulations,
 - (f) Order a recount, or to annul an election and order a new election in its place.
- 1.4. The Returning Officer may appoint Deputies or Assistants, who may be delegated any of the functions or roles that are assigned to the Returning Officer in these Regulations.
- 1.5. The decisions of any of the Deputies or Assistants of the Returning Officer may be appealed to the Returning Officer.
- 1.6. The decisions of the Returning Officer will be final, except in the case of an elections appeal.

2. Dates and timing of elections

- 2.1. The Returning Officer will determine the dates and times of all elections, including the opening and closing of nominations and the opening and closing of voting.
- 2.2. Elections will only take place during term time as defined by the University Calendar.

3. Nominations

- 3.1. The Returning Officer will announce which positions are to be contested.
- 3.2. Only students who are members of the Association may be nominated for any position to be contested.
- 3.3. The Returning Officer will announce at the soonest opportunity after the close of nominations the candidates for each election.
- 3.4. Should no person have nominated themselves for a position, the Returning Officer may re-open nominations.

4. Conduct

- 4.1. For an election, the Returning Officer will issue guidance to candidates on acceptable conduct.
- 4.2. When campaigning, candidates must only take action which all other candidates have the opportunity to also take.
- 4.3. The following practices (including attempts) are prohibited:
 - (a) The use of Students' Union, Residents' Association, or University resources to further a candidate's election,
 - (b) The defacement of or interference with a candidate's publicity,
 - (c) Bribery of voters or the Returning Officer (or their Deputies or Assistants),
 - (d) Threatening behaviour or harassment of voters,
 - (e) Producing offensive or defamatory publicity,
 - (f) Preventing the exercise of a free, fair and confidential vote by voters,
 - (g) Compromising or interfering with the integrity of the election.
- 4.4. Candidates are permitted to have a campaign team. Candidates are responsible for the conduct of their campaign team and must take reasonable steps to ensure their campaign team do not breach these Election Regulations.
- 4.5. Breaches of these Election Regulations that are committed by campaigners will be treated as if the candidate themselves breached these Regulations.
- 4.6. For the purposes of an election, 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.
- 4.7. The Returning Officer will have absolute discretion to determine whether or not a candidate or student has breached these Election Regulations.
- 4.8. The Returning Officer may issue a warning or sanction to candidates for breach of these Election Regulations, and may disqualify candidates accordingly.

5. Expenditure

- 5.1. For an election, the Returning Officer may set an expenditure limit. Candidates may not spend more than this limit during their campaign.
- 5.2. All publicity used by a candidate (including by their campaign team) during the election must be declared and given a monetary value.
- 5.3. After the close of polling, candidates may be requested to submit to the Returning Officer a statement of their expenditure before a deadline specified by the Returning Officer.

- 5.4. Candidates must be able to verify their statement of expenditure by providing receipts for all items they spent money on during on a campaign.
- 5.5. The use of pre-existing resources or donations in kind by candidates is permitted, but these must be given a reasonable monetary value and declared on the statement of expenditure.
- 5.6. The Returning Officer will disqualify a candidate who fails on request to provide a statement of expenditure or provides an inaccurate or unverified statement.

6. Voting

- 6.1. Voting will be by secret ballot, and voters will rank the candidates in order of preference.
- 6.2. Only students who are members of the Association may vote in the election. No person may vote more than once.
- 6.3. Votes will be counted using the Single Transferable Vote system, as specified by the Electoral Reform Society of Great Britain and Ireland in 1997.
- 6.4. The option to re-open nominations will be offered on all ballot papers. This will be treated for all intents and purposes as a candidate.
- 6.5. If re-open nominations is elected:
 - (a) In the case of a single vacancy position, the position will be declared unfilled and a new election will be held at a future date, to be determined by the Returning Officer.
 - (b) In the case of a multiple vacancy position, one position will be declared unfilled. A new candidate representing re-open nominations will be introduced into the ballot. Votes will transfer to this new candidate accordingly in place of the original candidate. The number of vacancies equal to the number of candidates elected representing re-open nominations will be declared unfilled, and a new election for these vacant positions will be held at a future date, to be determined by the Returning Officer.

7. Complaints and Appeals

- 7.1. Any student may submit a complaint to the Returning Officer. The deadline for complaints is one hour after the close of polling. Complaints must be submitted online via the Candidate Hub.
- 7.2. A complaint must contain the Election Regulation or other rule that has been breached and evidence to substantiate the allegation.
- 7.3. The Returning Officer will rule upon a complaint at the soonest opportunity.
- 7.4. The Returning Officer will not count the votes while there is a complaint or appeal that is still being decided.
- 7.5. The Returning Officer's decision on a complaint will normally be final. However an appeal to a decision of the Returning Officer may be lodged on the following grounds:

- (a) The interpretation of these Election Regulations used by the Returning Officer is unreasonable,
- (b) The Returning Officer has been biased.

7.6. An appeal to the decision of the Returning Officer must be made within two working days of the decision being handed down to the candidate.

7.7. If such an appeal to a decision of the Returning Officer is made, the appeal will be heard by an appeals panel. This panel will consist of the Students' Union Community Officer and the University Pastoral Team General Manager, or equivalent.

7.8. The decision of the appeals panel will be final and not subject to challenge.

Updated by Frances Muscatelli on 19/09/2016