

# **PREFERENDA AND REFERENDA BYE LAW**

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*This Bye-Law describes the process and procedures for Union Referenda and Preferenda.*

## **1. GENERAL**

- 1.1. Section 15 of the Memorandum and Articles of Association defines the powers and operation of preferenda and referenda.
- 1.2. Referenda voting shall take the form of a cross campus secret ballot in which all Full members are asked to vote either yes, no or abstain on an issue.
- 1.3. Preferenda voting shall take the form of a cross campus secret ballot in which all Full Members are asked to vote for options in order of preference, which shall be run in accordance with procedures for a Single Transferable Vote.
- 1.4 Unless stated otherwise in the Memorandum and Articles of Association and this Byelaw, the procedure for Referenda and Preferenda shall as far as possible follow the same procedural rules as for LUSU elections.
- 1.5 The process for Referenda and Preferenda shall be overseen by the Returning Officer and Deputy Returning Officer of the Union.

## **2. NOTICE AND TIMING**

- 2.1 Referenda and/or Preferenda may only be called in term time and in accordance with the procedures as set out in section 15 (Referenda and Preferenda) of the Memorandum and Articles of Association.
- 2.2 Unless in exceptional circumstances, the Referendum/Preferendum will be held on the next possible published Termly Referendum date.
  - 2.2.1 Exceptional circumstances are those in which it is considered essential by the Trustee Board or LUSU Executive, to hold the vote without delay.
- 2.3 Notice of a Referenda and/or Preferenda will be given a minimum of 12 clear days in advance of the day of polling.
- 2.4 There must be adequate time for publicity of proposed referendum and/or preferendum (including via student media if possible) to give members the opportunity to take part in campaigns and to vote.

## **3. PROPOSALS AND COMPOSITING**

- 3.1 All proposals must include:
  - 3.1.1 The text of proposal
  - 3.1.2 Details of the proposer(s)
  - 3.1.3 A statement detailing by which method it was supported by to be put to referenda/preferenda (by petition of General Meeting, Trustee Board, Student Jury or petition).
  - 3.1.4 A date, or dates, upon which clauses would be implemented

- 3.1.5 If supported by secure petition, this must also be submitted.
- 3.2 The Democracy Committee, in conjunction with the Returning Officer (or their appointed nominee), shall have the permanent delegated power from LUSU Executive to:
  - 3.2.1 Consider proposals submitted for referendum/preferendum to ensure they meet the eligibility requirements in section 15 of the Memorandum and Articles of Association (Referenda and Preferenda);
  - 3.2.2 Decide on the background information which should be provided to voters.
  - 3.2.3 Decide upon a final wording for the proposals to be put to the referendum/preferendum, to ensure that no question is likely to be misunderstood by voters or open to more than one interpretation.
- 3.3 Once submitted to referendum/preferendum, proposals cannot be changed and can only be withdrawn by the proposer.
- 3.4 Democracy Committee will ensure that a Referenda & Preferenda Campaign manifesto booklet and distribute copies widely as soon as is practicable.

#### **4. CAMPAIGNING**

- 4.1 Campaigning for or against individual ideas must be conducted in accordance with the campaign rules as outlined by Democracy Committee.
- 4.2 A central fund will be established for campaign groups to access. Democracy committee will administer this fund and ensure there is an equitable distribution of resource for established campaign groups.
- 4.3 External organisations shall not be permitted to be involved in campaigning.
- 4.4 Anyone who campaigns for or against an option in a question shall be deemed to be part of that Campaign Group, and shall be bound by the Memorandum and Articles of Association, Byelaws and procedures.
- 4.5 Each Campaign Group shall submit a manifesto in the form requested by Democracy Committee.
- 4.6 Student Media Groups shall ensure that they give impartial coverage of referenda and preferenda.

#### **5. DEBATE**

- 5.1 Provisions must be made for members to debate referenda/preferenda. This may take the form of a physical meeting or be hosted online and will be conducted in accordance with procedures set out by the Democracy Committee.
- 5.2 A chair for debates shall be appointed from within the Democracy Committee.

#### **6. VOTING**

- 6.1 For referenda the ballot shall contain the question as specified and the facility for members to vote for, against or in abstention.

- 6.2 For preferenda the ballot shall contain the questions as specified and the facility for members to vote for options in order of preference, which shall be run in accordance with procedures for a Single Transferable Vote.
- 6.3 The quorum for a Referenda and Preferenda is 10% of student members who are eligible to vote.
- 6.4 Any complaints concerning the conduct of a referendum/preferendum must be submitted in writing to the returning officer, within 3 days of the posting of the result and will be dealt with in accordance to the procedure as laid out in the democracy byelaw.
- 6.5 Referenda/Preferenda outcomes will be referred to the LUSU Executive, who will be responsible for co-ordinating the process for the implementation of approved ideas.