

ELECTORAL BY-LAWS

Revised February 2008

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Article 1: Interpretation of By-Laws

- 1.1. A decision of the Chief Returning Officer (hereafter referred to as the CRO) concerning the interpretation of these by-laws shall be considered final and binding, subject only to appeals to the Judicial Board of the Student's Society of McGill University.

Article 2: Elections EUS

2.1. Definitions

- 2.1.1. Elections EUS is an independent and impartial agency composed of members of the Engineering Undergraduate Society.
- 2.1.2. Elections EUS shall be supervised, although not superseded, by the E.U.S. President.
- 2.1.3. Elections EUS shall be the sole body to administer the Society's elections and referenda and shall be synonymous with the "Office of the Chief Returning Officer."
- 2.1.4. The regular elections outlined in the E.U.S. Constitution, including but not limited to the elections of the E.U.S. Executive Team, S.S.M.U. Representative and Engineering Senator, shall be hereinafter referred as "Regular Elections."
 - 2.1.4.1. Elections for executive positions of Departmental Societies as outlined in their respective Terms of References, excluding any and all positions specifically stated as selected by Selection Committee, shall also be considered Regular Elections.
- 2.1.5. All recognized EUS Groups (Clubs, Design Teams, Committees, Departmental Societies) may request to have an election overseen by Elections EUS and if accepted shall be hereinafter referred as "Requested Elections."
- 2.1.6. Any and all referenda to the E.U.S Constitution or E.U.S. By-Laws shall be hereinafter referred as "Referendum Periods."
- 2.1.7. Regular Elections and Referendum Periods shall be hereinafter collectively referred to as "Official Elections."
- 2.1.8. Decisions of Elections EUS on matters concerning Official Elections shall be considered final and binding.
- 2.1.9. Elections EUS shall be responsible for enforcing the current adopted Electoral By-Laws in all Official Elections.

2.2. Affiliation With EUS Groups

2.2.1. At the discretion of the Elections EUS committee, Elections EUS may accommodate requests to oversee elections for recognized EUS groups (Departmental Societies, Committees, Clubs and Design Teams) for the execution of internal election procedures and other events of student consultation.

2.2.1.1. Once a request to oversee electoral proceedings is granted by Elections EUS, the elections shall be considered Requested Elections and shall be bound by the applicable Electoral By-Laws.

2.3. Function

2.3.1. Elections EUS shall:

2.3.1.1. Act as the final authority in the Official Elections in the Engineering Undergraduate Society;

2.3.1.2. Organize all the Official Elections by providing logistical, human and technological support in the proceedings;

2.3.1.3. Promote the Official Elections to the members of the Engineering Undergraduate Society, encourage electoral participation and provide support to members that wish to partake in Official Elections;

2.3.1.4. Guarantee the accessibility of Regular Members for their participation in Official Elections by providing technological, facilities and logistical support;

2.3.1.5. Facilitate the flow of information in regards to Official Elections by the use of the E.U.S. communication channels.

2.3.1.6. Provide support and resources for the transition process of elected officers into their new positions after the results of the Regular Elections.

2.4. Duties

2.4.1. Elections EUS shall develop and present a calendar with the important dates and timelines for the Regular Elections and Referendum Periods to the E.U.S. Council for ratification by a simple majority (hereinafter "Electoral Calendar"). After ratification, the Electoral Calendar must be made public in the next five (5) academic days.

2.4.1.1. The Electoral Calendar shall be developed for the entire academic year and must include for both semesters the dates for the nomination period, the campaign period and the election period for Regular Elections. Additionally, it shall include the dates for the submission of referendum questions, campaign period and election period for the Referendum Period of each semester.

- 2.4.1.2. The Electoral Calendar dates for the Fall Term must be presented and ratified by E.U.S. Council at its first session of the Fall Term. At this time, tentative dates for the Winter Term of the Electoral Calendar must be presented but need not be ratified.
- 2.4.1.3. The final Electoral Calendar dates for the Winter Term must be presented and ratified by E.U.S. Council at its first session of the Winter Term.
- 2.4.2. Elections EUS shall distribute the nomination forms for positions contested in Official Elections and make them available to all members of the E.U.S.
- 2.4.3. Elections EUS shall create and distribute a guide of the elections with information regarding each position contested in Official Elections and references to all the responsibilities of each portfolio.
- 2.4.4. Elections EUS shall provide information to all possible candidates in Official Elections about the procedures, timelines and regulations.
- 2.4.5. Elections EUS shall regulate and oversee the campaign period of Official Elections and enforce the rules set by the Electoral By-Laws and the E.U.S. Constitution.
- 2.4.6. Elections EUS shall organize a candidate debate for the positions contested in Official Elections.
- 2.4.7. Elections EUS, alongside the Information Technology Director of the E.U.S., shall be responsible for the technology infrastructure of the Official Elections, including but not limited to the Axolotl software for online voting and the official website for the election.
- 2.4.8. Elections EUS shall facilitate and staff at least one (1) polling station set in one of the engineering buildings to provide accessibility for the elections.
- 2.4.9. Elections EUS shall hold regular meetings to facilitate communication between the CRO, the Deputy Returning Officers and the Elections Coordinators.
- 2.4.10. Elections EUS shall write a comprehensive exit report outlining the success and failures of the Official Elections additionally to recommendations for the future Elections EUS officer team. The exit report shall be submitted to the E.U.S. Executive Team by May 15th following the elected term.
- 2.4.11. By request of the E.U.S. Council, Elections EUS represented by the CRO may report to Council on any matters pertaining to the Official Elections or their conduct.
- 2.4.12. Elections EUS shall organize and promote Referendum Periods in both Fall and Winter Semesters for the submission of referendum questions by members of the Society.

2.4.13. Elections EUS, alongside the E.U.S. President, shall organize the transition activities for the officers elected on the Regular Elections (hereinafter "Transition Period"). These activities shall include but are not limited to group workshops selected at the discretion of Elections EUS and the E.U.S. President and shadowing periods with their respective officers.

2.4.13.1. Elections EUS shall also support the E.U.S. President on the organization of the Executive Retreat.

2.5. Members

2.5.1. Elections EUS shall be composed by:

2.5.1.1. The Chief Returning Officer;

2.5.1.2. The Deputy Returning Officers (hereinafter "DRO");

2.5.1.3. Electoral Coordinators (hereinafter "EC");

2.5.2. The Chief Returning Officer shall act as the chairperson and signing officer of Elections EUS and have final say in its decisions.

2.5.2.1. The CRO shall be appointed by a Selection Committee as outlined in the E.U.S. Constitution and thereafter ratified by E.U.S. Council with a 2/3 majority at its first session of the Fall Term.

2.5.3. The Deputy Returning Officers shall be appointed by each Departmental Society and shall be responsible for the Official Elections in which positions for their respective Departmental Society are contested.

2.5.3.1. The DROs shall be appointed by the Departmental Society by the second E.U.S. Council session of the Fall Term and must be ratified by a simple majority.

2.5.4. Electoral Coordinators shall be appointed at the discretion of the CRO to fulfill specific responsibilities and duties of Elections EUS including but not limited to: coordination of polling stations, organization of debates, supervision of technology infrastructure and reviewing nomination forms.

2.5.5. No member of Elections EUS may be:

2.5.5.1. Candidate for any position contested in the Official Elections of the present Academic Year;

2.5.5.2. An executive of any group that endorses candidates or holds a public position on referenda;

2.5.5.3. A person involved with a candidate's campaign.

2.5.6. E.U.S. Council shall reserve the right to censure and/or remove any member of Elections EUS with a motion approved by 2/3 majority.

Article 3: Electoral Calendar

3.1. Regular Elections

3.1.1. Dates for the Regular Elections shall comply with the guidelines set by the E.U.S. Constitution.

3.1.2. At least two (2) weeks shall be allotted after the voting period and before the start of the Final Examinations of the Winter Term for the Transition Period activities.

3.2. Requested Election

3.2.1. Petitions for Requested Elections shall be communicated in writing to Elections EUS at least four (4) weeks before the results of the voting are needed.

3.2.2. Dates for Regular Elections shall at least allot for:

3.2.2.1. Two (2) weeks of nomination period;

3.2.2.2. One (1) week of campaign period;

3.2.2.3. Two (2) days of voting period;

3.2.3. No date of the Regular Elections shall coincide with Final Examinations of either academic term.

3.2.4. Elections EUS shall reserve the right to deny a petition for a Requested Election.

3.2.5. The dates outlined in Article 3.2.2 may be modified at the discretion of the CRO.

3.3. Referendum Periods

3.3.1. There shall be one Referendum Period each academic term.

3.3.2. Dates for the Referendum Periods shall at least allot for:

3.3.2.1. Three (3) weeks for referendum question submission;

3.3.2.2. One (1) week for campaign period;

3.3.2.3. One (1) week for voting period.

3.3.3. No date of the Referendum Period shall coincide with Final Examinations of either academic term.

3.3.4. Referendum Periods shall follow the guidelines for student member initiated referendums present in the E.U.S. Constitution.

3.3.5. The dates outlined in Article 3.3.2 may be modified at the discretions of the CRO as long as they do not conflict with the regulations of referenda set by the E.U.S. Constitution.

Article 4: Nominations

4.1. Official nomination forms shall be provided by the CRO, and must contain the following statement unaltered:

“We, the undersigned members of the Engineering Undergraduate Society of McGill University, do hereby nominate _____ for the office of _____.”

4.2. Nominators shall be required to record on the nomination form their name, signature and year of study. Each nomination form must also be signed by the candidate and indicate the candidate’s address and telephone number.

4.3. Nomination forms shall include the following statement: “Candidates for a position must read the EUS Constitution, as well as all relevant bylaws, which include the following:”. A list of relevant bylaws for each position shall be determined by the current EUS Executive Committee, and be included on the form. Electronic copies of the EUS Constitution and all bylaws shall be made available to all candidates.

4.4. Nominations shall be carried out in accordance with article 50 of the constitution of the Engineering Undergraduate Society.

4.5. Nomination forms must be presented to the Chief Returning Officer in accordance with the deadlines outlined in the Constitution of the Engineering Undergraduate Society of McGill. The CRO shall post daily office hours during which the nomination forms may be submitted.

4.5.1. On submission of a nomination form to the CRO, each nominee must sign a statement indicating that he/she has read and understood the EUS Constitution, as well as all bylaws relevant to the position. No nomination form shall be accepted without this statement.

4.6. Nomination form signatures must be collected by the candidate. The CRO can override this if there are extenuating circumstances.

Article 5: Campaigning

5.1. Posters may be posted only in the McConnell, MacDonald, MacDonald-Harrington, Frank Dawson Adams, Trottier and Wong buildings of the downtown campus of McGill University. Each building has its own regulations for the posting of posters, and candidates must comply with these rules and have their posters authorized by the director of the building concerned.

5.2. No posters may be posted anywhere else

5.3. No Banners may be hung on University grounds

5.4. Posters may be exhibited but not distributed.

- 5.5. No more than a total of fifty (50) posters may be posted at any one time by any candidate. Posters shall not exceed a maximum size of eleven by seventeen inches (11" x 17").
- 5.6. No handbills shall be permitted
- 5.7. No buttons, badges, hats or similar paraphernalia shall be permitted
- 5.8. No candidate shall engage in the practice of mass emails
- 5.9. No campaign publication shall contain advertisements for any group, organization or interest which may be sponsoring a candidate
- 5.10. No candidate shall receive remuneration (financially or materially) from any sponsor
- 5.11. Every campaign publication must be reported to the CRO before use. All posters must be stamped with the official seal of the CRO or initialed by the CRO. The CRO has the right to prohibit the use of the publication if it violates one of the above regulations
- 5.12. Illegally used material will be confiscated by the CRO
- 5.13. All campaign publications must be removed by the candidates before 9:00 p.m. on the day prior to that of the election
- 5.14. Campaigning of any kind must end at 9:00 PM on the day prior to that of the elections
- 5.15. No EUS publication supported either directly or indirectly by funds obtained from EUS student fees may express or imply any but a neutral attitude towards any candidate or candidates in an election held by the Engineering Undergraduate Society of McGill University (hereafter referred to as the Society)
- 5.16. All candidates shall have the right to have equal representation in the publications of the Society
- 5.17. No candidates shall run together for any one office
- 5.18. Candidates for different positions shall not run together as a "slate", and no candidate shall endorse any other candidate for any position in campaign materials

Article 6: Withdrawal

- 6.1. A candidate wishing to withdraw must do so no later than four (4) days before the opening of the polls by tendering a withdrawal, in writing, to the CRO.

Article 7: Conduct of the Polls

- 7.1. Each member of the Engineering Undergraduate Society Council not running in the election is a Returning Officer (hereafter referred to as an RO) for the

Society, and as such may at the discretion of the CRO be held responsible for the conduct of a polling station.

- 7.2. ROs shall be responsible for the conduct of their polling station.
- 7.3. ROs must remove all candidates' election posters and other notices from the general area of the polling station. Except to cast their own ballot, all candidates must not be allowed to loiter in the general area of the polling station.
- 7.4. ROs must ensure as far as is possible the secrecy of the voting and report any breach or attempted breach of this rule of secrecy, even if the breach is committed by voters in announcing for whom they have voted or intended to vote for.
- 7.5. Returning officers must take any necessary, reasonable steps to prevent disorderly conduct at or near the polling station, particularly if such conduct is of a nature to influence the opinion of any voters present. All incidents of disorderly or irregular conduct must be reported in writing to the CRO.

Article 8: Scrutineer

- 8.1. In the event of a paper ballot election, each candidate is entitled to the services of one scrutineer at each of the polling stations. Anyone intending to act in such capacity must present to the CRO an explicit written authorization to that effect, signed by the candidate.
- 8.2. A scrutineer is entitled to challenge the right to cast a ballot of any person claiming to be an elector.
 - 8.2.1. If the RO, after attempting to ascertain the validity of the challenge, permits such person to vote and the scrutineer continues to object, the RO must present to the CRO a written report describing the incident in detail. The validity of such a vote will remain unquestioned until such time as a recount is ordered.
 - 8.2.2. If the RO refuses to allow such a person to vote, that person may appeal to the CRO if there is time to do so before the closing of the polls. If the CRO ascertains that the person is entitled to vote, the CRO will issue a certificate to that effect, which must be presented to the RO before voting. The right of appeal to the CRO exists in all cases in which the person claiming to be an elector is refused a ballot.
- 8.3. Scrutineers who abuse their rights, or who engage in conduct which compromises the legitimacy, secrecy or impartiality of the poll may be expelled from the polling station by the RO. If the candidate for whom the expelled scrutineer was acting wishes to appoint a replacement they must issue written authorization to that effect.
- 8.4. Each candidate is entitled to have one scrutineer present during the counting of the ballots. Should the CRO decide that this is not practical, an alternative arrangement may be adopted by the CRO in conjunction with the candidates. If no agreement can be reached, the scrutineer shall remain present during the counting of the ballots.

8.5. A scrutineer may not participate in the counting of the ballots. The scrutineer may only observe and object if there is any cause, and appeal to the CRO if necessary.

Article 9: Voting

9.1. In the event of an online election,

9.1.1. The CRO shall ensure that a complete list of eligible voters has been submitted to the Online Voting System

9.1.2. The CRO shall be available to assist and troubleshoot access problems during the polling period

9.1.3. Polling stations shall consist of a computer with internet access

9.1.4. Polling stations shall be located in MacDonald, MacDonald-Harrington, McConnell, Frank Dawson Adams, Trottier and Wong, at the discretion of the CRO

9.2. The location of the polling stations will be published in the relevant publications of the Society.

9.3. The location and times of polling stations shall be publicized no later than one week before the opening of the polls

9.4. On the day of the election, computer polling stations will be open at the CRO's discretion, but for no less than four (4) consecutive hours per day Any applications by interested persons to alter the normal voting times must be made to the CRO at least three (3) days prior to the opening of the polls.

9.5. At 5:00 p.m., or at the time otherwise designated by the CRO for the closing of any poll, electors who are waiting to vote may do so, but no elector shall thereafter be admitted to the waiting line

9.6. In the event of a technical difficulty with the voting system, as deemed by the CRO, a paper ballot system shall be enacted

9.7. In the event of a paper ballot election:

9.7.1. A record shall be kept of every person voting in an election by a method to be determined by the CRO.

9.7.2. Paper ballot polling stations shall be open from from 9:00 a.m. until 5:00 p.m., unless the CRO otherwise provides and publishes notice to that effect in the above publications.

9.7.3. Each qualified elector wishing to vote must do so in person. Voting by proxy is prohibited. Any contravention of this rule will expose the proxy and the principal to disciplinary measures to be determined by the Engineering Undergraduate Society Council.

9.7.4. The CRO must cast his ballot before the polls open for the elections and seal it under guard of the President and Vice-President Clubs and

Administration of the Society. The results of the CRO's ballot shall be revealed only in the case of a tie.

9.7.5. Ballots shall be kept locked in the Society offices for one (1) month following the elections.

9.8. In the case of a tie, if the ballot of the Chief Returning Officer fails to settle the tie, the Chief Returning Officer will re-cast his or her ballot under the supervision of the President and Vice-President of Administration of the Society

Article 10: The Count

10.1. In the event of an online election, results shall be received by the DRO and EUS President at the same time that the CRO receives the results from the online voting system.

10.1.1. In the event that the President is also a candidate, the results shall be received by a member of the Executive Committee not seeking office, subject to ratification by EUS Council

10.2. In the event of a paper balloting system, a ballot will only be rejected if:

10.2.1. The marking caused to indicate preference for one candidate be other than an "X" or a check mark, or any other distinguishable mark.

10.2.2. more than the required number of candidates be indicated in any way by the voter.

10.2.3. the marking, otherwise regular, be placed anywhere but in the intended space opposite the name of a candidate.

10.2.4. the initials of the RO do not appear on the ballot paper, unless the CRO is satisfied beyond a reasonable doubt that there is no discrepancy between the number of ballots in the ballot box and the number of voters that voted

10.2.5. A ballot may only be rejected with the express authorization of the Chief Returning Officer and at least one other returning officer.

Article 11: Announcement of the Results

11.1. Once the online results are available, the Chief Returning Officer shall announce the results to the candidates in person and will then post them on the main bulletin board of the Society such that all the members of the Society are informed.

11.1.1. In the event of paper ballot polling, ballots must be kept safely until after the appeals period and any appeal process.

11.2. The CRO shall present a report at the first meeting of the Engineering Undergraduate Society Council following the elections.

Article 12: Protest

- 12.1. All complaints, protests or petitions regarding the election procedure must be made to the CRO no later than five (5) days following the announcement of the results. They must be in written form and must be signed by the candidate. Until the five-day period has expired, or until a recount is undertaken or a new election called, the CRO must retain all records and ballots pertaining to the election.
- 12.2. Upon receipt of a protest, the CRO shall forward the case to the Judicial Board of the SSMU, which shall have final say in the matter. The CRO shall aid the Judicial Board in any way possible.

Article 13: Re-Elections

- 13.1. A re-election may be called for on the decision of the Engineering Undergraduate Society Council in the event of any irregularity
- 13.1.1. A re-election motion can only be presented after the report of the CRO on the election
- 13.1.2. A motion for re-election shall be sent to the Judicial Board of the SSMU, which shall have final say in the matter.

Article 14: Sanctions

- 14.1. The CRO shall invalidate the candidacy of any individual who acts in a manner contrary to these by-laws in such a way as to prejudice the candidacy of others. At the discretion of the CRO and the Engineering Undergraduate Society Council, the date of the elections may be postponed if such invalidation is invoked.
- 14.2. Candidates openly disobeying rules can be disqualified by the Engineering Undergraduate Society Council upon the recommendation of the CRO

Article 15: Invalidation

- 15.1. The CRO shall invalidate the election if upon investigation it is evident that there has been a gross violation of these by-laws such as to:
- 15.1.1. disenfranchise eligible voters, or
- 15.1.2. permit ineligible individuals to vote, or otherwise cause the candidacy of any individual to be prejudiced.
- 15.2. On election day, the Chief Returning Officer, in consultation with the Executive Committee of the Engineering Undergraduate Society, shall be empowered to disqualify the candidate when confronted with grave provocation on the part of the candidate or any of his/her agents, such as:
- 15.2.1. ballot-stuffing
- 15.2.2. interference with voting

15.2.3. persistence in illegal distribution of handbills

Article 16: Amendments

16.1. Amendments must be ratified by a two-thirds majority of the E.U.S. Council