

# Imperial College Union

## Bye-Law J Major Elections

Approved July 2023

## **J. Major Elections**

### **Application**

1. These Bye-Laws shall apply for all elections conducted by cross-campus ballot, and for all elections of Officers of the Union other than
  - 1.1. Management Group Chairs and Treasurers.
  - 1.2. Representatives to Council

### **The Returning Officer**

2. The Governance & Membership Committee will, at least once per academic year, appoint an appropriately qualified person to act as the Returning Officer and Deputy Returning Officer, who may not be a current Member of the Union and whose appointment must be ratified by the Board of Trustees. For the purpose of this byelaw, reference to the Returning Officer may also include the Deputy Returning Officer, where duties have been delegated.
3. The Returning Officer shall:
  - 3.1. Be the final interpreter of the Major Elections Bye-Laws.
  - 3.2. Oversee the count and declare the results of the elections.
  - 3.3. Set rules, regulations and guidelines other than these election Bye-Laws to govern the conduct of the election.
  - 3.4. Seek legal advice if they believe that statements made or the contents of publicity could leave the Union open to legal action.
  - 3.5. Rule out of order any statement or the content of any publicity which in the Returning Officer's view is in breach of the constitution, the law, or any other appropriate rules and guidelines.
  - 3.6. Be empowered to issue warnings to candidates in accordance with these election Bye-Laws and any rules and regulations issued in accordance with the above.
  - 3.7. Deliver, or ensure the delivery of, appropriate training to all election candidates.
  - 3.8. Make available an information pack to potential candidates for each election outlining relevant rules and procedures
  - 3.9. Take decision, on the advice of the Deputy Returning Officer, to disqualify a candidate, order a re-run, set aside ballot papers, or uphold a recommendation to require payment of a fine where candidate action has caused physical damage to property as required.
4. The Governance & Membership Committee is designated as the body to make decisions on any appeals, should a candidate wish to overturn the decision of the Returning Officer.

### **Complaints**

5. The Returning Officer shall deal with complaints regarding the conduct of candidates, their supporters and campaigns, and the administration of elections.
6. Complaints regarding the conduct of the Returning Officer shall be referred to the Governance and Membership Committee. The onus is on the complainant to set out such

complaints in writing for the Board of Trustees consideration. The Governance and Membership Committee may order a re-run of the whole or part of the election should the complaint be upheld.

- 6.1. Complaints regarding the conduct of the Returning Officer must be submitted within 10 College days of the close of voting.

### **The Process of Elections**

7. The Returning Officer shall produce an election timetable which shall outline:
  - 7.1. The process for nomination
  - 7.2. Details for the submission of manifestos
  - 7.3. Arrangements for the ballot
8. The Returning Officer shall produce details of the arrangements for balloting and for complaints procedures, and ensure that they are publicised to all Members eligible to stand, and or vote.
9. The election will be conducted in accordance with the rules outlined by the Electoral Reform Society for running elections by the Single Transferable Vote system for elections with more than one position available, and the Alternative Vote system for elections with one position available.
10. The Returning Officer shall ensure that any additional details, or amendments to the arrangements, are publicised to all students in a timely fashion.

### **Nominations**

11. Nomination forms will be available to all Members eligible to stand.
12. It shall be the responsibility of nominees to ensure that nomination forms are completed accurately and submitted before the deadline.
13. Nomination forms shall require a seconder.
14. Any Member of the Union eligible to vote in the election may second a candidate.
15. The Returning Officer shall have the sole responsibility for declaring a submitted nomination form valid.
16. When the Returning Officer is satisfied, all valid nominations shall be confirmed with the candidates and published.

### **Manifestos**

17. Manifestos must be submitted by the date laid down in the election timetable and must comply with any format requirements stipulated by the Returning Officer.
18. The Returning Officer will ensure that manifestos are available to voters at the point of ballot.

### **Campaign Publicity**

19. The Returning Officer will determine the allowance for publicity available to each candidate for each election.

20. The Returning Officer shall stipulate a maximum amount that candidates may spend on their own election campaigns.
21. All candidates running for the same position shall have an equal publicity allowance.
22. The Returning Officer shall draw up regulations for the conduct of candidates' campaigns. Any breach of these regulations could lead to disqualification from the election.

### **Hustings**

23. The Returning Officer may arrange a hustings for the candidates in an election, and candidates will be notified of the format of these in advance.

### **Withdrawal**

24. Any candidate may withdraw from the election at any point by informing the Returning Officer.
25. If a candidate withdraws during the ballot, or after a point at which the ballots cannot be amended, the Returning Officer will ensure that the voters' next preferences are counted in accordance with the principles of the Electoral Reform Society.

### **Voting**

26. The Returning Officer will ensure that all eligible members of the Union can vote.
27. The Returning Officer shall decide the method of voting and publicise it appropriately.
28. The Voters shall be able to express preferences for as few or as many candidates as they wish subject to the instructions on ballot papers.
29. Ballots shall bear the chosen name of each candidate, and of the position being contested.
30. The order of names on the ballot shall be decided by the drawing of lots or by using an electronic system which ensures the order of names on the ballot is chosen at random.
31. There will be a facility for voting for "Re-Open Nominations".
  - 31.1. For positions which require more than one candidate to be elected, if Re-Open Nominations receives the most votes, nominations must be re-opened for all positions.
32. Voting shall be by secret ballot.

### **Declaration**

33. Results of the election shall be declared by the Returning Officer when the count for each post has been successfully completed.
34. A list of successful candidates will be published within 1 clear day of the declaration of the results, unless there is reason to delay. In this case, a statement of explanation will be published on the website

### **By-Elections**

35. If any Union Office falls vacant, Governance & Membership Committee shall determine if and when a by-election should be called, except the Officer Trustees and elected Student Trustees, in which case the vacancy will be resolved in accordance with the Constitution & Bye-Laws.