



UNIVERSITY OF NEW BRUNSWICK
STUDENT UNION

BYLAWS

Bylaw No. 1:
Conduct of the Affairs of the University of New Brunswick Student Union

Bylaw No. 2:
Elections and Referenda

Bylaw No. 3:
An Appeals Board

Enacted: March 2010
Amended: March 2020

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**THE UNIVERSITY OF NEW BRUNSWICK
STUDENT UNION
BYLAW NO. 1**

**A BYLAW RELATING GENERALLY TO THE OPERATION OF THE UNIVERSITY OF NEW BRUNSWICK
STUDENT UNION (“Union” or “UNBSU”)**

SHORT TITLE

1. This Bylaw may be cited as Bylaw No. 1.

INTERPRETATION

2. In all Bylaws of the Union, singular nouns will also refer to the plural noun, and plural nouns will also refer to the singular noun. The word “person” shall include firms and corporations, and apply to all individuals equally.

MEMBERS

3. There are three (3) classes of membership in the Union, namely:
 - a. Ordinary Members;
 - b. Life Members;
 - c. Honorary Members
(together the “Members”).
4. Ordinary Members are:
 - a. Full-time undergraduate students at the University of New Brunswick, Fredericton Campus (UNB); or
 - b. part-time or graduate students, as defined by the UNB Undergraduate Calendar (the “Calendar”), who have paid the Union’s membership fees;
 - c. The President of the Union, once they pay the Union membership fee.
5. Life Members are former Ordinary Members who have been appointed by the Council on the recommendation of the Student Life and Awards Committee.
6. Honorary Members are appointed by the Council on the recommendation of the Student Life and Awards Committee.
7. Membership for Ordinary Members begins on the first day of September and ends on the thirty-first day of August in a given year.
8. Membership for Life Members and Honorary Members begins on the date of appointment and ends only upon a two-thirds (2/3) majority vote of the Council.

9. Students withdrawing from UNB will cease to be Ordinary Members of the Union. Such students will not receive any refund on fees paid to the Union.

MEMBERSHIP FEES

10. Membership fees will be collected from eligible members, as defined in Bylaw No. 1, section 4.
11. The membership fee will be reviewed annually by the Student Union Finance and Clubs & Societies Committee who will report to Council recommending changes, if necessary.
12. Any increase in fees must be approved by a two-thirds (2/3) majority vote of Council.
13. Fees shall be collected in the manner prescribed by UNB Administration.

MEETINGS OF MEMBERS

14. At least once per academic year, excluding the summer term, December, and April, the Union will hold an Annual General Meeting (AGM) of its Members. The AGM shall be held on the UNB campus. At the AGM, the Executive Council will present a report from Council on the affairs of the Union for the previous year, a financial statement of the Union, the auditor's report, and any other relevant material as determined by Council.
15. Executive Council will give two (2) weeks' notice of the AGM to members of the Union and provide an agenda of business to be discussed.

COUNCILLORS

16. The affairs of the Union will be managed by the Council, elected in accordance with Bylaw No. 2. The Council shall consist of the five (5) people elected to the office of President, Vice President Advocacy, Vice President Internal, Vice President Finance & Operations, and Vice President Student Life, as well as the hired Vice-President Communications (together the "Executive Councillors") and the people elected as Faculty councillors or non-Faculty councillors accordance with Bylaw No. 2 (together the "General Councillors") (hereinafter sometimes collectively referred to as the "Councillors" or "Council").
17. There will be Faculty Councillors, with one councillor elected for each faculty.
18. There will be Non-Faculty Councillors as members of Council, elected to represent Constituency groups, to include:
 - a. International Student Representative;
 - b. Residence Student Representative;
 - c. Off-Campus Student Representative;

- d. LGBTQ+ Student Representative;
 - e. Indigenous Student Representative;
 - f. Women’s Representative;
 - g. Accessibility Representative;
 - h. Two Inclusion Representatives to further represent the interests of underrepresented groups;
 - i. First-Year Student Representative, to be elected by first-year students in a By-Election during the Fall semester of each year.
19. The student representatives on the UNB Senate and the UNB Board of Governors shall be considered members of council, who are entitled to speaking rights but do not have voting rights.
20. The following people are disqualified from being a voting Councillor of the Union:
- a. a person who is not an individual;
 - b. a person convicted of an offence under the Criminal Code (Canada) or the criminal law of any jurisdiction outside of Canada
 - i. in connection with the promotion, formation, or management of a corporation, or
 - ii. involving fraud, unless five (5) years have elapsed since the end of the sentence, unless a pardon has been granted;
 - c. any person who is not in good academic standing as defined by the Calendar;
 - d. any student who is not an Ordinary Member in good standing of the Union;
 - e. the Vice President Communications;
 - f. the DCRO;
 - g. the CRO;
 - h. the Union Chairperson; or
 - i. The Union Secretary.
21. No Councillor shall, in their capacity as a Councillor of the Union, endorse or actively support any political candidate or party for political officer.

ELECTION OF COUNCILLORS AND OFFICERS

22. The Councillors and Officers of the Union will be elected by the Ordinary Members in accordance with Bylaw No. 2.

MEETINGS OF COUNCILLORS

23. Council meetings will be held at least 13 times during the Academic Year at any convenient place, according to the following schedule:
- a. at least two meetings per month during October, November, January, February, and March; and
 - b. at least one meeting during each September, December, and April.

24. Notice of meetings of the Council will be given at least 72 hours before each meeting by email or any other practical method.
25. All acts done by any meeting of the Council shall, notwithstanding that it be afterwards discovered that there was some defect in the election or appointment of any such Councillor or persons acting as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly elected or appointed and was qualified to be a Councillor.
26. All meetings of the Council shall be open to and may be attended by any Member of the Union, campus media, including but not limited to the *Brunswickan* and CHSR Broadcasting, Inc.
27. Any person or organization who wishes to address the Council at a meeting of the Council must be granted the opportunity to address Council by the resolution of Council, save Student Representatives from: Adult Learners & Part-Time Students (ALPS) and the Graduate Students Association (GSA); who shall at all times enjoy speaking rights at such meetings of the Council.
28. Upon Council Resolution, any other person can be granted the opportunity to address Council at a meeting of the Council.
29. The Council may, upon majority vote, convene in-camera, without the presence of any individual who is not a Councillor, in order to discuss matters of a confidential nature. The Council may not pass resolutions while convening in-camera. Upon the declaration of the Union Chair, in-camera proceedings shall cease. All individuals attending in-camera meetings are prohibited from disclosing the details of such meetings. Persons who are not Councillors may stay during in-camera meetings only when permitted to do so by a two-thirds majority vote of Council.

QUORUM

30. Three Executive Councillors with voting rights and a majority of the General Councillors are necessary to constitute a quorum for council meetings.
31. If less than quorum is in attendance at the scheduled time of a meeting, the meeting may, after fifteen minutes, be adjourned by the Councillors present.

VOTING

32. Unless otherwise indicated in these Bylaws, questions arising at any meeting of the Council will be decided by a majority vote.

PROTECTION OF COUNCILLORS

33. The Councillors and the other Officers of the Union, (defined in Bylaw No. 1), for the time being, acting in relation to any of the affairs of the Union and every of them, and every of their heirs, executors and administrators, shall be indemnified and secured harmless out of the assets of the Union from and against all actions, costs, charges, losses, damages and expenses which they or any of them, their or any of their heirs, executors, or administrators shall or may incur or sustain by or by reason of any act, concurred in or omitted in or about the execution of their duty or supposed duty in their respective office or trusts, except such (if any) as they shall incur or sustain by or through their own willful neglect or default respectively.
34. The Union shall maintain appropriate insurance, provided such insurance is reasonably available, with respect to such indemnified liabilities of its Councillors and Officers.

HONORARIA

35. All remuneration issued to Councillors will be determined in such a manner as deemed appropriate by the Council.
36. In the event that a Councillor resigns or is dismissed before their term of office expires, honoraria payments will be prorated based on the number of days worked.
37. For members of Council representing other bodies, such as the UNB Board of Governors and Senate, their honoraria shall be issued for the work completed on Council, and not for their service to these other bodies.

OFFICERS

38. In each year, the Ordinary Members will elect the following Executive Councillors: a) President; b) Vice President Advocacy; c) Vice President Internal; d) Vice President Finance & Operations, and; e) Vice President Student Life.
39. Where the President, Vice President Advocacy, Vice President Internal, Vice President Finance & Operations, and/or the Vice President Student Life does not take office, resigns, or is dismissed, the Council will appoint, by way of a two-thirds majority vote, an Ordinary Member who fulfills the requirements found in Bylaw 1, Section 20 to fill the vacancy.
40. During the academic year each Executive Councillor, save and except for the President, shall maintain a minimum of 15 hours per work week (being Monday to Friday). The President shall work a minimum of 37.5 hours, of which no fewer than 29.5 shall be office hours per work week (being Monday to Friday). The office hours of all Executive Councillors shall be subject to reasonable allowances for:
 - a. office related activities; and

b. academic commitments.

41. During Summer Session, as defined by the Calendar, each Executive Councillor shall maintain a minimum of 37.5 work hours, of which no fewer than 29.5 shall be office hours held during regular business hours (8:30 a.m. – 4:30 p.m.) per work week (being Monday to Friday). The office hours of all Executive Councillors shall be subject to reasonable allowances for:
- a. office related activities; and
 - b. academic commitments.
42. Where an Executive Councillor fails to maintain the minimum number of office hours required under sections 40 and 41 such Executive Councillor shall make up their hours at such other time as may be convenient.

EXECUTIVE COUNCILLOR DUTIES

43. The following are the duties of the Executive Councillors:
- a. Maintain and uphold the Bylaws of the Union;
 - b. Maintain and uphold the mission and vision of the Union;
 - c. Present an annual written report to the Council before leaving office;
 - d. Be accountable to the elected Council
 - e. Ensure motions of the Council are enacted fully; and
 - f. Fulfill the expectations outlined in the Executive Position Description Policy.

PRESIDENT

44. The President shall be the Chief Executive Officer of the Union and see to the day to day organization of the Union and the Executive council. The President will provide direction and leadership for the advancement of the objectives of the Union while ensuring meaningful student representation in the decision-making processes of the Union. The President shall fulfill and perform those duties as may be required to achieve the objectives of the Union. The President shall report to the General Councillors through meetings of the Council.

VICE PRESIDENT ADVOCACY

45. The Vice President Advocacy shall be the public relations officer and the advocate on all external student issues for the Union. The Vice President Advocacy will bring forward new initiatives for policy, campaigns and positions to promote meaningful change on student issues and ensure that students are well represented externally to the UNB community. The Vice President Advocacy will fulfill and perform those duties as may be required to achieve the objectives of the Union. The Vice President Advocacy shall report to the President.

VICE PRESIDENT INTERNAL

46. The Vice President Internal shall be responsible for monitoring and improving academic regulations and improving the overall quality of life at UNB. The Vice President Internal will also be responsible for advocating on all academic matters. The Vice President Internal shall work to ensure that there is adequate student representation in all academic decision-making processes of UNB. The Vice President Internal shall report to the President.

VICE PRESIDENT FINANCE & OPERATIONS

47. The Vice President Finance & Operations shall be the Chief Financial Officer of the Union and shall manage the internal operations of the Union, including, but not limited to clubs and societies management, hiring, and creating a yearly budget. The Vice President Finance & Operations shall fulfill and perform those duties as may be required to achieve the objectives of the Union. The Vice President Finance and Operations shall report to the President.

VICE PRESIDENT STUDENT LIFE

48. The Vice President Student Life shall manage and be responsible for student services and events provided by the Union. The Vice President Student Life shall perform those duties as may be required to achieve the objectives of the Union. The Vice President Student Life shall report to the president.

GENERAL COUNCILLORS

49. The General Councillors shall be the primary point of contact between the faculty or another constituency group from which they were elected or appointed. The General Councillors shall:

- a. attend the meetings of the Council, and provide meetings with agenda items as needed to best represent their constituency;
- b. be publicly available to their constituents as may be reasonably necessary;
- c. Participate in committees as required by the Bylaws and motions of the Council of the Union.

ABSENCE OF EXECUTIVE MEMBERS

50. In such a case where the President is unable to fulfill their duties by reason of illness, family emergency, suspension, or any other reason deemed appropriate by the Council, the Vice President Advocacy shall fulfill or delegate the duties of the President until the President is able to return to the position or a new/Interim President is appointed or elected.

51. In such a case where any non-President member of the executive is unable to fulfill their duties by reason of illness, family emergency, suspension, or any other reason deemed appropriate by the Council, the President shall fulfill or delegate the duties of the affected member until such time as they return to the position or a new/Interim member is appointed or elected.

52. In such a case where the President and Vice-President Advocacy are both unable to fulfill their duties by reason of illness, family emergency, suspension in accordance with the provisions of these Bylaws, or any other reason deemed appropriate by the Council, the Vice-President Internal shall fulfill or delegate the duties of both members until such time as they return to the position or a new/Interim member is appointed or elected.

REMOVAL OF COUNCILLORS

53. All meetings of Council held relating to the removal of a Councillor shall be open to any and all Union Members.

54. A notice of motion for dismissal or expulsion may be given by any Councillor at a meeting of Council naming the Councillor affected and stating the reason for the proposed removal.

55. After the notice of motion has been given, the Council may by majority vote effect a suspension from all rights, duties, and privileges pertaining to the affected Councillor's office pending the results of an inquiry. A notice of such actions must be given to the affected Councillor through official means.

56. When an allegation against a Councillor is received, said allegation shall be referred to the Chair and the CRO, as impartial members of the Union. The Chair and CRO will lead an investigation with the purpose of preparing a report to Council with findings regarding the credibility of allegations and recommendations on proceeding to a formal investigation at the majority vote of Council.

57. When a motion for the striking of a formal investigation committee has been given, the Council shall form said committee as prescribed by the Code of Conduct Policy.

58. Upon receipt and review of the committee's written report, a motion to effect dismissal or expulsion may be proposed by any voting Councillor.

59. A two-thirds (2/3) vote shall be required to adopt the motion affecting dismissal or expulsion, which vote shall be final and not subject to appeal.

60. A Councillor shall be deemed to be dismissed from office upon receipt by the Council of a petition containing the signatures of at least 35% of the Ordinary Members. Said petition must set out the name of the Councillor or Councillors to be dismissed, the reasons for their dismissal, the clearly printed name and student identification number, and the original handwritten signature of each signatory thereto.

61. A vacancy shall occur:
- a. in the case that a councillor delivers a written resignation letter to council; or
 - b. at the discretion of the Council by majority vote, if a councillor fails to attend three (3) or more meetings of the Council.
62. Shall a vacancy occur in any office by reason of death, resignation, or disqualification pertaining to Bylaw No. 1, section 20, the Council shall:
- a. In the case of an Executive Councillor, appoint an ordinary member by a two thirds majority vote and hold an election in accordance with Bylaw No. 2 if more than four (4) months remain in their term;
 - b. in the case of a General Councillor, hold an election in accordance with Bylaw No. 2;

COMMITTEES

63. The committees of the union must be created, governed, and maintained in accordance with the Committee Policy.

CHAIRPERSON

64. The Chairperson, who must be an Ordinary Member of the Union, will be appointed by the Council upon the recommendation of the Selections Committee (defined in the Committee Policy) no later than September 20 in each Academic Year by a two-thirds majority vote.
65. The responsibilities of the Chairperson shall include:
- a. presiding over all meetings of the Council;
 - b. ensuring that all acts of the Union are carried out in accordance with the provisions of the Incorporating Act and these Bylaws; and
 - c. serving as Chief Appeals Officer pursuant to the provisions of Bylaw No. 3.
66. In the event that the Union Chairperson is, for whatever reason, unable to preside over meetings of the Council, the Chief Returning Officer shall act in their stead.

SECRETARY

67. The Union Secretary, who shall be an Ordinary Member of the Union, shall be appointed by the Council upon the recommendation of the Selections Committee no later than September 20 in each Academic Year and by a two-thirds (2/3) majority vote, and
68. The Union Secretary shall prepare detailed minutes of all meetings of the Council and Members. The Secretary shall arrange for the delivery of such minutes to all Councillors not less than 36 hours before the next regularly scheduled meeting of the Council.

ELECTIONS OFFICIALS

69. Upon the recommendation of the Selections Committee, the Council shall, no later than September 20 in each Academic Year and by a two-thirds majority vote, appoint:
- a. a Chief Returning Officer; and
 - b. a Deputy Chief Returning Officer;
(individually an "Elections Official" and collectively the "Elections Officials")
from amongst the Ordinary Members in good standing of the Union.
70. The Elections Officials shall officiate all elections, by-elections, and referenda in accordance with the provisions of Bylaw No. 2.
71. The Council may, by a two-thirds (2/3) majority vote, dismiss an Elections Official.
72. Where the Chief Returning Officer resigns or is dismissed, the Deputy Chief Returning Officer shall be deemed to have been duly appointed as Chief Returning Officer.
73. Where the Deputy Chief Returning Officer resigns, is dismissed, or is appointed as Chief Returning Officer the Council shall, upon the recommendation of the Selections Committee, and by a two-thirds majority vote, appoint a Deputy Chief Returning Officer no later than its third regularly scheduled meeting following the resignation, dismissal, or appointment.
74. If, for any reason, the offices of both Elections Officials are vacant, the Council shall appoint two Elections Officials no later than its third regularly scheduled meeting following the occurrence of the second vacancy.

CONFLICT OF INTEREST

75. Any Officer or Councillor of the Union who has or is aware of a financial interest in a matter under consideration by the Union, shall disclose it in writing to the Union or request to have entered into the minutes of a meeting of Council the nature and involved parties of the interest; involved individuals shall absent themselves from discussion and resolution of the matter.

CHEQUES, DRAFTS AND NOTES

76. All cheques, drafts, or invoices and all notes and acceptances and bills of exchange shall be signed by individuals designated by the Executive Councillors of the Student Union.
77. By September of each year, a list of such individuals shall be presented to Council and accepted by majority vote.

78. Any changes to the list of individuals authorized in these matters should be presented and accepted by a majority vote of Council.

SIGNING OF CONTRACTS OR DOCUMENTS

79. Any contracts or documents in writing requiring the signature of the Union must be signed by two elected members of the Executive Committee.

80. The Council may appoint any individual(s) to sign contracts or documents on behalf of the Union.

81. All contracts or documents in writing so signed shall be binding upon the Union without any further authorization by Council.

AUDITORS

82. Auditors shall be appointed by the Executive Councillors of the Union. The auditors of the Union when appointed shall hold until their successors are appointed.

FISCAL YEAR

83. The fiscal period of the Union shall end on the last day of April in each year.

BORROWING POWERS

84. The Council of the Union may upon a two-third (2/3) majority vote:

- a. borrow money upon the credit of the Union in such amounts and upon such terms as may be deemed necessary by the Councillors;
- b. limit or increase the amount to be borrowed;
- c. mortgage or pledge the real or personal property, rights and powers, or any liability of the Union; and
- d. invest, loan or otherwise deal with the monies or other property of the Union not immediately required, in such manner as the Council may determine.


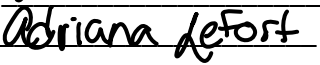
AMENDMENT OF BYLAWS

85. Any Councillor may move to repeal or amend these bylaws with a two-thirds majority vote from the Council, at which time the proposed amendment(s) shall be referred to the Policy Committee for the purpose of reviewing them. The Policy Committee shall, at the next regularly scheduled meeting of the Council, deliver a written report setting out the scope and purpose of the proposed amendment(s) along with any further recommendations.

86. Upon delivery of the written report of the Policy Committee, any Councillor may then put forth a motion to adopt the recommendations of the Policy Committee or any variation, at which time the proposed amendment(s) will be given a first reading before the Council,

requiring a two-thirds majority vote. After the proposed amendments have passed first reading, notice of the proposed amendment(s) shall be posted publicly. This can include, but is not limited to, the Union website, the Union's main office, and through electronic communication to members (email, Facebook, other social media). Such notice shall set out the purpose of the proposed amendment(s) and the date, time, and place of the Council meeting where the proposed amendment(s) will be subject to second and final reading, requiring a two thirds majority vote of the Council.

87. The second reading shall take place at the next scheduled meeting of the Council, where two-thirds of the Council must approve the proposed amendment(s). Upon receiving the required two-thirds (2/3) majority vote, the proposed amendment(s) shall be deemed passed and shall be enforceable as if it were contained in these Bylaws.

ENACTED 
WITNESS 

President

Vice President – Finance & Operations

**THE UNIVERSITY OF NEW BRUNSWICK
STUDENT UNION
BYLAW NO. 2**

A BYLAW RELATING TO ELECTIONS AND REFERENDA

SHORT TITLE

1. This Bylaw may be cited as Bylaw No. 2.

INTERPRETATION

2. In this Bylaw, defined words shall mean the same as they mean in Bylaw No. 1 and Bylaw No. 3, except that:
 - “**Campus Wide Candidate**” means those individuals nominated for a position open to votes from all Union members;
 - “**Faculty Representative Candidate**” means those individuals nominated for a position, which receives votes from a restricted population of members;
 - “**Election**” means an election or by-election conducted in accordance with these Bylaws and includes, where appropriate, a referendum conducted in accordance with these by-laws;
 - “**Forum**” means a publicly held event at which students may debate openly the referendum/referenda question(s);
 - “**Mass Publicity Item**” means a publicity material that is smaller than a Poster, including but not limited to pamphlets, pins, and stickers;
 - “**Campaign Material(s)**” means any material(s) of a physical or digital nature distributed for the purposes of Campaigning;
 - “**Electronic Campaign Material(s)**” means any campaign material(s) of a digital or electronic nature, distributed via the internet or otherwise;
 - “**Poster**” means any publicity material that is or exceeds the size of letter paper (8.5” x 11”);
 - “**Campaigning**” means promoting or encouraging voting members of the Union to vote for a specific candidate through any medium;
 - “**Campaign Period**” means the period where candidates are permitted to campaign;
 - “**Winter Term Break**” means the week during the Winter Term during which no classes are held, as defined by the Calendar;
 - “**Polling Period**” means the period where eligible members are capable of voting for the eligible candidates; and
 - “**Polling Station**” means any location where students may submit a ballot, including but not limited to, physical polls where people may submit paper ballots and any device currently accessing electronic voting.

CHIEF RETURNING OFFICER

3. The Chief Returning Officer (CRO), appointed in accordance with Bylaw No. 1, shall:
 - (a) initiate and conduct an Election in accordance with these Bylaws;
 - (b) consult with other bodies at UNB on whose behalf the Union conducts Elections, determine the electoral needs of those bodies, and coordinate an Election conducted by the Union on behalf of any such body. These include but are not limited to: The UNB Board of Governors, the UNB Fredericton Senate, the Student Union Beverage Services Inc. Board of Directors, and the Brunswickan Board of Directors;
 - (c) maintain a list of these bodies and can add new bodies to this list after a two-thirds majority vote of council approves the decision.
 - (i) Any body on the list that fails to provide the CRO with the required information to run their election in an appropriate timeline, as determined by the CRO, will be considered removed from the list and require Council approval to be reconsidered.
 - (d) Execute elections for other bodies in accordance with Bylaw No. 2. In situations where the election procedures of the other body do not align with Bylaw No. 2, the procedures of the other body shall prevail to the extent of the inconsistency;
 - (e) provide unbiased guidance and supervision in the management of all Elections;
 - (f) if appropriate, appoint and determine eligible poll clerks, none of whom
 - (i) may be formally associated to the campaign of any candidate in the Election being conducted; or
 - (ii) may actively support or endorse any outcome of the referendum being conducted;
 - (g) enforce fairness and impartiality on the part of all individuals assisting in the operation of an Election;
 - (h) perform their duties in such a way that the election procedures are upheld in an ethical manner;
 - (i) maintain the integrity of the electoral process and address alleged breaches of integrity by those affiliated with the Union's electoral process;
 - (j) ensure the following information pieces, together known as the "Election Call", are made publicly available through the UNB Student Union website alongside any other medium for disseminating public information:
 - (i) a statement as to the period during which nominations will be received;
 - (ii) an enumeration of the positions available;
 - (iii) the date of the Election;
 - (iv) the closing date for Campaigning;
 - (v) the requirements to vote;
 - (vi) the location of polling stations; and
 - (vii) the contact information of the CRO.
 - (k) ensure that the Student Union actively promotes the Election Call's publication;
 - (l) ensure that all elections are restricted to their intended electorate;
 - (m) if applicable, provide at least seven (7) days' notice to all candidates setting out the time and place for candidate debates and/or speeches;

- (n) if applicable, consult with the relevant body that will be hosting the election via online means or otherwise at least thirty (30) days before the Polling Period; where an online or electronic voting system is used for the execution of an Election, make every reasonable effort to establish an electronic polling booth station, either for the entire Campaign Period or a portion thereof, for the use of voters, in the Student Union Building;
 - (o) Maintain a list of contact information of all candidates.
 - (p) request and confirm the results of a code audit of any electronic voting systems at least annually;
 - (q) deliver to each candidate a copy of the Union Bylaws relating to elections and referenda;
 - (r) hold a meeting of candidates where the roster of candidates for each position is announced and Bylaws and regulations relating to elections and referenda are explained to the candidates;
 - (s) within seven (7) days after the close of voting in the Election, prepare and deliver to the Council a final, written report including:
 - (i) a summary of their actions respecting the Election and voting;
 - (ii) a breakdown of the voting results, including both final totals for each candidate, and totals for each constituency;
 - (iii) a summary of the costs of the Election; and
 - (iv) in the event that a candidate participating in the Election filed a complaint with the CRO in regard to any part of the Election, all details of the complaint and their resolution of the matter;
 - (v) where a candidate has appealed a decision of the CRO, the final, written report of the CRO shall not be delivered to the Council before the Appeals Board has issued its decision in relation to that complaint.
 - (t) be ineligible to run as a candidate or vote in any Election; and
 - (u) supervise the DCRO.
4. The Deputy Chief Returning Officer (the “DCRO”) appointed in accordance with Bylaw No. 1 shall:
- (a) assist the CRO in executing their duties as set forth in this Bylaw;
 - (b) maintain the same authority of the CRO when assisting the CRO in executing their duties as set forth in this Bylaw, except the CRO’s exclusive ability to set ad hoc regulations governing a specific Election; and
 - (c) be ineligible to run as a candidate or vote in any Election.
5. The CRO may create temporary regulations to govern the conduct of an Election, provided:
- (a) that such regulations are created prior to the beginning of the campaign;
 - (b) published in such manner as deemed appropriate by the CRO, but which shall include at least the posting of a notice in the Student Union Building;
 - (c) are circulated to all candidates; and
 - (d) that such regulations expire at the end of that Election or upon a resolution of the Council.

6. In any situation arising where these Bylaws do not provide for a course of action, the CRO may make a ruling to provide for a course of action that is not inconsistent with the intent of these Bylaws and the Incorporating Act. This ruling may include any remedy up to and including the cancellation of the Election.
 - (a) Any such ruling may be overturned by a two-thirds ($\frac{2}{3}$) majority vote of Council.
7. Notwithstanding paragraphs 5 and 6 of this Bylaw, the CRO shall not create temporary regulations or make rulings under any paragraph of this Bylaw that restrict:
 - (a) the content, form, or nature of the Campaign Materials that a candidate may use;
 - (b) the time or location during which a candidate may execute their campaign;
 - (c) the ability of a candidate to use electronic media, including but not limited to electronic mail messages and websites; or
 - (d) the individuals or the clubs or societies recognized or ratified by the Union which may actively endorse or support a candidate except to the extent that such restrictions exist elsewhere in these Bylaws.
8. Before the results of an election or referenda can be declared valid, they must be first recommended to and affirmed by a motion of Council.

ELECTIONS

9. The Councillors shall be elected each year during the Annual General Election, which shall be conducted as follows:
 - (a) the Election Call shall be published during each of the fifth and fourth weeks preceding the Winter Term Break;
 - (b) the Nomination Period shall open on the fifth Monday preceding the Winter Term Break, and shall close at 11:59 a.m. on the fourth Friday preceding the Winter Term Break (the "Nomination Period");
 - (c) the Mandatory Candidates' Meeting shall be held at 4:00 p.m. on the day that nominations close;
 - (d) the Campaign Period begins immediately following the Mandatory Candidates' Meeting and ends at the opening of the Polling Period.
 - (e) the Polling Period shall begin at 12:01 a.m. on the Monday immediately preceding the Winter Term Break, and shall close at 11:59 p.m. on the Friday immediately preceding the Winter Term Break (the "Polling Period") (the "Annual General Election").
10. The following positions shall be available during the Annual General Election:
 - (a) each of the Executive Councillors;
 - (b) General Councillors as outlined in Bylaw No. 1, excluding the First-Year Student Representative.
11. The following persons are disqualified from candidacy as a Councillor:

- (a) any person who shall be, at the time of taking office, disqualified from being a Councillor in accordance with Bylaw No. 1;
- (b) the CRO;
- (c) the DCRO;

12. Candidates for all positions must adhere to the following guidelines:

- (a) no General Councillor or Executive Councillor who is dismissed in accordance with Bylaw No. 1 shall be eligible for nomination as a General Councillor or Executive Councillor for a period of five years from the date of removal;
- (b) all General Councillors seeking election to represent a faculty must belong to the Faculty they seek to represent and shall provide evidence of same to the CRO upon request; and
- (c) no person may run for more than one position that accords them a vote at the Council in any Election.

13. No candidate, campaign organizer, or manager for any candidate shall infringe on the integrity of the electoral process in any manner.

BY-ELECTIONS

14. The Council may, in consultation with the CRO, initiate a by-election to fill those Councillor positions that are vacant at the time of the call of the by-election.

15. A by-election initiated in accordance with these Bylaws shall be scheduled and operated in the same manner as the Annual General Election.

16. No person who holds a Voting Position may run for a Voting Position in any By-Election.

SPECIAL ELECTIONS

17. The Council may from time to time, in accordance with Bylaw No. 2, paragraph 18, call a special election which shall deal only with referendum questions.

18. The Special Election must be held:

- (a) During the Annual General Election or By-Election; or
- (b) At least two weeks before an Annual General Election or By-Election;
- or
- (c) At least two weeks after an Annual General Election or By-Election.

REFERENDA

19. The CRO shall cause a referendum question (the "Question") to appear on a ballot during the next Election or Special Election:

- (a) If submitted by an Ordinary Member, upon receipt of an application for a referendum, in the form prescribed by the Council from time to time, which contains and containing the signatures of fifty Ordinary Members, and upon two thirds majority vote by the Council, or;
 - (b) If submitted by a Councillor, a two-thirds majority vote by Council on a motion containing a candidate question for a referendum.
20. The Question must be sufficiently clear and succinct so as to require a “yes” or “no” response.
21. All approved referenda questions must be submitted to the CRO at least 48 hours before the beginning of the polling period.
22. The CRO shall hold a forum to debate the Question during the Election.

NOMINATIONS

23. Nominations for the positions available during an Election shall be accepted during the Nomination Period and shall be transmitted to the CRO on a form prescribed by the CRO which shall state:
- (a) the candidate’s name;
 - (b) the candidate’s e-mail address;
 - (c) the position for which the candidate intends to run;
 - (d) the faculty and year of study of the nominee; and
 - (e) the student identification number of the nominee and which shall contain the signatures of twenty five of eligible Ordinary Members.
24. Where, by the end of the Nomination Period, one or fewer nominations have been filed for a position available during an Election, the CRO must extend the Nomination Period for these positions by seven days, with particular regard to ensuring the next Council may meet quorum. Should there still be only one candidate after the extended nomination period, the position shall be voted on as a yes/no vote.
25. Where, at the end of the extended Nomination Period during the Annual General Election, no nominations have been filed for a position, that position shall be re-posted in the Fall By-Election.
26. A candidate may, at any time prior to but not after the opening of the Polling Period, withdraw their nomination by delivering written notice to that effect to the CRO.
27. A candidate, when submitting their nomination, must make clear to the CRO any extenuating circumstances that may prevent the completion of a full-year term. The CRO, in accordance with the necessary parties, will discuss whether it is in the interest of the Student Union members and the election to include the candidate on the ballot.

CAMPAIGNING REGULATIONS

28. No Campaigning shall occur before or after the Campaign Period except for conversations between one candidate and one other person.
29. Candidates shall adhere to the following rules:
- (a) no candidate shall place campaign materials in classrooms;
 - (b) at the close of the Polling Period, Posters and all Campaign Materials shall be taken down and removed;
 - (c) no additional Campaign Materials are to be distributed during the Polling Period;
 - (d) no campaign for any Campus Wide Candidate shall use more than two hundred (200) Posters and five hundred (500) Mass Publicity Items during the Campaign Period;
 - (e) no campaign for any Faculty Representative Candidate shall use more than one hundred (100) Posters and two hundred (200) Mass Publicity Items during the Campaign Period;
 - (f) Where a candidate runs for a Campus Wide position and a Faculty Representative position, the rule respecting Posters and Mass Publicity Items for Campus Wide Candidates prevails;
 - (g) no candidate Campaigning for an Executive Councillor position shall incur campaign expenses in excess of \$300.00;
 - (h) no candidate Campaigning for any position other than that of an Executive Councillor shall incur campaign expenses in excess of \$100.00;
 - (i) where an individual is running for a position in an election(s) conducted on behalf of another entity, the candidate shall have the same postering restrictions as that of a Campus Wide Candidate, and the same cost restrictions as that of an Executive Councillor Candidate;
 - (j) where an individual is running for a position in an election or elections conducted on behalf of another entity, the candidate shall be deemed to be running as a Campus Wide Candidate for the purpose of this subsection;
 - (k) Candidates running for more than one position can list all positions on the same Campaign material;
 - (l) no candidate, during the conduct of their campaign, shall infringe upon any copyright or use the logos of either the University of New Brunswick or the Union;
 - (m) where a candidate defaces, removes, or promotes the defacement or removal of another Candidate's Campaign Material the candidate involved may be subject to immediate disqualification from the election at the discretion of the CRO;
 - (n) where a candidate causes any damage in the placement or removal of their Campaign Materials, that candidate shall be responsible for those damages;
 - (o) no candidate shall accept money or discounted, gratuitous, or "in kind" services from any other person, any business or corporation, or any club or society recognized or ratified by the Union except where such acceptance has been approved by the CRO;
 - (p) each candidate shall submit all campaign expense receipts to the CRO no more than forty eight (48) hours after the close of the Campaign Period;

- (q) The CRO/DCRO shall be privy to all of the candidates' electronic Campaign Materials (including social media);
- (r) Electronic Campaign Materials:
 - (i) Facebook, Twitter, Instagram and other social media platforms may only be used for campaign purposes within the Campaign Period. As with physical materials, Campaign Materials used on social media must be approved by the CRO before being made public. Consequently, candidates must adhere to the following procedures:
 - (a) Candidates who wish to create a group or fan page must appoint the CRO as an administrator of any elections-related page.
 - (b) Discussion boards and posts will be monitored by the CRO, and posts deemed inappropriate may be removed.
 - (ii) All electronic media is subject to the same deadlines and conditions as outlined in this Bylaw. The CRO can fine the candidate for electronic media violations that can be attributed directly to the candidate or their campaign team at the CRO's discretion.

30. The CRO shall ensure compliance with the campaign regulations, and each candidate shall provide evidence of their compliance upon request by the CRO.

CANDIDATE SLATES

- 31. A "Slate" is defined as any group of candidates which willingly choose to endorse one another on Campaign Material.
- 32. Members of slates shall be treated as individuals with regards to Campaign Materials bearing any identifying feature, campaign fines and any other rules that might apply to individual candidates.

ADVANCED CAMPAIGNING

- 33. The CRO has the discretion to remove any materials posted or distributed in advance of the Campaign Period.
- 34. Where the CRO calls for the removal of material in accordance with this Bylaw, the CRO shall allow a reasonable period for the removal of the material.
- 35. Where an individual fails to comply with the call for the removal of material made in accordance with this Bylaw, the CRO may refuse or invalidate the eventual or existing nomination of the individual.
- 36. Where the CRO refuses or invalidates a nomination for reasons of advance Campaigning as defined in this Bylaw, the CRO shall deliver to the Council a report stating the action performed and the reasons for performing the action.

BALLOTS AND VOTING

37. Ballots for the Election shall be in a format determined by the CRO and shall include:
- (a) headings to indicate the title and number of positions available;
 - (b) an alphabetized list of the surnames followed by the given name of each candidate seeking election to the particular position under each heading; and
 - (c) a clearly identified box within which the voter may select the candidate they support.
38. Ordinary Members may vote for candidates seeking election to represent the faculty to which the Ordinary Member belongs, or any candidate seeking election to a Campus-Wide Position.
39. Where an Ordinary Member belongs to more than one faculty, the Ordinary Member shall be able to vote for candidates seeking election to represent all faculties they belong to.

POLLS

40. In the event a position cannot be elected by electronic methods the positions will be elected by paper ballots in accordance with the following regulations:
- (a) A polling station to elect all remaining positions will be held on one day, selected by the CRO, during the voting period. The voting period will be open from 10:00am until 7:00pm. Each position elected by paper ballots will have its own unique ballot, with the required features stated in these Bylaws.
 - (b) All poll clerks hired by the CRO must maintain complete confidentiality with respect to ballot distribution.
 - (c) Upon presenting their UNB student identification card, a voter will be given the appropriate ballots.
 - (d) The name and student identification number of each voter will be recorded, but not the positions for which they have requested to vote. All voters will be permitted to vote only once.
 - (e) A voting booth must be present for the voter to carry out their confidential vote and place their ballots in the respective ballot boxes for each position being elected.
 - (f) To verify the ballot counts, election officials shall count the number of ballots that have been given out as the ballots are distributed.
 - (g) The results of any elections by paper ballots will not be released until all elections in the Polling Period have completed, so as to not impact the elections of other positions.
41. No candidate, campaign organizer, or campaign manager for any candidate shall loiter near or around any polling station, or any other general place of voting, during the Polling Period.

ELECTION RESULTS

42. Where appropriate, there shall be public notice of the time and place of the counting of the ballots, which shall be counted by the polling clerks in the presence of the CRO and scrutineers, who shall be appointed by the candidates.
43. Where appropriate, polling clerks shall determine an overall count of ballots submitted and shall compare the number of votes cast with the number of names checked off the official voting list as provided by the Registrar's Office of the Fredericton campus of the University of New Brunswick.
44. Where a candidate's margin of victory for a position is by less than or equal to twenty five (25) votes, the CRO shall arrange for a recount of votes cast with respect to that position within three (3) days of the Election.
45. Unsuccessful candidates who lose by a margin greater than twenty five (25) votes, but less than seventy-five (75) votes, may, within three (3) days of the Election, appeal in writing to the CRO for a recount of the votes cast for that position. The CRO shall arrange for a recount within three (3) days of receipt of such appeal.
46. Upon conclusion of all recounts and or appeals and upon receipt of the final report of the CRO, the Council shall:
 - (a) where the CRO has recommended the ratification of the results of an Election, a declaration that a candidate is elected, or a declaration that the results of a referendum are valid, consider a resolution adopting the CRO's recommendation;
 - (b) notify the successful candidates of their victory;
 - (c) publish a listing of the successful candidates along with the title of the position held; and
 - (d) where appropriate, arrange for the destruction of ballots.

ASSUMPTION OF OFFICE

47. Councillors elected during the Annual General Election shall assume office on the first day of May in the year of the Annual General Election, and Councillors elected during a by-election or appointed in accordance with these Bylaws shall assume office upon a resolution of the Council affecting the ratification of their election or appointment.

VIOLATION OF ELECTION PROCEDURES

48. Where a candidate or a person acting on their behalf fails to adhere to the regulations during an Election, the CRO may:
 - (a) restrict the campaign activities of the candidate;
 - (b) disqualify the candidate from the nominated position.
49. Where the CRO performs an action pursuant to section 48, the CRO shall deliver to the Council a report stating the action performed and the reasons for performing the action.

50. A candidate wishing to file a formal complaint in connection with any part of the Election shall submit, within seven days of the close of voting, a written complaint setting out the nature of the alleged violations to the CRO. Within seven hours of receiving the complaint the CRO shall dispose of the complaint in the manner they think fits and shall issue notice of such decision to the candidate and the Council setting out the reasons for such decision.

51. A candidate disqualified, in accordance with the sections above, or unsatisfied with the outcome of a decision by the CRO may, within three days of receipt of the notice of disqualification or the notice of decision of the CRO, appeal the decision of the CRO by filing a written request for appeal with the Appeals Board in accordance with these Bylaws.

ENACTED *Sain*
WITNESS *Adriana deFort*

President

Vice President – Finance & Operations

**THE UNIVERSITY OF NEW BRUNSWICK
STUDENT UNION
BYLAW NO. 3**

A BYLAW RELATING TO AN APPEALS BOARD

SHORT TITLE

1. This Bylaw may be cited as Bylaw No. 3.

INTERPRETATION

2. In this Bylaw, words shall mean the same as they mean in Bylaw No. 1 and Bylaw No. 2, except that,

“appellant” means a Member of the Union, who is not a Councillor, who is directly affected by the decision being appealed and who registers as an appellant in accordance with the provisions of this Bylaw;

“balance of probabilities” means the standard required to be satisfied in hearings of the Board, and shall be met if the likelihood that the proposition is true is more likely than the likelihood that the proposition is not true;

“burden of proof” means the duty to prove a disputed proposition;

“election decisions” means the disqualification of a candidate in an election, or a decision of the CRO resulting from a complaint filed in connection with any part of election in accordance with the provisions of Bylaw No. 2;

“leave” means the permission to act further;

“prima facie case” means a complaint that contains sufficient elements for the requested cause of action and would suffice until contradicted and overcome by the respondent’s evidence;

“regular committee” means any committees detailed in the Committee Policy;

“respondent” means any regular committee member, or UNBSU CRO whose decision forms the subject of the appeal and who wishes to respond to an appellant’s appeal; and

“request for appeal” means delivery and acceptance of the form used by the Union at the Union’s administrative office during regular office hours.

COMPOSITION

3. The Appeals Board (“Board”) shall consist of the Union Chairperson who shall act as Chief Appeals Officer and two Associate Appeals Officers appointed by the Union Chairperson.

4. The appointment of the two Associate members shall be made by the Union Chairperson. In doing so, the Union Chairperson:
 - (a) shall seek nomination(s) originating from the Faculty of Law, University of New Brunswick;
 - (b) may nominate individuals as they see fit; and
 - (c) notwithstanding any procedural rules of Council, upon the Chairperson's presentation of the nominees for Associate membership of the Board, which shall occur no later than October 10 in each Academic Year, a motion that the nominees be individually confirmed shall be deemed to be before the Council and shall be adopted upon a two-thirds ($\frac{2}{3}$) vote of the Council.
5. In the event of any or all Associate nominees being rejected by the Council, the Chair shall re-nominate individuals in accordance with sections 4(b) and (c) of this Bylaw.
6. In the event of a vacancy of the position of Union Chairperson, the position of Chair of the Board shall also become vacant until such time as the Council appoints a new Chairperson in accordance with the provision of Bylaw No. 1.
7. In the event of a vacancy occurring at the position of an Associate Appeals Member, the Chair shall nominate an individual to the Appeals Board in accordance with sections 4(b) and (c) of this Bylaw.
8. Where the Council rejects a nominee for Associate membership of the Board or where a vacancy occurs at the position of an Associate Appeals Member, the Chairperson shall present new nominees for Associate membership no later than fifteen days following the rejection of a nominee or the occurrence of the vacancy.
9. A member of the Board shall resign upon their declaration of candidacy in any UNBSU election.

CHIEF APPEALS OFFICER

10. The Chief Appeals Officer shall be the Union Chairperson appointed by Council in accordance with Bylaw No. 1 and shall:
 - (a) function as the administrative member of the board;
 - (b) chair any hearings or meetings of the board;
 - (c) ensure that all sections of this Bylaw be adhered to;
 - (d) be the reporting member of the board to Council; and
 - (e) swear and uphold their oath provided by this Bylaw.
11. The Chief Appeals Officer shall not hold a position on:
 - (a) any regular committee of the Union;
 - (b) any ad-hoc committees of the union; or

(c) the executive of any Union Club or Society that is involved in an appeal.

ASSOCIATE APPEALS OFFICER

12. The Associate Appeals Officers shall:

- (a) be bound by the provisions of this Bylaw; and
- (b) swear and uphold their oath provided by this Bylaw.

13. The Associate Appeals Officers shall not hold a position on:

- (a) any regular committee of the Union;
- (b) any ad-hoc committees of the union;
- (c) the Council of the Union; or
- (d) the executive of any Union Club or Society that is involved in an appeal.

QUORUM

14. Quorum shall consist of all three members of the Board being present.

CAPACITY AND JURISDICTION

15. The Board has the capacity and jurisdiction to hear appeals initiated by an appellant of any decision rendered by committees of the Union or the Council of the Union, and any decision rendered by the CRO.

REQUEST FOR APPEAL

16. The Board, subsequent to an appellant initiating a request for appeal in accordance to the provisions of this Bylaw, shall set a time, date, and location for a hearing at the earliest convenience of all parties but at a date no greater than ten working days after being presented with the request for appeal.

17. The Board shall inform the appellant and either the related committee Chair or CRO, as they may be, of the time, date, and location of the hearing by email.

NOTICE OF APPEAL

18. The Board shall post the time, date, location, appellant's identity, and decision being appealed as a notice via the UNBSU's social media accounts.

APPEAL HEARING

19. All appeal hearings shall be open to all members of the Union.

20. At the commencement of any appeal hearing, the Board shall inform the appellant of all aspects of the hearing process listed below, including powers given to the Board in regard to rendering a decision on the appeal in question.
21. The Board shall hear appeals and review evidence presented by the appellant.
22. If the Board believes that the appellant has not made their prima facie case, the appeal will be denied, and the Board shall immediately issue a decision as directed by the "Decision" section of this Bylaw.
23. Should the Board agree that the appellant has made their prima facie case, the Board shall then hear responses and review evidence presented by any respondent who may wish to present to the Board.
24. The burden of proof rests upon the appellant. This burden applied shall be on a balance of probabilities.

POWERS OF DECISION

25. If required, the Board may recess for no longer than 48 hours to prepare a decision unless there exists a reasonable requirement for a further delay.
26. The Board shall review the applications and render a decision guided by the Union's Bylaws, incorporating documents, adopted policies, precedent, and equitable principles.
27. In the case of appeals originating from a committee decision, the decision rendered by the Board shall either be a decision:
 - (a) denying the appeal; or
 - (b) allowing the appeal and granting the remedy requested unless it is unreasonable to do so, in which case the Board may amend the remedy as they see fit.
28. In the case of appeals originating from a decision disposing of an elections complaint, the decision rendered by the Board shall either be a decision:
 - (a) denying the appeal; or
 - (b) allowing the appeal and granting the remedy requested unless it is unreasonable to do so, in which case the Board may amend the remedy as they see fit.
29. A decision rendered by the Board shall be final.

DECISION

30. The Board shall either issue its decision:
 - (a) at the completion of the appeals hearing; or

(b) where the decision is rendered after the adjournment of the Appeals Hearing, by mail, unless otherwise requested, to the appellant and all respondents.

31. The Board shall complete a written record of the decision as required by the provisions of this Bylaw and shall include both the appellant's written request for appeal and a corresponding written record of the decision in the Union's Book of Appeals.
32. The Chief Appeals Officer shall post the Board's decision on the UNBSU website and social media accounts.

OATH


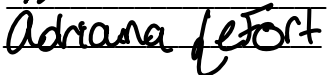
33. All members of the Board shall swear or solemnly affirm the following oath at a meeting of Council prior to hearing any appeal:
I,, do swear (or solemnly affirm) that I will faithfully, truly, and impartially, to the best of my skill and knowledge, fulfill and perform my duties as Chief Appeals Officer (or Associate Appeals Officer) of the University of New Brunswick Student Union, Inc.
34. The President of the Union shall administer the Oath.

FORMS

35. The Union shall make available two forms titled:
 - (a) "Application for Appeal," and
 - (b) "Decision of Appeal."
36. The Application for Appeal form shall require in writing:
 - (a) the applicant(s) name(s);
 - (b) faculty;
 - (c) student number;
 - (d) Email address;
 - (e) daytime telephone number;
 - (f) affirmation of the applicant(s) membership(s) in the UNBSU;
 - (g) either the applicant(s) position within the affected club or society or position sought in the election if applicable;
 - (h) a summary of the decision being appealed;
 - (i) the committee or individual which rendered the impugned decision;
 - (j) the remedy sought by the applicant; and
 - (k) signatures of all applicants.
37. Delivery and acceptance of the completed Application for Appeal form at the UNBSU administration office during regular working hours shall register the individual as an appellant and shall serve as notice to the Board of a request for appeal.

38. The Decision of Appeal form shall require in writing:

- (a) the time and date of the hearing;
- (b) the name and title of all appellants;
- (c) the name and title of the respondents if applicable;
- (d) a summary of the decision being appealed;
- (e) the committee or individual who rendered the impugned decision;
- (f) a brief summary of the applicant's argument;
- (g) a brief summary of the respondent's argument if applicable;
- (h) the decision rendered;
- (i) a summary of the reasons for the decision;
- (j) the remedy awarded if applicable; and
- (k) the signatures and printed names of the Board members present.

ENACTED 
WITNESS 
President

Vice President Finance & Operations