

# Referendum Manual of the University of Manitoba Students' Union

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# Contents

Section I: Referendum Definitions..... 3

Section II: Suspension or Amendment of Manual ..... 5

Section III: Scheduling ..... 5

Section IV: Notice..... 5

Section X: Registration of Sides ..... 6

Section IX: All Sides’ Meeting..... 6

Section XI: Office Space ..... 6

Section XII: Prohibitions & Violations ..... 7

Section XIII: Penalties ..... 8

Section XIV: Demerit System ..... 8

Section XV: Damages and Campaign Invalidation ..... 9

Section XVI: Complaints and Appeals ..... 9

Section XVII: Complaint Procedure ..... 10

Section XVIII: Appeal Procedure ..... 11

Section XIX: Daily Campaign Meetings ..... 12

Section XX: Campaign Materials ..... 12

Section XXI: Banners ..... 13

Section XXII: Fair Market Value ..... 13

Section XXIII: Approval Process ..... 13

Section XXIV: Campaigning ..... 14

Section XXV: Campaigning Standards and Prohibitions..... 14

Section XXVII: Campaign Expenses ..... 15

Section XXVIII: Expense Summaries and Overspending ..... 16

Section XXIX: Side Reimbursement ..... 16

Section XXX: Scheduling of Polls..... 16

    Online Voting ..... 16

Section XXXI: Ballot Design ..... 17

Section XXXII: Voting ..... 17

Section XXXIII: Ballot Counting ..... 17

    Online Voting ..... 17

Section XXXIV: Ties and Recounts..... 18

Section XXXV: Referendum Results ..... 18

## Section I: Referendum Definitions

1. Unless otherwise specified, the following definitions apply to this Referendum guide.
  - a. "All Sides' Meeting" is the meeting held between the CRO and Authorized Side Representatives after the closing of Side registrations
  - b. "Annual General Election" is the election held during February and March to elect the Executive and Community Representatives for the following academic year.
  - c. "Authorized Side Representative" is a Member of the Union authorized to represent a Side to the CRO
  - d. "Ballot" means a section of an electronic form where a singular Referendum question is voted on.
  - e. "Banner" is any sheet of paper or other material, of a total area that is greater 1.5 square metres, which is displayed as part of a Campaign.
  - f. "Campaign" or "Campaigning" is any act that has the intention of soliciting support for a particular Side.
  - g. "Campaign Expense" or "Expense" means any and all expenditures by or on a Side's behalf for the production or distribution of Campaign Materials, costs directly associated with Campaigning, fees or charges incurred as part of Campaigning, or other expenditures associated with the Campaign as defined by the CRO.
  - h. "Campaign Manager" includes any Member of the Union identified by a Side as their Campaign Manager for the purposes of the Referendum Manual.
  - i. "Campaign Materials" includes any created objects (physical or digital) that solicit support for a particular Side.
  - j. "Campaign Invalidation" is the CRO's highest form of punishment for a Side, where the Side will have to immediately stop all campaigning, and a message will be sent to students from the CRO to inform them that they should no longer consider any other campaigning from that side.
  - k. "Electronic Campaigning" means any use of social media, messaging services, websites, and/or other digital platforms for the purpose of Campaigning.
  - l. "Equality of Votes" means the same number of votes.
  - m. "Registration Day" means the final day of the period, as set out by this manual, that registrations for Sides will be accepted.
  - n. "On the Floor Campaigning" means any in person campaigning on or off campus.
  - o. "Referendum" means a vote by the Members of the Union on a question that has been referred to them by the Union.
  - p. "Scrutineer" means a Volunteer who oversees part or all of either a polling station or a vote count on behalf of a Side.
  - q. "Side" means any CRO-recognized group of Members of the Union representing a particular position on a Referendum question.
  - r. "Student" means an individual who is currently enrolled in the University of Manitoba in pursuit of their undergraduate degree, is actively participating in at least 3 credit hours of courses, and who has paid all relevant ancillary UMSU membership fees.
  - s. "Volunteer" means any individual who is registered as a member of a side and supports a Side by engaging in activities including but not limited to: producing Campaign Materials, Campaigning of any kind, acting as a Scrutineer, appearing in Campaign Materials, or making an official testimonial

- t. “Voting week” means the final week of Campaigning where voting is held.

## Section II: Suspension or Amendment of Manual

1. The Board of Directors may choose to overrule all or part of the Referendum Manual temporarily for a given Referendum, provided such a motion is:
  - a. adopted in a 2/3 vote of the Board of Directors.
  - b. adopted by at least two weeks prior to the opening of registrations for the Referendum it would affect.
  - c. provided to the Board of Directors for notice at least two weeks prior to being adopted by the Board of Directors.
  - d. reasonable, made in good faith, and does not unnecessarily inhibit the democratic nature of a Referendum.
2. The Referendum Manual may be amended by a motion of the Board of Directors, providing it meets the following requirements:
  - a. The exact wording of the change must be provided to Board Members with at least 2 weeks of notice to review the changes.
  - b. No changes may be made during the period of two weeks from the opening of the registration period and lasting until the CRO delivers their report to UMSU Board of Directors.

## Section III: Scheduling

1. The following is the schedule used for all UMSU Election and/or Referendums.
  - a. Week 1 (Two weeks prior to Voting Week): Registration of Sides opens on Monday at 9:00. Registration of Sides closes on Friday at 17:00. This week is part of the pre-Campaigning period.
  - b. Week 2 (One week prior to Voting Week): Campaigning begins at 9:00 on Monday, and extends through the following weekend. The CRO may choose to provide advance voting during this week at their discretion.
  - c. Week 3 (Voting Week): Voting shall be open a minimum of two days this week on a schedule set by the CRO.
    - i. There shall be no On the Floor Campaigning on voting days.
    - ii. Electronic Campaigning may continue until the close of the polls on the last day of voting.

## Section IV: Notice

1. The CRO is responsible, in accordance with the Referendum Manual, for advertising in the Manitoban Newspaper, as well as posting notice(s) on relevant sources, including outside the CRO's office and the UMSU offices that a Referendum is to be held.
2. The CRO shall advertise in any manner they deem fit for:
  - a. The registration of Sides during the registration period.
  - b. The forthcoming Referendum to encourage Members of the Union to actively participate in the democratic process.

## Section X: Registration of Sides

1. On the Registration Day, each Side shall present its registration forms to the CRO.
2. In order to become registered, a Side must have:
  - a. An organized group of a minimum of five (5) Members of the Union that supports the position of the Side.
  - b. The first and last names, signatures, faculties, years, and student identification numbers of the members of the Side.
  - c. The first and last names, signatures, faculties, years, and student identification numbers of at least 50 nominators who are Members of the Union (which can include members of the Side).
3. The Side shall have as part of its structure:
  - a. An Authorized Side Representative, authorized to represent the Side to the CRO.
  - b. A treasurer, authorized to handle the Side's finances.
4. A Side cannot restrict membership to the Side from any Member of the Union provided they have joined the Side and support the position of the Side honestly and in good faith.
5. Members of the Executive and Board of Directors, and candidates for Executive and Community Representative positions (if the Referendum is held during an Annual General Election) may participate as members on a Side, provided they meet all other criteria required of any other person sitting on the Side.
6. Each Side shall provide the CRO with access to a shared document or spreadsheet containing a frequently updated list of current members of the Side.
7. Any Member of the Union wishing to join a Side may register with the CRO. The CRO shall forward the name and phone number of the Member to the appropriate Side's authorized representative.
8. The name of a Side is subject to approval by the CRO and may not include a federally or provincially registered political party name or symbol, copyrighted or trademarked name or symbol, or derivation thereof.

## Section IX: All Sides' Meeting

1. Following the closing of registrations, the CRO shall immediately convene an All Sides' Meeting for all Authorized Side Representatives
2. All Authorized Side Representatives shall attend the All Sides' Meeting in its entirety. The CRO may exempt individuals from attendance under extenuating circumstances, but only if the person requesting an exemption does so in writing at least 48 hours prior to the All Sides' Meeting, or informs the CRO of an emergency for which no notice could reasonably be given.
3. At the All Sides' Meeting, the CRO shall:
  - a. review the relevant governing documents, and respond to questions about same.
  - b. announce the times and dates of daily meetings during the Campaign, and announce any other methods that shall be regularly used to communicate with Campaigns.
  - c. take attendance.
  - d. deal with any other topics deemed necessary by the CRO.

## Section XI: Office Space

1. The Union shall endeavour to provide storage and office space to all Sides. No Campaign shall have an office on campus which is not approved by the CRO.

2. The CRO shall ensure that all Sides in a Referendum have equal access to office space.
3. Should a Referendum be held during the Annual General Election, the priority for distributing office space shall be, in order of highest priority to lowest:
  - a. Candidates for Executive positions.
  - b. Sides in a Referendum.
  - c. Candidates for Community Representative positions.
4. If any member of a Campaign already has an office at the University, such office may be used for the storage of Campaign Materials and may be used for any act which pertains to the Campaign, provided the CRO approves such use prior to its use.
5. Only Members of the Union are entitled to receive office space on campus during a Referendum. External parties will not receive office space.

## Section XII: Prohibitions & Violations

1. No Side may distribute or use, and the CRO cannot approve, Campaign Materials which:
  - a. have more than a nominal value when distributed.
  - b. contain libel or slander (based on consultation with legal counsel if necessary).
  - c. are factually incorrect.
  - d. violate any federal or provincial statute, or any University rule, regulation, policy, or procedure.
  - e. are discriminatory or derogatory towards any person(s) based on the characteristics listed no section 9 (2) of the Manitoba Human Rights Code.
2. Where the CRO determines that Campaign Material which requires the approval of the CRO is being distributed, displayed, or used by a Campaign without the CRO's approval, then the CRO may:
  - a. order the material immediately withdrawn or removed and may confiscate the material from the Campaign for a period of not less than 24 hours.
  - b. assign an additional penalty, which may include (but is not limited to) any or all of the following:
    - i. destruction of the material.
    - ii. a restriction on Campaigning, provided that the penalty is balanced against the volume of material distributed or its effect, and that no destruction takes place until the appeal period expires.
    - iii. Any Campaign Materials that cost more than \$100 to produce must have their costs pre-approved by the CRO. The CRO will approve all costs exceeding \$100, provided they are not in violation of the Referendum Manual.
4. Each Side must comply with any building regulations of the University in addition to the following:
  - a. no more than 1 poster per Side may be affixed to any one bulletin board.
  - b. no more than 1 posters per Side may be affixed to the same pillar, and these posters must face in opposite directions.
  - c. no poster may be affixed so as to obscure or cover another Side's Campaign Materials.
5. Where posted Campaign Materials are in violation of any rules, they may be removed by the CRO. The CRO may authorize another individual or Side to make the removal.
6. No individual may remove, deface, damage, or destroy Campaign Material without the authorization of the CRO.

7. Each Side is limited to a maximum of 150 posters on display at any one time at the Fort Garry Campus. The CRO may also create limits to the number of posters that can be displayed on campuses other than the Fort Garry Campus. The CRO may restrict distribution of Campaign Materials to ensure this limit is not breached.

## Section XIII: Penalties

1. Where a breach has occurred, regardless of cause or the intent of the parties involved, and that breach has provided an unfair advantage to a Campaign, the CRO shall assign a penalty that:
  - a. fully counterbalances any unfair advantage gained.
  - b. penalizes the Campaign for committing a violation; and is of the same type or character as the advantage which was gained.
  - c. Penalties available to the CRO include, but are not limited to:
    - i a reduction in reimbursements.
    - ii the confiscation or destruction of Campaign Materials.
    - iii limits, restrictions, and prohibitions on any type of Campaigning, for any period of time.
    - iv Campaign Invalidation.
2. A penalty may be assessed for an individual breach, or for a series of repeated violations that in aggregate constitute a greater breach.
3. A Side shall only have their Campaign invalidated where they commit a serious breach that:
  - a. cannot be counterbalanced by a lesser penalty.
  - b. involves tampering with Ballots, Balloting, voting or counting procedures.
  - c. involves repeated violations for which lesser penalties have already been imposed.
4. Where a serious contravention of the Referendum occurs, such that the results of Referendum could not reasonably be deemed to indicate the actual preference of the voters, that Referendum, or part related to the contravention, may be declared void if:
  - a. the CRO submits a formal request to the Judicial Board.
  - b. the Judicial Board holds a hearing using the Appeal process as closely as possible, with all Authorized Representatives of Sides who would be affected considered to be the Respondents.
  - c. the Judicial Board rules that such a request is justified.
5. If all or part of a Referendum is voided, they shall be repeated at the earliest opportunity by which the Judicial Board feels the actual preference of the voters can be determined.

## Section XIV: Demerit System

1. The CRO shall assign demerits to Sides for violations of the Referendum Manual. If a Side obtains 50 demerit points, they shall have their Campaign Invalidated immediately. A Side has the right to appeal this penalty to the Judicial Board
2. The CRO shall provide all Sides with a table outlining potential offences and their respective demerit penalty at the All Sides' Meeting. This table shall not be expected to be all inclusive, and in the case of uncategorized offences, or extenuating circumstances the CRO can assign other penalties.



## Section XV: Damages and Campaign Invalidation

1. Any damage or similar Expenses caused by a Side, or a Volunteer for a Side, shall be paid for by the Side deemed responsible by the CRO. Failure to do so shall result in immediate Campaign Invalidation for the offending Side.
2. Any Side with their Campaign Invalidated will lose their right to be reimbursed for Referendum Expenses.
3. Reimbursement of Campaign Expenses for Sides who withdraw from the Referendum shall be at the discretion of the CRO.
4. The Treasurer of the Side shall be responsible for distributing reimbursed costs to individual members of the Side.

## Section XVI: Complaints and Appeals

1. Complaints shall be allegations of a breach of the Referendum Manual against Members of the Union other than the Chief Returning Officer which are submitted to the Chief Returning Officer for a ruling.
2. Appeals shall be allegations of a breach of the Referendum Manual by the Chief Returning Officer which are submitted to the Judicial Board for a ruling, and such alleged breaches shall be:
  - a. a misapplication of the Referendum Manual to a Complaint.
  - b. a misapplication of the Referendum Manual to any other ruling of the CRO.
  - c. any other action by the CRO during the Referendum Period that contravenes the Referendum Manual.
3. No appeal exists from a ruling of the Judicial Board, and a ruling of the Judicial Board shall be final and binding on the parties to the Appeal.
4. Rulings of the CRO regarding breaches of the Referendum Manual that were not as a result of a Complaint shall be treated as Complaints for the purposes of posting the ruling.
5. All Members of the Union shall cooperate with the investigations of the CRO and the Judicial Board unless otherwise prohibited by the Governance Documents of the Union or by law.
6. The CRO shall prepare and provide a complaint form which requires complainants to indicate the:
  - a. name and student identification number of the complainant.
  - b. specific clause(s) of the Referendum Manual that is alleged to have been breached.
  - c. specific Campaign or individual that is alleged to be in breach.
  - d. specific facts which constitute the alleged breach.
  - e. evidence of these facts.
7. The CRO shall prepare and provide an appeal form which requires appellants to indicate the:
  - a. name and student identification number of the appellant.
  - b. CRO's ruling being appealed.
  - c. reason for the appeal, including specifically any errors in interpretation or application found in the ruling.
  - d. ruling sought from the Judicial Board.

## Section XVII: Complaint Procedure

1. Any Member of the Union, other than the CRO, may file a Complaint regarding an alleged breach of the Referendum Manual.
2. The following shall be the process by which Complaints are filed, received, and ruled upon:
  - a. The Complainant must submit a Complaint to the CRO using the prescribed form within 48 hours of the alleged breach of the Referendum Manual.
  - b. If the Complaint is found to be validly submitted, the CRO shall send a copy to any other parties named in this Complaint and continue this complaint procedure.
  - c. The CRO shall investigate the Complaint using whatever means are at their disposal. This investigation shall include requesting a written response to the Complaint from any party alleged to have committed a breach of the Referendum Manual.
  - d. The CRO shall issue a written ruling on a Complaint. This written ruling shall:
    - i. be sent to all parties to the Complaint via e-mail; and
    - ii. be posted as soon as possible at the office of the CRO, on the Referendum Website and at UMSU's offices.
  - e. Written rulings on a Complaint shall be required to be issued by the CRO within twenty-four (24) hours if the Complaint was received between 06:00h Monday and 16:30h Friday, or within forty-eight (48) hours if the Complaint was received between 16:30h Friday and 06:00h Monday.
  - f. Any penalties assigned by the CRO as a result of their ruling shall take effect immediately unless stated in the CRO's ruling.
3. Complaints that are not validly submitted shall be thrown out by the CRO, but the Complainant may resubmit as soon as they can make a valid submission.
4. Any complaints deemed by the CRO to be submitted with malicious intent to disadvantage another Side will result in demerits or Campaign Invalidation from the Referendum
5. The following do not require a written complaint and shall be brought to the CRO's attention immediately upon being discovered:
  - a. A violation regarding the required number of poll clerks at a polling station.
  - b. complaints regarding pre-Campaigning.
6. All Complaints must be submitted electronically.
7. Any posted ruling of the CRO on a Complaint shall contain:
  - a. a summary of the allegation.
  - b. a summary of the parties to the complaint.
  - c. a listing of all applicable Referendum Rules that apply.
  - d. a finding regarding the facts.
  - e. a ruling regarding the alleged breach.
  - f. the penalty assigned.
  - g. the time the ruling was posted.
  - h. the time limit on any appeal.

## Section XVIII: Appeal Procedure

1. Any Member of the Union may file an Appeal alleging a breach of the Referendum Manual by the CRO.
2. Only Members of the Union who were party to an original complaint are entitled to appeal the ruling of the CRO on that complaint to the Judicial Board.
3. The following shall be the process by which Appeals are filed, received, and ruled upon:
  - a. The Appellant must submit an Appeal to the Chair of the Judicial Board using the proscribed form within 48 hours of either the alleged breach of the Referendum Manual or the CRO's ruling on a Complaint.
  - b. If the Appeal is found to be validly submitted, the Chair of the Judicial Board shall send a copy to any other party named in the Appeal, including the CRO, and continue this procedure.
  - c. The Chair of the Judicial Board shall schedule a hearing of the Judicial Board to take place within:
    - i. 12 hours of receiving the Appeal form if the alleged violations could result in the voiding of the Election or Referendum,
    - ii. 24 hours of receiving the Appeal form for all other alleged violations of the Referendum Manual.
  - d. The Chair of the Judicial Board shall communicate the time and place of this hearing to all parties named in the Appeal, including the CRO.
4. Prior to the appeal hearing, the Judicial Board shall first convene in camera and determine if a case has been made in the appeal. If a case has not been made, the Judicial Board shall dismiss the Appeal or the affected parts thereof.
5. If the Appeal hearing shall occur, it shall use the following process:
  - a. The Chair shall ask:
    - i. the members of the Judicial Board if any perceived conflict of interest exists between them and any party to the Appeal.
    - ii. the parties to the Appeal if they wish to challenge any Board member based on a conflict of interest.
  - b. The Board may call a recess to consider any Conflicts of Interest raised at the beginning of the hearing.
  - c. The Chair shall then explain any procedures to be followed to the parties present, including any time limits on presentations or examinations.
  - d. The Chair shall invite the Appellant to present their case.
  - e. The Chair shall invite the Respondent (the CRO) to present their case.
  - f. The Judicial Board shall investigate the case as they deem appropriate, and may call a recess of no more than twelve hours in duration.
  - g. The Chair shall offer first the Respondent then the Appellant the opportunity to make a closing statement.
  - h. The Judicial Board shall retire for deliberations in camera.
  - i. The Judicial Board shall tell the parties to the Appeal who are present at the hearing their ruling immediately after coming out of deliberations.
  - j. The Chair shall issue the written ruling of the Judicial Board within 12 hours of the end of the meeting, and shall:
    - i. send the ruling to all parties to the Appeal via e-mail.
    - ii. post the ruling as soon as possible at both the office of the CRO, the election website, and the UMSU offices.

6. Any penalties assigned or modified by the Judicial Board as a result of their ruling shall take effect immediately unless stated in the Judicial Board's ruling.
7. The CRO may choose to resolve an Appeal informally prior to the Appeal hearing. If the Appeal is resolved to the satisfaction of all parties to the Appeal, the Appellant shall notify the Chair of the Judicial Board who shall cancel the hearing.
8. The Judicial Board may request any person to appear at a Judicial Board Meeting whose evidence would assist the Judicial Board in making a decision.
9. The Judicial Board may uphold, modify, or overturn any ruling made or penalty assigned by the CRO, and additionally may overturn all or part of the Referendum results and apply penalties outlined in these documents within the spirit of good governance for Referendums.

## **Section XIX: Daily Campaign Meetings**

1. On every weekday during the Campaign period, the CRO shall chair a meeting of Sides' Authorized representatives to review complaints, rulings, orders, rules, procedures and announcements.
2. All Sides are required to do one of the following for each of the CRO's daily Campaign meetings:
  - a. attend the meeting themselves.
  - b. send a proxy who is a member of the Side.
  - c. ask for and receive the CRO's permission to miss that particular meeting.
3. Sides not directly competing with each other can send the same person as a proxy to the daily Campaign meetings, but such proxies must be approved by the CRO.

## **Section XX: Campaign Materials**

1. All Campaign Materials must be approved by the CRO before they may be used in a Campaign.
2. The CRO may choose to exempt, at any time, any type of Campaign Materials from the approval process. Any such exception must be:
  - a. Clearly defined.
  - b. Consistently applied to all Sides, and UMSU Members.
  - c. Communicated fairly to all Sides.
3. Communication that is private and solicited, whether it is by a digital system or not, shall not be considered Campaign Materials.
4. The CRO may require the use of a unique mark, punch or other means of identification for any type of Campaign Materials that indicates those Campaign Materials have been approved by the CRO.
5. Sides may request a written ruling from the CRO about whether any proposed Materials fall within the definition of Campaign Materials. The CRO must reply in writing within 24 hours.
6. Sides shall be held solely responsible for adhering to all rules and regulations set out in UMSU's governing documents regarding the application of posters. Upon notification by the CRO or a DRO of violation of these rules or regulations, the Side must correct the violation within six (6) hours or be subject to the application of demerit points.
7. Upon the introduction of unapproved Campaign Materials in the course of a Referendum Campaign, the CRO shall communicate to the electorate that these Materials are not legitimate Campaign Materials, that they are the product of influences attempting to interfere with and bias the Campaign and subsequent vote, and that these Materials should be disregarded. This statement from the CRO shall be distributed to members via e-mail before the voting period begins, but no more than twenty-four (24) hours before the beginning of the voting period.
8. All Campaign Materials must be removed after the close of polls on the final day of voting by a date and time to be determined by the CRO.

## Section XXI: Banners

1. Materials shall be considered a Banner if they surpass 1.5 square meters in area.
2. Each Side may place Banners around Campus, and the CRO will set rules and limitations on:
  - a. The number of Banners available for each Side to use.
  - b. The Banner locations available for use.
  - c. The method by which these Banner locations will be allocated.
3. Sides must construct and place Banners in accordance with University building regulations.
4. Banners locations will be assigned at the first All Sides' Meeting.
5. Banners shall be subject to the same limitations as other campaign materials

## Section XXII: Fair Market Value

1. A Side that receives a product or service for free or at a reduced price shall use the fair market value of the product when calculating their total Campaign Expenses if the product or service cannot be reasonably obtained by all competing Campaigns at the same price.
2. Fair market value shall be determined by the CRO using the following factors and the CRO shall notify the campaign which method of valuation has been used:
  - a. the price another Campaign would have to pay for the same product or service provided by that supplier, or another similar supplier, in which case that amount shall be assessed.
  - b. whether the product or service is reasonably available to all Campaigns at no charge, in which case no charge shall be assessed.
3. For certainty of budgeting purposes, a Campaign may request in writing a declaration from the CRO of a product or service's fair market value, but must include in that request:
  - a. a full and accurate description of the product or service.
  - b. the supplier of the product or service, and their address, phone, fax and E-mail where available.
  - c. the Campaign's estimate of fair market value and their method of deriving that value.
  - d. at least 3 other suppliers of the same product or service, if available.
  - e. where a product or service is to be claimed as free, reasonable evidence of that fact.
  - f. where a product or service is to be claimed as free, reasonable evidence that the product or service is reasonably available free of charge to other Campaigns.
  - g. a signed declaration from the purchaser indicating the presence or absence of any known relationships, whether by blood, marriage or acquaintance, between the supplier and any member of the Campaign.
4. The CRO shall provide a written response to any such complete request within 36 hours of the request being received.

## Section XXIII: Approval Process

1. The process for approval of Campaign Materials is:
  - a. Campaigns must provide the CRO with a written description of the proposed Campaign Material.
  - b. the CRO may request any or all of the following in writing in order to ensure the proposed Campaign Materials do not violate the Referendum Manual.
    - i. an estimate of the cost of the proposed Campaign Material.
    - ii. a declaration of the source of the Materials used in production.

- iii. the contents or presentation of the proposed Campaign material.
2. The CRO will provide in confidence a written approval or refusal of Campaign Materials, and will respond within 24 hours of receiving a complete request, subject to any provisions in the Referendum Manual.
3. If the Campaign Material is approved by the CRO, the Side can print, post, or otherwise distribute it, subject to any provisions in the Referendum Manual.

## Section XXIV: Campaigning

1. On the Floor Campaigning will last from 09:00 on the Monday of Week 2, continuing through the weekend, and ending at the start of voting.
  - a. On the Floor Campaigning may continue during advanced voting days at the discretion of the CRO
2. Electronic Campaigning may begin at 09:00 on the Monday of Week 2 and will cease at the close of voting.
3. Sides or Volunteers may not actively on the Floor Campaign or promote any Side during voting days.
4. No Member of the Union shall Campaign either for or against a Side after the opening of the nomination period and prior to the Campaign period, with the exception of:
  - a. private Campaign organizing meetings involving recognized Campaign Volunteers.
  - b. the collection of signatures for nomination forms and referendum petitions.
  - c. the normal duties required of the current members of the UMSU Executive and Board of Directors.
  - d. private conversations to recruit Volunteers.
5. When applying these rules, the CRO may consider any additional factors in addition to the definition of Campaigning.
6. Any Campaigning performed by a Side that does not fall within the boundaries of the aforementioned reason is subject to punishment by the CRO.

## Section XXV: Campaigning Standards and Prohibitions

1. Each Campaign shall act reasonably, responsibly, and in good faith. Further, each Campaign shall:
  - a. ensure that all Sides and Volunteers are aware, understand and comply with the Referendum manual and all other relevant rulings, orders, and rules.
  - b. be responsible to the CRO for the conduct of its Volunteers.
  - c. report any breach of a ruling, order, or governing document.
  - d. comply with any University rules, regulations, policies, and procedures.
  - e. comply with all local, municipal, provincial and federal laws.
2. No Side may collude with another side, external organization, or external body, either prior to, during, or following the Campaign period. Specifically, no Campaign, Campaign Manager, Volunteer, or Side shall:
  - a. appear jointly in any Campaign material.
  - b. publicly endorse another Campaign.
  - c. produce Campaign Materials that could cause a reasonable person to associate such Materials with a Campaign slogan, design, or visual identity of another Side
  - d. distribute the Campaign Materials of another Side.
  - e. Promote or be supported by the messaging of an external organization or external body

3. Campaigning is restricted to Members of the Union, and no one who is not a Member of the Union may Campaign, with the exception of UMSU Officers and Staff Campaigning for a Board of Directors-endorsed Side at the direction of Executive Committee.
4. UMSU may use internal resources including but not limited to staff, social media platforms, and financial resources, to support the campaign of a Board of Directors-endorsed Side.
5. No Side or Volunteer may Campaign:
  - a. in a business or service owned or operated by the Union, except where specifically provided for by the CRO, and where all Sides have been given equal access
  - b. in a University library.
  - c. in a classroom during a class period without first obtaining permission from the instructor responsible for the class.
  - d. anywhere else the CRO feels would be detrimental to the election and referendum process.
6. In the event of referendum being held during an Annual General Election, candidates, Campaign Managers, and Volunteers may speak to, Volunteer for, and/or endorse a Side.

## Section XXVII: Campaign Expenses

1. Sides must include the cost of all Campaign Materials created in their Campaign Expense accounts whether or not those Materials are used or distributed.
2. Each Side must keep an up-to-date and accurate account of all Campaign Expenses and the authorized representative or Treasurer is responsible for answering any inquiry from the CRO regarding Expenses.
3. All Expenses incurred by a Side in the course of Campaigning must be included in the Campaign Expenses unless specifically exempted by the Board of Directors or listed below:
  - a. Services and products provided by UMSU to all Sides at the request of the CRO.
  - b. The use of UMSU Officers and Staff by a Board of Directors-endorsed Side and at the direction of the Executive Committee.
4. Educational materials may be distributed by UMSU to Members of the Union during a Referendum and may not be considered part of the Campaign Expenses of any Side, provided that the materials:
  - a. Are approved by the CRO.
  - b. Are non-partisan in nature.
  - c. Are produced with UMSU branding.
  - d. Are not supplied directly by an external organization.
  - e. Provide education and context to all Members of the Union.

## Section XXVIII: Expense Summaries and Overspending

1. There will be no maximum expense limit for side campaigns.
2. The CRO shall review all Campaign Expense accounts, and shall post preliminary summaries of each Campaign's Expenses by 18:00 Hours on the day before voting begins.
3. Where the CRO determines that a Side has falsified documents, the Campaign shall be invalidated, and notice to this effect shall be posted with the summaries of each Campaign's Expenses, and communicated directly to the Campaign in question.
4. Where a Campaign has been Invalidated, the Campaign may only appeal by presenting notice and appearing before a Judicial Board Meeting within 24 hours of the posting deadline.
5. Final Expense accounts must be provided to the CRO by noon on the first Tuesday after voting ends.

## Section XXIX: Side Reimbursement

1. The Union shall reimburse a Side up to \$5,000 of its Campaign Expenses as evidenced by its Campaign Expense account when there are multiple Sides registered. If only one Side is registered by the Registration Day, the CRO may reduce the maximum reimbursement as deemed necessary. This new maximum must be presented to Side Representatives at the All Sides' Meeting.
2. In cases where the Campaign paid less than fair market value for a product or service, the Campaign's reimbursement shall be limited to the amount actually paid for the product or service and not the fair market value thereof.
3. The Union shall reimburse the Side within seven days of receiving the Side's final budget. Upon receipt of the final budget, Expenses shall be reimbursed within seven (7) days unless there are outstanding issues that could potentially Invalidate the Side's campaign, preventing them from receiving all or part of their Campaign Expenses.
4. Sides who do not hand in their Expense accounts by the deadline shall not receive any reimbursement.

## Section XXX: Scheduling of Polls

1. The CRO must schedule polls to take place on the final three days of Campaigning.
2. Voting shall be conducted at locations and times determined and advertised by the CRO.
3. The CRO may provide advance voting no earlier than the Monday of Week 2.
4. Sides and Volunteers shall not Campaign within 20 feet of a polling station.
5. Provisions shall be made by the CRO so that Members of the Union attending evening classes may vote during the evening.

### Online Voting

70. The CRO shall arrange a minimum of one electronic polling station near 101 University Center.
71. An electronic polling station shall consist of (a) designated computer(s) with (a) privacy screen(s) and adequate supervision by attendant(s) at the discretion of the CRO
  - a. The job of the attendant shall be to ensure the proper and fair use of the electronic polling station and to assist members who request aid while voting.
  - b. The CRO shall appoint the attendant(s).



## Section XXXI: Ballot Design

1. Notwithstanding these rules, the CRO shall decide the design of the Ballot.
2. Ballots shall be electronic.
3. Each Ballot shall be identical to the next with the exception of the ordering of Ballot options.
4. If a Ballot question is a 'Yes/No' choice, the options shall be 'Yes' followed by 'No'.
5. If a Ballot question is a choice between anything other than 'Yes' and 'No', the CRO may decide whether the Ballot options are placed in the same order on every Ballot or on a rotating order.
6. The Ballots must allow for voters to clearly indicate their choice.

## Section XXXII: Voting

1. Each member of the union shall be allowed to cast 1 secret, non-transferable Ballot, and the Ballot shall entitle each voter to make 1 choice for each Referendum questions for which they are eligible to vote

## Section XXXIII: Ballot Counting

70. The results of a Referendum shall not be finalized until at least twenty-four (24) hours following completion of the Ballot count.
  - a. If a complaint or appeal is not resolved within the twenty-four (24) hours following the completion of the Ballot count, the results may not be finalized.
  - b. The CRO shall post Referendum results within twenty-four (24) hours of all complaints, appeals and recounts having been addressed and resolved.
  - c. The final tally of demerits along with their consequences shall be applicable until results of the Referendum are finalized.
  - d. In the twelve (12) hours following the close of voting, Sides shall be required to remove all Campaign Materials including tapes and adhesives. Failure to remove Campaign Materials in within the allotted time may result in demerits being applied in the twelve (12) hours following the Campaign Material removal period.

## Online Voting

71. Under no circumstances should the Referendum be ended earlier than what is advertised.
72. The results of the election should only be accessed after the conclusion of the Referendum on the final day of voting; initial accessing of the votes should be done in the presence of the UMSU CRO, the UMSU Governance Executive Assistant (or delegate), and any Scrutineers who have submitted the necessary paperwork.
73. The Certified results from the online voting system provider should be accessed and published on the UMSU voting page which will also publish the Voter Verified Audit Trail to allow students to check that their vote was recorded properly.
74. The Certified results from the online voting system provider shall serve as the preliminary results for the UMSU Election.

## Section XXXIV: Ties and Recounts

1. In the event that two or more competing Sides receive an equality of votes and have the highest amount of votes for the respective position, the tie-breaking method shall differ as follows:
  - a. There shall be a run-off election between the tied Sides conducted as far as practicable in accordance with the Referendum Manual. Any such run off vote shall occur within 14 days of the final recount of the Ballots of the General Election.
  - b. A record shall be kept of voter turnout in UMSU general elections, by-elections and referendum, for each faculty, residence and college.
2. Referendum results (including the final vote count for each Side) as well as turnout shall be made publicly available to Members of the Union, and results of Referendums (including sample Ballots) shall be archived by the Union and accessible to Members.

## Section XXXV: Referendum Results

1. The choice in each referendum question that achieves the highest number of votes cast will be adopted by the Union.
2. The Board of Directors does not have the power to void a valid Referendum.
3. In the event that a Referendum involves less than 5% of eligible voters, the results of the Referendum shall be announced as non-binding results to be considered as advice to the Board of Directors.