

## **Rules - Referendum 2021**

1. These rules & regulations for the holding of a referendum are drawn from the principles outlined in the Bye-Law J (Major Elections) and the Electoral Commission.

### **Application**

2. The individual or group calling the Referendum will define the question to be asked to the Members. This question shall be answered in a Yes or No (Agree or Disagree) response.

### **The Returning Officer**

3. The Governance and Membership Committee will, at least once per academic year, appoint an appropriately qualified person to act as the Returning Officer, who may not be a current Member of the Union and whose appointment must be ratified by the Board of Trustees.
4. The Returning Officer shall:
  - a) Be the final interpreter of the Referenda rules and regulations.
  - b) Appoint (and dismiss if necessary) deputy returning officers and other officials to ensure the good conduct and administration of the referenda.
  - c) Verify that at least 10% of the Members eligible to vote have cast a ballot, oversee the count and declare the results of the referendum. If less than 10% of members vote, then the vote will not be counted and the election declared as inquorate.
  - d) Set rules, regulations and guidelines other than these to govern the conduct of the referenda.
  - e) Seek legal advice if he/she believes that statements made or the contents of publicity could leave the Union open to legal action.
  - f) Rule out of order any statement or the content of any publicity which in the Returning Officer's view is in breach of the constitution, the law or any other appropriate rules and guidelines.
  - g) Be empowered to issue warnings to campaigners in accordance with these referenda Bye-Laws and any rules and regulations issued in accordance with the above.
  - h) Be empowered to issue fines to campaigners up to a maximum set by the Governance and Membership Committee, in accordance with these referenda rules and any rules and regulations issued in accordance with the above.
  - i) Deliver, or ensure the delivery of, appropriate training to all referendum campaigners.
  - j) Make available information to potential campaigners for each referenda outlining relevant rules and procedures.
5. The following powers shall be reserved by the Governance Committee having taken advice from the Returning Officer:
  - a) Disqualifying a campaigner or campaign,

- b) Ordering a re-run, and
- c) Setting aside ballots.

### **Complaints**

- 6. The Returning Officer shall deal with complaints regarding the conduct of campaigners, their supporters and campaigns, and the administration of referenda.
- 7. Complaints regarding the conduct of the Returning Officer shall be referred to the Board of Trustees. The onus is on the complainant to set out such complaints in writing for the Board of Trustees' consideration.
- 8. The Returning Officer shall set a complaints deadline, no complaint shall be considered after this deadline has passed.

### **The Process of Referenda**

- 9. The Returning Officer shall produce a referendum timetable, not less than five (5) clear College days in advance of the voting period commencing which shall outline:
  - 10. The process for joining an official campaign, which will be open for at least three (3) College days prior to the start of the referendum, will include the following:
    - a) Details of campaigners' meetings
    - b) Details for the submission of the yes/no statements
    - c) Details of any debates
    - d) Arrangements for the ballot, with voting open for at least forty-eight hours.
    - e) Arrangements for the count
  - 11. The Returning Officer shall produce details of the arrangements for balloting and for complaints procedures and ensure that they are publicised to all Members eligible to campaign or vote.
  - 12. The referenda will be conducted by a First Past the Post count with members only eligible to vote for one option (yes, no or abstain).
  - 13. Abstentions will count towards the overall turnout of voting but will not count towards the outcome of the result.
  - 14. The Returning Officer shall ensure that any additional details, or amendments to the arrangements, are publicised to all Members eligible to campaign or vote in a timely fashion.
  - 15. No Member eligible to campaign or vote may challenge the result of the referendum once the count has been held and the complaints deadline has passed.

### **Statements**

- 16. Statements for or against the motion (or in support of either the 'yes' or 'no' campaign) must be submitted by the date laid down in the referendum timetable and must comply with any format requirements stipulated by the Returning Officer.

17. The Returning Officer will ensure that statements are available to voters at the point of ballot.

### **Campaigning**

18. Only full members of Imperial College Union (i.e. current students or Sabbatical Officers or Officer Trustees) are eligible to campaign in the referendum, and join an official campaign group.
19. Any full member of Imperial College Union who holds an elected officer position within the Union cannot use their position's platform to campaign for any side. This includes role social media accounts and email lists.
20. Clubs, Societies, and Projects are only able to use their platform if the Club, Society or Project has democratically decided to take a position on the Referendum.
21. The Returning Officer will determine the allowance for publicity available to each campaign group for each referendum.
22. The Returning Officer shall stipulate a maximum amount that campaigners may spend on their own referendum campaigns.
23. All campaigners in each referenda shall have an equal publicity allowance.
24. At the discretion of the Returning Officer, all campaigners must only use resources that are reasonably accessible by any other campaigner.
25. The Returning Officer shall draw up regulations for the conduct of campaigners' campaigns. These are listed here:
  - a) No campaign's publicity may appear before the beginning of campaigning which is noon 24<sup>th</sup> November 2021.
  - b) The College is still a place of work for students and staff alike during the election period. Campaigners must not do anything to disrupt the normal operations of College or the Union during campaigning.
  - c) All campaigners running under a single campaign group are liable for any breaches to rules on either campaign and will be sanctioned accordingly.
  - d) All campaign material for either side must cost no more than the allocated £50 budget.
  - e) All campaign material must comply with the Union's Publicity Policy, available [here](#).
  - f) Campaigners must not obscure, tamper with or remove the publicity of other campaigners or campaign.
  - g) Campaigners' statements must be submitted online at [imperialcollegeunion.org/stand](http://imperialcollegeunion.org/stand) by 11am Wednesday 24<sup>th</sup> November. Statements may be no more than 250 words long. Any words over 250 will be removed before the statements are published.

h) Campaign teams may not harass, coerce or use intimidation to persuade someone to vote or which side to vote for.

i) Candidates may use social networks or their own website to promote their campaign.

j) All candidate websites and social network pages must contain a link to the voting URL.

k) Campaigners are allowed to use Facebook groups, WhatsApp group chats, mailing lists and other forms of group communication only if they have collected consent to be contacted from those individuals during the campaign period and the group was formed for the sole purpose of campaigning in this election.

26. Any breach of these regulations could lead to disqualification of a campaigner or campaign group from the referenda.

### **Debates**

27. The Returning Officer may arrange a debate for the campaigners in a referendum.

28. Campaigners will be informed of the format of any debate at the initial campaigners' meeting.

### **Voting**

29. The Returning Officer will ensure that all eligible members of the Union can vote, which are only full members of the Union (i.e. current students or Sabbatical Officers or Officer Trustees)

30. The Returning Officer shall decide the method of voting and publicise it appropriately.

31. The Voters shall be able to express preferences for only one side of the referendum, or can abstain.

32. Ballots shall either be in support or against the motion(s).

33. There will be a facility to vote to abstain.

34. Voting shall be by secret ballot.

35. In the event of a tie in voting then the referendum will be announced as such, with the Union Council taking decision on further action.

36. If the vote does not meet the requirement for quoracy then the decision will be taken to Union Council.

### **Declaration**

37. Results of the referendum shall be declared by the Returning Officer when the count has been successfully completed.

38. The outcome will be published within one (1) clear day of the declaration of the results.