

Oxford University Student Union¹

Company no. 07314850 Charity no. 1140687

REGULATIONS 2016

(Annual Elections, Referenda etc)

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Schedule One: Interpretation

¹ Amended: Michaelmas Term 2017.

In exercise of its powers under Bye-Law 2.1, Council makes these Regulations.²

PART ONE: common provisions³

Governance

1 Interpretation

1.1 Footnotes (included to aid understanding) do not form part of these Regulations.

Conduct

2 Conduct⁴

2.1 A Student Member (including a Candidate and a Campaign Leader) must act so as to ensure that an election or Referendum is fairly and properly conducted.⁵ This includes, but is not limited to, not

- (a) making any unlawful, false or misleading statement in connection with an election or Referendum,
- (b) engaging in harassment within the meaning of *University Statute XI*,⁶
- (c) acting in contravention of the *University Code of Practice on Meetings and Events*,⁷
- (d) obstructing or otherwise impeding a member of the Elections Committee in the performance of their functions,⁸
- (e) interfering with any voting system, and⁹
- (f) disrupting or otherwise disturbing the process of voting or counting of votes.

2.2 In addition, a Candidate or Campaign Leader must not

- (a) without the Returning Officer's authority, exceed any applicable expenditure limit, and
- (b) fail to deliver receipts and other information under Regulation 7.4.

² This document sets out the text of Oxford SU's current Regulations (originally effective on 19 June 2016) as amended up to the end of Michaelmas Term 2017. Words or phrases in these Regulations with capital letters are defined either in Article 53, Schedule One to the Bye-Laws or Schedule One to these Regulations (with a few exceptions). Each 'section' of a set of Regulations (eg 7.2) is properly called a Regulation.

³ Part One contains provisions common to both elections and Referenda. See Bye-Laws 7.6 and 8.7 for underpinning duties.

⁴ See Regulations 20.1 and 32.1 for Candidates and Campaign Leaders.

⁵ The reference to elections is to Annual Elections and By-elections: see paragraph 1 of Schedule One. The phrase 'fairly and properly conducted' comes from the Education Act 1994. The list is not exhaustive.

⁶ This Statute deals with University discipline and section 2(1)(m) of the Discipline Code covers harassment.

⁷ The University's Code of Practice on Meetings and Events, with accompanying policy statement, was approved on 20 July 2016.

⁸ Elections Committee members are: the Returning Officer, Deputy Returning Officer and up to three Student Members: see Bye-Law 7.5.

⁹ See Regulations 8.1 and 8.2.

Information and guidance etc

3 Information and guidance

- 3.1 At least once in each Academic Year,
- (a) the Elections Committee must publish information and guidance about Annual Elections and By-elections, and
 - (b) the President must publish information and guidance about Referenda.¹⁰
- Guidance must cover *University Statute XI* and the *University Code of Practice on Meetings and Events*.¹¹
- 3.2 Any information or guidance which conflicts with the Bye-Laws or these Regulations must be disregarded.

4 Returning Officer

- 4.1 The Returning Officer must be elected in the last Ordinary Meeting of Council each Term to serve in office during the Term following the Term in which they are elected.
- 4.2 If there is no candidate at the meeting referred to in Regulation 4.1, or if a vacancy otherwise arises, the Returning Officer must be elected in accordance with a procedure established for that purpose by Council.
- 4.3 The Returning Officer may be removed from office
- (a) in accordance with the provisions of Bye-Laws 28.1 to 28.6, or
 - (b) by Council on the recommendation of the External Appeals Officer.
- 4.4 The Returning Officer must submit a written report to Council, the Board and the University, no later than the end of the Term following the Term in which an election or Referendum is held.¹²

5 Briefings, hustings and open meetings

- 5.1 As soon as possible after notice has been given under Regulation 22.3 or 30.1, and as appropriate, the Deputy Returning Officer must arrange one or more
- (a) briefings to Candidates to receive information and guidance on the conduct of the Annual Elections,
 - (b) briefings to Campaign Leaders to receive information and guidance on the conduct of the Referendum,

¹⁰ See paragraph 2 of Schedule One for the meaning of 'publish'.

¹¹ Information and guidance explain the elections and Referenda process. They are to be distinguished from directions under Regulations 6.2 to 6.5 which, for example, prescribe conduct.

¹² References to 'an election' are to an Annual Election or By-election; see paragraph 1 of Schedule One.

- (c) hustings at which the Candidates in the Annual Elections may address those present and answer questions, and
- (d) open meetings at which the Campaign Leaders in the Referendum may address those present and answer questions.

5.2 In organising events under Regulation 4.1 the Deputy Returning Officer should do so with reference to the University's Code of Practice on Meetings and Events.

Interpretations and directions

6 Interpretations and directions¹³

- 6.1 Where there is a dispute in relation to the interpretation of these Regulations, the Returning Officer must provide an interpretation in accordance with Bye-Laws 1.2 and 1.3.
- 6.2 At least 14 days before nominations open for Annual Elections under Regulation 22.1(a), the Elections Committee
- (a) must make a direction on each of the following:
 - (i) the endorsement of Candidates by Student Members,
 - (ii) the use of mailing lists,
 - (iii) the use of social media, and
 - (iv) the combining of Candidates into slates,
 - (b) may make any other direction to ensure that elections are fairly and properly conducted, and
 - (c) may amend or withdraw a direction made under this Regulation.¹⁴
- 6.3 From 14 days before nominations open for any election, under Regulation 22.1(a) or 23.1(a), the Returning Officer may
- (a) make a direction to ensure that elections are fairly and properly conducted,
 - (b) amend or withdraw a direction made under this Regulation, and
 - (c) with the Elections Committee's agreement, amend or withdraw a direction made under Regulation 6.2.¹⁵
- 6.4 With the President's agreement, the Returning Officer may at any time make a direction to ensure that a Referendum is fairly and properly conducted.

¹³ Bye-Laws 1.2 and 1.3 provide for resolving disputes relating to the interpretation of Bye-Laws and Regulations. Interpretations continue to have effect until the point is reconsidered. Directions will state if they are time-limited. The External Appeals Officer hears complaints concerning directions, and a complaint may allege a failure to comply with a direction: see Regulations 14.2(c)(ii) and 15.1.

¹⁴ The Elections Committee's power to make directions for Annual Elections (under Regulation 6.2) passes to the Returning Officer (under Regulation 6.3) 14 days before nominations open; there is no overlap. Directions for Hilary Term Annual Elections are likely to be made before the end of the previous Michaelmas Term.

¹⁵ The Returning Officer's power to make directions covers both Annual Elections and By-elections.

6.5 A direction (or amended direction) made under Regulation 6.2, 6.3 or 6.4 must be published.

Expenditure

7 Expenditure

7.1 The expenditure limit for

- (a) each Candidate in an election is £60, and
- (b) each Official Campaign in a Referendum is £100.¹⁶

7.2 A Campaign Leader may claim the sum of £50 from official Oxford SU funds as a contribution towards expenditure incurred on behalf of an Official Campaign.

7.3 A Candidate or a Campaign Leader must not acquire material (including flyers, posters, banners and websites) for use in an election or Referendum for less than the cost which Student Members would incur for equivalent material.

7.4 Each Candidate or Campaign Leader is accountable to the Returning Officer for their expenditure, and must deliver all receipts, and other relevant documentation, to the Returning Officer within 45 minutes of the end of voting.

Voting and results

8 Voting system

8.1 Voters in an election or Referendum must use a secure electronic voting system approved by the Chief Executive Officer who must be satisfied that the system provides for

- (a) a secret ballot,
- (b) voting in person and not by proxy,
- (c) a Student Member entitled to vote, being able to vote only once,
- (d) electronic counting,
- (e) system access to be restricted to the Chief Executive Officer, and any person authorised by the Chief Executive Officer,
- (f) in a Referendum, a Student Member entitled to vote to have one vote for each question and for this to be recorded as 'yes', 'no' or 'abstain', and¹⁷
- (g) in an election,
 - (i) voting to be by single transferable vote,¹⁸

¹⁶ See also Regulation 2.2(b).

¹⁷ There may be more than one question in a Referendum: see Regulation 28.2.

¹⁸ The process used is based on ERS97 STV published by the Electoral Reform Society, adapted in order to comply with NUS requirements for the election of Delegates.

- (ii) where appropriate, access for voting to be restricted in order to comply with Regulation 25.1,¹⁹
- (iii) a Student Member entitled to vote in an election, to abstain or to vote for a re-open nominations option, and²⁰
- (iv) exclusion of a Candidate's name where Regulation 18.3, 27.4 or 27.6 applies.²¹

8.2 In the event that the approved system cannot be used, the Chief Executive Officer must organise an alternative, and if necessary a manual, secure system.

9 Counting of votes

9.1 There must be a separate counting of votes for each Annual Election, By-election and Referendum.²²

9.2 The Returning Officer must ensure that each counting of votes in an election or Referendum is fairly and properly conducted. Members of the Elections Committee are entitled to attend each counting of votes.

10 Re-open nominations

10.1 In an election, the re-open nominations option is treated as a Candidate for the purpose of the counting of votes. If the re-open nominations option would otherwise be returned as the successful Candidate, the Returning Officer must declare a vacancy.²³

11 Declaration of results

11.1 The Returning Officer must declare the result of each Annual Election, By-election or Referendum separately and immediately after the counting of votes has been completed.²⁴

11.2 The declaration of the result of a Referendum must state whether each question has been answered in the affirmative or the negative. It will be answered

- (a) in the affirmative, if there are more Student Members voting 'yes' than 'no', and
- (b) in the negative, if there are more Student Members voting 'no' than 'yes',

¹⁹ Only a voter who is a woman (as defined in paragraph 3 of Schedule One) may vote for the Vice-President (Women).

²⁰ The re-open nominations option offers the choice of recording a vote other than for named Candidates.

²¹ Regulation 18.3 provides for disqualification following a complaint, Regulation 27.4 for a Candidate's nomination to be invalidated, and Regulation 27.6 for voluntary withdrawal of a nomination.

²² This means that one or more counts may be held (or declarations made) at different times.

²³ See Bye-Law 24.1.

²⁴ A results declaration is at risk for 96 hours (Regulations 12.1 or 12.2) or possibly later under Regulations 12.3. See Bye-Law 4.2 for a description of the separate elections making up Annual Elections.

in either case taking no account of Student Members who abstain.²⁵

Re-running an election, Referendum or count

12 Re-running an election, Referendum or count²⁶

- 12.1 The Elections Committee may, not later than 96 hours after the declaration of the result of an Annual Election or a By-election, recommend that Council
- (a) declare the election void where, in the committee's reasonable opinion, the election was not fairly or properly conducted.
 - (b) order a recount of votes in the election where, in the committee's reasonable opinion, the count was incorrect, or not fairly or properly conducted.²⁷
- 12.2 The Board may, no later than 96 hours after the declaration of the result of a Referendum,
- (a) declare the Referendum void where, in the Board's reasonable opinion, the Referendum was not fairly or properly conducted.
 - (b) order a recount of votes in the Referendum where, in the Board's reasonable opinion, the count was incorrect, or not fairly or properly conducted.
- 12.3 The External Appeals Officer may, when making a decision under Regulations 17.1 or 17.5,²⁸
- (a) recommend that Council
 - (i) declare an Annual Election or By-election void where, in the External Appeals Officer's reasonable opinion, the election was not fairly or properly conducted.
 - (ii) order a recount of votes in an Annual Election or By-election, where, in the External Appeals Officer's reasonable opinion, the count was incorrect, or not fairly or properly conducted.
 - (b) recommend that the Board
 - (i) declare a Referendum void where, in the External Appeals Officer's reasonable opinion, the Referendum was not fairly or properly conducted.
 - (ii) order a recount of votes in a Referendum where, in the External Appeals Officer's reasonable opinion, the count was incorrect, or not fairly or properly conducted.

²⁵ The successful Official Campaign must obtain at least 50% plus one vote of those voting, after removal of abstentions and any 'spoilt papers' from the total. In the event of an equality of votes, the state of affairs existing immediately before voting begins continues after the counting of votes has been completed.

²⁶ Declaring an election or Referendum void means that the result is nullified. Note the limited time periods during which declarations or orders may be made. The University has a similar power but without time limits.

²⁷ Council's applies to individual elections (eg for Student Trustees): see Bye-Law 4.2.

²⁸ The Returning Officer does not have this power when considering a Complaint. See paragraph Bye-Laws 8.4 and 8.5 for the definition of the External Appeals Officer.

- 12.4 A declaration or order may be made under Regulation 12.1, 12.2 or 12.3 whether or not a person was responsible for
- (a) the election or Referendum not being fairly or properly conducted, or
 - (b) the count being incorrect or not being fairly or properly conducted.
- 12.5 An election declared void must be re-run in accordance with (and without modification of) these Regulations, except that a re-run election is treated as if it were a new By-election.²⁹

Complaints³⁰

13 Scope³¹

- 13.1 Regulations 14.1 to 18.4 provide for the consideration and determination of a Complaint, namely a complaint in relation to the calling, holding or conduct (but not the result) of an election or a Referendum.

14 Determination of Complaints and appeals

- 14.1 A Complaint may be made
- (a) except where paragraph (b) or (c) applies, by a named Student Member,
 - (b) by the Returning Officer, or
 - (c) in respect of an election, by another member of the Elections Committee.
- 14.2 The following applies to the determination of Complaints.
- (a) Except where paragraph (c) applies, a Complaint made by a complainant under Regulation 14.1(a) must be determined by the Returning Officer.
 - (b) A Complaint made by a complainant under Regulation 14.1(b) or (c) must be determined by the External Appeals Officer.
 - (c) The Returning Officer
 - (i) must refer a Complaint to the External Appeals Officer where the Returning Officer has a conflict of interest, including where a Complaint discloses an allegation concerning the Returning Officer,
 - (ii) must refer a Complaint concerning directions made under Regulation 6.2 and 6.3 to the External Appeals Officer, and

²⁹ A void Referendum is not re-run and the position remains as if there had been no Referendum. A new Referendum may be called on the same issue.

³⁰ Bye-Law 8.7 requires that complaints must be dealt with promptly and fairly, including offering a 'right of reply' where an allegation is made.

³¹ If a complainant wishes, a complaint will be considered informally by the Deputy Returning Officer. This does not prevent the complainant's ability to subsequently make a formal complaint.

- (iii) may so refer where a Complaint discloses one or more allegations which, if well founded, have affected (or might affect, or might have affected) the outcome of an election or Referendum.³²

14.3 The following applies to the determination of appeals.

- (a) An appeal against a decision of the Returning Officer to, uphold, not uphold or order a certain remedy to, a complaint, must be determined by the External Appeals Officer.
- (b) An appeal from a decision of the External Appeals Officer must be referred to the University.³³

14.4 When determining a complaint or an appeal, the Returning Officer and External Appeals Officer must not

- (a) disregard any provision of the Articles, Bye-Laws, or these Regulations, or
- (b) make or substitute a declaration of a result of an election or Referendum.

15 Grounds for a Complaint

15.1 When making a Complaint, a complainant may, but need not, include an allegation of a failure to comply with

- (a) one or more of these Regulations,
- (b) a direction under Regulation 6.2 or 6.2 (elections) or 6.4 (Referenda), or
- (c) an order under Regulation 18.1.³⁴

16 Time limits and format

16.1 A Complaint must be made

- (a) in accordance with any time limits, and
- (b) in a format,

required by the Elections Committee (for elections) or the Returning Officer (for Referenda).³⁵

17 Decisions and appeals

17.1 At the conclusion of their consideration of a Complaint, the Returning Officer or External Appeals Officer must decide whether to uphold the Complaint.

17.2 The Chief Executive Officer must make arrangements for notice of a decision made under Regulation 17.1 to be given to

³² This paragraph covers an attempt to affect the outcome which, if successful, would have succeeded.

³³ The process on a reference to the University is determined by the University and is not included in these Regulations.

³⁴ An order under Regulation 18.1 provides for a remedy following a Complaint.

³⁵ The Elections Committee and the Returning Officer must act fairly (see Bye-Law 8.7), and this may require exceptions to be made to any general time limits or formats.

- (a) the complainant, and
- (b) any person against whom an allegation is made in a Complaint.

17.3 A person notified under (a) or (b) of Regulation 17.2 may appeal to the External Appeals Officer if the decision was made by the Returning Officer under Regulation 17.1. The person appealing must submit the appeal within 48 hours of being notified of the Returning Officer's decision.³⁶

17.4 An appeal to the External Appeals Officer is by way of review. The grounds for an appeal are that, during consideration of the Complaint, the Returning Officer

- (a) was unaware of information of direct relevance,
- (b) misinterpreted one or more Articles, Bye-Laws, or Regulations,
- (c) failed to correct a significant procedural irregularity,
- (d) made a significant error of fact, or
- (e) failed to act impartially.³⁷

17.5 At the conclusion of their consideration of an appeal, the External Appeals Officer must decide whether to uphold the appeal.

18 Remedies³⁸

18.1 Where a Complaint or appeal is upheld, the Returning Officer or External Appeals Officer must make an order providing for an effective remedy.

18.2 A remedy must not include the payment of a sum of money, but may include an order that an expenditure limit be reduced (stating by how much).³⁹

18.3 A remedy may include disqualification of a Candidate from an election. Disqualification is applicable only

- (a) on the order of the External Appeals Officer,
- (b) where the circumstances justify disqualification, and
- (c) before the declaration of the relevant result in an election.⁴⁰

³⁶ An appeal against a decision of the External Appeals Officer is made to the University: see Regulation 14.3(b).

³⁷ An appeal to the External Appeals Officer is unlikely to be a complete re-hearing of the Complaint. See Bye-Law 7.6 for the Returning Officer's duty to act impartially.

³⁸ Section 22(2)(n) of the Education Act 1994 requires there to be an effective remedy where a complaint is upheld.

³⁹ See Regulation 7.1.

⁴⁰ This will apply only to the more serious cases which is why the power is given only to the External Appeals Officer. A Candidate cannot be disqualified by the External Appeals Officer once elected, but the consideration of a Complaint referred to the University under Regulation 14.3(b) may result in the disqualification of an elected Candidate after the result is declared.

- 18.4 After ordering a remedy in a particular case, the Returning Officer or External Appeals Officer may direct that the remedy is not to take effect until
- (a) a named date,
 - (b) after a named event, or
 - (c) further consideration by the Returning Officer or External Appeals Officer.⁴¹

19 Publication

- 19.1 The Chief Executive Officer must make arrangements for the publication of decisions relating to complaints and appeals.

⁴¹ This provision would allow the Returning Officer to suspend a remedy pending an appeal.

PART TWO: Annual Elections and By-elections

Candidates

20 Candidates

- 20.1 A Student Member becomes a Candidate in an election on notification by the Returning Officer that the Student Member's nomination is valid.⁴²
- 20.2 A Student Member ceases to be a Candidate on
- (a) notification by the Returning Officer that the Student Member's nomination is no longer valid under Regulation 27.4,
 - (b) withdrawal of their nomination under Regulation 27.6, or
 - (c) disqualification under Regulation 18.3.⁴³

Timetables

21 Timing of elections

- 21.1 The Annual Elections under (a) to (c) of Bye-Law 4.2 must be held at the same time in Hilary Term.⁴⁴
- 21.2 More than one By-election may be held at the same time.

22 Annual Elections timetable⁴⁵

- 22.1 Except where Regulation 22.2 applies, Annual Elections must be held in accordance with the following timetable.
- (a) Nominations for Candidates open at 00:00 on Monday of 1st Week.
 - (b) Nominations for Candidates close at 00:00 on Monday of 3rd Week.
 - (c) Voting must take place from 08:00 on Tuesday until Thursday at 18:00 of 4th Week.
- 22.2 The Elections Committee may at any time change the timetable set out in Regulation 22.1 if, in its reasonable opinion, one or more Annual Elections is unlikely to be fairly or properly conducted without such a change.⁴⁶
- 22.3 The Returning Officer must give notice to all Student Members of the Annual Elections at least 7 days before the day on which nominations open. The notice must set out the election

⁴² See Regulations 27.1 to 27.7.

⁴³ See Regulation 8.1(g)(iv) which excludes former Candidates from the voting system.

⁴⁴ If there are Candidates for all vacancies in Annual Elections, there will be eight simultaneous elections, each called an Annual Election: namely those for the six Sabbatical Trustees, the Student Trustees and Delegates.

⁴⁵ For the avoidance of doubt; 00:00 is the start of the Monday morning.

⁴⁶ See Bye-Law 4.2 for a description of the elections making up Annual Elections.

timetable and identify the vacancies for which nominations may be submitted under Regulation 26.1.⁴⁷

23 By-election timetable⁴⁸

23.1 Except where Regulation 23.2 applies, a By-election must be held in accordance with the following timetable.

- (a) Nominations for Candidates open at 00:00 on the Monday identified in the notice given under Regulation 23.3.
- (b) Nominations for Candidates close at 00:00 on the Monday 14 days after they open.
- (c) Voting must take place from Tuesday at 08:00, 8 days after nominations close, until Thursday at 18:00, 10 days after nominations close.

23.2 The Elections Committee may at any time change the timetable for a By-election set out in Regulation 23.1 if, in its reasonable opinion, the By-election is unlikely to be fairly or properly conducted without such a change.

23.3 The Returning Officer must give notice to all Student Members of each By-election at least 7 days before the day on which nominations open. The notice must set out the election timetable and identify the vacancy for which nominations may be submitted under Regulation 26.1.

Eligibility and franchise⁴⁹

24 Eligibility restrictions

24.1 Any Student Member (other than a member of the Elections Committee, a Sabbatical Trustee or a Sabbatical Trustee-elect) may be a Candidate at an election to fill

- (a) a Sabbatical Trustee vacancy, except that
 - (i) only a Student Member who is a woman may be a Candidate for Vice-President (Women), and⁵⁰
 - (ii) only a Student Member who is a Graduate may be a Candidate for Vice-President (Graduates).
- (b) a Student Trustee vacancy.

⁴⁷ In practice, notice will be given by the end of the previous Michaelmas Term. Here, and in Regulations 23.3 and 30.1, see Paragraph 2 of Schedule One for the meaning of 'give notice'.

⁴⁸ A By-election is held either to fill a single vacancy, or as a re-run Annual Election; more than one By-election may be held at the same time: see Bye-Law 4.4 and Regulations 12.5 and 21.2.

⁴⁹ To be eligible to fill a Sabbatical Trustee or Student Trustee vacancy, a Student Member must meet the requirements of Article 13.2 (trustees under charity law and directors under company law), Articles 14.1 to 15.3 (limits on terms of office) and Regulations 24.1 and 24.2.

⁵⁰ A woman has a particular meaning in these Regulations: see Paragraph 3 of Schedule One.

24.2 Any Student Member (other than a member of the Elections Committee) may be a Candidate at an election to fill a Delegate vacancy.

24.3 At Annual Elections, or where more than one By-election is held at the same time, a Student Member must not be a Candidate to fill more than one vacancy, except to fill vacancies for

- (a) Sabbatical Trustee and Delegate, or
- (b) Student Trustee and Delegate.

25 Franchise restrictions

25.1 Only a Student Member who is a woman may vote in an election for Vice-President (Women).⁵¹

Nominations

26 Nominations

26.1 A Student Member who is eligible and intends to be a Candidate in an election must submit a nomination, as directed by the Deputy Returning Officer, before nominations close. The nomination must include all the information required by the Elections Committee.⁵²

26.2 A Student Member who intends to be a Candidate for a Sabbatical Trustee vacancy must provide the Returning Officer with evidence of College permission to do so. In the case of a Graduate, evidence of both College and of faculty or department permission is required.

27 Validation⁵³

27.1 The Returning Officer must decide on the validity of each nomination no later than 24 hours after close of nominations. The Elections Committee may extend the period of time if the Returning Officer so requests.

27.2 For a nomination to be valid, the Returning Officer must be satisfied that a Candidate's nomination provides all the required information.

27.3 Where the Returning Officer is not satisfied that a nomination is valid, the Candidate may seek to satisfy the Returning Officer

- (a) where nominations have not closed, or
- (b) at the Returning Officer's discretion, where nominations have closed.

⁵¹ Article 14.2 permits franchise restrictions with the University's agreement.

⁵² See the definition of Candidate in Regulations 20.1 and 20.2. See Regulations 24.1 to 24.3 (and the footnotes) for eligibility.

⁵³ The Returning Officer must notify a Candidate of decisions on validity, consulting the Elections Committee in cases of invalidity: Regulation 27.5.

- 27.4 Where the Returning Officer is satisfied that a Candidate's nomination is valid, but thereafter ceases to be satisfied, the Returning Officer may decide that the Candidate's nomination is no longer valid.⁵⁴
- 27.5 On each occasion that the Returning Officer makes a decision on the validity of a Candidate's nomination, the Returning Officer must promptly notify the Candidate. The Returning Officer must consult the Elections Committee before notifying a Candidate that their nomination is not, or is no longer, valid.⁵⁵
- 27.6 A Candidate who has submitted a valid nomination may, at any time, withdraw it by notifying the Returning Officer.
- 27.7 Before the start of voting, the Deputy Returning Officer must ensure that notice of all valid nominations is given to all Student Members.⁵⁶

⁵⁴ This covers, for example, cases where evidence of invalidity comes to light during the election campaign.

⁵⁵ Decisions include an initial consideration and re-considerations under Regulation 27.3 or 27.4.

⁵⁶ The notice may require updating during the election campaign.

PART THREE: Referenda

Questions

28 Questions

- 28.1 Where the issue on which a Referendum has been called is one of the following, there must be a single question.⁵⁷
- (a) For the continuing affiliation to an External Organisation where Oxford SU is currently affiliated, the single question must be: **Oxford SU is currently affiliated to [name of External Organisation]. Should it continue to be affiliated: yes or no?**⁵⁸
 - (b) For affiliation to an External Organisation where Oxford SU is not currently affiliated, the single question must be: **Oxford SU is not currently affiliated to [name of External Organisation]. Should it affiliate: yes or no?**
 - (c) For removal from office (under Article 20.1 or Bye-Law 28.4), the single question must be: **Do you have confidence in [name] as [office]: yes or no?**
- 28.2 In any other Referendum, there must be at least one question as determined by the Returning Officer. Where there is to be more than one question, the Returning Officer must ensure consistency of approach as between questions.⁵⁹

Timetable

29 Polling days

- 29.1 Voting in a Referendum must take place during a period of 58 hours from 8 am on a Monday, Tuesday or Wednesday until 6 pm on the following Wednesday, Thursday or Friday respectively ('the polling days'). The polling days must be within eight full term weeks of the Referendum being called.⁶⁰
- 29.2 The Returning Officer must determine the dates for the polling days within seven days of a Referendum being called.
- 29.3 The Returning Officer may at any time change the dates for the polling days if, in the Returning Officer's reasonable opinion, the Referendum is unlikely to be fairly or properly conducted without such a change.

⁵⁷ There can only be a single issue in a Referendum: Bye-Law 6.2.

⁵⁸ An External Organisation is defined in Schedule One to the Bye-Laws. The most significant is the National Union of Students. As to an affiliation Referendum, see Articles 12.1 to 12.5.

⁵⁹ The obligation to ensure consistency of approach applies only to multiple questions within a Regulation 28.2 Referendum. For example, if there are two questions in a Referendum and one option in each is to maintain the current position (*status quo*), that option needs to be answered 'yes' or 'no' in both cases.

⁶⁰ The reference to eight full term weeks means that only 1st to 8th Weeks in each Term are counted. So, for example, voting in a Referendum called at the end of 4th Week Hilary must take place before the end of 4th Week Trinity.

30 Notice of Referendum

30.1 The Returning Officer must give notice of the Referendum to all Student Members within 7 days of the determination under Regulation 29.2 or change under Regulation 29.3.

30.2 The notice must

- (a) set out the question or questions,
- (b) where Bye-Law 6.4 applies, state the extent to which the result is to be advisory,
- (c) give the timetable for the Referendum, including the dates for the polling days, and
- (d) state where information and guidance on the conduct of the Referendum may be found.⁶¹

Official Campaigns

31 Official Campaigns

31.1 There must be two Official Campaigns for each Referendum, namely:

- (a) one Official Campaign to campaign for a positive response to the question or questions, and
- (b) one Official Campaign to campaign for a negative response to the question or questions.⁶²

31.2 Regulation 31.1 does not apply to a Referendum under Article 20.1 (removal of Sabbatical Trustee), Article 23.2 (members direction), Bye-Laws 3.4 and 3.5 (governance amendments), or Bye-Law 28.4 (removal of Sabbatical Trustee-elect).

32 Campaign Leaders

32.1 An Official Campaign must have a Campaign Leader who must be a Student Member. A Campaign Leader must not be

- (a) the Returning Officer, or
- (b) the Campaign Leader of the other Official Campaign.

33 Campaign statements

33.1 Each Campaign Leader must submit a campaign statement (for the Official Campaign which the Campaign Leader leads) to the Returning Officer. The Campaign Leader must comply with any requirements of the Returning Officer as to length, content, format and time for submission.⁶³

⁶¹ Bye-Law 6.4 provides for advisory Referendum results not to be binding on Council, the Board or either.

⁶² See Regulation 28.2 (and footnote) as to consistency between answers to questions.

⁶³ The campaign statement must also comply with Regulation 2.1(a), and see also the equality of treatment duty on the Returning Officer in Bye-Law 7.6.

Schedule One: Interpretation

Election

- 1 A reference to an election in these Regulations is to an Annual Election or a By-election; and to elections is to Annual Elections and By-elections together.⁶⁴

Giving of notice etc.

- 2 Any requirement
- (a) to give, send, or submit any information, notice, form, or other document, includes by electronic means (including through Oxford SU's website or by email); and
 - (b) to publish includes by way of publication in *The Oxford Student*, or on the Oxford SU website.

Meaning of woman

- 3 In these Regulations, a reference to a woman is to a person who, wholly or partly, self identifies as a woman or as transfeminine.

General Interpretation

- 4 Words and phrases which are defined in Article 53 and Schedule One to the Bye-Laws have the same meaning in these Regulations as in Article 53 or in Schedule One to the Bye-Laws.
- 5 In addition,
Bye-Laws ... means the Bye-Laws made by Council on 27 April 2016 (as amended) and Bye-Law means one of them.

Campaign Leader ... means the Student Member described in Regulation 32.1.

Candidate ... means a Student Member described in Regulations 20.1 and 20.2.

Complaint ... means a complaint as described in Regulation 13.1.

Official Campaign ... means one of the two campaigns identified in Regulation 31.1.

Regulations ... means these Regulations, and Regulation means one of them.

⁶⁴ Annual Elections, and an Annual Election, are described in Bye-Law 4.2.