



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: February 2023

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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.
3. In all Bylaws of the Union, speaking rights will refer to the right to speak during discussion and debate periods, pursuant to Robert’s Rules of Order.
4. In all Bylaws of the Union, voting rights shall refer to the right to: move a motion, second a motion, and vote on a motion; pursuant to Robert’s Rules of Order.

MEMBERS

5. There are three (3) classes of membership in the Union, namely:
 - a. Ordinary Members;
 - b. Life Members;
 - c. Honorary Members (together the “Members”).
6. 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
7. Life Members are former Ordinary Members who have been appointed by the Council on the recommendation of the Student Life and Awards Committee.
8. Honorary Members are appointed by the Council on the recommendation of the Student Life and Awards Committee.
9. Membership for Ordinary Members begins on the first day of September and ends on the thirty-first day of August in a given year.

10. 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.

11. 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

12. Membership fees will be collected from eligible members, as defined in Bylaw No. 1, section 4.

13. 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.

14. Any increase in fees must be approved by a two-thirds (2/3) majority vote of Council.

15. Fees shall be collected in the manner prescribed by UNB Administration.

MEETINGS OF MEMBERS

16. 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.

17. 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

18. 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 Academic, Vice President Finance and Operations, Vice President Student Wellness, and Vice President Events and Services, as well as the hired Vice President Communications and Vice President Research and Policy (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”).

19. There will be Faculty Councillors, with one councillor elected for each faculty.
20. 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. Gender and Sexuality Diversity Student Representative;
 - e. Women’s Representative;
 - f. Accessibility Representative;
 - g. Part-Time Student Representative;
 - h. Two Inclusion Representatives to further represent the interests of underrepresented groups;
 - i. Nuci Putawasuwini, to be selected by the Indigenous Student Council prior to May 1st of each year;
 - j. First-Year Student Representative, to be elected by first-year students in a By-Election during the Fall semester of each year.
21. 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.
22. 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 Deputy Chief Returning Officer (DCRO);
 - g. the Chief Returning Officer (CRO);
 - h. the Union Chairperson;
 - i. the Union Secretary; or
 - j. the Vice President Research and Policy.

23. No Councillor shall, in their capacity as a Councillor of the Union, endorse or actively support any political candidate or party for political officer.

INDIGENOUS STUDENT COUNCIL

24. In all Bylaws of the Union, the Indigenous Student Council is defined as a community of Indigenous students that will provide different views to the Nuci Putawasuwin so that they are able to fairly represent Indigenous students at UNB:
- a. In the event of a consistent lack of participation among members of the Indigenous Student Council, the Nuci Putawasuwin may consult with the Mi'kmaq-Wolastoqey Centre and the Piluwitahasuwin for support in decision making and increasing participation.

ELECTION OF COUNCILLORS AND OFFICERS

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

MEETINGS OF COUNCILLORS

26. 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.
27. Notice of meetings of the Council will be given at least 72 hours before each meeting by email or any other practical method.
28. 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.
29. 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.

30. 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: the Graduate Students Association (GSA); who shall at all times enjoy speaking rights at such meetings of the Council.
31. Upon Council Resolution, any other person can be granted the opportunity to address Council at a meeting of the Council.
32. 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

33. Three Executive Councillors with voting rights and a majority of the General Councillors are necessary to constitute a quorum for council meetings.
34. 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

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

PROTECTION OF COUNCILLORS

36. 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.

37. The Union shall maintain appropriate insurance, provided such insurance is reasonably available, with respect to such indemnified liabilities of its Councillors and Officers.

HONORARIA

38. All remuneration issued to Councillors will be determined in such a manner as deemed appropriate by the Council.
39. 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.
40. 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

41. In each year, the Ordinary Members will elect the following Executive Councillors: a) President; b) Vice President Academic; c) Vice President Student Wellness; d) Vice President Finance & Operations, and; e) Vice President Events and Services.
42. Where the President, Vice President Academic, Vice President Student Wellness, Vice President Finance & Operations, and/or the Vice President Events and Services, 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.
43. During the academic year each Executive Councillor, save and except for the President, shall maintain a minimum of 10 hours per work week (being Monday to Friday), with an additional 5 hours allocated towards attending Council and any additional evening meetings as required. 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.

44. 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.
45. Where an Executive Councillor fails to maintain the minimum number of office hours required under Sections 41 and 42 such Executive Councillor shall make up their hours at such other time as may be convenient.

EXECUTIVE COUNCILLOR DUTIES

46. 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

47. 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 committee. 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 or necessary to achieve the purposes or objectives of the Union. The President shall report to the General Councillors through meetings of the Council.

VICE PRESIDENT ACADEMIC

48. The Vice President Academic shall be responsible for monitoring academic regulations and improving the overall quality of education at the University of New Brunswick. The Vice President Academic will also be responsible for advocating on all academic matters. The Vice President Academic shall ensure that there be adequate student representation in all internal related decision making processes of the University of New Brunswick. The Vice President Academic shall report to the President.

VICE PRESIDENT STUDENT WELLNESS

49. The Vice President Student Wellness shall advocate on all internal, non-academic student issues for the Union. The Vice President Student Wellness will bring forward new initiatives for University non-academic policy, campaigns and positions to promote meaningful change on student issues. They will ensure that students are being equitably represented and advocated for by the Union and that Student Union initiatives support equity, diversity, and inclusivity. The Vice President Student Wellness will fulfill and perform those duties as may be required or necessary to achieve the purposes or objectives of the Union. The Vice President Student Wellness shall report to the President.

VICE PRESIDENT FINANCE & OPERATIONS

50. The Vice President Finance & Operations shall be the Chief Financial Officer of the Union and shall manage the internal operations of the Union. The Vice President Finance & Operations shall fulfill and perform those duties as may be required or necessary to achieve the purposes or objectives of the Union. The Vice President Finance and Operations shall report to the President.

VICE PRESIDENT EVENTS AND SERVICES

51. The Vice President Events and Services shall manage and be responsible for the oversight of all services and campus events provided by the Union. The Vice President Events and Services shall perform those duties as may be required or necessary to achieve the purposes or objectives of the Union. The Vice President Events and Services shall report to the President.

GENERAL COUNCILLORS

52. 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

53. 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 shared Student Union Executive 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.
54. 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.
55. In such a case where the President and a Vice-President 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 shared Student Union Executive 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

56. All meetings of Council held relating to the removal of a Councillor shall be open all Union Members.
57. 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.
58. 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.
59. 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.

60. When a motion for the striking of a formal investigation committee has been given, the Council shall form said committee as prescribed by the Human Resource Policy.
61. Upon receipt and review of the committee's written report, a motion to effect dismissal or expulsion may be proposed by any voting Councillor.
62. 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.
63. 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.
64. A vacancy shall occur for any position, save that of the Nuci Putawasuwini:
 - 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.
65. A vacancy shall occur for the position of the Nuci Putawasuwini:
 - a. upon removal by the Indigenous Student Council; or
 - b. in the case that they deliver a written resignation letter to Council.
66. At the discretion of Council by majority vote, if the Nuci Putawasuwini fails to attend three (3) or more meetings of Council, a letter may be sent to the Indigenous Student Council recommending their removal pursuant of Bylaw No. 1 Section 63(a).
67. 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, at the recommendation of the Selections Committee, 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, at the recommendation of the Selections Committee, appoint an eligible Ordinary member (in accordance with the eligibility criteria outlined in bylaw 2) by a two-thirds majority vote;
 - i. in the event of the Nuci Putawasuwini, request an appointment of a new representative from the Indigenous Student Council.

COMMITTEES

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

CHAIRPERSON

69. 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 May 31 in each Academic Year by a two-thirds majority e-vote, and shall be re-affirmed by a two thirds majority vote at the first regularly scheduled Council meeting in September.

70. 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;
- c. serving as Chief Appeals Officer pursuant to the provisions of Bylaw No. 3; and
- d. creating the agenda for meetings and distributing meeting packages in the deadline set forth by the Council Procedure Policy.

71. 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

72. 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

73. 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

74. Upon the recommendation of the Selections Committee, the Council shall, no later than May 31 in each Academic Year and by a two-thirds majority e-vote, and shall be re-affirmed by a two-thirds majority vote at the first regularly scheduled meeting of Council in September, 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.

75. The Elections Officials shall officiate all elections, by-elections, and referenda in accordance with the provisions of Bylaw No. 2.
76. The Council may, by a two-thirds (2/3) majority vote, dismiss an Elections Official.
77. 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.
78. 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.
79. 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

80. Any Officer or Councillor of the Union who has or is aware of a financial or partisan 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

81. 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.
82. The President, Vice-President Finance and Operations, General Manager and Administrative Assistant are the four signing authorities and 2 of the 4 signatories are required.
83. 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

84. Any contracts or documents in writing requiring the signature of the Union must be signed by two elected members of the Executive Committee or one elected member of the Executive Committee and the Union General Manager.
85. The Council may appoint any individual(s) to sign contracts or documents on behalf of the Union.
86. All contracts or documents in writing so signed shall be binding upon the Union without any further authorization by Council.

AUDITORS

87. 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

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

BORROWING POWERS

89. 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

90. 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.

91. 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.
92. 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.

GOOD STANDING

91. To be hired or elected a candidate must be in good standing with the Union. To be in good standing with the Union, each of the following criteria must be met:
- a) Not having been dismissed from the Union in accordance with Bylaw 1 within a period of 5 years from the date of removal, and
 - b) Not having been found to be in breach of the Code of Conduct by the Code of Conduct Committee of the Union, and
 - c) Be in good academic standing, and
 - d) Be in good financial standing with the University, and
 - e) Be not found in violation, or under active investigation for any alleged violations of any non-academic offenses pursuant to the University's general regulations within a 5-year period.

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;

“**General Councillor**” means any councillor position that is not an Executive Councillor;

“**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);

“**Faculty**” means a specific degree program a student may be enrolled in;

“**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;

“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;

“In-Kind Services” means any service that would normally have a monetary cost to the candidate, including, but not limited to, the development of Campaign Materials; and

“Slander” means the utterance of false charges or misrepresentations which defame and damage another's reputation.

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, 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) if necessary, consult with the DCRO on business arising from the election and, if further guidance is necessary, consult with the Union Chair as an impartial third party.
- (k) 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.
- (l) ensure that the Student Union actively promotes the Election Call's publication;
- (m) ensure that all elections are restricted to their intended electorate;
 - (i) in the event that a ballot can not be made to be restricted to certain electorates, all Ordinary Members may vote on this position.
- (n) if applicable, provide at least seven (7) days' notice to all candidates setting out the time and place for candidate debates and/or speeches;
- (o) 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;
- (p) 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 Polling Period or a portion thereof, for the use of voters, in the Student Union Building;
- (q) maintain a list of contact information of all candidates;
- (r) request and confirm the results of a code audit of any electronic voting systems at least annually;

- (s) provide each candidate a copy of the Union Bylaws relating to elections and referenda;
 - (t) 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;
 - (u) 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.
 - (v) Attend any meetings of Policy Committee which contain business pertaining to bylaw two (2) and meet with Policy Committee at minimum once after the conclusion of every election;
 - (w) be ineligible to run as a candidate or vote in any Election; and
 - (x) 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) Report directly to the CRO;
 - (c) be ineligible to run as a candidate or vote in any Election.
5. The CRO may, where they deem appropriate, delegate authority to execute any of their duties set forth in this Bylaw to the DCRO, subject to continued oversight and approval of the CRO, excluding the authority to set *ad-hoc* regulations governing a particular Election.
6. 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.
7. 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) Council must be notified of any such ruling one (1) week prior to campaign period;
 - (b) any such ruling may be overturned by a two-thirds ($\frac{2}{3}$) majority vote of Council.
8. Notwithstanding paragraphs 6 and 7 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; or
 - (c) the ability of a candidate to use electronic media, including but not limited to electronic mail messages and websites.
9. Before the results of an election or referenda can be declared valid, they must be first recommended to and ratified by a motion of Council.

ELECTIONS

10. 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 closing 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 Sunday immediately preceding the Winter Term Break (the "Polling Period") (the "Annual General Election").
11. The following positions shall be available during the Annual General Election:
- (a) each of the Executive Councillors elected in accordance with Bylaw 1.41;

- (b) General Councillors as outlined in Bylaw No. 1, excluding the First- Year Student Representative, Education Councillor and the Nuci Putawasuwini.

12. 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

13. 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) anyone seeking to be a Faculty Representative Candidate must belong to the Faculty they seek to represent and shall provide evidence of same to the CRO upon request;
- (c) no person may run for more than one position that accords them a vote at the Council in any Election; and
- (d) in the event that an executive councillor intends to rerun in the General Election, or an interim executive councillor runs in the by- election, they must sign an agreement disclosing their intent and agreeing that their candidacy will not impact their decision making and judgement while performing day-to-day duties and long-term projects.

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

BY-ELECTIONS

15. 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.

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

- (a) The Election Call shall be published during each of the fifth and fourth weeks preceding the Fall Reading Week;
- (b) the Nomination Period shall open on the fifth Monday preceding the Fall Reading Week, and shall close at 11:59 a.m. on the fourth Friday preceding the Fall Reading Week (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 closing of the Polling Period.
- (e) the Polling Period shall begin at 12:01 a.m. on the Monday immediately preceding the Fall Reading Week, and shall close at 11:59 p.m. on the Sunday immediately preceding the Fall Reading Week (the "Polling Period") (the "Annual General Election").

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

- (a) In the event that a position is held by an individual on an interim basis, that individual may run for any available Voting Position.

SPECIAL ELECTIONS

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

19. 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

20. 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 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.

21. The Question must be sufficiently clear and succinct so as to require a "yes" or "no" response.

22. All approved referenda questions must be submitted to the CRO at least one (1) week before the beginning of the polling period.

23. The DCRO shall hold a forum to debate the Question during the Election.

NOMINATIONS

24. Nominations for General Councillor and Executive Councillor 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.
25. 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 three (3) 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.
26. 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.
27. 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.
28. A candidate, when submitting their nomination, must make clear to the CRO any extenuating circumstances that may prevent the completion of a full 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

29. No Campaigning shall occur before or after the Campaign Period except for conversations between one candidate and one other person.
- (a) the candidate may not be the one to initiate these one-on-one conversations.
30. 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 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;
- (d) 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;
- (e) 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;
- (f) no candidate Campaigning for an Executive Councillor position shall incur campaign expenses in excess of \$300.00;
- (g) no candidate Campaigning for any position other than that of an Executive Councillor shall incur campaign expenses in excess of \$100.00;
- (h) 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;
- (i) 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;
- (j) Candidates running for more than one position can list all positions on the same Campaign material;
- (k) 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;
- (l) 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;
- (m) where a candidate causes any damage in the placement or removal of their Campaign Materials, that candidate shall be responsible for those damages;
- (n) No candidate shall participate in or encourage Slander, harassment, or violence towards any other candidate(s);
- (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); and
 - (r) no campaign materials may be posted without approval of the CRO.

31. Regulations for Electronic Campaign Materials

- (a) 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:
 - (i) Candidates who wish to create a group or fan page must appoint the CRO as an administrator of any elections-related page.
 - (ii) Discussion boards and posts will be monitored by the CRO, and posts deemed inappropriate may be removed.
 - (iii) All electronic media is subject to the same deadlines and conditions as outlined in this Bylaw.

32. Recognized or ratified clubs and societies may not endorse candidates;

33. Executive Councillors may not endorse any candidate(s), excluding themselves, unless they have identified to the CRO that they are seeking election and are operating on a Slate as described in Section 35 of this Bylaw.

34. 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

35. A "Slate" is defined as any group of candidates which willingly choose to endorse one another on Campaign Material.

36. 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

37. The CRO has the discretion to remove any materials posted or distributed in advance of the Campaign Period.
38. 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.
39. 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.
40. 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

41. 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.
42. 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.
43. 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

44. 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.
45. 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.
46. No candidate campaign materials may be visible from any polling station or general place of voting, during the Polling Period.

ELECTION RESULTS

47. 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.
48. 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.
49. 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.
50. 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.

51. 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

52. 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.
- (a) In the case of the Nuci Putawasuwini, they shall assume office upon Council receiving a letter of appointment from the Indigenous Student Council.

VIOLATION OF ELECTION PROCEDURES

53. Where a candidate, affiliated supporter, or a person acting on their behalf fails to adhere to the regulations during an Election, the CRO may:
- (a) First, have a meeting with the candidate(s) that did not adhere to election regulations to discuss the situation. Upon completion of the discussion, the CRO should ensure that the candidate(s) who violated election regulations issue an immediate apology to all candidates;
 - (b) then, restrict the campaign activities of the candidate; and/or
 - (c) disqualify the candidate from the nominated position; and/or
 - (d) disqualify the candidate from any future campaigns; and/or
 - (e) take any other action that falls within the intent and nature of these bylaws.
54. Where the CRO performs an action pursuant to Section 53, the CRO shall deliver to the Council a report stating the action performed and the reasons for performing the action.
55. A candidate wishing to file a formal complaint in connection with any part of the Election shall submit, within six days of the close of voting, a written complaint setting out the nature of the alleged violations to the CRO.

Within seven days 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.

56. 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 _____

WITNESS _____

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 initiating an appeal and is not a member of the appeals board;
 - “**balance of probabilities**” means the standard of proof 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 proposition is not true;
 - “**burden of proof**” means the duty to prove a disputed proposition; “**election decisions**” a decision of the CRO resulting from a complaint filed in connection with the provisions of Bylaw No. 2; “**respondent**” means any member, whose decision forms the subject of the appeal and who wishes to respond to an appellant’s appeal; and
 - “**request for appeal**” means delivery of Notice of Appeal by the appellant, indicating that the appellant wishes to proceed on the basis of Bylaw No. 3.

COMPOSITION

3. The Appeals Board (“Board”) shall consist of the Union Chairperson who shall act as Chief Appeals Officer and two Associate Appeals Officers recommended for appointment by the Union Chairperson.
 - (a) In the event of the Chief Appeals Officer or either Associate Appeals Officer having a conflict of interest in an appeal, an interim Appeals Officer shall be appointed by Council at the first regularly scheduled meeting of the Council after the complaint was submitted.
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(a) through (c) of this Bylaw.
- 6. 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(a) through (c) of this Bylaw.
- 7. 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.
- 8. A member of the Board shall resign upon their declaration of candidacy in any UNBSU election.

CHIEF APPEALS OFFICER

- 9. 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.
- 10. The Chief Appeals Officer shall not hold a position on:
 - (a) any committee of the Union; or
 - (b) the executive of any Union Club or Society that is involved in an appeal.

ASSOCIATE APPEALS OFFICER

- 11. 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.

12. The Associate Appeals Officers shall not:
- (a) hold a position on any regular committee of the Union;
 - (b) be a Councillor; or
 - (c) the executive of any Union Club or Society that is involved in an appeal.

QUORUM

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

VOTING

14. Each of the Appeals Officers, including the Chief Appeals Officer, are individually entitled to one vote towards rendering a decision of the Appeals Board.

CAPACITY AND JURISDICTION

14. 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

15. The Union shall make available a Notice of Appeal form on the UNBSU website.
16. The Notice of Appeal form shall require:
- (a) the applicant(s) name(s);
 - (b) faculty;
 - (c) indication of full-time or part-time status;
 - (d) student number;
 - (e) email address;
 - (f) phone number;
 - (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 decision; and
 - (j) the remedy sought by the applicant;
17. Request for appeal is completed at delivery of the completed Notice of Appeal form to the Chief Appeals Officer.
18. The Board, subsequent to an appellant initiating a request for appeal, 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.

19. The Board shall provide notice to 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.

APPEAL HEARING

20. All appeal hearings shall be open to all members of the Union. Section 20 does not apply if the Appeals Board, as they may from time to time, determines it should not apply.
21. 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.
22. The Board shall hear appeals and review evidence presented by the appellant.
23. The Board shall 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 72 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 and all other relevant documents.
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 a remedy as the Board sees 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 a remedy as the Board sees 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 email.
31. The decision 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.
32. The Chief Appeals Officer shall provide a copy of the Board's decision along with all relevant documents.

AFFIRMATION

33. All members of the Board shall solemnly affirm the following affirmation at a meeting of Council prior to hearing any appeal:
- I,, do 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 affirmation.

MAINTENANCE

35. The Board shall maintain a regular database for the Board of all documents relating to past and future hearings.

ENACTED _____

WITNESS _____

President

Vice President Finance & Operations