**Rules for uea(su) Elections**

**Context**

1. It is important to remember that during the election campaign you continue to be bound by sets of rules that, whilst not strictly election rules, still have a bearing on your conduct. These are:
* **Union Rules/Policies:** This includes abiding by the Equal Opportunities Policy and Union Code of Conduct. Candidates should be aware that breaking Union rules may result in disciplinary action.
* **University Rules:** For example, the bullying and harassment code, damage to University property and buildings, the policy on acceptable use of computers and e-mail etc. This is all outlined in the University Calendar. Breaking University rules can result in a University disciplinary.
* **The Law:** For instance laws protecting the defacement of property and the Data Protection Act. Breaking the Law can result in a civil action or criminal prosecution.

Any of these outcomes may put a candidacy in jeopardy and all of the above rules are enforceable by the Deputy and Returning Officer as election rules.

**Conduct of campaigners and their supporters**

1. Campaigners must take reasonable steps to ensure that their supporter’s actions comply with the campaign rules at all times and must be able to demonstrate this in the event of a complaint against them. In the event of a dispute as to whether an individual was under the control of a candidate the Deputy Returning Officer’s ruling will be final.
2. Candidates and their Campaigners may only alter, move or remove **their own** campaign materials.
3. Candidates and their Campaigners may use email lists but only where lawful to do so. In most cases this will require the consent of the members on the list to use their details.
4. Candidates and their Campaigners may seek endorsements and support from anyone but Candidates may not endorse or support any other candidate in their or any other election.
5. The bylaws outlaw bullying or intimidating a member into voting for a particular candidate or preference. As a result Candidates and their Campaigners must allow voters to cast their ballot freely and must not communicate with voters in any way once they have begun to complete their ballot. If Candidates and their Campaigners can see how a voter is expressing preferences and voting, they are in breach of this rule.

**Campaigning & Expenditure**

1. Campaign expenditure is defined as expenditure in pursuit of promoting a candidature and can be further defined from time to time by the returning officer.
2. Candidate are not permitted to spend any money on campaigning in the election.
3. Candidates in all elections have a maximum amount they can spend on their campaigns once the nomination has been confirmed, for which they can be reimbursed by the union upon production of receipts. All expenditure must be
4. accounted for on a form we will provide. Candidates are required to produce receipts of their expenditure by the relevant deadline.
5. “Labour Costs” are not counted. Hire, materials production and materials or distribution of consumables is counted.
6. Where there is a question as to the extent to which it is reasonable to believe that the use of a tactic or resource was open to all and not expenditure and defined by the above, the deputy returning officer’s decision is final and so advice should be sought first.
7. Whereas candidates may well adopt similar policy stances and use similar publicity materials to other candidates, no candidate shall use publicity to promote another candidate, in the same or other election.

***Campaigning should follow these principles:***

**1- Reasonable:** In determining whether the use of a resource needs to be charged to campaign expenditure, the RO/DRO will use the “reasonable” test. For example- it is reasonable to assume all candidates own shoes. Thus the wearing of shoes does not need to be accounted for. It is not reasonable to assume all students own a tiger costume. Thus anyone using one as a feature of their campaign should account for costume hire. If in doubt candidates should consult first.

**2- Replicable:** Actions must be replicable by anyone else in the election. For example- if you tell jokes to students outside the union shop, anyone else could do the same. But If you won a blimp in an ebay auction for 25p it is not likely that someone else could buy a blimp for 25p.

*Some Examples:*

1. Your mother owns a sweet factory and gives you 500 swizzles sweets for free. You would have to declare a cost equivalent to 500 swizzles sweets at a commercial rate and this would count as expenditure and thereby would not be permitted in these elections.
2. You and 3 other candidates share purchasing of lollipops and therefore get a bulk buy discount for 2,000. Your cost declared would be the cost of 500 lollies without the bulk buy discount rather than a quarter cost of 2,000 lollies.
3. You own a pen and write “vote Jimmy” on existing posters. The pen does not count as expenditure as it is reasonable to assume that all students can access a pen.
4. You borrow a blimp and paint on it “vote Jimster”. This is not allowed as it is not reasonable to assume that all students can access a blimp.

**Complaints**

1. Complaints about the conduct of Candidates and their Campaigners must be sent to the Deputy Returning Officer detailing the allegation(s), the rules broken and any evidence.
2. All complaints regarding the conduct of Candidates and their Campaigners must be received within an hour of the close of polling.
3. All complaints must be resolved to the satisfaction of the Returning Officer before the count can commence.

**Role of the Deputy Returning Officer**

1. The Returning Officer and the Deputy Returning Officer will publish election campaigning rules in advance of the close of nominations for an election.
2. It is the role of the Returning Officer, and Deputy Returning Officer, to ensure these principles and the subsequently adopted rules are upheld.
3. Where it is felt that these adopted rules are not being upheld by a candidate the Returning Officer, on advice from their Deputy, make take the following action:
* **the disqualification of a candidate or candidates from the election;**
* **that promotional materials (including but not limited to posters, flyers and online materials) contravening the regulations be removed;**
* **that publicity be displayed at any fixed Union polling stations and online giving details of an infringement;**
* **order a re-election, starting the election process at any stage;**
* **order a re-vote, which shall mean all the election stages which follow completion of nominations, and shall not include the reopening of nominations;**
* **order the non-payment of a campaign expenses claim.**
1. The Deputy Returning Officer has the power, devolved from the Returning Officer, to issue warnings to candidates in the election and should set out in these warnings the action which shall follow if they are not heeded which could be any of the above.

The Deputy Returning Officer has the power, devolved from the Returning Officer, to suspend a candidate from the election pending the outcome of an investigation into an alleged breach of rules. During this period, the candidate is not permitted to actively campaign or discuss publicly the reasons for their suspension