1. GENERAL

1.1. These rules shall apply to all aspects of the SRA General Election, as per the authority of MSU BYLAW 10 - ELECTIONS, section 9.1.

1.2. Candidates shall be responsible for familiarizing themselves with MSU BYLAW 10 ELECTIONS, MSU BYLAW 10/A ELECTORAL PROCEDURES, these election rules, any further addenda, and Elections Committee decisions posted outside of the MSU Main Office and on the MSU website.

1.3. Ignorance of any rule presented in these documents, revisions, or addenda is not an excuse for violations. Candidates should seek clarification if needed.

1.4. The Returning Officers may provide an interpretation of these election rules, but such an interpretation shall not be binding on the Elections Committee. Individuals may request that the Returning Officers refer a question to the Elections Committee.

1.4.1. If the Elections Committee cannot resolve the issue by email, a committee meeting will be called within 3 school days of the request.

1.5. Any person with concerns regarding the organization, operation, or outcome of the election shall register his or her complaints, in writing, to the Returning Officers as per MSU BYLAW 10 - ELECTIONS and MSU BYLAW 10/A ELECTORAL PROCEDURES.

2. DEFINITIONS

2.1. “Bad taste” shall include but not be limited to material that is determined by the Returning Officers to be: sexist, racist, heterosexist, homophobic, transphobic, pornographic, obscene, derogatory or prejudicial to any member of the McMaster community. Material shall not contravene McMaster University’s Anti-Discrimination Policy.

2.2. Campaigning shall be defined as, but not necessarily limited to:

2.2.1. The distribution and display (excluding design) of campaign materials with the intention of promoting a candidate;

2.2.2. Speaking to classes, residences, student groups, or individuals for the purpose of presenting a platform as/for a candidate.

2.3. Campaign material shall be defined as anything used with the intention of promoting a candidate. This includes, but is not necessarily limited to:

2.3.1. Anything possessing a combination of a candidate’s name, likeness or platform;

2.3.2. Electronic media;

2.3.3. Material associated with a particular campaign theme.
2.4. A campaign theme shall be defined as anything intended to form an association with a particular candidate. This includes, but is not necessarily limited to:

2.4.1. Colour coding;
2.4.2. Clothing, clothing accessories or paraphernalia;
2.4.3. Publicizing a slogan.

2.5. The following shall not constitute campaigning:

2.5.1. An individual asking to have his or her nomination form signed;
2.5.2. Bringing campaign material to the Returning Officers;
2.5.3. Publicizing an upcoming election;
2.5.4. Producing campaign material prior to the start of campaign period, so long as it is not publicly available or visible;
2.5.5. Forming a campaign team;
2.5.6. Private campaign team meetings;
2.5.7. Private distribution of campaign material to campaign team members.

2.6. A campaign representative is an individual who actively campaigns on behalf of a candidate. Only McMaster students may be representatives of a candidate.

2.7. Group campaigning shall constitute the sharing of campaign materials and/or actively campaigning on behalf of another candidate.

2.8. MSU Space shall be defined as the official offices, physical and online (excluding Facebook and Twitter), events and facilities of the MSU.

2.8.1. The Elections Committee reserves the right to inspect all MSU Space.

2.9. Campaign expenses shall constitute any and all money spent for the purpose of campaigning.

3. NOMINATIONS

3.1. Only MSU members as defined in MSU BYLAW 2 - MSU MEMBERSHIP are allowed to register as candidates.

3.2. The Nomination Period will open on Monday February 5th, 2018. Nominations will close at 5:00 pm on Tuesday February 27th, 2018.

3.3. Nomination forms are to be submitted to the Returning Officers in person or through the MSU Office front desk.
3.4. The MSU Accounting Office will collect a deposit of $20 cash per candidate upon the submission of completed nomination forms. The deposit will be returned to the candidate after the appeals period has ended less the amount of any fines levied for campaign violations.

3.4.1. Deposits must be picked up within 30 days after the end of the appeals period.

3.5. Nomination forms and campaign team forms will be validated by the Returning Officers. Any candidate whose nomination form does not meet the validation requirements shall be given one business day after the close of nominations to amend and re-submit for validation.

3.6. All campaign representatives must be registered on a campaign team. Representatives may be added to the campaign team at any time by the candidate or Elections Committee.

3.7. The names of candidates will be posted after all nomination forms have been validated.

4. CAMPAIGNING

4.1. Campaigning will begin at 9AM on Thursday, March 1st 2018, and end at 5:00 pm on Thursday, March 8th, 2018.

4.2. No one shall cause a wilful disturbance, interfere, or attempt to interfere with an individual’s right to vote.

4.3. Candidates may campaign off-campus under the following exceptions:

4.3.1. Candidates may not campaign door-to-door off-campus;

4.3.2. Candidates may only post campaign material in their own personal space and that of consenting McMaster students.

4.4. Candidates may not use resources or clubs of the MSU to campaign.

4.5. Candidates may campaign in MSU Space, subject to the following restrictions:

4.5.1. No campaign material shall remain or be posted in MSU Space;

4.5.2. Candidates are not permitted to address student groups or individuals unsolicited.

4.6. Only for the purposes of production or approval may campaign materials be visible in the MSU Elections Department, MSU Underground Media & Design, The Silhouette office, and MSU Main Office.

4.7. Employees and volunteers of the MSU may not campaign, with the following exceptions:

4.7.1. Full-time employees must receive a leave of absence through the Board of Directors before the start of the campaign period;

4.7.2. Volunteers and part-time employees may not campaign during the course of their duties or while acting as a representative of the MSU.
4.8. If the Elections Committee receives or initiates a complaint that a volunteer or staff member of any MSU service is using their position to promote or denigrate a candidate, the Elections Committee may request for the suspension of the volunteer or staff member for the duration of the campaign or appeals period through the appropriate service manager or Board.

4.9. Opinion pieces written by the candidates or representatives shall be clearly marked EDITORIAL.

4.10. Candidates may not use Avenue to Learn or Learnlink to campaign or advertise an election.

4.11. Candidates may not distribute unsolicited electronic communication excluding Facebook.

4.12. Electronic media (excluding Twitter) must provide a link to the main Elections Department website.

4.13. Candidates may not leave campaign material visible on McMaster University computers.

4.14. Official mass contact lists may not be used for campaigning. These include but are not limited to: club mailing lists, residence lists, and academic societies.

4.15. Campaigning may not take place on Facebook groups, pages, events or chats, except those expressly created to advertise a candidate’s campaign.

4.16. Use of speakers, microphones, or amplifying equipment not provided by McMaster University or the MSU is prohibited.

4.17. Candidates must obtain the permission of the lecturer before speaking to a class. Candidates must abide by the conditions imposed by the lecturer.

4.18. Individuals may not campaign door to door in residences. Individuals may post campaign material in residences only on or in their own personal space and that of consenting parties.

4.19. Candidates are not permitted in the main office of the MSU unless receiving mail, attending meetings, or speaking with the Returning Officers.

4.20. Candidates are permitted to incorporate a position on any concurrent referenda into their platform.

5. CAMPAIGN MATERIALS

5.1. Material may not possess any logo(s) of the MSU, McMaster University, or McMaster University recognized groups.

5.2. The Returning Officers must be notified of all campaign material, including theme, prior to the material being made public.

5.2.1. Prior to broadcast, print or posting, the Returning Officers must receive a copy of the text of ads on CFMU-FM, MacTV and ads in McMaster University publications (including classified ads).
5.3. All campaign materials, excluding those produced by the candidate, representative or supporter, will be produced or contracted out by the MSU Underground Media & Design. The Underground Media & Design Manager, in consultation with the Returning Officers, will give a Fair Market Value Assessment for items produced for the candidate, for the purpose of declaration of expenses.

5.4. Any campaign materials that will permanently deface University property are prohibited.

5.5. Posters may be affixed with masking tape only.

5.6. Posters displayed at any one time shall be limited to a total of 150 per candidate. Posters must not exceed 11 x 17 inches; therefore, no banners will be permitted.

5.7. There shall not be more than two (2) posters per candidate on an unbroken wall. Posters shall not be placed across or over any corner. Breaks shall be defined as corners and the mid-points above:

5.7.1. Doors;
5.7.2. Bulletin Boards;
5.7.3. Windows.

5.8. Posters may only be placed on internal, solid walls.

5.8.1. Posters may not obstruct signage or other posters.
5.8.2. In the Health Science Centre posters may only be placed on bulletin boards.

5.9. Posting within the MUSC is subject to the McMaster University Student Centre Administration Posting Policy.

5.10. All campaign material, including tape, must be removed by 5:00 pm on Friday, March 9th, 2018.

6. GROUP CAMPAIGNING

6.1. Candidates must declare prior to the campaign period their intent to group campaign and the membership of the group.

6.2. Candidates campaigning as a group shall be considered to be sharing all campaign material and expenses.

6.3. Candidates cannot pool their poster or spending limits.

6.4. Violations against one candidate will be assessed against all members of the group.

6.4.1. Disqualifications shall be assessed on an individual basis.
6.5. The Elections Committee may deem members to be group campaigning at any time, based on campaign behaviour.

7. SPENDING LIMIT

7.1. Campaign sides may use materials and services with a Fair Market Retail value of up to $50 (including all applicable taxes, and excluding deposit). Expenses must reflect the Fair Market Value of each item unless otherwise specified in these rules. The Returning Officers shall determine Fair Market Value using any combination of the following: Receipts of campaign expenses, consultation, published prices and referring questions to the Underground Media & Design.

7.2. Candidates shall submit all receipts, invoices, and an itemized list of all campaign expenses and design costs.

7.3. If a candidate has incurred no campaign expenses, a declaration of non-expenditure must be submitted.

7.4. A complete expense list or declaration of non-expenditure shall be submitted to the Returning Officers before 12:00 noon on the day prior to the close of polls.

7.5. The following shall be valued at $0:

7.5.1. Any design work provided by campaign representatives;

7.5.2. Masking tape;

7.5.3. Ad space provided by the Elections Committee.

7.5.4. Previously owned items.

7.6. If material from a previous campaign, or material that would normally be produced during the campaign period, is used as campaign material, it must be declared on the expense sheet and shall be counted as part of the spending limit.

7.7. There shall be no expenditures after receipts are submitted to the Returning Officers.

7.8. Campaign material shared between candidates shall be declared in full on the expense sheets and shall count in full against the spending limit of all candidates concerned.

8. ELECTION VIOLATIONS

8.1. Any act that contravenes any article of MSU BYLAW 10 - ELECTIONS, MSU BYLAW 10/A – ELECTORAL PROCEDURES, this document, any further revisions, or addenda shall be considered a violation of election rules.

8.2. The Elections Committee may exercise any combination of the following to address violations:

8.2.1. Issue a warning;
8.2.2. Levy a fine;
8.2.3. Disqualify a candidate;
8.2.4. Invalidate an election;
8.2.5. Recommend to the SRA the suspension of MSU privileges.

8.3. Candidates are responsible for their campaign and representatives. If a representative commits a violation, the Elections Committee may penalise the candidate as well as or instead of the representative. Candidates are required to notify the Returning Officers immediately if they believe they could be unfairly penalised for another individual's actions.

8.4. The Returning Officers shall endeavour to notify candidates of complaints submitted against them within 24 hours of the complaint being received.

8.5. Complaints about any aspect of the election (eg. candidates, campaign members or other individuals or the administration of the election) may be brought to the Returning Officers via the complaint form. The Elections Committee will hear all complaints received and decide if a violation of the election rules has occurred. The Elections Committee will seek further information from concerned parties if the committee feels that a complaint warrants such investigation. The deadline for the submission of complaints shall be:

8.5.1. 4:30 pm on Thursday, March 8th, 2018.

8.6. A scrutineer may only observe balloting procedures, verbally notify the poll clerk of any complaints and submit complaints in writing to the Elections Committee through the Returning Officers within 24 hours of the completion of the ballot report approval.

8.7. Complaints received after the deadline but prior to the ratification of fines may be considered at the discretion of the CRO.

8.8. Fines shall be levied according to the following structure:

8.8.1. The standard fine for any violation shall be $2;
8.8.2. Severe violations will be fined a standard of $15;
8.8.3. Candidates shall be fined 100% of the amount that exceeds the spending limit;
8.8.4. Fines for poster placement violations shall be given five (5) grace violations after which point they shall be $2 for each subsequent offence to a maximum of $50;
8.8.5. Fines for failure to remove campaign material by 5:00pm on the day after the close of polls shall be $5 for the first item and $1 for each additional item. These fines will be assessed during the appeals period.

8.9. Severe violations shall constitute but are not limited to the following:
8.9.1. Exceeding the spending limit;

8.9.2. Production of campaign material by a company other than the Underground Media & Design (or a company that the MSU Underground Media & Design has contracted out to);

8.9.3. Failure to submit receipts and expense sheet prior to the Fines Meeting;

8.9.4. Misrepresentation by the candidate on their expense sheet;

8.9.5. Use of material that is considered to be in “bad taste”;

8.9.6. Use of material without notifying the returning officers within 24 hours of it being made public;

8.9.7. Misrepresentation of any kind to the Elections Committee or members of the Elections Committee on any matter relating to the election;

8.9.8. Deliberately violating any rule;

8.9.9. Harassment by candidates, representatives or supporters;

8.9.10. More than $20 in fines for violations of the same nature of the same rule (if the violation is not already a severe violation);

8.9.11. Violation of polling day campaign rules.

8.10. The Elections Committee may disqualify a candidate for any severe violation or for at least 5 standard violations. The Elections Committee shall disqualify a candidate for sabotaging another candidate’s campaign.

8.11. The Elections Committee may invalidate the election if it believes that the number and severity of violations materially affected the integrity of the election.

8.12. The Elections Committee may recommend to the SRA the suspension of an individual’s MSU privileges under extreme circumstances.

8.13. The Elections Committee shall consider any mitigating circumstances of which it is aware when assessing fines. Individuals may present further mitigating circumstances during the appeals period.

8.14. Any penalties, excluding invalidation, shall not take effect until the ratification of fines following the close of polls.