

Simon Fraser Student Society

Constitution and By-Laws

Approved to March 19, 2010

Constitution

1. The name of the Society shall be the Simon Fraser Student Society.
2. The purposes of the Society shall be:
 - (a) To represent and advocate for the interests of undergraduate students at Simon Fraser University.
 - (b) To coordinate and promote all undergraduate student activities, of, by, and for the undergraduate students of Simon Fraser University.
 - (c) To promote, among other goals democratically determined by the Society, the principles of public, universally accessible, high quality post-secondary education, and of meaningful undergraduate student participation in all aspects of University governance.
 - (d) To facilitate collective action by undergraduate students at Simon Fraser University, within the Province of British Columbia, and elsewhere in support of these principles.
 - (e) To acquire or hold any lands, buildings, facilities or other assets for the use or benefit of the Society or the undergraduate students of Simon Fraser University.
3. The operations of the Society shall be chiefly carried on at Simon Fraser University in the Province of British Columbia.

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By-law 1 - Interpretation

In these By-Laws:

- i. All references to the singular shall include the plural and plural the singular, and all references to the masculine shall include the feminine and feminine the masculine.
- ii. “Active member” means an undergraduate student who, for the purposes of elections and referenda, is registered in a course or program for the current semester.
- iii. “Board” means the Society’s Board of Directors.
- iv. “Declared intention,” means a student who through University regulation must first declare an intended major, minor or honours before being allowed to declare a major, minor or honours. For the purpose of interpreting the By-Laws, “declared intention of major, minor or honours” and “declared major, minor or honours” shall mean the same thing.
- v. “Document” shall have the same meaning as in the Society Act.
- vi. “Executive Officer(s)” means the External Relations Officer, Internal Relations Officer, Member Services Officer, President, Treasurer, and University Relations Officer.
- vii. “Fiscal year” means the period from May 1st to April 30th inclusive.
- viii. “Forum” means the Society’s Student Forum.
- ix. “Honorary member of Forum” means a person who is entitled to speak and to propose motions at all meetings of Forum but who is not entitled to a vote nor to be counted for the purpose of establishing quorum.
- x. “Honorary member of the Society” means a person who has been granted all the rights and privileges of members in good standing of the Society.
- xi. “Member in good standing of the Society” means a person who satisfies the requirements of By-Law 2 and has paid all fees, fines and penalties levied in accordance with these By-Laws or the Society’s regulations.
- xii. “Member of the faculty or department” means a person in a faculty or department or school that offers a major, minor, or honours degree program and who has satisfied one of the following conditions:
 - xiii. She or he is enrolled in an undergraduate degree program in the faculty or department or school, or
 - xiv. She or he is registered in at least one undergraduate course in the faculty or department or school.
- xv. “Ordinary resolution” shall have the same meaning as in the Society Act.

xvi. "Regulation" means any Rule, Standing Order or Administrative Policy enacted by the Board.

xvii. "Society" means the Simon Fraser Student Society.

xviii. "Society Act" means the Society Act of the Province of British Columbia in force, and as amended from time to time.

xix. "Special Resolution" shall have the same meaning as in the Society Act.

xx. "Union" means Department Student Union.

xxi. "University" means Simon Fraser University.

By-Law 2 – Membership

1. The membership of the Society shall be all Simon Fraser University undergraduate students who are registered in a course, or program at the University.
2. Membership in the Society shall cease when a member fails to register for undergraduate courses at the University for two consecutive registrations.
3. As membership is a condition of registration for undergraduate students at the University, members who are registered shall not be expelled.
4. Notwithstanding the provisions of this By-Law, in order to be eligible to run for office and to vote at Annual General Meetings or Special General Meetings or in Society elections and referenda, a student must be an active member in good standing of the Society.

By-Law 3 – Powers, Duties and Obligations of Members

The powers, duties and obligations of members of the Society shall be as provided in these By-Laws or in regulations enacted by the Board.

By-Law 4 – Powers, Duties and Obligations of Executive Officers

1. The External Relations Officer shall:
 - (a) Be responsible for keeping the Board informed of plans or actions of external organisations, outside the University, and federal and provincial governments that have a direct bearing on the Society or its members.
 - (b) Be responsible for Society business related to, and shall organize Society representation at conferences held by external organizations, other than the University, in which the Society may have membership or interest.
 - (c) Act as a liaison between the Society and other student unions.
2. The Internal Relations Officer shall:
 - (a) Act as a liaison between the Board and its employees.
 - (b) Coordinate all staff relations functions, activities, and policies.
 - (c) Ensure compliance with and enforcement of all relevant Collective Agreements, employment contracts and staff relations policies.
 - (d) Be a signing officer.
3. The Member Services Officer shall:
 - (a) Assume and carry out the rights, duties and obligations of the President during her or his absence or in the event that she or he should resign, be impeached or abandon office.
 - (b) Act as a liaison between the Board, Forum, and other student groups at the University.
 - (c) Oversee the establishment and maintenance of Unions, and act as a liaison between the Board and these Unions.
 - (d) Coordinate the compilation of the Annual Report of the Board for consideration at the Annual General Meeting.
 - (e) Coordinate and facilitate activities and services for the members of the Society.
 - (f) Be a signing officer.
4. The President shall:
 - (a) Have the power to convene the Board or Forum at any time.

- (b) Be an ex-officio voting member of all Board and Forum committees.
- (c) Be a signing officer.
- (d) Represent the Society on formal occasions.
- (e) Undertake all other duties usually falling to the office of President of a Society.

5. The Treasurer shall:

- (a) Ensure that all Society funds are deposited in an appropriate account at a financial institution selected by the Board.
- (b) Keep careful account and be responsible for all monies received and disbursed by or on behalf of the Society. The Treasurer shall not disburse funds except as provided for in these By-Laws, or by regulation.
- (c) Render, upon request of the Board and within fourteen calendar days, a detailed written report on the Society's financial affairs.
- (d) Prepare a detailed written report on the Society's financial affairs for consideration at the Annual General Meeting.
- (e) Coordinate the preparation of the budget of the Society.
- (f) Coordinate the commercial and legal affairs of the Society.
- (g) Be a signing officer.

6. The University Relations Officer shall:

- (a) Act as a liaison between the Board and the University.
- (b) Coordinate student representation on all University committees to which the Society nominates or appoints.
- (c) Coordinate student involvement in University community affairs and activities.

By-Law 5 – Board of Directors

1. The members of the Board shall be members in good standing of the Society and shall not miss more than one registration during tenure of office. In order to remain a member in good standing during a semester in which a member of the Board is not registered that member shall pay all Society fees for that semester at a rate equal to the prorated part-time student rate.
2. The Board shall consist of:
 - (a) The Executive Officers.
 - (b) One undergraduate student Representative elected from each University faculty.
 - (c) Two At-Large undergraduate students.
3. Members of the Board shall receive a stipend.

By-Law 6 – Powers, Duties and Obligations of the Board of Directors

1. The Board shall be the only recognized medium of communication between the Society and:
 - (a) Its members.
 - (b) The University.
 - (c) The general public.
2. The Board shall, subject to the provisions of these By-Laws, exercise full control over all activities of the Society.
3.
 - (a) The Board may delegate such of its powers, duties and obligations as it may deem expedient for the practicable conduct of the affairs of the Society.
 - (b) The Board shall not delegate its powers to expend or disburse funds except that:
 - i. The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Executive Committee, except that this power shall only be exercisable between the last quorate Board meeting of each semester, and the first quorate Board meeting of each subsequent semester, and any such expenditure or disbursement shall be limited to a maximum of \$20 000.
 - ii. The Board may, by way of regulation, delegate its powers to expend or disburse funds to its standing committees, except that any such expenditure or disbursement shall be reported to the Board at its next meeting.
 - iii. The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Treasurer, except that any such individual expenditure or disbursement shall not exceed \$500.
4.
 - (a) The Board shall, subject to the provisions of these By-Laws, have power to make from time to time such regulations as it may deem necessary or advisable with respect to such activities, and to amend, suspend or repeal these regulations.
 - (b) The Board shall, subject to the provisions of these By-Laws, have power to make rulings in connection with all such regulations, including any regulation governing the conduct of its members, and any such ruling made by it shall be final and binding.

- (c) The maximum fine that may be levied against a member of the Society in accordance with this By-Law shall be \$25.00.
- 5. No meeting of the Board in the Summer semester shall have the power to allocate from operating funds, nor shall the Treasurer disburse such funds, such that the total expenditures of the Society for the three semesters ending August 31 exceed the revenues for the same period, unless:
 - (a) This excess expenditure over revenue has been previously budgeted, or
 - (b) The expenditure of such funds is contractually required.
- 6. No meeting of the Board in the Summer semester shall have the power to approve capital expenditures in excess of \$20,000 or 15% of the capital budget, whichever is the greater.
- 7. The Board may, for the purpose of carrying out the objects of the Society, borrow, raise or secure the repayment of money. The Board may authorize the issue of bonds, perpetual or redeemable debentures, or any mortgage, charge or other security on the whole or part of the property or assets of the Society, present and future, including Society fees now or hereafter due or payable, except that no debenture shall be issued without sanction of a special resolution.
- 8. The Board may, by resolution, appoint persons not members of the Board as full or qualified signing officers, provided they are covered by liability insurance satisfactory to the Board and naming the Society as beneficiary.
- 9.
 - (a) A member in good standing of the Society shall be elected to the position of Board Chair by a simple majority vote of the Board for a term of one semester.
 - (b) The Board Chair shall not be counted towards quorum or have a vote unless she or he is a member of the Board.
 - (c) If she or he has a vote the Board Chair shall exercise it in accordance with Robert's Rules of Order.
- 10.
 - (a) The Board Chair shall convene a meeting of the Board at least once per month.
 - (b) Upon receipt of a petition signed by at least one-half (1/2) of the members of the Board, the Board Chair shall convene a meeting within two (2) working days.
- 11. Quorum for a meeting of the Board shall be a majority of the seats filled, including at least four (4) Executive Officers.

12. Robert's Rules of Order shall govern the conduct of all meetings of the Board and its committees.

13. No votes by proxy shall be allowed.

By-Law 7 – Student Forum

1. The members of Forum shall be members in good standing of the Society and shall not miss more than one registration during tenure of office. In order to remain a member in good standing during a semester in which a member of the Board is not registered that member shall pay all Society fees for that semester at a rate equal to the prorated part-time student rate.
2. Forum shall consist of:
 - (a) The Department Representatives.
 - (b) Constituent Group Representatives.
3. Department Representatives shall consist of:
 - (a) One undergraduate member from each University department offering a major, minor, or honours program, excluding those programs that are offered as double majors and excluding those programs that offer a minor but have no recognized Union.
 - (b) Three undergraduate members from the Faculty of Education.
 - (c) Three undergraduate members from the Faculty of Business Administration.
4. Constituent Group Representatives shall consist of one undergraduate member from each constituent group recognized by Forum.
5. Notwithstanding By-Law 7 (2), members of the Board of Directors shall be honorary members of Forum as referenced in By-Law 1.

By-Law 8 – Powers, Duties and Obligations of the Student Forum

6. Forum shall serve as the primary medium for discussion and coordination of:
 - (a) Issues of importance to members in different faculties, departments or schools at the University.
 - (b) Advocacy and other such matters of general interest to members of the Society.
7. Forum shall advise the Board as necessary and may strike advisory committees, establish their terms of reference, and appoint their members, at its discretion.
8. Forum may appoint honorary members, both of Forum and of the Society, at its discretion.
9. Forum may, if the University establishes new faculties, departments, or undergraduate programs offering majors, minors, or honours programs establish a new seat or seats, as the case may be, on Forum for the Department Representatives from said faculty, department, or program through a vote requiring two-thirds (2/3) majority and providing that three (3) weeks notice of such a vote at a Forum meeting has been given as notice of motion to Forum.
10.
 - (a) Forum may recognize a constituent group within the University community and establish a new seat on Forum for a Constituent Group Representative through a vote requiring two-thirds (2/3) majority and providing that (3) three weeks notice of such a vote at a Forum meeting has been given as notice of motion to Forum.
 - (b) Forum may appoint active members in good standing of the Society to fill constituent group representative positions at its discretion.
11.
 - (a) In the event a position on the Board becomes vacant, Forum may by two-thirds (2/3) majority vote appoint an acting member to assume the powers, and fulfill the duties and obligations of the position so vacated.
 - (b) To be eligible as acting External Relations Officer, Internal Relations Officer, Member Services Officer, President, Treasurer or University Relations Officer, the nominee must be an active member in good standing of the Society and a regularly elected member of Forum.
 - (c) To be eligible as an acting Faculty Representative to the Board, the nominee must be an active member in good standing of the Society, a member of the appropriate faculty, and a regularly elected member of Forum.

- (d) To be eligible as an acting At-Large Representative to the Board, the nominee must be an active member in good standing of the Society and a regularly elected member of Forum.

12.

- (a) In the event that a position on Forum, other than a constituent group representative position, becomes vacant, Forum may by two-thirds (2/3) majority vote appoint an acting member to assume the powers, and fulfill the duties and obligations of the position so vacated.
- (b) To be eligible as acting Department Representative, the nominee must be an active member in good standing of the Society and a member of the appropriate department or faculty nominated by her or his Union.

13. Notwithstanding the provisions of By-Law 8(6) a member of the Board removed from office in accordance with By-Law 16(2) shall be replaced by way of election, or by appointment by ordinary resolution to serve during the balance of the term.

14. Forum shall receive and administer an annual budget sufficient to maintain its activities.

15.

- (a) A member in good standing of the Society shall be elected to the position of Forum Chair by a simple majority vote of Forum for a term of one semester.
- (b) The Forum Chair shall not be counted towards quorum or have a vote unless she or he is a member of Forum.
- (c) If she or he has a vote the Forum Chair shall exercise it in accordance with Robert's Rules of Order.

16.

- (a) The Forum Chair shall convene a meeting of Forum at least once per semester.
- (b) Upon receipt of a petition signed by at least one-half (1/2) of the members of Forum the Forum Chair shall convene a meeting within five working days.

17. Quorum for a meeting of Forum shall be a majority of the seats filled.

18. Robert's Rules of Order shall govern the conduct of all meetings of Forum.

19. No votes by proxy shall be allowed.

By-Law 9 – Department Student Unions

1. Unions shall be the recognized medium of undergraduate student representation within the University faculties, departments and programs offering major, minor, or honours programs.
1. Forum shall recognize a Union provided that it is satisfied that the
 - (a) Has a written constitution that has been ratified by a majority of its members, who shall be members in good standing of the Society, attending and voting at an advertised general meeting of the Union, and
 - (b) Has aims and objectives, stated in its Constitution, which are not inconsistent with those stated in the Constitution of the Society, and
 - (c) Recognizes as its members those undergraduate students who are members of the faculty, department or program, and
 - (d) Seeks to represent the members in its department or undergraduate academic program, and
 - (e) Holds regular general meetings that are advertised and open to all of its members.
2.
 - (a) Notwithstanding the provisions of By-Law 9(2)[a] and [b] the Board may, by way of regulation, vary the provisions of Union constitutions.
 - (b) Notwithstanding the provisions of By-Law 9(2)[c], [d], and [e] Unions shall consist of all undergraduate students within their respective faculty, department or program.
3.
 - (a) Students enrolled in a special program which is not a University faculty, department or program as per By-Law 9(1) may form a Union, and may apply to Forum for recognition as such provided the Union meets the criteria in By-Law 9 (2).
 - (b) A Union recognized under By-Law 9(4)(a) shall have the same powers, duties and obligations of any other Union.

By-Law 10 – Annual and Special General Meetings

1. The Annual General Meeting of the Society shall be held between September 15th and October 31st each year.
2. In addition to any other business proposed by the Board, Forum or members of the Society, the following business shall be conducted at the Annual General Meeting:
 - (a) Appointing a Chair for the Annual General Meeting.
 - (b) Receiving and filing the minutes of the previous year's Annual General Meeting and any Special General Meetings held since the last Annual General Meeting.
 - (c) Receiving the Annual Report of the Board.
 - (d) Receiving the Treasurer's report.
 - (e) Receiving the Auditor's report.
 - (f) Appointing the Auditor for the coming year.
3. Notice of the Annual General Meeting or of any Special General Meeting shall be given at least twenty-one (21) calendar days prior to the date on which the meeting is to be held, and all notices shall clearly state the date, time, location, and proposed agenda. Sufficient notice will be deemed to have been given with the posting of no less than the following:
 - (a) A conspicuous notice not less than eleven inches by seventeen inches in size upon three (3) or more different bulletin boards about the Burnaby Campus and upon at least one (1) bulletin board at the Harbour Centre Campus.
 - (b) Written or electronic memoranda to all active Unions.
 - (c) An advertisement in the student newspaper or other student publication normally available to all members of the Society.
 - (d) A notice not less than eleven inches by seventeen inches in the vicinity of the Society's offices.
 - (e) Electronic memoranda to all active members of the Society, unless the University is unable or declines to provide the necessary access to student electronic contact lists.
4. Accidental omission in giving notice of the Annual General Meeting or a Special General Meeting, or the non-receipt of notice by the members of the Society, shall not constitute a violation of the proceedings of the meeting.

5. Each member in good standing of the Society shall be entitled to vote at the Annual General Meeting or at any Special General Meeting. In order to exercise her or his vote the member shall be present at the meeting at the time the vote is put, and no votes by proxy shall be allowed.
6. If within thirty (30) minutes from the time appointed for the Annual General Meeting a quorum is not present, quorum shall be twenty (20) members in good standing of the Society, and the meeting shall transact only such business as is specifically referred to in By-Law 10(2)[a]-f.
7.
 - (a) Special General Meetings may be convened at any time by resolution of two-thirds (2/3) of the members of the Board or Forum.
 - (b) The President shall convene a Special General Meeting within thirty (30) calendar days of receipt of a petition signed by five (5) per cent or more of members in good standing of the Society.
8. Resolutions of the Annual General Meeting and of any Special General Meeting shall be governed by a simple majority of votes cast, except where the provisions of these By-Laws or the Society Act require otherwise.
9. Quorum for the Annual General Meeting and any Special General Meeting shall be two hundred and fifty (250) members in good standing of the Society.
10. Robert's Rules of Order shall govern the conduct of the Annual General Meeting and of any Special General Meeting.

By-Law 11 – Auditors

1. The Auditors of the Society shall have the right of access to all documents and other property of the Society and shall be entitled to require from the Board, the employees, and any and all members of the Society, such information and explanation as may be required by the Auditors for the due performance of their duties.
2. The Auditors shall audit the previous fiscal year of the Society and report their findings to the Board and the Annual General Meeting.
3. In addition to any information the Auditors may deem appropriate to include, their report to the Annual General Meeting shall expressly state:
 - (a) Whether they have obtained all information and explanation required and whether they have been granted free access to all necessary documents.
 - (b) Whether, in their opinion, the balance sheet and financial statements forming a part of their report are properly drawn so as to present fairly, in all material aspects, the financial position of the Society and the results of its operations and cash flows for the year then ended in accordance with generally accepted accounting principles.

By-Law 12 - The Seal of the Society

The Seal of the Society shall be kept in the custody of the Society's Finance Office and shall not be affixed to any instrument or contract unless authorized by resolution of the Board.

By-Law 13 – Amendments

1. The Constitution and By-Laws may be amended by special resolution passed at an Annual General Meeting, at a Special General Meeting, or by indirect voting via referendum held in accordance with By-law 17.
2. Notice of a proposed amendment however initiated shall be given in accordance with By-Law 10(3) providing for notice of the Annual General Meeting and any Special General Meeting, and shall include the actual wording of the proposed amendment.
3. Amendments may be initiated by:
 - (a) The Board.
 - (b) Forum.
 - (c) Any member in good standing of the Society:
 - i. If twenty-one (21) days notice of the actual wording of the proposed amendment is given in writing to the Society prior to the Annual General Meeting.
 - ii. Requesting a Special General Meeting for the consideration of a proposed amendment, provided that the proposed amendment shall be accompanied by a petition setting out the text of the proposed amendment and requesting a Special General Meeting for its consideration and accompanied by the signatures of not less than five (5) percent of the members in good standing of the Society.
 - iii. In accordance with By-law 17.3 when special resolutions are to be considered via indirect voting by referenda.
 - (d) Any member in good standing of the Society requesting a Special General Meeting for the consideration of a proposed amendment, provided that the proposed amendment shall be accompanied by a petition setting out the text of the proposed amendment and requesting a Special General Meeting for its consideration and accompanied by the signatures of not less than five (5) percent of the members in good standing of the Society.

By-Law 14 – Elections

1. Candidates nominated to any office must be active members in good standing of the Society.
2. Members elected to the Board or Forum shall hold office for one year, May 1st through April 30th, inclusive.
3. No member shall run for or hold more than one position on either the Board or Forum simultaneously.
4. Any undergraduate student who is an active member in good standing of the Society may run and may vote for the positions of External Relations Officer, Internal Relations Officer, Member Services Officer, President, Treasurer, and University Relations Officer, or for any at-large position on the Board.
5. Any undergraduate student who is an active member in good standing of the Society, and a member of the faculty may run and may vote for the position of faculty representative to the Board.
6. Any undergraduate student who is an active member in good standing of the Society, and a member of the department, may run and may vote for the position of undergraduate department representative to Forum.
7.
 - (a) For the duration of any Society election the Society shall maintain an Independent Electoral Commission, and ensure that it has the facilities, equipment and funding required to carry out its mandate effectively.
 - (b) The Independent Electoral Commission shall consist of a Chief Commissioner, who shall act as Chair, and four other Commissioners.
 - (c) All members of the Independent Electoral Commission shall be active members in good standing of the Society, except that no member of the Board or Forum may serve as a member of the Commission.
 - (d) All members of the Independent Electoral Commission shall be elected by a two-thirds (2/3) majority vote of the Board.
 - (e) Members of the Independent Electoral Commission shall receive a stipend.
8. The Independent Electoral Commission:
 - (a) Shall be responsible to ensure that Society elections and referenda occur in the prescribed manner as set out in these By-Laws, and any regulations governing the conduct of elections or referenda.

- (b) May delegate to a group of students the task of supervising polling for any positions and may appoint members in good standing of the Society to assist in counting the ballots.
 - (c) Shall require all candidates to produce a signed statement of campaign expenses within seventy-two (72) hours of the close of elections.
 - (d) May rule a candidate's candidacy or election invalid, or may impose a fine of up to \$100 for any violation of the By-Laws or election regulations which from time to time may be established.
 - (e) May rule any referenda invalid, or may impose a fine of up to \$100 for any violation of the By-Laws or referenda regulations, which from time to time may be established.
 - (f) Shall be responsible for regulation and control of scrutineering at the polling stations.
9. Due notice of an election shall be deemed sufficient if the following is adhered to:
- (a) Twenty-five (25) notices not less than eleven inches by seventeen inches in size announcing upcoming elections have been posted in prominent locations throughout the University at least two (2) weeks before the opening of the nomination period, but no earlier than the first Monday of classes in the same semester. The notices shall include the following information:
 - i. The date voting will take place.
 - ii. The positions vacant.
 - iii. The dates for the opening and closing of the nomination period.
 - iv. The regulations governing the nomination of candidates.
 - v. The place for pick-up and deposit of nomination papers.
 - vi. The length of time for campaigning for office and the limitation on campaign expenses.
 - (b) An advertisement announcing the dates for the opening and closing of the nomination period shall be placed in the student newspaper at least fourteen (14) calendar days prior to the opening of nominations.
10. The nomination period shall open Monday, no earlier than week four of classes in the semester. Nominations shall close at noon on the Monday of the first day of classes two (2) weeks following the opening of nominations.

11. Nomination papers shall be signed out by prospective candidates and shall contain the name and student number, address, telephone number and email address of the member nominated, the position being sought, and signatures of no fewer than ten (10) members in good standing of the Society who are entitled to vote in elections for that position.
12. Following the close of nominations:
 - (a) Twenty-five (25) notices not less than eleven inches by seventeen inches announcing the candidates nominated and the date, times of polling and places of polling shall be placed in prominent positions throughout the University no more than seventy-two (72) hours following the close of nominations.
 - (b) An advertisement announcing the candidates nominated, the date, times of polling and places of polling shall be placed in the student newspaper in the first issue following the close of nominations.
 - (c) With respect to (a) and (b) above, the names of nominees for each office shall be placed after the title of each office in alphabetical order according to surname.
13.
 - (a) Each candidate shall forward copies of all campaign literature to the Independent Electoral Commission for approval as it is produced.
 - (b) Campaign literature shall not be libelous, inflammatory, in bad taste, or discriminatory on the basis of By-Law 20.
14. Campaign expenses shall be limited to fifty (50) dollars, at least half of which shall be reimbursed by the Society.
15.
 - (a) All campaign posters and related paraphernalia shall be removed by midnight prior to the day of commencement of polling.
 - (b) Only Members of the Simon Fraser Student Society may campaign for or on behalf of candidates or referenda during any election period.
16. The form of the ballot shall be decided by the Independent Electoral Commission, except that the candidates for each office shall be listed alphabetically by surname.
17.
 - (a) If only one valid nomination is received for a particular office, the Independent Electoral Commission will conduct an election in which the nominated candidate will face a “yes/no” election.

- (b) If a candidate fails to receive a majority of “yes” votes, then the contested position will remain vacant.

18.

- (a) Voting shall take place during a period of not less than two (2) nor more than four (4) days, as determined by the Independent Electoral Commission, and this period shall begin no sooner than two (2) weeks following the close of nominations.
- (b) Polling for all positions shall occur at least between the hours of 9:30am and 7:30pm.
- (c) The Independent Electoral Commission may establish off-campus polling stations in those areas, where, in its view, numbers warrant.

19.

- (a) Sealed ballot boxes shall be secured by the Independent Electoral Commission immediately upon the completion of voting.
- (b) The ballots will be counted under the supervision of the Independent Electoral Commission.
- (c) Where positions are contested, the candidate receiving the most votes for that position shall be declared duly elected.

20. A candidate may request a recount of votes cast, within seventy-two (72) hours of the close of polls. After that time the ballots for the election shall be destroyed by written instruction of the Chief Commissioner.

21. In the event of a strike, Act of God, or other event that delays the electoral procedure, the Independent Electoral Commission shall make the decision as to how and when the electoral procedure may be best completed.

By-Law 15 – By-Elections

1. By-Elections may be called by the Board to fill vacant positions on the Board, except that the Board shall only call a by-election once per year and then only in the Fall semester.
2. By-Elections shall occur in the prescribed manner as set out in these By-Laws, and any regulations governing the conduct of elections.
3. Notwithstanding the provisions of By-Law 15(1), in the event the number of regular members of the Board falls below the number required for quorum, the Board must call a by-election to fill all vacant positions.
4. Members elected to the Board in a by-election shall take office on the date of the first meeting of the Board following the by-election.

By-Law 16 – Resignation, Impeachment or Abandonment

1. Once any member of the Board or Forum ceases to be a member in good standing of the Society, her or his resignation shall be deemed to have been delivered to and accepted by the Society, and the Board or Forum Chair shall declare the position vacant forthwith.
2. A member of the Board or Forum may be removed from office by special resolution.
3. Any member of the Board or Forum who, without prior authorization by the Board or Forum, is absent from two (2) consecutive and regularly scheduled meetings of the Board or Forum shall be deemed to have abandoned their position and the Board or Forum Chair shall declare that position vacant forthwith.

By-Law 17 - Referenda

1.
 - (a) The members may vote on resolutions concerning the activities of the Society by means of a referendum.
 - (b) Any such resolution shall require a majority of the votes cast except where prohibited by these By-Laws or the Society Act.
2. Such resolutions as are presented to the Society shall be placed on a ballot concurrently with the next regularly scheduled Society election.
3. Resolutions may be put to referendum by a simple majority vote of the Board or Forum, except where prohibited by these By-Laws, or upon presentation of a petition to the Board which contains the text of the proposed resolution and the signatures of five (5) percent of the members in good standing of the Society, or according to By-Law 22(1) (d) or By-Law 22(3).
4. Upon presentation of a duly signed petition for referendum the Board must place the question on the ballot of the next regularly scheduled election.
5. The referendum shall be conducted by the Independent Electoral Commission in accordance with By-Law 14.
6. Due notice shall be deemed to have been given by compliance with the provisions of By-Law 10.3 relating to notice.
7. No referendum shall be deemed valid or binding on the Society unless a minimum of five (5) percent of the members in good standing of the Society have cast ballots in the referendum.
8. The Independent Electoral Commission shall report on the conduct and results of the referendum to the Board for ratification.

By-Law 18 – Records

1. All documents of the Society, as well as the minutes and accounting records, shall be kept at the offices of the Society at the Burnaby Campus of the University.
2. All documents of the Society may be inspected by the members at the offices of the Society on any business day during regular business hours.

By-Law 20 – Prohibition on Discrimination

The Society shall not discriminate against any person on any ground enumerated in the Canadian Charter of Rights and Freedoms or the British Columbia Human Rights Code.

By-Law 21 – Primacy of By-Laws

In the event of a conflict between these By-Laws and any regulation, resolution of the Board or Forum, or the provisions of any Union constitution, the terms of these By-Laws shall prevail.

By-Law 22 – Accountability in External Provincial and National Student Organisations

1. The Society may become a member of a provincial or national student organisation that requires the Society or its members to pay a membership fee to that organisation, but only if the Society and the organisation enter into a binding, written agreement, which will remain in effect as long as the Society is a member of the organisation. The agreement must guarantee the following:
 - (a) The Society's membership in the organisation does not preclude the Society's membership in other organisations.
 - (b) The organisation will make its by-laws, policies and minutes available online to all members of the Society within three (3) months of their approval.
 - (c) The organisation will, within two (2) months of receipt of a written request from any member of the Society, provide to them a copy of any document in care or control of the organisation not lawfully required to be kept private.
 - (d) The organisation recognizes that the Society reserves the right to terminate its membership in the organisation according to the Society's by-laws and policy and according to any of the following procedures:
 - i. by resolution of the Board if the Society joined the organisation by resolution of the Board;
 - ii. by resolution of a General Meeting if the Society joined the organisation by resolution of the Board or by resolution of a General Meeting; or
 - iii. by referendum in any case conducted in accordance with By-Law 17.
2. If the Society terminates its membership in an organisation as described in By-Law 22 (1) by any means other than referendum, and if the Society normally collects a membership fee from its members on behalf of that organisation and remits it to that organisation, then the Society will immediately cease collecting fees.
3. If a resolution is put to referendum to terminate the Society's membership in an organisation as described in By-Law 22(1), and if the Society normally collects a membership fee from its members on behalf of that organisation and remits it to that organisation, then a resolution to cease collecting the membership fee shall be automatically put to referendum according to By-Law 17 to occur concurrently with the referendum on ceasing membership in the organisation.