# Bye-Law 6 Referenda– Proposed Changes

## Introduction

This element of the document should be considered as a support document alongside the final draft presented documents for the associated bye-laws. Each section outlines changes to sections within the applicable bye-law, outlining the existing element on the left with the new proposed amendment on the right.

## Bye-Law Six

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| **Existing Element** | **Proposed Element** |
| 1.2 A Referendum may be held on any proposal where the Student Executive Committee, the Trustees, or Student Council deem it necessary, or upon receipt by the President of a request bearing the signatures and student numbers of 1% of the student members at the time as advised by the University of which the outcome of the decision would affect. | 1.2 A Referendum may be held on any proposal where the Student Council or Trustees deem it necessary, or upon receipt by the President of a request bearing the signatures and student numbers of 1% of the student members at thetime as advised by the University of which the outcome of the decision would affect. |
| 2.6 Student Council shall have the power to make regulations governing individual referenda which, during the period from when a date for the referendum is agreed until the declaration of a result, shall have the same binding authority as a Bye Law. | 2.6 Student Council shall have the power to make rules and (or) regulations governing individual referenda which, during the period from when a date for the referendum is agreed until the declaration of a result, shall have the same binding authority as a Bye Law. |
| 3.5 A decision taken by a Referendum and voted upon by less than 3% of the Union  Membership shall have powers of recommendation which shall be deemed null and void. | 3.5 A decision taken by a Referendum and voted upon by less than 3% of the Union  Membership shall be deemed null and void. |
| 5.2 Any full member who has reason to believe that there was any irregularity of any kind regarding the conduct of the Referendum, shall have the right to lodge a Referendum petition with the Returning Officer within seventy two hours of the alleged irregularity. | 5.2 The deadline for complaints being made, regarding the conduct of an referendum (other   than the conduct of the count), must be made in writing to the Returning Officer no later   than three hours after voting closes. |
| 5.3 A Referendum petition shall contain all details regarding the alleged irregularity and shall be signed by at least one person who is willing to substantiate the statements. | 5.3 Any complaints regarding the conduct of the count must be made in writing to the    Returning Officer no later than 17:00 on the day after the announcement of the result. |
| 5.4 The Chair shall convene a Special Meeting of the Student Council to consider the petition. A decision of the Student Council in relation to a Referendum petition shall consider the following: 5.4.1 Whether the alleged irregularity has, or may have occurred; 5.4.2 If the alleged irregularity is such, as could have materially affected the result of the Referendum. 5.4.3 Subject to the outcome of their considerations in 5.2 Student Council may declare the Referendum valid or invalid. | 5.4 In the event of any dispute in relation to the validity of the vote or the conduct of the   referendum the Returning Officer’s decision is final and cannot be over-ruled within the  bounds of the Articles of Association, Standing Orders and Appendices. If requested by   Student Council, the Returning Officer shall submit a report for their consideration,    setting out the grounds of complaint, and their reason for either upholding or rejecting it. |
| New Item | 5.5 The Student Council shall be entitled to review whether the Returning Officer has    complied with the Regulations. If the Student Council find by 50% +1 that the Returning   Officer had complied with the Regulations, the Student Council will not interfere with the   Returning Officers decision. |
| New Item | 5.6 If the Student Council find that there has been non-compliance with    the Regulations by the Returning Officer, the Student Council may in its discretion vote by   50% +1 to stipulate that a new referendum shall be held. |