**REFERENDA**

**TITLE:**

**BYE LAW SIX**

**OWNER:**

**MARK FRANCOS (GPC)**

**APPROVED:**

**STUDENT COUNCIL**

**(01/11/23)**

**Document History:**

**/11/19**

**26**

**-**

**Council approved updates**

**/10/20**

**28**

**-**

**Council approved updates**

**02**

**/11/22**

**-**

**Council approved updates**

**01**

**/11/23**

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This Bye-Law should be read in conjunction with Appendix 4 on referenda.

**SECTION ONE:**

# REFERENDA

1.1 A decision taken by referendum will take precedence over policy approved at Student Council or All Student Meeting.

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.

**SECTION TWO:**

# PROCEDURE FOR HOLDING A REFERENDUM

2.1 A Referendum shall be on a proposal decided by the Trustees, Student Council, or a resolution supported by 1% of the Union’s membership. If more than one proposal is submitted, the procedure in Clause 2.2 of this Bye-law must be adhered to with regard to each separate proposal.

2.2 The date and time of a Referendum held under the relevant Bye-law may be decided by the Student Executive Committee or the Student Council in consultation with staffing commitments and the academic calendar.

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2.3 Student Council shall appoint a member of UUSU staff as the Returning Officer for referenda who shall have delegated powers to uphold the regulations agreed by that body.

2.4 Only full members of the Union will be entitled to vote.

2.5 The Returning Officer will arrange for online voting and will inform students of the procedure involved with this.

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.

2.7 Dependent on the nature of the referenda, i.e if the question being put has a Yes/No response, the campaign for each respective position shall appoint a point of contact who shall be a registered student at Ulster University. That individual will be responsible for disseminating regulations agreed by Council and communications issued by the Returning Officer.

2.8 The conduct under which referenda are held shall be governed by, the published Referendum Rules and associated bye-laws.

# DECISION BY REFERENDUM

3.1 A decision taken by a Referendum and voted upon by at least 3% of the Union Membership shall be mandatory and binding on the Union or anybody to which it is directed, provided that those votes in favour number 50%+ 1 of the total number of votes cast.

3.2 In the case of a Referendum on Affiliation to NUS/USI a simple majority of 50% plus one of a quorate Referendum will be required to reject this affiliation.

3.3 A motion or proposal to alter or rescind a decision of the Union Membership shall not be considered in the six months following the date from which the decision was passed.

3.4 The President shall give a ruling if a dispute arises in relation to Clause 3.3 of this Bye-law. Such a Presidential ruling can only be overturned by a decision of a quorate meeting of the Student Council.

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.

**SECTION FOUR:**

# REPORTING FUNCTION

4.1 A Union Body, Committee, Officer or other specified person which has carried out a mandate or recommendation of the Union Membership shall report to the next Student Council meeting.

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**SECTION THREE:**

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**SECTION FIVE:**

# A REFERENDUM RESULT

5.1 The Returning Officer or their deputy(s) shall publish the result of any Referendum submitted under Clause 1.2 of this Bye-law not later than one clear day (excluding Saturday and Sunday) after the Referendum has been held.

5.2 The deadline for complaints being made, regarding the conduct of a 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 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 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.

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.

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.