



Fall | 2015

Constitution and By-Laws

Simon Fraser Student Society

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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.

By-Laws

By-Law 1 – Interpretation

In these By-Laws:

1. 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.
2. “Active member” means an undergraduate student who is registered in a course or program for the current semester.
3. “Board” means the Society’s Board of Directors.
4. “Document” shall have the same meaning as in the Society Act.
5. “Executive Officer” means the President, Vice-President Student Services, Vice-President External Relations, Vice-President Student Life, Vice-President Finance and Vice-President University Relations of the Society.
6. “Fiscal year” means the period from May 1st to April 30th inclusive.
7. “Council” means the Society’s Student Council.
8. “Councillor” means a member of Council who is entitled to speak, propose motions, and vote at all meetings of Council.
9. “Honorary member of Council” means a person who is entitled to speak and to propose motions at all meetings of Council but who is not entitled to a vote nor to be counted for the purpose of establishing quorum.
10. “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.
11. “Member of a Department” means a person who is registered in at least one undergraduate course or is a registered major or minor in a department at the University.
12. “Member of a Faculty” means a person who is registered in at least one undergraduate course or is a registered major or minor in a faculty at the University.
13. “Ordinary resolution” shall have the same meaning as in the Society Act.
14. “Regulation” means any Rule, Standing Order or Administrative Policy enacted by the Board.
15. “Society” means the Simon Fraser Student Society.
16. “Society Act” means the Society Act of the Province of British Columbia in force, and as amended from time to time.
17. “Special Resolution” shall have the same meaning as in the Society Act.
18. “Summer Semester” means the semester starting May 1st and ending August 31st.
19. “University” means Simon Fraser University.

By-Law 2 – Membership

1. All University students who are registered in an undergraduate course, or program at the University and have paid a student activity fee are members of the Society.
2. Membership in the Society shall cease when a member fails to register for undergraduate courses at the University for two consecutive registrations.
3. Members cease to be in good standing if they fail to pay all fees, fines and penalties levied in accordance with these By-Laws and the Society's Regulations.
4. Since membership is a condition of registration for undergraduate students at the University, members who are registered in an undergraduate course at the University shall not be expelled from the Society.
5. 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

1. 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 President shall:
 - a. Have the power to convene the Board or Council at any time.
 - b. Be an ex-officio voting member of all Board and Council committees.
 - c. Be a signing officer.
 - d. Represent the Society on formal occasions.
 - e. Ensure compliance with and enforcement of all relevant Collective Agreements, employment contracts and staff relations policies.
 - f. Act as a liaison between the Board and its employees
 - g. Undertake all other duties usually falling to the office of President of a Society.
2. The Vice-President Student Services 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. Coordinate the compilation of the Annual Report of the Board for consideration at the Annual General Meeting.
 - c. Coordinate and facilitate activities and services for the members of the Society.
 - d. Be a signing officer.
 - e. Undertake all other duties and responsibilities the Board may delegate to the Vice-President of Services from time to time.
3. The Vice-President External Relations 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 organize Society representation at conferences held by external organisations, 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.
 - d. Undertake all other duties and responsibilities the Board may delegate to the Vice-President External Relations from time to time.
4. The Vice-President Student Life shall:
 - a. Act as a liaison between the Board, Council, and other student groups at the University.
 - b. Oversee the establishment and maintenance of Faculty Student Unions and Department Student Unions, and act as a liaison between the Board and Faculty Student Unions and Department Student Unions.
 - c. Undertake all other duties and responsibilities the Board may delegate to the Vice-President Student Life from time to time.
5. The Vice-President Finance 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 Vice-President Finance 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.
 - h. Undertake all other duties and responsibilities as the Board may delegate to the Vice-President Finance from time to time.
6. The Vice-President University Relations 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.
 - d. Be a signing officer
 - e. Undertake all other duties and responsibilities as the Board may delegate to the Vice-President Student Affairs from time to time.

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. Subject to the provisions of these By-Laws, the Board shall exercise full control over all activities of the Society.
3. 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.
4. The Board shall not delegate its powers to expend or disburse funds except that:
 - a. 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.
 - b. 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.
 - c. The Board may, by way of regulation, delegate its powers to expend or disburse funds to the Vice-President Finance, except that any such individual expenditure or disbursement shall not exceed \$500.
5. Subject to the provisions of these By-Laws, the Board has the power to make Regulations governing any activities of the Society, including the conduct of its membership, Department Student Unions, and Faculty Student Unions, and to amend, suspend or repeal those Regulations
6. Subject to the provisions of these By-Laws, the Board has the power to make rulings in connection to all Regulations enacted pursuant to these By-Laws, including any Regulations governing the conduct of its members, Department Student Unions and Faculty Student Unions, and any such ruling made by it shall be final and binding.
7. The maximum fine that may be levied against a member of the Society in accordance with this By-Law shall be \$100.
8. No meeting of the Board in the Summer semester shall have the power to allocate from operating funds, nor shall the Vice-President Finance disburse such funds, such that the total expenditures of the Society for the three semesters ending April 30th 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.
9. 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.

10. 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.
11. 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.
12. 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.
13. The Board Chair shall not be counted towards quorum or have a vote unless she or he is a member of the Board.
14. If she or he has a vote the Board Chair shall exercise it in accordance with Robert's Rules of Order.
15. The Board Chair shall convene a meeting of the Board at least once per month, or
16. 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.
17. Quorum for a meeting of the Board shall be a majority of the seats filled, including at least four (4) Executive Officers.
18. Robert's Rules of Order shall govern the conduct of all meetings of the Board and its committees.
19. No votes by proxy shall be allowed.

By-Law 7 – Student Council

1. The members of Council shall be members in good standing of the Society and shall not fail to register in a course at the University for more than one semester during tenure of office. In order to remain a member in good standing of Council during a semester in which a member of Council is not registered in a course that member shall pay all Society fees for that semester at a rate equal to the prorated part-time student rate.
2. Council shall consist of:
 - a. Councillors
 - i. One (1) representative from each Constituency Group, to be elected by the members of their respective Constituency Group;
 - ii. One (1) representative from each Faculty Student Union established in accordance with By-Law 9, to be elected their respective Faculty Student Unions;
 - iii. One (1) representative from each Department Student Union established in accordance with By-Law 10(3), to be elected by their respective Department Student Unions;
 - iv. Notwithstanding By-Law 7(2)(ii), three (3) undergraduate members from the Faculty of Education, to be elected by Member of the Faculty of Education.
 - v. Notwithstanding By-Law 7(2)(iii), three (3) undergraduate members from the Faculty of Business, to be elected by Members of the Faculty of Business and
 - vi. Honourary Members of Council
 - b. Members of the Board of Directors shall be Honourary Members of Council.
3. Quorum for a Council meeting shall be a majority of the seats currently filled by Councillors.

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

1. Council shall serve as the primary medium for discussion 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.
2. Council shall advise the Board as necessary and may strike advisory committees, establish their terms of reference, and appoint their members, at its discretion.
3. Council may, in accordance with By-Law 10(3), establish a new seat on Council for Department Student Unions by a motion requiring two-thirds (2/3) majority vote of members in attendance at the Council meeting.
 - a. Such motion shall require three (3) weeks written notice to Council.
4. Council may, in accordance with By-Law 9, establish a new seat on Council for Faculty Student Unions by a motion requiring two-thirds (2/3) majority vote of members in attendance at the Council meeting.
 - a. Such motion shall require three (3) weeks written notice to Council.
5. Council may recognize a Constituent Group within the University community and establish a new seat on Council for a Constituent Group representative by a motion requiring a two-thirds (2/3) majority vote of members in attendance at the Council meeting.
 - a. Such motion shall require three (3) weeks written notice to Council.
6. Council shall receive and administer an annual budget.
7. A member in good standing of the Society shall be elected to the position of Council Chair by a simple majority vote of Council for a term of one semester.
 - a. The Council Chair shall not be counted towards quorum or have a vote unless she or he is a member of Council.
 - b. If she or he has a vote the Council Chair shall exercise it in accordance with Robert's Rules of Order.
8. The Council Chair shall convene a meeting of Council at least once per semester or, upon receipt of a petition signed by at least one-half (1/2) of the members of Council, within five working days after receiving the Petition.
9. Quorum for a meeting of Council shall be a majority of the seats filled.
10. Robert's Rules of Order shall govern the conduct of all meetings of Council.
11. No votes by proxy shall be allowed.

By-Law 9 – Faculty Student Unions

1. Faculty Student Unions may be established by referendum. The Society's Independent Election Commission shall be responsible for the oversight of the referendum which shall be run in accordance with these By-Laws except that the only persons eligible to vote in the referendum are Members of a Faculty.
2. The object of the Faculty Student Unions shall be to represent undergraduate students within the University faculties. If the Members of a Faculty of the proposed Faculty Student Union vote in favour of creating a Faculty Student Union, the Board and Council will ratify the results of the referendum and recognize the Faculty Student Union providing that the Faculty Student Union:
 - a. Has a written Constitution and By-Laws that:
 - i. Have been ratified by a majority of its Student Faculty Members at a general meeting of the Faculty Student Union for which notice has been given in accordance with these By-laws;
 - ii. Have been approved by the Board;
 - iii. Comply with section 6 of the Society Act, as it may be amended from time to time;
 - iv. Are consistent with the Constitution and By-Laws of the Society, and
 - b. Holds general meetings that are open to all of its members and gives its members notice of those meetings.
3. The Board may, at its own discretion, pass Regulations governing the activities of Faculty Student Unions, including Regulations governing membership, fees and finances.

By-Law 10 – Department Student Unions

1. The object of the Department Student Unions shall be to represent undergraduate students within the University Departments.
2. Faculty Student Unions may recognize a Department Student Union within the Faculty provided that it is satisfied that the Department Student Union:
 - a. Has a written Constitution and By-Laws that:
 - i. Have been ratified by a majority of Members of a Department at a general meeting of the Department Student Union for which notice has been given in accordance with these By-Laws;
 - ii. Have been approved by the Faculty Student Union; and
 - iii. Are consistent with the Constitution and By-Laws of the Society, and
 - b. Holds regular general meetings that are open to all of its members and gives its members notice of those meetings.
3. Council may recognize a Department Student Union within a Faculty that does not have a Faculty Student Union provided that it is satisfied that the Department Student Union:
 - a. Is from a University department offering a major or minor, excluding those programs that are offered as double majors and excluding those programs that offer a minor but have no recognized union
 - b. Has a written Constitution and By-Laws that:
 - i. Have been ratified by a majority of Members of a Department at a general meeting of the Department Student Union for which notice has been given in accordance with these By-Laws;
 - ii. Have been approved by Council; and
 - iii. Are consistent with the Constitution and By-Laws of the Society, and
 - c. Holds regular general meetings that are open to all of its members and gives its members notice of those meetings.

By-Law 11 – Annual and Special General Meetings

1. The Annual General Meeting of the Society shall be held between September 15th and October 31st each year. In addition to any other business proposed by the Board, Council 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 Vice-President Finance's report.
 - e. Receiving the Auditor's report.
 - f. Appointing the Auditor for the coming year.
2. 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, upon at least one (1) bulletin board at the Harbour Centre Campus, and upon at least three (3) or more different bulletin boards at the Surrey Campus.
 - b. Written or electronic memoranda to all active and recognized Department Student Unions, Faculty Student Unions and Constituency Groups.
 - 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.
3. 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.
4. 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.
5. 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.
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 11(1) [a]-[f].
7. Special General Meetings may be convened at any time by resolution of two thirds (2/3) of the members of the Board or Council.
 8. 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.
 9. 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.
 10. Robert's Rules of Order shall govern the conduct of the Annual General Meeting and of any Special General Meeting.

By-Law 12 – 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 13 – The Seal of the Society

1. 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 14 – 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 18.
2. Notice of a proposed amendment to be proposed at an Annual General Meeting or Special General Meeting shall be given in accordance with By-Law 11(2) and shall include the actual wording of the proposed amendment.
3. Amendments may be initiated by:
 - a. The Board.
 - b. Council.
 - c. A petition presented to the Board or Council which contains the text of the proposed amendments and the signatures of five (5) percent of the members in good standing of the Society.

By-Law 15 – Elections

1. Only active members in good standing of the Society may be nominated to any office.
2. Members elected to the Board shall hold office for one year, May 1st through April 30th, inclusive.
3. Members may only hold office as a voting member of the Board, Council or a Faculty Student Union during any one year term. No member can hold office as a voting member of more than one of those bodies during that term.
4. Any undergraduate student who is an active member in good standing of the Society may run and may vote for the positions of President, Vice-President Student Services, Vice-President Student Life, Vice-President Finance, Vice-President University Relations, and Vice-President External Relations, 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. 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.
7. The Independent Electoral Commission shall consist of a Chief Commissioner, who shall act as Chair, and four other Commissioners.
 - a. All members of the Independent Electoral Commission shall be active members in good standing of the Society, except that no current member of or candidate for the Board, Council or a Faculty Student Union board or council may serve as a member of the Independent Electoral Commission
 - b. All members of the Independent Electoral Commission shall be elected by a two thirds (2/3) majority vote of the Board.
 - c. Members of the Independent Electoral Commission shall receive a stipend.
8. The Independent Electoral Commission:
 - a. Shall be responsible for ensuring that Society elections to the Board, 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 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 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 the Regulation and control of scrutineers at the polling stations.
 - g. May draft rules governing the conduct of the election or referendum.
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 after the completion of week four of classes in the semester. Nominations shall close at noon no sooner than two (2) weeks following the opening of nominations.
11. Nomination papers shall be signed 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. The campaign period shall begin at the close of the nomination period and last for at least two (2) weeks
13. 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.
14. Each candidate shall forward copies of all campaign literature to the Independent Electoral Commission for approval as it is produced.

- a. Campaign literature shall not defamatory or discriminatory.
 - b. Campaign expenses shall be limited to fifty (50) dollars, at least half of which shall be reimbursed by the Society.
15. All campaign posters and related paraphernalia shall be removed by midnight prior to the day of commencement of polling.
 16. Only members of Society may campaign for or on behalf of candidates or referenda during any election period.
 17. 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.
 18. The Independent Electoral Commission may decide to use a system of electronic voting using electronic ballots, provided that the Independent Electoral Commission uses the system that is used by the University at the time of the election or referendum.
 19. 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.
 20. If a candidate for an uncontested office fails to receive a majority of “yes” votes, then the office will remain vacant.
 21. Voting shall take place during a period of no less than two (2) or more than four (4) days, as determined by the Independent Electoral Commission, and this period shall begin no sooner than the end of the campaigning period.
 - a. Polling for all positions shall occur at least between the hours of 9:30am and 7:30pm.
 - b. The Independent Electoral Commission may establish off-campus polling stations in those areas, where, in its view, numbers warrant.
 22. Sealed ballot boxes shall be secured by the Independent Electoral Commission immediately upon the completion of voting.
 - a. The ballots shall be counted under the supervision of the Independent Electoral Commission.
 23. Where positions are contested, the candidate receiving the most votes for that position shall be declared duly elected.
 24. 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 may be destroyed by written instruction of the Chief Commissioner.
 25. 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 16 – By-Elections

1. Subject to By-Law 16(3), 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 only in the fall semester.
2. Notwithstanding the provisions of By-Law 16(1), the Board must call a by-election at any time of the year to fill all vacant positions if the number of Board members falls below the number required for quorum
3. By-elections shall occur in accordance with the procedures set out for elections in these By-Laws, and any other By-Laws or Regulations governing the conduct of elections or by-elections.
4. Notwithstanding By-Law 15(2), the terms of members elected to the Board in a by-election shall commence on the date of the first meeting of the Board following the by-election and complete on April 30th.

By-Law 17 – Resignation, Impeachment or Abandonment

1. If any member of the Board or Council 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 Council Chair shall declare the position vacant forthwith.
2. A member of the Board or Council may be removed from office by special resolution.
3. Any member of the Board or Council who, without prior authorization by the Board or Council, is absent from two (2) consecutive and regularly scheduled meetings of the Board or Council, shall be deemed to have abandoned their position and the Board or Council Chair shall declare that position vacant forthwith.
4. A member of the Board removed from office in accordance with By-Law 17(1), 17(2), or 17(3) shall be replaced by way of by-election, if the number of Board members falls below quorum, or by appointment by ordinary resolution to serve during the balance of the term.

By-Law 18 – Referenda

1. Active members may vote on resolutions concerning the activities of the Society by means of a referendum.
2. Any such resolution shall require a majority of the votes cast unless the resolution proposes an amendment to the Society's By-Laws, in which case it shall require a majority of 75% of the votes cast.
3. Resolutions may be put to referendum in the Fall Semester or concurrently with the next regularly scheduled Society election or by-election
4. Resolutions may be put to referendum by a simple majority vote of the Board or Council, 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 23(1) (d) or By-Law 23(3).
5. During a general election or by-election, resolutions may be put to referendum 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 23(1)(d) or By-Law 23(3)
6. Upon presentation of a duly signed petition for referendum the Board must place the question on the ballot of the next regularly scheduled election.
7. The referendum shall be conducted by the Independent Electoral Commission in accordance with By-Law 15.
8. 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.
9. The Independent Electoral Commission shall report on the conduct and results of the referendum to the Board for ratification.

By-Law 19 – Faculty Student Union Levies

1. Faculty Student Unions may propose to the Board or Council resolutions concerning a Faculty Student Union levy.
 - a. Faculty Student Union levies may only apply to members of the Faculty Student Union as defined in the Faculty Student Union’s by-laws.
2. Any such resolutions may be put to referendum by a simple majority vote of the Board or Council, 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 of the Faculty Student Union.
3. Upon presentation of a duly signed petition for referendum the Board must place the question on the ballot of the next regularly scheduled election.
4. The referendum shall be conducted by the Independent Electoral Commission in accordance with By-Law 18.
5. Notwithstanding By-Law 18(1), only members of a Faculty Student Union as defined in the Faculty Student Union’s by-laws may vote on resolutions concerning a Faculty Student Union levy.

By-Law 20 – Records

1. 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. 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 21 – Prohibition on Discrimination

1. 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 22 – Primacy of By-Laws

1. In the event of a conflict between these By-Laws and any Regulation, resolution of the Board or Council, or the provisions of any Faculty Student Union or Departmental Student Union Constitution or By-Laws, the terms of these By-Laws shall prevail.

By-Law 23 – 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 Regulations 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 a General Meeting; or
 - iii. by referendum pursuant to By-Law 18 of these By-Laws in any case if the Society joined the organisation by way of referendum under the Society's or any other By-Laws
2. If the Society terminates its membership in an organisation as described in By-Law 23(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 23(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 18 to occur concurrently with the referendum on ceasing membership in the organisation.

Bylaw 24 – Student Society Fees

1. The Society may not revoke, reduce or otherwise cancel a duly approved student society fee that has been implemented for the purpose of repaying a loan made to the Society or on the basis of which a loan has been made to the Society if the effect of such revocation, reduction or cancellation would be to cause the Society to be unable to repay the loan as it become due.