

These by-laws establish for the Board of Directors the basic framework within which it will meet its obligations under the Societies Act of BC.

## SFSS By-Laws

Simon Fraser Student Society

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**simon fraser**  
**student society**

## TABLE OF CONTENTS

BY-LAW 1 –INTERPRETATION.....	3
BY-LAW 2 – MEMBERSHIP .....	5
BY-LAW 3 – POWERS, DUTIES AND OBLIGATIONS OF MEMBERS.....	6
BY-LAW 4 – POWERS, DUTIES AND OBLIGATIONS OF THE EXECUTIVE COMMITTEE.....	7
BY-LAW 5 – COUNCIL.....	12
BY-LAW 6 – POWERS, DUTIES, AND OBLIGATIONS OF COUNCIL .....	13
BY-LAW 10 – STUDENT UNIONS.....	16
BY-LAW 11 – POWERS, DUTIES, AND OBLIGATIONS OF MEMBERS’ MEETINGS .....	17
BY-LAW 12 – AUDITORS.....	19
BY-LAW 13 – THE SEAL OF THE SOCIETY .....	20
BY-LAW 14 – AMENDMENTS.....	21
BY-LAW 15 – ELECTIONS .....	22
BY-LAW 16 – BY-ELECTIONS.....	25
BY-LAW 17 - RESIGNATION, IMPEACHMENT, OR ABANDONMENT .....	27
BY-LAW 18 – REFERENDA.....	28
BY-LAW 19 – STUDENT UNION LEVIES .....	29
BY-LAW 20 – RECORDS .....	30
BY-LAW 21 – PROHIBITION ON DISCRIMINATION.....	31
BY-LAW 22 – PRIMACY OF BY-LAWS.....	32
BY-LAW 23 – ACCOUNTABILITY IN EXTERNAL PROVINCIAL AND NATIONAL STUDENT ORGANISATIONS .....	33
BYLAW 26 – CONSTITUENCY GROUPS.....	36
BYLAW 27 – DISSOLUTION.....	37

## 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. “Acting Officer” means a Councillor who has assumed the office of an Executive Officer, in accordance with By-Law 16, due to a vacancy.
3. “Affiliated Student Group” means an independent student group which is affiliated with the Society as determined by Council.
4. “Associate Member” means a student who has paid SFSS fees, and is a registered student with a college or institution, and who satisfies the requirements of By-Law 2.
5. “Associate Member in good standing of the Society” means a student at a college or institution that is not an undergraduate student at SFU who satisfies the associate requirements in these By-Laws.
6. “Campaigning” means the active goal of convincing Members to vote for a candidate.
7. “Document” shall have the same meaning as in the Societies Act.
8. “Endorsement” means an expression of a Member’s public support for a candidate’s platform, including a candidate expressing public support for another candidate’s platform.
9. “Executive Officer” means the members of the Executive Committee as provided in By-Law 4.
10. “Fiscal year” means the period from May 1st to April 30th inclusive.
11. “Final Budget” means the final budget for the new fiscal year with input from the Executive Committee, Council, and Committees, and is approved by Council no later than June 30th.
12. “Council” means the Society’s Council.
13. “Councillor” means a member of Council.
14. “Constituency Group” means a student group recognized by Council that represents members of a marginalized group at the University.
15. “Impeachment” means the removal of a member of Council or the Executive Committee by special resolution.
16. “Impeachment Proceedings” means a Members’ Meeting or referendum called for the purpose of impeaching a member of Council or the Executive Committee.
17. “Member” means both Registered Members and Associate Members.
18. “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.
19. “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.
20. “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.
21. “Members’ Meeting” means a General Meeting as defined in the Societies Act and as defined in By-Law 11(2).
22. “Ordinary resolution” shall have the same meaning as in the Society Act.
23. “Preliminary Budget” means a budget that is approved by Council prior to the beginning of a new fiscal year to set priorities and guidelines for the final budget to be approved.
24. “Pre-Campaigning” means the active goal of convincing Members to vote for a candidate outside of the campaign period as outlined in By-Law 15.

25. “Referendum” means a method of indirect voting by the Membership on ordinary resolutions or special resolutions, either by electronic means or in-person, in accordance with By-Law 18.
26. “Registered Member” means a student who has paid SFSS fees, and is a registered student with the University, and who satisfies the requirements of By-Law 2.
27. “Regulation” means any Rule, Standing Order ~~or~~, Administrative Policy, or any other Society Policy enacted at a Members’ Meeting or by Council.
28. “Slates” are a group of two (2) or more candidates running in an election under a similar platform, for mutual advantage, with the goal of getting each other elected.
29. “Society” means the Simon Fraser Student Society.
30. “Societies Act” means the *Societies Act*, SBC [GL1] 2015, c. 18..
31. “Special Resolution” shall have the same meaning as in the Society Act.
32. “Summer Semester” means the semester starting May 1st and ending August 31st.
33. “University” means Simon Fraser University.

## BY-LAW 2 – MEMBERSHIP

### Registered Members

1. All University students who are registered in an undergraduate course, or program at the University and have paid a student activity fee are Registered Members of the Society.
2. Membership in the Society shall cease when a Registered 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. Members 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 Members' Meetings or in Society elections and referenda, a student must be a Member in good standing of the Society.

### Associate Members

6. Associate Members are students enrolled in other colleges or institutions that are not undergraduate students of the University, where there is a contract or agreement for provision of services by the Society, and that Council votes to recognize them as Associate Members by at least a majority vote of Council.
7. Associate Members are eligible to vote and run in an election or by-election, referenda, or general meeting as long as:
  - a. they pay Society fees,
  - b. there is a provision in partnership with their college or institution for the Society to verify their registration status as students of the college or institution, and
  - c. that the Society has access to their mailing list for purposes including, but not limited to:
    - i. elections,
    - ii. referenda, and
    - iii. send notice of general meetings of the Society.
8. An Associate Member is in good standing if they have paid the Society fees and any Society fines.

## 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 Council.

## BY-LAW 4 – POWERS, DUTIES AND OBLIGATIONS OF THE EXECUTIVE COMMITTEE

### Composition of the Executive Committee

1. The Executive Committee shall have seven (7) members, which shall consist of:
  - a. The President,
  - b. Vice-President Internal and Organizational Development
  - c. Vice-President Finance and Services,
  - d. Vice-President University and Academic Affairs,
  - e. Vice-President External and Community Affairs,
  - f. Vice-President Equity and Sustainability, and
  - g. Vice-President Events and Student Affairs.

### Powers of the Executive Committee

2. The powers and duties of Council shall be vested in the Executive Committee between meetings of Council, subject to direction from, accountability to, review by, and approval of the Council.
3. The Executive Committee may appoint Councillors to work within the Office of an Executive Officer to assist that Executive Officer in their duties and obligations.
4. The Executive Committee shall have the power to make recommendations to the Council on action to be taken for which it does not have the authority to act, including, but not limited to:
  - a. the enactment of Regulations pursuant to these By-Laws, including Regulations governing the conduct of its Membership, Student Unions, or any amendments, suspensions, or revocation of those Regulations, and
  - b. the approval of the preliminary and full budgets, as prepared by the Executive Committee.
5. The Committee shall present a report on its operations at each meeting of Council to include:
  - a. all relevant information concerning the actions taken by the Executive Committee since the last Council meeting, and
  - b. recommendations on actions the Executive Committee deems necessary or advantageous for Council to pursue.

### Limitations of the Powers of the Executive Committee

7. Notwithstanding By-Law 4(2), the Executive Committee shall not have the power to:
  - a. enact regulations governing any activities of the Society,
  - b. approve the budget for any fiscal year,
  - c. approve the Society's entrance into any contracts extending over a multi-year period,
  - d. approve expenditures outside the budget, and
  - e. approve spending on any single item, whether approved as a single expenditure or as multiple expenditures, more than \$5,000.
8. Without limiting the provisions in these By-Laws, Council may pass Regulations further restricting the powers the Executive Committee may exercise in between meetings of Council.
9. The Executive Committee shall be bound by any resolution made by Council or the Membership via a Members' Meeting or Referendum.

### Duties and Obligations of members of the Executive Committee

10. The President shall:
  - a. Have the power to convene the Executive Committee and Council meeting at any time.
  - b. Be an ex-officio voting member of all Council committees of the Executive Committee.
  - c. chair Executive Committee meetings, unless otherwise voted on by the members of the Executive Committee by simple majority vote.
  - d. chair or delegate the chair at all Council meetings, provided however, Council may, by simple majority vote, determine the chair at any time for any period of time within an elected term;
  - e. Chair Members' Meetings, unless otherwise voted on by the Members at a Members' Meeting by simple majority vote.
  - f. Be a signing officer.
  - g. Represent the Society on formal occasions, and act as the official spokesperson of the Society to the general public and the University.

- h. Ensure that Executive Officers carry out their assigned duties in accordance with these By-Laws and as directed by the Council.
- i. Be responsible for the coordination of a Council retreat, and an Executive retreat within the first semester of the elected term.
- j. Ensure compliance with and enforcement of all relevant Collective Agreements, employment contracts and staff relations policies.
- k. Be responsible, along with the VP Finance and Services, for ensuring that all contracts entered into by the Society are with due authority and in the best interests of the Society.
- l. Communicate with legal counsel, as needed.
- m. Act as the staff liaison officer for the society and liaise with all Society Staff on behalf of Council.
- n. Shall train and advise the incoming President.
- o. Undertake any other duties as delegated by the Council or Executive Committee.
- p. Undertake all other duties usually falling to the office of President of a Society.

11. The Vice-President Internal and Organizational Development shall:

- a. Oversee the internal governing structures of the Society, including
  - i. the various Committees of Council,
  - ii. the various Subcommittees of the Executive Committee, and
  - iii. all governing documents of the Society.
- b. Be the Chair of the Governance Committee, or its equivalent, if such a committee exists.
- c. Enforce, review, and implement governing documents of the Society.
- d. Oversee the set-up, coordination and logistics of all General Meetings of the Society,
- e. Ensure the occurrence of ongoing training and development for members of the Executive Committee and Council.
- f. Educate and communicate relevant information about the Society's governing structures to the Membership, including the Council and its committees, Executive Committee, Student Unions and Constituency Groups.
- g. Communicate with Student Unions and Constituency groups regarding vacancies on Council, and ensuring those vacancies are filled in a timely manner, and ensuring their meaningful participation as a representative of Council.
- h. Oversee the organization and archiving of correspondence and records of the Society including but not limited to the constitution, bylaws, policies, minutes, reports, contracts, leases, and letters written or received by Council and its committees.
- i. Support and assist the President in the duties of the President's office.
- j. Assume the duties and obligations of the President if the President is unwilling or unable to act, or in the event that the President position becomes vacant.
- k. Be a signing officer.
- l. perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or the Executive Committee.

12. The Vice-President Finance and Services shall:

- a. Coordinate, oversee and/or facilitate services and operations for the Members of the Society.
- b. Coordinate oversee and/or facilitate the commercial affairs of the Society.
- c. Be responsible, along with the President, for ensuring that all contracts entered into by the Society are with due authority and in the best interests of the Society.
- d. Coordinate the preparation of the budget of the Society, and present the annual budget to the Council for adoption.
- e. Prepare and present monthly financial reports to the Council.

- f. Present financial reports and audited statements to the Membership at a Members' Meeting.
- g. Ensure that all Society funds are deposited in an appropriate account at a financial institution selected by the Council.
- h. Keep account and be responsible for all monies received and disbursed by or on behalf of the Society. The Vice-President Finance and Services shall not disburse funds except as provided for in these By-Laws, or by Regulation.
- i. Render, upon request of the Council and within fourteen (14) calendar days, a detailed written report on the Society's financial affairs.
- j. Prepare a detailed written report on the Society's financial affairs for the Annual General Meeting.
- k. Coordinate the compilation of the Annual Report of Council for consideration at the Annual General Meeting.
- l. Monitor the financial status of the Society including budget variances and makes recommendations to the Council regarding major expenditures; and shall assist with the co-ordination of fundraising endeavors
- m. Be the Chair of the Finance and Services Committee, or its equivalent, if such Committee exists,
- n. Make recommendations on the establishment of policy on issues relating to finance and services,
- o. Assume duties and obligations of the President if the President and Vice-President Internal and Organizational Development are unwilling or unable to act, or in the event that the President and the Vice-President Internal and Organizational Development positions become vacant.
- p. Be a signing officer.
- q. Train and advise the incoming Vice President Finance and Services.
- r. Perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or the Executive Committee.

13. The Vice-President University and Academic Affairs shall:

- a. Act as a liaison between the Council and the University.
- b. Act as a liaison with and lobby the University on issues that affect the undergraduate student population on behalf of the Society.
- c. Coordinate student representation on all University committees to which the Society nominates or appoints.
- d. Coordinate student involvement in University community affairs and activities.
- e. Facilitate collective action by undergraduate students and coordinates campaigns within the university.
- f. Make recommendations on the establishment of policy on issues relating to university and academic affairs.
- g. Be the Chair of the University and Academic Affairs Committee, or its equivalent, if such a committee exists.
- h. Assume, duties and obligations of the President if the President, Vice-President Internal and Organizational Development, and the Vice-President Finance and Services are unwilling or unable to act as President, or in the event that the President, Vice-President Internal and Organizational Development, and Vice-President Finance and Services positions become vacant.
- i. Be a signing officer.
- j. Train and advise the incoming Vice President Academic and University Affairs.
- k. Perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or Executive Committee.

## 14. The Vice-President External and Community Affairs shall:

- a. Act as a liaison with external groups and community organizations, including with other student societies, on behalf of the Society.
- b. Act as a liaison with and lobby the government and with other relevant bodies on issues that affect the undergraduate student population, on behalf of the Society.
- c. 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.
- d. Be responsible for keeping Council informed of plans or actions of external organisations, outside the University, and federal and provincial governments that have a direct or indirect impact on the Society or its Members.
- e. Facilitate collective action by undergraduate students and coordinate external and community-based advocacy activities and campaigns on behalf of Membership.
- f. Make recommendations on the establishment of policy on issues relating to external and community affairs.
- g. Be the Chair of the External and Community Affairs Committee, or its equivalent, if such a committee exists.
- h. Train and advise the incoming Vice President External and Community Affairs.
- i. Perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or Executive Committee.

## 15. The Vice-President Equity and Sustainability shall:

- a. Communicate and liaise with all constituency groups and collectives representing marginalized communities on behalf of the Society.
- b. Act as a liaise with relevant University organizations, offices and departments dedicated to the awareness and elimination of discrimination on behalf of the Society.
- c. Work to advocate in partnership with marginalized groups on campus in the interest of furthering equity and social justice.
- d. Organize training and workshops for directors, staff and Members on anti-oppression issues.
- e. Be responsible for ensuring that all Directors and Staff receive anti-oppression training within the first semester of the elected term.
- f. Represent the Society on social justice and equity issues such as disability justice, anti-racism, climate justice and sustainable issues and lobby the university, government or other bodies on such issues.
- g. Communicate and liaise with equity and sustainability executives at other post-secondary institutions.
- h. Make recommendations on the establishment of policy on issues relating to equity, anti-oppression, disability justice, anti-racism, sustainability, and climate justice.
- i. Be responsible for ensuring that all activities and endorsements of the Council reflect the anti-oppressive mandate of the Society.
- j. Promote the Society's initiatives and activities that aim to raise awareness of discrimination at the University and in the community.
- k. Be the Chair of the Equity and Sustainability Committee, or its equivalent, if such a committee exists.
- l. Train and advise the incoming Vice President Equity and Sustainability.
- m. Perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or Executive Committee.

16. The Vice-President Events and Student Affairs shall:

- a. Act as a liaison with Student Unions, Constituency Groups, Clubs, independent student-run societies, and other student groups at the University, on behalf of Council.
- b. Coordinate student engagement events and activities of the Society.
- c. Oversee the establishment and maintenance of Student Unions and Constituency groups and ensuring their meaningful participation within activities of the Society.
- d. Make recommendations on the establishment of policy on issues relating to Student Unions, student groups, and other such matters relating to student affairs.
- e. Be the Chair of the Events Committee, or its equivalent, if such a committee exists
- f. Train and advise the incoming Vice-President Events and Student Affairs.
- g. Perform any other duties as outlined in the Bylaws, regulations or as assigned by the Council or Executive Committee.

## BY-LAW 5 – COUNCIL

### Composition of Council

1. The members of Council 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 Council 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. Council shall consist of:
  - a. members of the Executive Committee.
  - b. One (1) representative from each Constituency Group, to be elected by the members of their respective Constituency Group.
  - c. One (1) representative from each Student Union established in accordance with By-Law 10(3), to be elected by their respective Student Unions.
  - d. One (1) representative from each Affiliated Student Group, to be elected by their respective Affiliated Student Group.
3. Members of Council shall receive a stipend.

## BY-LAW 6 – POWERS, DUTIES, AND OBLIGATIONS OF COUNCIL

### Powers of Council

1. Subject to the BC Societies Act and the provisions of these By-Laws, Council shall exercise the powers of a Members' Meeting in between Members' Meetings.
2. Council shall:
  - a. be the only recognized medium of communication between the Society and:
    - i. Its Members.
    - ii. The University.
    - iii. The general public.
  - b. act as the Board of Directors of the Society.
3. Council shall exercise full control over all activities of the Society, including, but not limited to:
  - a. enacting regulations governing any activities of the Society,
  - b. making rulings in connection to all regulations pursuant to these By-Laws,
  - c. approve the budget for any fiscal year,
  - d. approving the Society's entrance into any contracts extending over a multi-year period,
  - e. approving expenditures outside the budget,
  - f. approving spending on any single item, whether approved as a single expenditure or as multiple expenditures, more than \$5,000,
  - g. calling a General Election or By-Election,
  - h. calling a Members' Meeting of the Society, and
  - i. approve the wording of questions that will go to referendum.
4. Council may delegate such of its powers, duties and obligations as it may deem expedient for the practicable conduct of the affairs of the Society.
5. Council may, by resolution, appoint persons not members of Council as full or qualified signing officers, provided they are covered by liability insurance satisfactory to Council and naming the Society as beneficiary.
6. Council may establish a new seat on Council for a Student Union 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.
7. Council may recognize a Constituency Group within the University community and establish a new seat on Council for a Constituency 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.
8. Council may recognize an Affiliated Student Group and establish a new seat on Council for an Affiliated Student Group representative by a motion requiring a two-thirds (2/3) majority vote of members in attendance at the Council meeting.
  - a. such a motion shall require three (3) weeks written notice to Council.
9. Council may, by way of regulation, set stipends that are payable to members of Council, including for members of the Executive Committee.

### Limitations on the Powers of Council

10. Any resolution or regulation passed by Council must be compliant with any relevant municipal, provincial and federal legislation pursuant to any resolution or regulation.
11. Council shall be bound by any resolution made by the Membership via a Members' Meeting or Referendum.
12. Council must approve a preliminary budget for the following fiscal year by April 30th.
13. Council must approve a final budget by June 30th of any fiscal year.

14. Any increase to stipends shall take effect on the following May 1st. Council shall not consider changes to the remuneration structure between the date that nominations open for General Elections and May 1st.
15. Council may, for the purpose of carrying out the objects of the Society, borrow, raise or secure the repayment of money. Council may authorize:
  - a. the issue of bonds,
  - b. perpetual or redeemable debentures, or
  - c. 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.
    - i. no debenture shall be issued without sanction of a special resolution.

#### **Duties and Obligations of Council**

16. Councillors shall:
  - a. Act honestly and in good faith with a view to the best interests of the entire Membership of the Society in respect of matters for which Council has the authority to act,
  - b. Commit to the fiduciary duties required of a Councillor, as a director of the Society,
  - c. Use reasonable efforts to advance the interests of the Student Union or Constituency group that they represent,
  - d. Act as a liaison between their Student Union or Constituency Group and Council
  - e. Sit on at least one Council Committee,
  - f. Attend all meetings of Council and any Committees to which they are elected, appointed, or sit as an ex-officio member,
  - g. Attend Members' Meetings, and
  - h. Perform any other duties as outlined in the By-Laws, regulations or as assigned by the Council.

#### **Council Meetings**

17. The President shall chair or delegate the chair at all Council meetings, provided however, Council may, by simple majority vote, determine the chair at any time for any period of time within an elected term.
  - a. The Chair of Council shall convene a meeting of Council at least once per month, or within two (2) working days upon receipt of a petition signed by at least one-half (1/2) of the members of Council.
18. Council shall appoint a member of Council, other than a member of the Executive Committee to serve as Vice Chair of Council.
  - a. The Vice Chair of Council shall have the power to convene a meeting of Council in the absence of, or at the discretion of, the Chair of Council
19. Quorum for a meeting of Council shall be a majority of the seats filled, including a majority of Executive Officers.
20. Council meetings shall be open to all members of the Society, and members shall have full speaking rights in meetings, subject to limitations via regulation.
21. Council and Council Committee meetings may be held in person and/or electronically.
22. Subject to the regulations of the Society, Robert's Rules of Order shall govern the conduct of all meetings of Council and its committees.
23. No votes by proxy shall be allowed.
24. Councillors are entitled up to two Alternates to attend meetings and vote when the Councillor is unavailable.
  - a. If a Councillor represents a Student Union, their Alternates must be a member of their respective Student Union Executive.
  - b. If a Councillor represents a Constituency Group, their Alternates must be a member of their respective Constituency Group Executives.

- c. Alternates may only move and second motions, and vote, in the absence of the Councillor.
- d. Alternates may participate during in-camera sessions and are bound by the same confidentiality guidelines as Councillors.
- e. If both the Councillor and Alternate are present at a Council meeting, the Councillor shall be considered the official representative for their Student Union, Constituency Group, or Affiliated Student Group.
- f. The use of Alternates by Councillors shall be subject to limitations via regulation.

## BY-LAW 10 – STUDENT UNIONS

1. The purpose of the Student Unions shall be to represent undergraduate students within the University Departments and Faculties.
2. Council may recognize a Student Union provided that it is satisfied that the Student Union is from a University Faculty, or 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.
3. If the members of a proposed Student Union vote in favour of creating a Student Union at a general meeting or via referendum of the membership of the proposed Student Union, Council shall ratify the results of that referendum and recognize the Student Union provided that the Student Union:
  - a. Has a written Constitution and By-Laws that:
    - i. Have been ratified by a majority of Members of a Department or Faculty at a general meeting of the Student Union for which notice has been given in accordance with these By-Laws;
    - ii. Have been approved by the Council; and
    - iii. Are consistent with the Constitution and By-Laws of the Society, and
  - b. Has a functional, elected executive, elected in accordance with its Constitution and By-Laws, 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 – POWERS, DUTIES, AND OBLIGATIONS OF MEMBERS' MEETINGS

### **Powers of a Members' Meeting**

1. A Members' Meeting shall be the highest governing body of the Society.

### **Types of Members' Meetings**

2. There shall be two types of Members' Meetings:
  - a. Annual General Meetings, and
  - b. Special General Meetings.

### **Annual General Meetings**

3. 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 Council, the Executive Committee, or the 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 Council.
  - d. Receiving the Vice-President Finance's report.
  - e. Receiving the Auditor's report.
  - f. Appointing the Auditor for the coming year.
4. 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].

### **Special General Meetings**

5. Special General Meetings may be convened at any time by resolution of two thirds (2/3) of the members of Council.
6. Council, the Executive Committee, and the Members of the Society may propose business to be conducted at a Special General Meeting

### **Duties and Obligations of Members' Meetings**

7. Notice of Members' Meetings 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. Written or electronic memoranda to all active and recognized Student Unions and Constituency Groups.
  - b. An advertisement in the student newspaper or other student publication normally available to all Members of the Society.
  - c. 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.
8. Accidental omission in giving notice of Members' Meeting, or the non-receipt of notice by the members of the Society, shall not constitute a violation of the proceedings of the meeting.
9. Each Member in good standing of the Society shall be entitled to vote at the Members' 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.

10. Quorum for Members' Meeting shall be two hundred and fifty (250) members in good standing of the Society.
  - a. Once Quorum is established, it shall continue to be deemed established, unless the number of Members attending falls below one hundred and seventy-five (175), in which case Quorum shall be deemed lost.
11. Resolutions of Members' 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.
12. Robert's Rules of Order shall govern the conduct of a Members' Meeting.
13. A Members' Meeting may be held partially or wholly by electronic or telephonic means.

## 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 Council, 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 Council 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 Council.

## BY-LAW 14 – AMENDMENTS

1. The Constitution and By-Laws may be amended by special resolution passed at a Members' Meeting or by indirect voting via referendum held in accordance with By-law 18.
2. Notice of a proposed amendment to be proposed at Members' 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 Executive Committee.
  - b. Council.
  - c. A petition presented to 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

### Eligibility to Run for Election

1. Only Members in good standing of the Society may be nominated to any office or Council seat.
2. Members elected to Council or the Executive Committee shall hold office for one year, May 1st through April 30th, inclusive.
3. Members may not hold office as a voting member on the Executive Committee and a Student Union or Constituency Group.
4. Any undergraduate student who is a Member in good standing of the Society may run and may vote for a position on the Executive Committee.
5. Any undergraduate student who is a Member in good standing of the Society, and a Member of the Faculty, Department, or Constituency Group may run and may vote for a seat on Council.

### The Independent Electoral Commission

6. The Society shall maintain an Independent Electoral Commission for thirteen (13) months, May 1st to April 30th, with a transition period from May 1st to May 31st, and ensure that it has the facilities, equipment and funding required to carry out its mandate effectively.
  - a. The outgoing Independent Electoral Commission shall train and advise the incoming Independent Electoral Commission during the one (1) month transition period.
7. The Independent Electoral Commission shall consist of a Chief Commissioner, who shall act as Chair, and no less than four other Commissioners.
  - a. All members of the Independent Electoral Commission shall be Members in good standing of the Society, except that no current member of or candidate for the Council or a Faculty Student Union Executive may serve as a member of the Independent Electoral Commission
  - b. No Member who has served on Council or the Executive Committee can become a member of the Independent Electoral Commission for a period of two years following their term of office.
  - c. All members of the Independent Electoral Commission shall be elected by a two thirds (2/3) majority vote of Council.
  - d. 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 Council, the Executive Committee, 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 for any violation of the By-Laws or election Regulations which from time to time may be established, or impose a reduction in the amount reimbursed by the Society for campaign expenses for campaign violations
  - e. May rule any referenda invalid 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 make, amend and repeal additional rules governing the conduct of the election or referendum that does not conflict with existing By-Laws or regulation, which must be approved by the Independent Electoral Commission at least four (4) weeks before the start of the nomination period.

### Executive Committee General Elections

9. Executive Committee General Elections shall be held in accordance with the provisions in these By-Laws, as well as any regulation governing the conduct of Executive Committee General Elections.
10. Due notice of a General Election shall be deemed sufficient if the following is adhered to:

- a. Notice announcing the upcoming election is given at least one (1) 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.
  - vii. 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.
11. The nomination period for Executive Committee candidates shall open Monday after the completion of week one of classes in the semester and close at the end of week three of classes in the semester.
12. Nomination papers shall be signed by prospective Executive Committee 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.
13. The campaign period for Executive Committee elections shall begin Monday after the completion of week three of classes and close at the end of week five of classes in the semester.
  - a. Pre-Campaigning shall not be allowed.
14. Following the close of nominations, notices shall be provided in the prescribed manner indicating the candidates, the date, and time of voting.
15. Candidates and Slates shall abide by the provisions in the By-Laws, regulations, and additional rules approved by the Independent Electoral Commission.
  - a. Whether or not Slates are permissible by regulation, Slate names shall not be placed on the ballot of any Society election.
16. 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 one hundred (100) dollars, at least half of which shall be reimbursed by the Society.
17. All printed campaign posters and related paraphernalia shall be removed by midnight prior to the day of commencement of polling.
18. Only Members of Society may campaign for or on behalf of Executive Committee candidates or referenda during any election period.
19. 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.
20. 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.
21. 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.
22. If a candidate for an uncontested office fails to receive a majority of “yes” votes, then the office will remain vacant.
23. 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 the week following 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.
24. 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.

25. Where positions are contested, the candidate receiving the most votes for that position shall be declared duly elected.
  - a. If there is a tie for candidates receiving the most votes, a second vote will be held just for the tied top candidates to determine a winner from among the tied group. If, following the voting, the results are still a tie, the candidates shall break the tie in a manner decided by the Independent Electoral Commission.
26. 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.
27. 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.

#### **Council General Elections**

28. Council elections, other than elections to the Executive Committee, shall occur in accordance with the Constitution and By-Laws of the Student Unions and Constituency Groups that hold a seat on Council, as well as any Regulations governing the conduct of Council elections.
29. Notwithstanding By-Law 15(27), Council elections must occur between the start of week seven (7) of classes and end of week ten (10) of classes in the semester.
  - a. The results of Council elections shall be reported to the Independent Electoral Commission no later than the end of week ten (10) in the semester.
30. Notwithstanding By-Law 15(27), Council elections must be open to all members of their respective Student Union or Constituency Group, with at least one week's notice of the election given to its members.

## BY-LAW 16 – BY-ELECTIONS

### Council By-Elections

1. Council By-Elections, other than By-Elections to the Executive Committee, shall occur in accordance with the Constitution and By-Laws of each Student Union and Constituency Group with a seat on Council, or any other Regulations governing the conduct of Council By-Elections.

### Executive Committee Vacancies and Interim Appointments

2. If the office of an Executive Officer becomes vacant, Council must hold a by-election to fill the vacant office at the earliest possible By-Election or General Election in accordance with By-Law 16(3).
  - a. Council may appoint a temporary replacement to the vacant office from amongst the members of Council, other than members of the Executive Committee, to undertake the duties befalling the vacant office, until the office is filled by way of a by-election.
  - b. Notwithstanding By-Law 16(2)(a), in the case of a vacancy in the Office of the President, the Vice-President Internal and Organizational Development shall assume the Office of the President.
    - i. Council may then appoint a temporary replacement to the vacant office from amongst the members of Council, other than members of the Executive Committee, to the Office of the Vice-President Internal and Organizational Development for such a period of time that the Vice-President Internal and Organizational Development is occupying the Office of the President.
  - c. If the Vice-President Internal and Organizational Development is unable to assume the Office of the President, pursuant to By-Law 4, the Office of the President shall be assumed by another Executive Officer in compliance with the following line of succession:
    - i. Vice-President Internal and Organizational Development
    - ii. Vice-President Finance and Services
    - iii. Vice-President University and Academic Affairs

### Executive Committee By-Elections

3. By-elections to fill vacant offices may only occur in the Summer Semester and Fall semesters, as described in subsections (a)-(c), with:
  - a. the nomination period opening Monday, no earlier than after the completion of week four of classes in the semester, and closing no sooner than two weeks following the opening of nominations.
  - b. the campaigning period starting at the close of nomination period, and closing no sooner than two weeks.
  - c. the voting taking place during a period of three days occurring the week after the close of campaigning period.
4. Pursuant to By-Law 16(1), a by-election must be called to fill a vacant office if the vacancy occurs (2) weeks before the start of the nomination period of the Summer or Fall by-elections.
  - a. Notwithstanding By-Law 15(2), the terms of members elected to the Executive Committee in a by-election shall assume office on the date of the first meeting of the Executive Committee or Council following the by-election and shall serve up until April 30th.

5. Pursuant to By-Law 16(1), if the vacancy occurs less than two (2) weeks before the start of the nomination period of the Fall by-elections, then the vacancy shall be filled during the Spring General Election.
  - a. Notwithstanding By-Law 15(2), the terms of members elected to the Executive Committee in the Spring General election to fill a vacant office shall commence on the date of the first meeting of the Executive Committee or Council following the General Election, serving the balance of the term up until April 30th, before the start of their official term on May 1st.
6. Notwithstanding the provisions of By-Law 16(1)-(2), Council must call a by-election at any time of the year to fill all vacant positions if the number of Executive Committee members falls below the number required for quorum at Executive Committee meetings.
7. Executive Committee By-elections shall occur in accordance with the procedures set out for elections in these By-Laws and any other Regulations governing the conduct of elections or By-Elections.

## BY-LAW 17 - RESIGNATION, IMPEACHMENT, OR ABANDONMENT

### Resignation

1. If any member of Council or the Executive Committee 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 Council or Executive Committee Chair shall declare the position vacant forthwith.

### Impeachment

2. A member of Council or the Executive Committee may be removed from office by special resolution of a Members' Meeting or referendum.
  - a. Notwithstanding By-Law 18(3), impeachment proceedings via referendum may be called at any time with at least 30 days notice.
3. Impeachment proceedings may be initiated by:
  - a. a two-thirds majority vote of Council, or
  - b. a petition signed by not-less than five percent (5%) of the Members presented to Council.
4. Notice of impeachment proceedings shall be that is required for a special resolution.
5. Members of Council, other than members of the Executive Committee, may be removed from Council:
  - a. by a four/fifths (4/5) majority vote of the Council, or
  - b. in accordance with the Constitution and By-Laws of the Student Union or Constituency Group the Councillor represents.

### Abandonment

6. Any member of the Executive Committee who, without prior authorization by the Executive Committee, is absent from two (2) consecutive and regularly scheduled meetings of the Executive Committee, shall be deemed to have abandoned their position and the Executive Committee Chair shall declare that Office vacant forthwith.
7. Any member of Council who, without prior authorization by Council, is absent from five (5) regularly scheduled meetings of Council, or is absent from three (3) consecutive regularly scheduled meetings of Council, whichever occurs first, shall be deemed to have abandoned their position and the Council Chair shall declare that seat vacant forthwith.

### Vacancies

8. A member of the Executive Committee removed from Office in accordance with these By-Laws shall be replaced by way:
  - a. of by-election or interim appointment in accordance with By-Law 16, or
  - b. by appointment by ordinary resolution to serve during the balance of the term.
9. A member of Council, other than a member of the Executive Committee, removed from their Council seat in accordance with these By-Laws shall be replaced by way:
  - a. of by-election or interim appointment in accordance with their respective Student Union or Constituency Group Constitution and By-Laws.

## BY-LAW 18 – REFERENDA

1. Members in good standing of the Society 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 two-thirds (2/3) majority of the votes cast.
3. Resolutions may be put to referendum concurrently with the next regularly scheduled Society election or by-election, or during the time allotted for the next Society election or by-election if there were to be a by-election.
4. Resolutions may be put to referendum by a simple majority vote of Council, except where prohibited by these By-Laws, or upon presentation of a petition to Council 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 Council 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, Council 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 Council for ratification.

## BY-LAW 19 – STUDENT UNION LEVIES

1. Student Unions may propose to the Council resolutions concerning a Student Union levy.
  - a. Only Student Unions that represent a University Faculty may propose a Student Union levies.
    - i. Student Unions that represent a University Faculty may make decisions on distributing the monies collected by a levy to Student Unions that represent a University Department.
  - b. Student Union levies may only apply to members of the Student Union as defined in the Student Union's by-laws.
2. Any such resolutions may be put to referendum by a simple majority vote of the Council, except where prohibited by these By-Laws, or upon presentation of a petition to Council which contains the text of the proposed resolution and the signatures of five (5) percent of the members of the Student Union.
3. Upon presentation of a duly signed petition for referendum Council 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 Student Union as defined in the Student Union's by-laws may vote on resolutions concerning a 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.
3. The Society shall create and maintain a digital archive of records, with any personal information removed, that Members can access online. These records shall include current and past versions of:
  - a. meeting minutes
  - b. ordinary and special resolutions
  - c. Constitution and By-Laws
  - d. policies, rules, and regulations
  - e. audited financial statements
  - f. annual reports
  - g. strategic plan
  - h. any other documents relevant to the membership and allowable by law

## 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 Council or the Executive Committee, 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 Council if the Society joined the organisation by resolution of Council;
    - 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.

## BYLAW 25 – LOCATION OF SOCIETY OPERATIONS

1. The operations of the Society shall be chiefly carried on at Simon Fraser University in the Province of British Columbia.

## BYLAW 26 – CONSTITUENCY GROUPS

1. The purpose of Constituency Groups shall be to represent and serve its members who share an experience or condition of oppression and systemic discrimination and/or barriers such as, but not limited to: homophobia, sexism, racism, classism, colonialism, ableism or ageism.
2. The Council may vote to recognize a Constituency Group provided that the Constituency Group:
  - a. has a written Constitution and By-Laws that has been accepted by a majority of its members at a general meeting,
  - b. it has a functioning, elected executive, elected in accordance with its Constitution and By-Laws, and
  - c. holds regular general meetings that are open to all of its members and gives its members notice of those meetings.

## BYLAW 27 – DISSOLUTION

1. The Society may be dissolved by special resolution at a meeting specifically called for this purpose with notice that the intent of the meeting is to dissolve the Society.
2. After the liabilities are paid or provided for, the residue of the Society's assets shall be given to a recipient, qualified per the Societies Act, as determined by ordinary resolution.