

### 1. Interpretation

- 1.1 These Regulations are written with the intent of ensuring free and fair elections at the Guild of Students.
- 1.2 These Regulations are in conjunction with Byelaw 8 (Elections) of the Guild of Students. Please refer to this Byelaw in addition to these regulations.
- 1.3 The Returning Officer of the Guild of Students shall have the final say over the interpretation of these Regulations.
- 1.4 These Election Regulations shall apply to all cross-campus Guild of Students elections.
- 1.5 In addition to these Regulations, all other Guild of Students governing documents, University Legislation, and all Laws of the Land shall apply.

### 2. Notice and Applications

- 2.1 All applicants must be Full Members of the Guild of Students. In some elections, further restrictions apply (as stated in these regulations).
- 2.2 Full Members may not stand for two positions on the same committee.
- 2.3 The procedure for return of applications is outlined in Byelaw 8, Section 4.
  - 2.3.1 In Officer Team Elections, Full Members may only stand in elections for liberation positions, who self-define as belonging to that liberation group.
  - 2.3.2 In Guild Committee Elections, all Full Members may stand for the Open Place positions.
  - 2.3.3 In Guild Committee Elections, it is expected that only Full Members who are Postgraduate Students may stand for the position reserved for Postgraduates.
  - 2.3.4 In NUS Delegate Elections for NUS National Conference, the Guild of Students shall ensure annual delegations will consist of at least 50% self-defining women (rounded down) in accordance with the 'Fair Representation' NUS motion.
  - 2.3.5 In NUS Liberation Conference Delegate Elections, Full Members may only apply for positions for which they self-define as belonging to that group.
  - 2.3.6 If no applications are received for a position by the close of applications, applications may be reopened for that position.
- 2.4 Re-open Nominations (R.O.N.) shall be a candidate in every election. R.O.N. shall not be depicted in any Guild promotional material as a person or character.

### 3. Part Time Officer Role Share

- 3.1 In Part-Time Officer Elections, two Full Members may stand for election to a Part Time Officer Position on a role share basis. If those Members are elected to the Part Time Officer Position, they will be jointly and severally responsible for the performance of the obligations associated with the Position, and for their own and each other's actions in that regard.
- 3.2 Role shares may not be used for Full Time Officer, NUS Delegate, or Guild Committee positions.
- 3.3 In the case of a role share for liberation positions, both Full Members must self-define as belonging to that liberation group.

- 3.4 Where two Full Members stand for election to a Part Time Officer Position on a role share basis, they will be provided with the same budget as an individual member standing for election for that role.
- 3.5 Where two Full Members stand for election to a Part Time Officer Position on a role share basis, they are both expected to attend Candidate Training and Candidate Question Time. If either or both is unable to attend then they must send apologies for their absence at least 1 hour before the event and make alternative arrangements with the Guild of Students.
- 3.6 Both Full Members standing for election to a Part Time Officer Position on a role share basis shall be held jointly and severally responsible for their own and each other's actions in elections and the actions of their own and the other's supporters, which are proven to the reasonable belief of the Returning Officer or Nominee as appropriate.
- 3.7 Should one of the Full Members standing for election to a Part Time Officer Position on a role share basis be found to have broken these Regulations, both of them may be removed from the election.
- 3.8 Should one of the Full Members standing for election to a Part Time Officer Position on a role share basis withdraw their application, the other will be deemed equally to have withdrawn their application.
- 3.9 If two Full Members are elected to a Part Time Officer Position, and one of them resigns their position or their position otherwise terminates, the other will be deemed equally to have resigned their position or have had it terminated (as appropriate).

#### 4. Supporters

- 4.1 The Returning Officer or Nominee shall have the absolute discretion in determining a supporter of a candidate.
- 4.2 All supporters must be Full Members of the Guild of Students.
- 4.3 No Full-Time Guild Officer shall support a candidate.
- 4.4 Candidates are not permitted to seek, or endorse, the support of Student Groups, and Student Groups are not permitted to support candidates.
- 4.5 If a Part-Time Officer wishes to support a candidate then they must do so in their capacity as a student of the University of Birmingham and not as an Officer of the Guild of Students.
- 4.6 All current Officers running as candidates in an election must comply with the Code of Conduct for Incumbent Officer Candidates in Elections.
- 4.7 No candidate shall seek support from a body external to the Guild of Students or the University of Birmingham.
- 4.8 Slates are permitted in single seat elections.
- 4.9 Candidates may be held responsible for fellow slate members and campaigners.
- 4.10 Slates are not permitted in multi-member elections.

#### 5. Publicity

- 5.1 All candidates in all elections must submit a written statement outlining why they are standing for election, their election aims, pledges and any other relevant information. Candidates must also submit a photo which will be displayed. These must be submitted by the date set by the

Guild and notified to candidates in the relevant election. Candidates should refer to the Guild Elections Candidate Publicity Guidance document.

- 5.2 Candidates must adhere to Guild and University regulations when displaying election publicity
- 5.3 Candidates can only cover, move or alter their own publicity.
- 5.4 Candidates shall be responsible for removing all of their own publicity.
- 5.5 Publicity may not be attached to trees or buildings without the permission of the owner, or in contravention of University of Birmingham regulations

## 6. Budget

- 6.1 In respect of Elections for each position, the Guild may, at its discretion, provide a budget for candidates running for election to the position. Any budget for individual elections shall be clearly stated in Candidate Training.
- 6.2 Candidates shall not spend more than the budget (if any) given to them by the Guild of Students in connection with their election campaign.
- 6.3 Candidates are required to have completed spending their budget (if any) and submitted receipts for all personal expenditure claims by the date set by the Guild and notified to candidates in the relevant election.
- 6.4 The Guild of Students shall make all candidate campaign budgets available to all Full Members for public scrutiny.

## 7. Campaigning

- 7.1 No candidate or supporter shall attempt to influence or intimidate voters whilst they are voting.
- 7.2 Candidates must adhere to the Guild Elections Non-Discrimination Pledge throughout the Elections period.

## 8. Candidate Training and Candidate Question Times

- 8.1 Every candidate is expected to attend Candidate Training and, where applicable, Candidate Question Time. If they are unable to attend, they must send apologies for their absence at least 1 hour before the event and make alternative arrangements with the Guild of Students.
- 8.2 Candidates may appoint nominees to attend Candidate Question Time. Nominees must be Full Members and shall make a speech.
- 8.3 If, in the opinion of the Chairperson, a speaker is deliberately breaching or flaunting the Regulations, the Chairperson shall have the authority to remove the speaker from that round of speeches, the remainder of the Candidate Question Time, and, on subsequent approval by the Returning Officer, from all further Candidate Question Times.

## 9. Voting

- 9.1 Wherever possible, voting shall be online (E-voting).

- 9.2 Where E-voting is not possible in cross-campus elections, or where the E-voting system becomes inoperable, a paper ballot shall be conducted in accordance with the Guild of Students' Paper Ballot Procedure.
- 9.3 Restrictions on which Full Members may vote shall apply in the following elections. All other elections shall be cross campus and open to all Full Members.
- 9.4 In elections for Liberation Officers and NUS Liberation Conference Delegates it is expected that only Full Members who self-define as belonging to the particular demographic that the position represents shall vote in that election.
- 9.4.1 For the removal of doubt, non-binary students are eligible to vote in the election of the Women's Officer.

## 10. Results

- 10.1 All results shall remain provisional until the Returning Officer is satisfied with the conduct of the election and following the closure of any complaints.

## 11. Enforcement of Regulations

### 11.1 The Returning Officer

- 11.1.1 The Returning Officer shall be the Registrar and Secretary of the University of Birmingham
- 11.1.2 The Returning Officer may delegate the management of complaints, appeals, and other appropriate business to a Nominee (or Nominees).
- 11.1.3 For the purpose of all Guild Elections during 2022/23, the following Returning Officer structure shall be in place:
- Complaints about a candidate having possibly broken these regulations shall be determined and decided by a member of the Guild of Students' Senior Management Team as Nominee for the Returning Officer; and
  - Appeals against those decisions shall be determined and decided by a representative from National Union of Students (NUS) as Nominee for the Returning Officer; save that
  - Appeals against those decisions which, in the reasonable opinion of the representative from National Union of Students (NUS), relate to material issues affecting whether or not the election was free and fair shall be referred for determination by the Registrar and Secretary as appropriate
- 11.1.4 In the event that the member of the Guild of Students' Senior Management team declares a conflict of interest, their responsibilities as Nominee shall be delegated to another member of the Guild of Students' Senior Management Team identified the Guild of Students' Chief Executive Officer.
- 11.1.5 The Returning Officer shall be responsible for the good conduct and administration of the elections and shall have final interpretation of the Election Regulations and Bye-Law 8. However, the Nominee(s) shall be responsible for the day to day good conduct and administration of the elections.

- 11.1.6 The Returning Officer (or their Nominee) may instigate investigations into breaches of Election Regulations without the need for a complaint to be submitted, where there is reasonable cause to believe a breach has been committed.
- 11.2 All complaints about a candidate having possibly broken these regulations shall be subject to the Guild of Students' Election Complaints Procedure.
- 11.3 If a candidate is found to have broken these regulations, as deemed by the Returning Officer or Nominee, the candidate may be removed from the election.
- 11.4 Candidates in breach of these regulations may also be subject to Guild, and/or University discipline procedures, and/or legal proceedings.
- 11.5 Candidates shall be held responsible for their own actions in elections and the actions of their supporters, which are proven to the reasonable belief of the Nominee or Returning Officer as appropriate.

## 12. By-Elections and Co-Option

- 12.1 If a post becomes vacant following the close of an election, a by-election may be run during the next election period.
- 12.2 If a position remains unfilled following both an ordinary election and a by-election, the position may be filled by co-option.
- 12.3 A vacant position may also be filled by co-option if it is deemed to be a time-sensitive role following a request submitted to Returning Officer (or Nominee).
- 12.4 Co-option may only be used for Guild Committees.
- 12.5 Co-option may not be used for Guild Officer Group, NUS Delegates or Appointments Panel.
- 12.6 The process of co-option shall be as follows:
  - 12.6.1 The relevant chair responsible for the position should approve the use of co-option, issue a notice of co-option, inviting members to stand for election to the position.
  - 12.6.2 Candidates shall be invited to the next relevant committee meeting to give a speech and answer questions.
  - 12.6.3 The relevant committee shall then vote to co-opt their new member.
  - 12.6.4 Any co-option must be agreed by simple majority.
  - 12.6.5 A co-opted member will remain in position until the next full election for that position