

BYELAW 12 REFERENDA

General Principles	<ol style="list-style-type: none"> 1. A Referendum shall be the means by which the Minimum Number of Full Members (as defined in the Articles of Governance), may make a final determination of any question. 2. A decision made by referendum is binding on Union Council unless: <ol style="list-style-type: none"> 2.1 there may be serious financial implications 2.2 it may contravene charity or education law, or other legal requirements including ultra vires 2.3 it may damage the reputation of the Union <p style="margin-left: 40px;">The decision of the Board of Trustees in these matters shall be final</p> 3. Hallam Union shall aim to call a minimum of 2 referenda per academic year. 4. Any question or resolution may be put to a Referendum other than a question or resolution which:- <ol style="list-style-type: none"> 4.1. relates to a matter which is private or confidential (the decision of the Board of Trustees as to whether a matter is private or confidential shall be final); 4.2. is not consistent with these Articles of Governance; or 4.3. which Union Council decides by a resolution passed by a Simple Majority Vote is frivolous or unlawful
Calling a Referendum	<ol style="list-style-type: none"> 5. A Referendum may be called:- <ol style="list-style-type: none"> 5.1. by a resolution of Union Council or the Officer Committee passed by a Simple Majority Vote; or 5.2. by petition in writing addressed to the President at the main offices of the Union and: <ol style="list-style-type: none"> 5.2.1 a petition for a Referendum must be signed by at least the greater of one percent (1%) of Full Members or 250 Full Members.

	<p>5.2.2 each Full Member whose signature is on the petition for a Referendum must provide her/his full name and SHU Student ID number.</p> <p>5.2.3 the petition shall state the nature of the question or resolution to be proposed and shall name three of the signatories as representatives of the petitioners</p> <p>6. A Referendum shall not be valid unless the aggregate number of valid votes cast in the Referendum is more than the Minimum Number of Full Members as defined in the Articles of Governance. If less than the Minimum Number of Full Members cast valid votes in the Referendum, the votes will not be counted, and the outcome of the Referendum will be disregarded. The Returning Officer(s) shall determine whether the Minimum Number of Full Members or more have voted.</p> <p>7. The Returning Officer(s) along with the Elections Working Group will be responsible for the organisation and conduct of the Referendum.</p> <p>8. On receipt of a petition for a Referendum, the President shall notify the Returning Officer(s), who shall forward written acknowledgement of receipt of the petition to the representatives of the petitioners as soon as possible.</p>
<p>Duties of the Elections Working Group and Returning Officer(s) with regard to Referenda</p>	<p>9. The Elections Working Group along with the Returning Officer(s) shall be responsible for producing all relevant literature with respect to the notification of the referenda procedures and timetables and to undertake the following duties:-</p> <p>9.1 to notify the Members that a petition to hold a Referendum has been received in accordance with the provisions of Section 2 to this Bye-Law</p> <p>9.2 to specify the nature of the question to be put</p> <p>9.3 to specify the designated areas in which publicity may be displayed</p> <p>9.4 to specify the dates and times for hustings, if any</p> <p>9.5 to specify the dates and times that electronic voting will be open</p> <p>9.6 to declare and publicise the result</p> <p>9.7 to report the result to the next available meeting of the Officer Committee</p> <p>9.8 to ensure that all procedures governing the Referendum set out in these Articles of Governance are properly applied</p> <p>9.9 to provide a report to the University Secretary on the conduct of the Referendum</p> <p>10. The Returning Officer(s) along with the Elections Working Group shall be responsible, at the appropriate time, for the conduct of all Referenda. The Returning Officers' decision is final.</p>

Petitions for Referenda	11. On receipt of a petition for a Referendum, the President shall notify the Returning Officer(s), who shall forward written acknowledgement of receipt of the petition to the representatives of the petitioners as soon as possible.
Phrasing of Question	12. Phrasing the question to be put to a Referendum shall be the responsibility of the Returning Officer(s) along with the Elections Working Group. 13. In the case of a Referendum called by petition, one or more of the representatives on the matter will also be consulted. 14. The phrasing shall ensure that the question can only be answered “Yes” or “No”.
Timing of Referenda	15. The outcome of any questions put to a Referendum shall be advertised to the Members not later than the end of the 5th week, counting from the Monday after the resolution of the Officer Committee or Union Council, or from receipt of the petition.
Publicity	16. The Returning Officer(s) shall make appropriate arrangements for publicising the Referendum within the University. 17. The Elections Working Group in consultation with the Returning Officers(s), shall ensure strict parity in the allocation of material support (including financial) for each side of any Referendum campaign. 18. The Returning Officer(s) may call hustings at which interested parties may debate the question to be put to a Referendum, in order to inform the Members of the issues involved.
Campaigning	19. All members campaigning in the referendum shall abide by the rules and regulations set out in the Referendum regulations. 20. If no Referendum regulations are created then campaigners shall abide by the rules and regulations set out in the Election regulations.
Method of Determining the Outcome of a Referendum	21. All referenda shall be conducted by electronic cross-campus ballot in a manner approved by the Electoral Reform Society. 22. The question shall only be answered “Yes” or “No”. Any answer other than “Yes” or “No” shall result in the vote being discounted. 23. A Referendum shall not be valid unless more than 2% of Full Members, or 400 Full Members, whichever is the greater, vote in the Referendum. The figures shall be calculated in accordance with the total number of valid (Opted In) SHU cards currently in issue. 24. It shall be the responsibility of the Returning Office(s) to ensure that the outcome of a Referendum is

	advertised to the Members
Timetable for Referenda	<p>25. The timetable for the referendum shall be :-</p> <p>25.1 publicity shall be produced no later than the Monday of the second week after receipt of the petition or notice of the Referendum</p> <p>25.2 publicity shall be distributed by the Friday of the second week after receipt of the petition, or notice of the Referendum</p> <p>25.3 Hustings (where applicable) shall be held during the third week after receipt of the petition or notice of the Referendum</p> <p>25.4 voting shall be open during the fourth week after the receipt of the petition or notice of the Referendum</p> <p>25.5 declaration of the results shall be made by the Returning Officer as soon as practical after the close of voting and not later than the end of the 5th week after receipt of notification</p>
Questions of a like nature	26. No question of like nature shall be put to a Referendum more than once within the same academic year. In the event of a dispute, the decision of the Returning Officer(s) shall be final