

## BYELAW 11 REFERENDA

<b>Referenda</b>	<ol style="list-style-type: none"> <li>1. A Referendum shall be the means by which the Minimum Number of Full Members may make a final determination of any question. A decision by a Referendum shall be binding on Union Council unless the effect of that Referendum would or might give rise to an obligation for expenditure or other financial commitment by the Union which is not provided for in the Budget then current and which in the opinion of the Board of Trustees is material.</li> <li>2. Hallam Union shall aim to call a minimum of 2 referenda per academic year.</li> <li>3. Any question or resolution may be put to a Referendum other than a question or resolution:-             <ol style="list-style-type: none"> <li>3.1. which 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);</li> <li>3.2. which is not consistent with this Constitution; or</li> <li>3.3. in respect of a Referendum called on a petition a question or resolution which the Union Council decided by a resolution passed by a Simple Majority Vote is frivolous or is unlawful</li> </ol> </li> </ol>
<b>Calling a Referendum</b>	<ol style="list-style-type: none"> <li>4. A Referendum may be called:-             <ol style="list-style-type: none"> <li>4.1. by a resolution of the Union Council or the Officer Committee passed by a Simple Majority Vote; or</li> <li>4.2. by petition in writing addressed to the President at the main offices of the Union</li> <li>4.3. A petition for a Referendum must be signed by at least the greater of one percent (1%) of the</li> </ol> </li> </ol>

	<p>Full Members or 250 Full Members.</p> <p>4.4. Each Full Member whose signature on the petition for a Referendum is to be counted shall provide her/his full name and SHU Student ID number.</p> <p>4.5. The petition shall state the nature of the question or resolution to be proposed and shall name three of the persons signing the petition any one or more of whom are to act as (a) representative(s) of the petitioners.</p> <p>5. 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. 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 regardless of the proportions of those voting “yes” and “no” respectively. The Returning Officer shall determine whether the Minimum Number of Full Members or more have voted.</p> <p>6. The Returning Officer(s) along with the Elections Committee will be responsible for the organisation and conduct of the Referendum.</p> <p>7. 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><b>Duties of the Democracy &amp; Representation Committee</b></p>	<p>8. The Elections Committee 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>8.1. 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>8.2. To specify the nature of the question to be put.</p> <p>8.3. To specify the designated areas in which publicity may be displayed.</p> <p>8.4. To specify the dates and times for hustings, if any.</p>

	<p>8.5. To specify the dates and times of day that ballot boxes will be open, and on which sites of the University they will be lodged.</p> <p>8.6. To specify the date and time of the count.</p> <p>8.7. To declare and publicise the result.</p> <p>8.8. To report the result to the next available meeting of the Officer Committee.</p> <p>8.9. To ensure that all procedures governing the Referendum set out in this Constitution are properly applied.</p> <p>8.10 To provide a report to the University Secretary on the conduct of the Referenda.</p>
<b>Duties of the Returning Officer(s)</b>	<p>9. The Development and Democracy Manager shall be the Returning Officer for all Referenda</p> <p>10. If elected, the Returning Officer for the Elections along with the Development and Democracy Manager shall also be the Returning Officer for the Referendum.</p> <p>11. The Returning Officer(s) along with the Elections Committee shall be responsible, at the appropriate time, for the conduct of all Referenda and the Returning Officers' decision is final.</p>
<b>Petitions for Referenda</b>	<p>12. 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>
<b>Phrasing of Question</b>	<p>13. Phrasing the question to be put to a Referendum shall be the responsibility of the Returning Officer(s) who shall consult the Elections Committee and, in the case of a Referendum called by petition, one or more of the representatives on the matter. The phrasing shall ensure that the question can only be answered "Yes" or "No".</p>
<b>Timing of Referenda</b>	<p>14. The outcome of any questions put to a Referendum shall be advertised to the Members not later</p>

	<p>than the end of the 5th week, counting from the Monday after the resolution of the Executive Committee or Union Council, or from receipt of the petition.</p>
<b>Publicity</b>	<p>15. The Returning Officer(s) shall make appropriate arrangements for publicising the Referendum within the University.</p> <p>16. The Officer Committee, 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.</p> <p>17. 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.</p>
<b>Campaigning</b>	<p>18. All members campaigning in the referendum shall abide by the rules and regulations set out in the Referendum regulations.</p> <p>19. If no Referendum regulations are created then campaigners shall abide by the rules and regulations set out in the Election regulations.</p>
<b>Method of Determining the Outcome of a Referendum</b>	<p>20. All referenda shall be conducted by cross-campus ballot in a manner approved by the Electoral Reform Society.</p> <p>21. The question shall only be answered “Yes” or “No”. Any answer other than “Yes” or “No” shall result in the voting paper being discounted.</p> <p>22. A Referendum shall not be valid unless more than 2% of Full Members, or 400 Full Members, whichever is the greater, shall vote in the Referendum. The figures shall be calculated in accordance with the total number of valid SHU cards currently in issue.</p> <p>23. It shall be the responsibility of the Returning Office(s) to ensure that the outcome of a Referendum is advertised to the Members.</p>
<b>Timetable for Referenda</b>	<p>24. The timetable for the referendum shall be :-</p> <p>24.1 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>24.2 Publicity shall be distributed by the Friday of the second week after receipt of the petition, or notice of the Referendum.</p> <p>24.3 Hustings (where applicable) shall be held during the third week after receipt of the petition or notice of the Referendum.</p> <p>24.4 Ballot boxes shall be open during the fourth week after the receipt of the petition or notice of the Referendum.</p> <p>24.5 The counting of votes shall commence as soon as practicable after the close of voting.</p> <p>24.6 Declaration of the results shall be the responsibility of the Returning Officer, whose determination shall be final, except that if the Referendum was called as a result of a petition the petitioners may request a recount if the difference between Yes and No votes is 3% (three percent) or less of the total number of valid votes cast in the election.</p> <p>24.7 Declaration of the results shall be as soon as practical after the counting of votes has been concluded.</p>
<b>Questions of a like nature</b>	<p>25. 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 shall be final.</p>