

## Executive Committee Elections Regulations

### **Citation**

1. This Regulation may be cited as the Executive Committee Elections Regulations.

### **Interpretation**

2. In this Regulation, unless it is otherwise provided or the context otherwise requires –  
“Election” means an election selecting Executive Committee Representatives;
  - (1) All words shall have the meanings given in the Constitution of the Nanyang Technological University Students’ Union.

### **Amendment**

3. A Motion seeking to amend or remove any provision of this Regulation shall not be passed unless it has been supported by the votes of:
  - (1) Not less than half of the total number of Voting Council Representatives present during a Council Meeting, or
  - (2) Not less than half of the total numbers of Union Members present during a General Meeting of the Union.
4. For the purposes of section 3, amendment of provisions includes addition, amendment or repealing of provisions.

### **Legislative History**

5. This legislation was first enacted on 10 April 2014.

### **Sources of Law for Elections**

6. The sources of law for Elections shall be found in the following sources in descending order of supremacy:
  - (1) The NTUSU Constitution;
  - (2) The Elections Regulations;
  - (3) Other valid written sources of laws stipulated by the Union;
7. A source of law for Elections which is inconsistent with a more supreme source of law shall, to the extent of the inconsistency, be void.
  - (1) All Constituent Clubs shall not prescribe additional rules, regulations or procedures on Elections. Any such rules, regulations or procedures shall be deemed inconsistent if such rules, regulations or procedures contravene or derogate from the provisions of more supreme sources of law.

### **Scope**

8. This Regulation shall apply to both annual Elections and by-Elections.

### **Division of Regulations**

9. This Regulation shall be divided into the following parts:
  - (1) Part I – The Election Committees
  - (2) Part II – Electoral Process
  - (3) Part III – Physical Voting Procedures and Formats

## Part I – The Election Committees

### The Election Committee

10. The Union Election Committee shall instruct each Constituent Club to form an Election Committee to supervise and conduct the elections of its Executive Committee Representatives.
  - (1) A new Election Committee shall be convened if the date of the election is more than one (1) calendar month after the previous election.
11. Each Election Committee shall comprise of one (1) Returning Officer and two (2) Election Officers.
  - (1) The Returning Officer shall be the Chairperson of the Election Committee and the Election Officers shall assist the Returning Officer.
  - (2) They shall not stand for election to that Constituent Club's Management Committee.
  - (3) They shall not be a proposer or seconder for any candidate's nomination forms for that Constituent Club's Management Committee.

*Example 1 – A person may sit on the Election Committee of Constituent Club A and be an election candidate for Constituent Club B's Management Committee.*

*Example 2 – A person may sit on the Election Committee of Constituent Club A and propose or second the nomination forms of an election candidate for Constituent Club B's Management Committee*
  - (4) They shall not campaign for any candidates for that Constituent Club's Management Committee.
  - (5) They shall not vote for any candidates for that Constituent Club's Management Committee.

### Duties and Powers of the Election Committee

12. Each Election Committee shall:
  - (1) Supervise and conduct the elections of its Constituent Club according to the sources of law stipulated in section 6.
  - (2) Give notice of its Constituent Club's elections no less than seven (7) days before the start of the nomination period.
  - (3) Announce to its Constituent Club's Members the date, time, place and method of receiving nomination forms. Such date and time shall be the end of the nomination period for that Constituent Club.
  - (4) Announce to its Constituent Club's Members the results of Elections no later than two (2) days after its conclusion.
  - (5) Keep a register of voters and all voting ballots, whether valid or invalid, and deposit them with the Union Election Committee for safekeeping and inspection when necessary.
13. Each Election Committee shall have the power to:
  - (1) Accept the withdrawal of any candidate at any point in time from the start of the nomination period to the conclusion of the entire election process.
  - (2) Declare the election of any candidate of its Constituent Club's Executive Committee Representative invalid due to procedural irregularities according to the sources of law stipulated in section 6.
  - (3) Make decisions that encourage, and/or not contrary to, the spirit of ensuring a fair and transparent election. Such decisions shall only be made on exceptional

circumstances that arise during the entire election process and are not provided for in the sources of law stipulated in section 6.

#### **The Union Election Committee**

14. The Union shall form a Union Election Committee to supervise the conduct of elections by each Constituent Club's Election Committee
  - (1) The composition of the Union Election Committee shall be decided by the Union Council, other than the situation provided for under section 15(3).
15. The Union Election Committee shall comprise of one (1) Union Returning Officer and two (2) Union Election Officers.
  - (1) The Union Returning Officer shall be the Chairperson of the Union Election Committee and the Union Election Officers shall assist the Union Returning Officer.
  - (2) For annual elections, they shall not stand for election to any Constituent Club's Management Committee or Executive Committee Representatives. They shall also not be part of the incoming Council as an elected Council Representative or a co-opted Council member.
  - (3) For by-elections, the Union Returning Officer and the Union Election Officers shall be the President, Vice President and General Secretary of the Executive Committee respectively.
    - (a) However, if any of the above Executive Committee Officers is not available or recused himself/herself, he/she shall be replaced with another member of the Executive Committee who is an Executive Committee Representative.
  - (4) For both annual elections and by-elections, they shall not be a proposer or seconder for any candidate's nomination forms for any Constituent Club's Management Committee or Executive Committee Representatives.
  - (5) For both annual elections and by-elections, they shall not campaign for any candidates for any Constituent Club's Management Committee or Executive Committee Representatives.
  - (6) For both annual elections and by-elections, they shall not vote for any candidates for any Constituent Club's Management Committee or Executive Committee Representatives.

#### **Duties and Powers of the Union Election Committee**

16. The Union Election Committee shall:
  - (1) Supervise the conduct of elections by each Constituent Club's Election Committee.
  - (2) Conduct the Council Elections during the first Council Meeting of the incoming Council according to the sources of law stated in section 5.
  - (3) Give notice of the date, time, place of the first Council Meeting of the incoming Council, which includes the Council Elections, no less than seven (7) days before the date and time of the first Council Meeting.
  - (4) Announce to Union Members the results of Council Elections no later than two (2) days after its conclusion.
17. The Union Election Committee shall have the power to:
  - (1) Review the election of any candidate of any Constituent Club's Executive Committee Representatives according to the procedures prescribed by the sources of law stipulated in section 6.
    - (a) It shall be allowed to do so on its own discretion or upon appeal by a candidate whose election has been declared invalid by that Constituent Club's Election Committee.

- (b) If the Union Election Committee is of the view that a candidate's valid election should have been invalid due to procedural irregularities, or that a candidate's invalid, or invalidated, election, should have been valid according to the prescribed procedures, its determination of the validity of that candidate's election shall be final.
  - (c) Such determination by the Union Election Committee shall be final and binding on all parties involved.
- (2) Adjudicate disputes between any candidate and the respective Constituent Club's Election Committee that do not involve determining the validity of that candidate's election according to the procedures prescribed by the sources of law stipulated in section 6.
- (3) Declare the election of Council Representatives of any Constituent Club invalid if the election of that Constituent Club was invalid due to procedural irregularities according to the procedures prescribed by the sources of law stipulated in section 5.
  - (a) Such declaration, however, shall not affect the validity of the election of that Constituent Club's Management Committee members.

**Dispute Resolution**

- 18. All disputes between any Executive Committee Representative candidate and the respective Constituent Club's Election Committee shall be adjudicated by the Union Election Committee.
  - (1) The decision(s) of the Union Election Committee in such adjudication shall be final and binding on all parties involved. There shall be no appeal, nor the right to appeal, to the Union Council on such decision(s).
- 19. Any decision(s) of the Union Election Committee shall be binding and final on all parties. There shall be no appeal, nor the right of appeal, to the Union Council on such decisions(s).

## Part II – Election Process

### Components of the Election Process

20. The election process shall consist of the following main components:
  - (1) Election publicity
  - (2) Nomination period
  - (3) Campaign
  - (4) External Elections
  - (5) Council Elections
21. The total duration of the nomination period, the campaigning period and the External Elections shall not exceed twenty-one (21) days.
  - (1) The External Elections of all Constituent Clubs shall be held on the same day.
  - (2) The Nomination Periods of all Constituent Clubs shall be held on the same period.

### Election Publicity

22. The Union and every Constituent Club shall publicise, using reasonable means, to their respective Members the following:
  - (1) The personnel of the Election Committee,
  - (2) Start and end of the nomination period,
  - (3) The External Elections date,
  - (4) The results of the External Elections,
  - (5) The Council Elections date, and
  - (6) The results of the Council Elections,

### Nomination Period

23. There shall be a nomination period when interested candidates may be nominated for elections. The nomination period shall last no less than three (3) days and no more than fourteen (14) days.
  - (1) The recommended duration of the nomination period is seven (7) days but this duration shall not be construed as binding.
24. Every Constituent Club shall not impose any additional requirements on the nomination forms for Executive Committee Representatives candidates. The only requirements that may be stipulated are:
  - (1) The candidate is a member of the Union,
  - (2) The form shall be properly filled in and signed by the candidate,
  - (3) A photo of the candidate is attached with the form, and
  - (4) The form shall be signed by a proposer and a seconder.
24. The date, time, place and method of receiving nomination forms shall be made known to the respective Constituent Club's Members. Such date and time shall be the end of the nomination period for that Constituent Club.
25. Each candidate nominated for elections shall submit the nomination forms, according to the requirements laid down by the respective Election Committee and the sources of law stipulated in section 6, by the end of the nomination period.
26. Each set of nomination forms shall have a proposer and a seconder and shall contain the written consent of the candidate for election.
  - (1) The proposer and seconder for each set of forms shall not be the same person.
  - (2) The proposer or seconder can only nominate one candidate for each seat.

- (3) The proposer and the seconder for each candidate must be present simultaneously at the nomination booth with their matriculation cards.
- 27. In the event that the nominee is returned uncontested for a particular post, he or she will still have to stand for election and win a minimum number of no less than 50 valid "FOR" votes for the post he or she is being nominated for.
- 28. The Returning Officer shall, in the event that there is no nominee for a particular post, open the nomination again for the above mentioned post not later than three days after the first nomination closed
  - (1) The Returning Officer shall, in the event that there is no nominee for the second nomination, declare the nomination closed, and it will then be up to the discretion of the Management Committee of the Constituent Clubs to decide on the unoccupied post.
- 29. Any candidate whose nomination forms are rejected by the respective Election Committee may request a review by the Union Election Committee under section 17(1).
  - (1) The rejection of the candidate's nomination forms shall be made known to the candidate no more than one (1) day after the end of the nomination period. The request to review such decision shall be made by the candidate no more than two (2) days after the end of the nomination period. The decision of the Union Election Committee (and, if applicable, the Election Committee) on the matter shall be made no more than three (3) days after the end of the nomination period.
  - (2) The decision of such review(s) shall be binding and final on all parties per section 18. The External Elections shall be held on the stipulated date(s), notwithstanding the review(s).
  - (3) For the avoidance of doubt, the validity or invalidity of nomination form(s) is a question of procedural regularity/irregularity.

### **Campaign**

- 30. Each candidate must stand for election as an individual and must not associate himself with any other candidate standing for elections.
- 31. Banners and posters are only allowed at specific locations as determined by the Elections Committee.
- 32. Any poster or banner which bears defamatory remarks towards other candidates will be removed.
- 33. Any candidate who passes defamatory remarks towards other candidates shall be disqualified.

### **External Elections**

- 34. The election that chooses the nominated candidates as members of the Constituent Club's Executive Committee Representatives shall be known as the External Elections of that Constituent Club.
- 35. Candidates for the Executive Committee Representatives shall be elected on different ballots from candidates for the Management Committee.
- 36. The duration of the External Elections shall be one (1) day.
- 37. The day of the General Election shall be held not earlier than seven days and not later than ten days after the end of the first nomination period. This intervening period between the end of the nomination period and the first day of the General election shall be the campaigning period for the candidates.
  - (1) The day of the External Election is known as the Union Day
  - (2) The day of the External Election is the same for all Constituent Clubs
  - (1) The Union Council shall decide on the day of the External Election

38. There shall be one day set aside for cooling-off after the end of the campaigning period.
39. Every member shall have one vote to each seat during the election of office bearers.
40. No lobbying for votes inside the cordoned area for balloting is allowed on the polling day.
41. For the External Election, each Constituent Club shall conduct physical voting.
  - (1) For physical voting, the procedures and formats prescribed under Part III shall apply.

#### **Voting Thresholds for External Elections**

42. If there is more than one seat for an Executive Committee Representative position, a Multiple Seat Vote shall be held. If there is only one seat for the Management Committee position, a Single Seat Vote shall be held.
43. In order to pass a Single Seat Vote for an Executive Committee Representative position, each candidate shall secure the approval of no less than half of all valid votes cast. The candidates who fail to secure such approval shall be deemed to have failed to be elected.
44. For a Multiple Seat Vote for Executive Committee Representative positions, if there is more Executive Committee Representative candidates than the number of seats, a Contested Vote shall be held. If the number of Executive Committee Representative candidates is equal or less than the number of available seats, an Uncontested Vote shall be held.
45. For a Multiple Seat Uncontested Vote for Executive Committee Representative positions, each candidate shall secure the approval of no less than half of all valid votes cast. The candidates who fail to secure such approval shall be deemed to have failed to be elected.
46. For a Multiple Seat Contested Vote for the Executive Committee Representative positions, the valid votes cast for each Executive Committee Representative candidate shall be totalled. The vacancies shall be filled by candidates in decreasing order of total valid votes cast until all vacancies have been filled up. The candidates who did not fill up the vacancies shall be deemed to have failed to be elected.
  - (1) During the process of filling up, if the number of vacancies left is less than the number of candidates with the highest number of votes amongst the remaining candidates, an additional Election shall be held for all candidates with the highest number of votes amongst the remaining candidates to determine which candidate(s) fill the remaining vacancy/vacancies.

*Example 1: If there is only 1 slot left, the highest number of votes amongst the remaining candidates is 4 votes each and 2 candidates got 4 votes each, there shall be an additional Election held for both candidates to determine which candidate is elected into that slot.*
  - (2) That additional election, if necessary, shall be held within three working days after the end of the External Elections and shall be held over the duration of one working day.
47. Where the votes of the candidates for the same post differ by 5% of the total number of votes cast or fifty whichever is lesser, the candidates concerned may request a re-count within three days from the date of elections. The result of such re-count shall be final.
48. An Executive Committee Representative candidate's failure to be elected at External Elections shall not preclude him from being co-opted into the Executive Committee at a subsequent date.

#### **Council Elections**

49. The election that chooses or ratifies the Executive Committee Representatives, having been chosen as Executive Committee Representatives during External Elections, as Executive Committee Officers shall be known as the Council Elections.
50. The Council Elections shall be conducted on the first Council Meeting of the incoming Union Council.

51. The Union Election Committee shall be responsible for the fair administration and conduct of the election of the incoming Council Chairperson, pursuant to section 22(2) of the Meetings Regulations.
52. As the Council Elections are conducted during a Council Meeting, the Council Elections shall proceed in accordance with the NTUSU Standing Orders of Meetings under the First Schedule of the Meetings Regulations.
53. The Executive Committee Officers shall be elected in the order stipulated in the section 7 of the Executive Committee Officers Regulations.
54. For each position to be filled up, the following shall be done:
  - (1) The Union Returning Officer shall open the floor up to nomination of candidates from among the Executive Committee Representatives. Each nomination shall be proposed and seconded.
    - (a) A candidate may propose, but not second, his own nomination.
    - (b) No single person may propose and second the same candidate. However, a person may propose or second more than one (1) candidate.
    - (c) The nominations shall be subject to the consent of the respective candidates if the candidate did not propose his own nomination.
  - (2) If there is more than one (1) candidate for the position, a Contested Vote shall be held. If there is only one (1) candidate for the position, a Vote of Confidence shall be held.
    - (a) If there are no candidates for the position, the Union Returning Officer shall reopen the floor to nomination of candidates.
    - (b) If the second round of nomination fails to produce any candidates, the election of the position shall be adjourned to the next Council Meeting.
  - (3) Each candidate shall have thirty (30) minutes to present followed by thirty (30) minutes of question-and-answer session by the floor. The candidates will appear in the order that they are nominated. During the presentation and question-and-answer session by a candidate, the other candidates shall recuse themselves to another physical venue.
    - (a) For candidates seeking election as the President of the Union, he/she shall have sixty (60) minutes to present and sixty (60) minutes of question-and-answer.
    - (b) The time for presentation and question-and-answer for each candidate may be extended and such extension shall be approved by the Council in attendance.
  - (4) After each candidate has presented and finish their respective question-and-answer session, the Contested Vote or Vote of Confidence shall be held for the candidate(s). The candidate(s) shall not have voting rights in these votes.
  - (5) For a Contested Vote, the candidate with the most number of valid votes cast, having obtaining no less than half (1/2) of the valid votes case, shall be deemed elected into that position. For a Vote of Confidence, the candidate shall only be deemed elected if the candidate obtains the approval of no less than half (1/2) of the valid votes cast.
  - (6) If the candidate, having faced a Vote of Confidence or a contested Vote, fails to secure the necessary approval, the Union Returning Officer shall restart the process pursuant to section 54 (1).
    - (a) The candidate who previously failed once to secure the approval shall be eligible to be nominated again.



- (b) If the new process results in a candidate failing to secure a Vote of Confidence, the election of the position shall be adjourned to the next Council Meeting.
- (c) The candidate who previously failed twice to secure the approval shall be deemed to have resigned as an Executive Committee Representative. Such resignation shall be deemed to have been accepted by the Council.

#### **Executive Committee Representatives**

- 55. All Executive Committee Representative candidates shall not concurrently run as a Management Committee candidate of any Constituent Club.
  - (1) Candidates shall choose to run either as an Executive Committee Representative candidate or a Management Committee candidate but not both.
  - (2) This exclusion applies uniformly across all Constituent Clubs, even if different Constituent Clubs are involved.
- 56. For the avoidance of doubt, Article 3.4(3)(a) of the NTUSU Constitution shall be interpreted to mean that Executive Committee Representatives shall not concurrently be a Management Committee member, with or without voting rights, of any Constituent Club.
- 57. For the avoidance of doubt, an Executive Committee Representative shall owe a duty to the Union, the Executive Committee and the Constituent Club he was elected from. In the event of a conflict between duties, he shall prioritise his duty in that order (from highest to lowest), notwithstanding the fact that he was elected by the constituent members of his Constituent Club.

### Part III – Physical Voting Procedures and Formats

#### Formats of Physical Ballots

58. There shall be separate ballots for Management Committee candidates and Executive Committee Representatives candidates. They shall be issued separately to every voter.
59. Each voter shall produce his/her matriculation card before being issued his/her ballots.
60. For Single Seat Votes, Multiple Seat Contested Votes and Multiple Seat Uncontested Votes, each ballot shall consist of a title, some instructions, a table with three columns and an appropriate number of rows.
61. The title shall be in the following format: the Constituent Club's name, the type of candidates and the type of ballot
  - (1) The type of candidates shall be "Executive Committee Representatives Candidates".
  - (2) The type of ballot shall be either "Single Seat Vote", "Multiple Seat Contested Vote" and "Multiple Seat Uncontested Vote"

*Example 1: The title for a ballot of Single Seat Vote for Constituent Club X's Executive Committee Representative candidates shall be "Constituent Club X Executive Committee Representative Candidates – Single Seat Vote"*

*Example 2: The title for a ballot of Multiple Seat Contested Vote for Constituent Club Y's Executive Committee Representative candidates shall be "Constituent Club Y Executive Committee Representative Candidates – Multiple Seat Contested Vote"*

*Example 3: The title for a ballot of Multiple Seat Uncontested Vote for Constituent Club Y's Executive Committee Representative candidates shall be "Constituent Club Y Executive Committee Representative Candidates – Multiple Seat Uncontested Vote"*
62. The instructions shall tell the voter the nature of the ballot, the steps he needs to produce a valid vote, the maximum number of votes he may give and the consequences of an invalid vote.
  - (1) The nature of the ballot shall tell the voter the type of candidates he is voting for and the nature of the vote.

*Example – "This is a Single Seat Vote for the Executive Committee Representative candidates."*
  - (2) The steps needed for the voter to produce a valid vote shall include the type(s) of accepted marking in the voting column.

*Example – "To cast a vote for a candidate, you may mark the box on the right side of the candidate's name. Any markings made outside any boxes may render the entire ballot invalid."*
  - (3) The maximum number of votes shall tell the voter the maximum number of votes he may cast. There shall be no minimum number of votes the voter may cast.

*Example 1 – "As this is a Single Seat Vote, you may only vote up to a maximum of one candidate. If you vote for more than one candidate, the entire ballot may be rendered invalid. There is no minimum number of votes that you have to cast."*

*Example 2 – "As this is a Multiple Seat Uncontested Vote, you may only vote up to a maximum of X candidates. There is no minimum number of votes that you have to cast." where X is the number of vacancies available in this Example.*

*Example 3 – "As this is a Multiple Seat Contested Vote, you may only vote up to a maximum of X candidates. If you vote for more than X candidates, the entire ballot may be rendered invalid. There is no minimum number of votes*

*that you have to cast.” where X is the number of vacancies available in this Example.*

(4) The consequences of an invalid vote shall be made known to the voter.

*Example – “Any invalid markings and other infringing actions made may render the entire ballot invalid even though such markings or actions are only confined to one or a few of the candidates’ voting box.”*

63. The first row of both columns shall be the header row. The left cell of the header row shall contain the heading “Candidates” while the right cell of the header row shall contain the heading “Yes”.
- (1) The names of the candidates shall be listed in the left column and sorted, from top to bottom, in increasing order of their surname or, if they do not have a surname or two candidate have similar surnames, by their given names.
  - (2) Each row shall contain the name of only one (1) candidate. No voting for a group or groups of candidates are allowed.
  - (3) The right column, also known as the voting column, of each row, other than the header row, shall remain empty and free of markings.
  - (4) A sequential and consecutively-running serial number shall be printed at the bottom-left hand corner of each ballot.
    - (a) Such serial numbers shall run from “1” to the total number of ballots printed.
64. There shall be one (1) ballot box for voters to deposit their ballots into for Executive Committee Representative ballots. The ballot box shall be labelled “Executive Committee Representative Ballots”.
65. Each voter shall be issued with a serial-numbered ballot. The voter shall be allowed to deposit or not deposit the ballot into the ballot box.
66. The Returning Officer of each Election Committee shall take note of the maximum serial number of the ballots issued.

#### **Validity of Physical Ballots**

67. The validity of a particular ballot shall be determined, individually and separate from the other ballots, by the Returning Officer of the Election Committee.
- (1) However, if any of the Election Officers object to the Returning Officer’s decision, for both validity and invalidity, a vote will be taken among the Election Committee on the invalidity of that ballot. The results of such a vote shall be taken only once and shall be conclusive and binding.
  - (2) That ballot shall be deemed invalid only if no less than two-thirds (2/3) of the Election Committee support the invalidation of that ballot, excluding abstentions.
  - (3) Any member of the Election Committee may opt to abstain from the decision. Any abstention shall not be deemed to support invalidating that ballot.
68. The invalidity of any ballot shall render the entire ballot invalid, notwithstanding the fact that the reasons of invalidity are confined only to a particular or a few candidates’ voting boxes.
69. Any ballot which has a serial number greater than the maximum serial number noted pursuant to section 66 shall be automatically invalid. The invalidity of such ballots shall not be challenged.
70. Any ballot which has its validity determined shall be marked accordingly (“Valid” or “Invalid”) by the Election Committee on the top-right hand corner of the ballot. Such ballots shall be separated into two (2) piles, a pile for valid ballots and a pile for invalid ballots.

#### **Counting of Physical Votes**

71. The place and time of the counting of votes should be made known to the members. Only the authorised personnel as prescribed by the Elections Committee shall be allowed in the counting room.
72. The counting of votes shall be conducted during or after the determination of validity.
73. The results of such elections shall be collated and publicised according to the provisions of the Regulation.