

Management Committee Elections Regulations

Citation

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

Interpretation

2. In this Regulation, unless it is otherwise provided or the context otherwise requires –
“Election” means an election selecting Management Committee members;
(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;
(4) The respective Constituent Club’s Constitution;
(5) The respective Election Committee’s procedures; and
(6) Other valid written sources of laws stipulated by the respective Constituent Club.
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) The Constitution, regulations, rules and procedures stipulated by a Constituent Club and/or its Election Committee for Elections shall be binding on that Constituent Club only and shall not be applicable to any other Constituent Club.
(2) All Constituent Clubs may prescribe additional rules, regulations or procedures on Elections under sections 6(4), 6(5) or 6(6). However, they 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. Each Constituent Club shall form an Election Committee to supervise and conduct the elections of its Management Committee members.
 - (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 Direct Elections of the Management Committee 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 Management Committee 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 6.
 - (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 Management Committee 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, it shall order that Constituent Club's Election Committee to re-determine the validity of that candidate's election according to section 13(2).

- (c) Such determination by that Constituent Club's 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 6.
 - (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 Management Committee candidate and the respective Constituent Club's Election Committee shall be adjudicated by the Union Election Committee.
 - (1) Such adjudication shall not involve disputes involving determination of validity of that candidate's election according to the procedures prescribed by the sources of law stipulated in section 6.
 - (2) 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. The decision(s) of any Election Committee made according to section 13(2) pursuant to an order of the Union Election Committee made under section 17(1)(b) shall be final and binding on all parties involved.
 - (1) There shall be no appeal, nor the right to appeal, to the Union Election Committee on such decision(s)
 - (2) There shall be no appeal, nor the right to appeal, to the Union Council on such decision(s).
- 20. Any decision(s) of the Union Election Committee, other than those under sections 18 and 19, 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

21. The election process shall consist of the following main components:
 - (1) Election publicity
 - (2) Nomination period
 - (3) Campaign
 - (4) Direct Elections
22. The total duration of the nomination period, the campaigning period and the External Elections shall not exceed twenty-one (21) days for a Constituent Club employing External-Internal Elections. A Constituent Club that employs Direct Elections shall have the total duration of the nomination period, the campaigning period and the Direct Elections not exceeding twenty-eight (28) days.

Election Publicity

23. 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, and
 - (3) For a Constituent Club employing Direct Elections:
 - (a) The Direct Elections date, and
 - (b) The results of the Direct Elections.

Nomination Period

24. There shall be a nomination period when interested candidates may be nominated for elections. The nomination period shall last no less than three days and no more than fourteen days.
 - (1) The recommended duration of the nomination period is seven days but this duration shall not be construed as binding.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.

30. Any candidate whose nomination forms are rejected by the respective Election Committee may request a review by the Union Election Committee under section 16(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

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

Type of Election System

35. Each Constituent Club shall employ the Direct Elections procedure.

Direct Elections

36. The election, of a Constituent Club employing Direct Elections, that chooses or ratifies the Management Committee candidates directly into the specific positions of the Management Committee shall be known as the Direct Elections of that Constituent Club.
37. The Direct Elections shall be conducted by the Constituent Club's Election Committee and presided over by the Election Committee's Returning Officer.

General Elections

38. A Direct Elections conducted in the form of a General Election of the Constituent Club shall be governed by the provisions of Articles 38 to 52.
 - (1) A General Election is an election of the Club that all members of the Club are eligible to vote in.
39. The duration of the General Election shall be one (1) day.
40. 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 General Election is known as the Union Day
 - (2) The day of the General Election is the same for all Constituent Clubs
 - (1) The Union Council shall decide on the day of the General Election

41. There shall be one day set aside for cooling-off after the end of the campaigning period.
42. All positions of the Management Committee stipulated in the sources of law stated in sections 6(4), 6(5) and 6(6) shall be elected during the General Election.
43. Every member shall have one vote to each seat during the election of office bearers.
44. No lobbying for votes inside the cordoned area for balloting is allowed on the polling day.
45. For the General 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 General Elections

46. If there is more than one seat for a Management Committee 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.
47. In order to pass a Single Seat Vote for a Management Committee 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.
48. For a Multiple Seat Vote for Management Committee positions, if there is more Management Committee candidates than the number of seats, a Contested Vote shall be held. If the number of Management Committee candidates is equal or less than the number of available seats, an Uncontested Vote shall be held.
49. For a Multiple Seat Uncontested Vote for Management Committee 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.
50. For a Multiple Seat Contested Vote for the Management Committee positions, the valid votes cast for each Management Committee 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 General Elections and shall be held over the duration of one working day.
51. 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.
52. A Management Committee candidate's failure to be elected at the General Elections shall not preclude him from being co-opted into the Management Committee at a subsequent date.

Part III – Physical Voting Procedures and Formats

Formats of Physical Ballots

53. There shall be separate ballots for Management Committee candidates and Executive Committee Representatives candidates. They shall be issued separately to every voter.
54. Each voter shall produce his/her matriculation card before being issued his/her ballots.
55. 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.
56. 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 "Management Committee 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 Management Committee candidates shall be "Constituent Club X Management Committee Candidates – Single Seat Vote"

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

Example 3: The title for a ballot of Multiple Seat Uncontested Vote for Constituent Club Y's Management Committee candidates shall be "Constituent Club Y Management Committee Candidates – Multiple Seat Uncontested Vote"
57. 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 Management Committee 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.”

58. The first row of both columns shall be the header row. The left cell of the header row shall contain the heading “Candidates”, the middle cell of the header row shall contain the heading “FOR” while the last cell of the Single Seat Vote header row shall contain the heading “ABSTAIN”
- (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 candidate. No voting for a group or groups of candidates are allowed.
 - (3) The middle and right columns, also known as the voting columns, 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.
 - (5) For Multiple Seat Votes, the right column on the subsequent row after the last candidate should contain the heading “ABSTAIN FOR THIS PORTFOLIO” with the voting box contained in the subsequent row below the said heading.
59. There shall be one ballot box for voters to deposit their ballots into for Management Committee ballots. The ballot box shall be labelled “Management Committee Ballots”.
60. 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.
61. The Returning Officer of each Election Committee shall take note of the maximum serial number of the ballots issued.

Validity of Physical Ballots

62. 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 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.
63. 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.
64. Any ballot which has a serial number greater than the maximum serial number noted pursuant to section 61 shall be automatically invalid. The invalidity of such ballots shall not be challenged.

65. 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 piles, a pile for valid ballots and a pile for invalid ballots.

Counting of Physical Votes

66. 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.
67. The counting of votes shall be conducted during or after the determination of validity.
68. The results of such elections shall be collated and publicised according to the provisions of the Regulation.