

7. REFERENDA BYELAW

This Byelaw describes the process and procedures for Union Referenda and Preferenda.

Capitalised terms used but not defined in these Byelaws shall have the meaning given to them in the Articles of Association of the Union adopted with effect from 2 January 2023.

REFERENDA – GENERAL

1. Article 15 of the Articles of Association sets out the operation of referenda.
2. Referenda voting shall take the form of a cross campus secret ballot in which all Student Members are asked to vote either Yes, No or Abstain on an issue.
3. Unless stated otherwise in the Articles of Association and the Byelaws, the procedure for Referenda shall as far as possible follow the same procedural rules as for Union elections.
4. The process for Referenda shall be overseen by the Returning Officer and Deputy Returning Officer of the Union.

PREFERENDA – GENERAL

5. Preferenda voting shall take the form of a cross campus secret ballot in which Student Members are asked to vote for options in order of preference, which shall be run in accordance with procedures for a Single Transferable Vote.
6. For the avoidance of doubt, a Preferenda cannot approve Union policy, but can be called to provide a non-binding indicative vote on an issue.
7. A Preferenda vote can be called by the Union Assembly or the Board of Trustees.
8. Unless stated otherwise in this Byelaw, the procedure for Preferenda shall as far as possible follow the same procedural rules as for Union elections.
9. The process for Preferenda shall be overseen by the Deputy Returning Officer of the Union.

NOTICE AND TIMING

10. Referenda may only be called in term time and in accordance with the procedures as set out in section 15 (Referenda) of the Articles of Association.
11. Unless in exceptional circumstances, the Referendum and/or Preferendum will be held in the eight week of the term in which the issue arises or the following term (if the issues arises at any time after the fourth week of term).

- 11.1. Exceptional circumstances are those in which it is considered essential by the Trustee Board to hold the vote without delay.
- 12. Notice of Referenda and/or Preferenda will be given a minimum of twelve (12) clear days in advance of the day of polling.
- 13. There must be a minimum of seven days for publicity of proposed referendum and/or preferendum (including via student media if possible) to give members the opportunity to take part in campaigns and to vote.

PROPOSALS AND COMPOSITING

- 14. All proposals must include:
 - 14.1. the text of proposal;
 - 14.2. details of the proposer(s);
 - 14.3. a statement detailing by which method it was supported by to be put to Referenda/Preferenda (as applicable, by a resolution by the Board of Trustees, a vote of the Union Assembly or by a Secure Petition of Student Members);
 - 14.4. a date, or dates, upon which clauses would be implemented; and
 - 14.5. if supported by secure petition, this must also be submitted.
- 15. The Democracy Committee, in conjunction with the Returning Officer (or their appointed nominee), shall have the permanent delegated power from the Board of Trustees to:
 - 15.1. consider proposals submitted for referenda/preferenda to ensure they meet the eligibility requirements in section 15 of the Articles of Association (Referenda);
 - 15.2. decide on the background information which should be provided to voters; and
 - 15.3. decide upon a final wording for the proposals to be put to the Referenda/Preferenda to ensure that no question is likely to be misunderstood by voters or open to more than one interpretation.
- 16. Once submitted to Referenda/Preferenda proposals cannot be changed and can only be withdrawn by the proposer.
 - 16.1. Democracy Committee will ensure that a Referenda/Preferenda Campaign manifesto booklet and distribute copies widely as soon as is practicable.
 - 16.2. The timeline for Referenda and Preferenda shall be:
 - 16.2.1. proposal submitted to Democracy Committee;

- 16.2.2. Democracy Committee meets to consider the proposals, including meeting with the Returning Officer, assessing risk and working with the proposers to clarify what will be proposed to the membership;
- 16.2.3. consider whether a period of amendments from the membership should be set aside;
- 16.2.4. finalise the proposals with the proposer;
- 16.2.5. set the Referenda/Preferenda question; and
- 16.2.6. formally give notice of the Referenda/Preferenda with the question and any background information.

CAMPAIGNING

- 17. Campaigning for or against individual ideas must be conducted in accordance with the campaign rules as outlined by Democracy Committee.
- 18. A central fund will be established for campaign groups to access. Democracy Committee will administer this fund and ensure there is an equitable distribution of resource for established campaign groups.
- 19. Anyone who campaigns for or against an option in a question shall be deemed to be part of that Campaign Group, and shall be bound by the Articles of Association, Byelaws and procedures.
- 20. Each Campaign Group shall submit a manifesto in the form requested by Democracy Committee.
- 21. Student Media Groups shall ensure that they give impartial coverage of a Referenda and a Preferenda.

DEBATE

- 22. Provisions must be made for members to debate a Referenda. This may take the form of a physical meeting or be hosted online and will be conducted in accordance with procedures set out by the Democracy Committee.
- 23. A chair for debates shall be appointed from within the Democracy Committee.

VOTING

- 24. For referenda the ballot shall contain the question as specified and the facility for members to vote for, against or in absention.

25. Subject to Articles 24.1 and 26.1.3, a resolution may only be passed by Referendum if a simple majority of the votes cast are in favour of the resolution, and that the majority supporting the resolution is not less than five percent 5% of total Student Members.

COMPLAINTS

26. Any complaints concerning the conduct of a referendum must be submitted in writing to the Deputy Returning officer, within 3 days of the posting of the result and will be dealt with in accordance with the procedure for election complaints and appeals as laid out in the Democracy and Elections Byelaw.
27. The Referenda/Preferenda outcomes will be referred to the Board of Trustees, who will be responsible for co-ordinating the process for the implementation of approved ideas.

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