

P.5 Council

P.5.1 Responsibilities Of The Officers Of Council

P.5.1.1 Speaker of Council

- a. Council Meetings and General Meetings of the SGPS shall be chaired by the Speaker of Council. In the absence of the Speaker, members shall assume the duties of the Speaker in the following order of preference:
 - (1) Deputy Speaker
 - (2) VP Professional
 - (3) Commissioner or Coordinator
- b. The Speaker shall:
 - (1) organize and act as Speaker for all Council, General and Annual General Meetings of the SGPS, in accordance with these Bylaws;
 - (2) ensure that the Bylaws and Policies are kept up to date;
 - (3) provide authoritative interpretation of the Bylaws and Policies;
 - (4) chair the Bylaw and Policy Revisions Standing Committee, in accordance with P.8.2.2;
 - (5) ensure that all motions presented to Council, General Meetings and the Annual General Meeting are worded clearly and appropriately;
 - (6) be responsible for instructing the incoming Speaker as to her/his duties;
 - (7) perform any function of the Chief Returning Officer, in accordance with B.11.
 - (8) The Speaker shall read aloud the land recognition statement after calling to order meetings of Council, General Meetings, and Annual General Meetings, and it shall appear as the first item on the agenda. The land recognition statement is:
 - i. "The Society of Graduate and Professional Students recognizes the traditional and ancestral territories of the Anishinaabe and Haudenosaunee Nations on whose land we gather on today."
 - (9) be physically present in Kingston during an election and/or referenda, as prescribed in the table in P.9.1.e
- c. The term of office for the Speaker will be from May 1st to April 30th of each year.

P.5.1.3 Chief Returning Officer

- a. The Chief Returning Officer (CRO):
 - (1) is responsible for running all SGPS elections and referenda in accordance with P.9;
 - (2) is authorized to spend the funds allocated by the SGPS budget for such administration;
and
 - (3) shall set election or referenda date(s) in accordance with P.9 provided at least 3 weeks notice is given to all members of the SGPS; and
 - (3)(4) shall chair the All-Candidates Meeting-
- b. In the event that the Chief Returning Officer is in a position of conflict of interest with respect to a particular election or referendum, that person must resign his or her position, and be replaced by an Commissioner or Coordinator, the Deputy Speaker until such time as a replacement can be elected according to B.13.1.
- c. The CRO shall be physically present in Kingston during an election and/or referenda, as prescribed in the table in P.9.1.e.

~~d.c.~~ The term of office for the Chief Returning Officer will be from ~~May 1st to April 30th~~. The Chief Returning Officer shall be elected no later than the October meeting of Council and shall hold office until August 31st of the following calendar year.

B.11 Elections and Referenda

- a. SGPS elections and referenda shall be carried out in the manner outlined in Policy
- b. The SGPS will conduct elections annually for the Executive Positions.
- c. The SGPS will conduct elections every two years, or sooner when necessary, for the positions of Graduate Student Trustee and Graduate Student Senator.
- d. Any changes to policies or bylaws with respect to elections and referenda do not come into effect until after any election or referendum for which the date had already been set when the change in bylaw or policy was adopted.

B.11.1 Voting Eligibility

- a. Subject to the conditions of below, all ordinary members of the SGPS are eligible to vote in all SGPS elections and referenda upon valid login to the Online Voting System through the use of the University maintained login information.
- b. All ordinary members of the SGPS are eligible to vote for the position of Graduate Student Senator.
- c. In any referendum designated by Council as applying only to a portion of the membership, only ordinary members of the SGPS in that portion of the membership are eligible to vote on that referendum question.
- d. When otherwise eligible to vote, the Chief Returning Officer shall only vote in the manner outlined in P.9.9.

B.11.2 Nomination Eligibility

- a. Only ordinary members of the SGPS who are eighteen (18) or more years of age and, who are not in undischarged bankruptcy are eligible to be nominated as candidates for the Executive.
- b. Only ordinary members of the SGPS who are qualified to be a trustee under the Board of Trustees by-laws are eligible to be nominated as candidates for the position of Graduate Student Trustee.
- c. Only ordinary members of the SGPS who are students in the School of Graduate Studies are eligible to be nominated as candidates for the position of Graduate Student Senator.

P.9 Elections and Referenda

P.9.1 Elections in General

- a. The SGPS Elections Team shall be defined as:
 - (1) the SGPS Chief Returning Officer, who shall be responsible for the ~~main oversight and operations of the elections, and decision making with regards to penalties assessed~~general oversight; and
 - (2) the SGPS Speaker, who shall be responsible for interpretation of policy, oversight over the Elections and Referenda Appeals Committee, and providing support to the CRO in the running of the election~~and decision making with regards to penalties assessed.~~

- b. This policy is established pursuant to B.11~~0~~ for the purpose of governing the conduct of SGPS elections and referenda. Pursuant to B.11~~0~~ changes to this policy do not affect any election or referenda for which the dates have already been set at the time that the changes are approved.
- c. The Chief Returning Officer shall recommend dates ~~at~~ the ~~end of the Fall~~ Winter Semester for SGPS elections and referenda to Council, by bringing forth a motion to approve the recommended dates. This motion shall normally be brought no later than the ~~January-December~~ Council Meeting. Voting days may not take place on scheduled university holidays, during Reading Week in the School of Graduate Studies or the Faculty of Law, or during March Break or a practicum component in the Faculty of Education.
- ~~e.d.~~ The annual SGPS elections and referenda shall be completed no later than the end of February.
- ~~d.e.~~ The dates approved by Council for the SGPS elections and referenda shall be based on the following recommended table, in consultation with relevant bodies, including the Alma Mater Society

Day(s)	Day(s) of the Week	Event
1	FRI	Nominations Open
8	FRI	Advertisement of Uncontested Positions <u>(1 or fewer valid candidates nominated)</u>
11 14	MON THU	Nominations Close (at 4:00 PM)
12 12	TUE TUE	<u>Council Approval of Candidates/Referenda Questions (at 5:30PM)</u>
12-15 12-15	TUE-FRI TUE-FRI	<u>All Candidates Meeting Hosted (TBA)</u>
15	FRI	Campaign Period Begins (at 12:00 AM)
24 24	SUN TUE	Campaign Period Ends (at 11:59 PM)
25, 26, 28 25, 26, 28	MON, TUES, WED, THU MON, TUES, WED, THU	Voting Days

- ~~e.f.~~ Any ordinary member of the SGPS who believes that the Chief Returning Officer ~~or a Poll Clerk~~ may have a conflict of interest with respect to an election or referendum should make the objection known to the Speaker, prior to the Council meeting in which candidates are approved (Day 12, suggested timeline in P.9.1(e)). The Speaker shall bring the objection to the Rector Elections and Referenda Committee who shall determine if a conflict of interest exists, subject to an appeal to Council.
- ~~f.g.~~ All SGPS elections and referenda shall allow for at least six (6) consecutive hours of voting on each of two (2) consecutive days of voting, via an electronic ballot, or if electronic voting is unavailable, via a paper ballot. The paper ballot will be available for at least six (6) consecutive hours of voting on each of the two (2) voting days. -
- ~~g.h.~~ The annual SGPS elections and referenda shall be completed no later than the end of February.
- ~~h.i.~~ All SGPS election and referenda results shall be subject to ratification at the next Council meeting following the results.
- ~~i.j.~~ An all candidates debate shall be held during the campaign period, and whenever possible should coincide with the Winter Term General Meeting. The SGPS Speaker shall moderate the debate.
- ~~j.k.~~ By-elections to fill vacancies will be carried out in accordance with Bylaws and Policies on Elections, subject to the exceptions indicated in B.11 and based on the following shortened timetable:

Day(s)	Day(s) of the Week	Event
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0	TUE	Council Calls By-Election
1	WED	Nominations Open
7	TUE	Nominations Close (at 4:00 PM)
8	WED	Campaign Period Begins (at 12:00 AM)
14	TUE	Campaign Period Ends (at 11:59 PM)
15,16	WED, THU	Voting Days

P.9.24 Nomination Rules

- a. SGPS Elections and Referenda shall be advertised through all available media for a minimum of two weeks prior to the opening of nominations or for the period between the approval of the election dates by Council and the opening of nominations, whichever period is shorter. The SGPS Elections and Referenda shall also be advertised through all available media for the duration of the nomination period.
- b. In order to be nominated as a candidate for Executive, Graduate Student Senator or Graduate Student Trustee, a candidate must file a nomination form in the manner set out by the Chief Returning Officer, by the end of the nomination period.
- c. Nomination forms shall be made available in person at the SGPS office as well as on the SGPS website starting at 9:30 AM on the day nominations open. No prospective candidate may collect signatures for a nomination form before 9:30 AM on the day nominations open.
- d. Submission of a nomination form to the Chief Returning Officer may be accomplished by delivery in person to the SGPS office during its regular business hours up until the deadline for nominations.
- e. The nomination form must include the following information:
 - (1) The candidate's name, student number, program, department/faculty and contact information;
 - (2) The position the candidate is being nominated for;
 - (3) A statement, signed by the candidate, that the candidate is an ordinary member and satisfies all eligibility requirements for the position;
 - (4) The name, student number and signature of not less than twenty-five (25) ordinary members indicating support for the nomination of the candidate;
 - (5) A statement identifying and providing contact information for the candidate's campaign manager, if the candidate chooses to designate a campaign manager;
 - (6) A statement signed by the candidate and campaign manager (if applicable) that all information contained in the nomination form is accurate, that the candidate and campaign manager (if applicable) are aware of the Bylaws and Policies governing conduct of the elections, and that the candidate and campaign manager (if applicable) agree to follow the Bylaws and Policies governing conduct of the elections; and
- f. The nomination form may include the following information:
 - (1) A statement of the candidate's position on issues of relevance to the position for which they have been nominated. This statement will be posted on the SGPS website at the end of the nomination period. This statement may be altered once during the election campaign. The Chief Returning Officer will set a deadline for submission of any alterations to the statement of candidates' position. Any submissions received after this deadline will not be posted to the SGPS website. If the Chief Returning Officer does not officially set a date, the submission deadline for an updated statement must be received 3 days prior to the first day of voting. Where no statement is included with the

nomination form, the candidate may still submit the updated statement during the campaign period; and

- (2) A photo to be placed on the website and accompany the statement of issues. Where no photo is included with the nomination form, the candidate may submit it later up until the deadline for updated statements referred to in subsection (1).
- g. Nominations for Executive, Senator or Trustee shall be in the form indicated in P.9.4, and shall be received by the Chief Returning Officer no later than 4:00 pm on the day nominations close.
- h. After 4:00 PM on ~~the eighth (8th)~~ the last day of nominations, a notice shall be sent to the SGPS listserv listing those positions for which ~~one or zero fewer than two~~ valid nominations had been received up to that point. ~~Where possible, this notice should be combined with the SGPS E-Newsletter, but the notice should be the first item in the body of the email.~~
- i. Nominations shall be validated by the Chief Returning Officer on a rolling basis throughout the nomination period as well as immediately following the close of nominations. Where a nomination is not validated, the prospective candidate must be notified of the deficiency no later than 4:00 PM on the business day following the day the nomination was received. Where a nomination received on the last day of nominations is not validated, the prospective candidate must be notified by 11:59 PM that day.
- j. Where a nomination is not validated because it is incomplete or contains information that is incorrect, a prospective candidate may submit a supplementary nomination form by the deadline for nominations that need contain only the additional or corrected information or the additional signatures. Upon receiving a supplementary nomination form, the Chief Returning Officer shall evaluate the original and supplementary form together as if they constituted one document, and all signatures in the original nomination form shall be applied to the supplementary form.
- k. A decision by the Chief Returning Officer not to validate a nomination may be appealed to the Elections and Referenda Appeals -Judicial Committee within 24 hours of receiving this notice. if the candidate is notified of the rejection after the twelfth (12th) day of nominations or if the Chief Returning Officer decides that a prospective candidate is not eligible to be nominated. A Judicial Board must make a decision on the appeal within two business days of the appeal being filed.
- l. If only one valid nomination for any position is received by the Chief Returning Officer by the close of nominations, the candidate's name for that position shall appear on the ballot in the following question: "Do you agree to the acclamation of (name of candidate) to the position of (name of position) of the Society of Graduate and Professional Students at Queen's University?"

P.9.53 Referendum Questions

- a. The SGPS may conduct referenda on any matter within the jurisdiction of the SGPS. Valid results of referenda shall be binding on the SGPS and actively enforced by the Executive.
- b. Referendum questions may be submitted to the Chief Returning Officer by Council or by a petition bearing the signatures ~~of not less than ten percent (10%)~~ specified in P.1.2 Student Fees and Referenda of the ordinary membership of the SGPS.
- c. Eligible referendum questions must be submitted to the Chief Returning Officer no later than the day nominations close.
- d. Referenda may only be held during the fall and winter terms and may only take place outside an ordinary election period if a special referendum date is approved by Council or to replace a previous referendum invalidated because of lack of quorum. No question may be submitted for

referendum if a question on the same topic has been the subject of a referendum within the previous eleven (11) months, unless the prior referendum was invalid due to lack of quorum.

e. Notwithstanding anything in this Policy, nNo question put to referendum shall include any statement about the consequences of the referendum's outcome.

f. The following standard wording shall be used for referenda questions:

- (1) "Do you agree to the establishment of a mandatory student fee of [\$x]for [group]?"
- (2) "Do you agree to the establishment of a mandatory student fee of [\$x] for [group]? This fee is subject to triennial review."
- (3) "Do you agree to the establishment of an optional student fee of [\$x] for [group]? This fee is subject to triennial review"
- (4) "Do you agree to a [decrease/increase] in the [group] mandatory student fee from [\$x] to [\$y], a [decrease/increase] of [\$z]?"
- (5) "Do you agree to a [decrease/increase] in the [group] mandatory student fee, from [\$x] to [\$y], a [decrease/increase] of [\$z]? This fee is subject to triannual review."
- (6) "Do you agree to a [decrease/increase] in the [group] optional student fee from [\$x] to [\$y], a [decrease/increase] of [\$z]? This fee is subject to triennial review."
- (7) "Do you agree to the continuation of a mandatory student fee of [\$x] for [group];? This fee is subject to triennial review."
- (8) "Do you agree to the continuation of an optional student fee of [\$x] for[group]? This fee is subject to triennial review."

e.g. In exceptional circumstances, SGPS Council may adopt language different from that prescribed in P.9.5 (e) & (f), upon a simple majority vote during the Council meeting in which the fee slate is approved. Rationale for deviation from language must be provided.

P.9.46 Petitions Against Referendum Results

- a. Quorum for referenda shall be ten percent (10%) of the ordinary members of the SGPS. If quorum is not met, the results shall not be ratified pursuant to P.9.1, if the Chief Returning Officer receives a petition signed by not less than ten percent (10%) of the ordinary members of the SGPS requesting that the referendum be declared invalid prior to the Council meeting at which ratification would otherwise occur. Such a petition may name any or all of the referendum questions that did not receive quorum, and Council may ratify a referendum result that did not receive quorum despite receiving a petition invalidating a different referendum result in the same referendum.
- b. Where a petition is received that invalidates one or more referendum results, that petition is deemed also to be a petition for a new referendum on the invalidated question. The Chief Returning Officer shall schedule a new referendum based on the dates in P.9.1.ee except that there shall be no nomination period and the campaign period shall begin on the Friday after Council refrains from ratifying the referendum result.
- c. Upon receipt by the Chief Returning Officer of a petition signed by not less than ten percent (10%) of the ordinary members of the SGPS requesting that the referendum be declared invalid for any reason other than a lack of quorum, received prior to the Council meeting at which ratification would otherwise occur, the matter will be referred to the Elections & Referenda Judicial Appeals Committee, who shall make a final ruling on the validity of the Referendum at the next Council Meeting. Council shall take appropriate action.

P.9.75 Referendum Committees

- a. Any ordinary member may establish a Yes or No referendum committee for any referendum question by submitting an application to the Chief Returning Officer. Such application may be submitted by delivery in person to the SGPS office during its normal business hours, and must be submitted no later than the seventh (7th) day before the first voting day.
- b. Notwithstanding this policy, a referendum committee may include, be established by or be campaign managed by AMS members if the referendum relates to a fee for an AMS- run service, an AMS ratified club or CFRC.
- c. No person who is not a member of a referendum committee may spend any money campaigning in support of, or in opposition to, any referendum question.
- d. Where more than one valid application is submitted to establish a referendum committee on the same side of the same referendum question, the Chief Returning Officer shall request each applicant to determine if the applications may be joined. If the applicants determine that joining the applications is not possible, any spending limits shall be divided equally among the referendum committees on the same side of the question. There may not be more than one Yes referendum committee for a referendum on establishing, renewing or increasing a fee that goes to the SGPS, the AMS, CRFC or an SGPS- or AMS-ratified club.
- e. An application to establish a referendum committee must include the following information:
 - (1) The name, student number and contact information for one ordinary member who shall be the campaign manager for the referendum committee;
 - (2) The names, student numbers and signatures of all ordinary members seeking to be members of the referendum committee;
 - (3) A statement indicating the referendum question and which side the referendum committee will take; and
 - (4) Where the referendum committee is on the Yes side for a referendum on establishing, renewing or increasing a fee that goes to the SGPS, the AMS, CFRC or an SGPS- or AMS ratified club, a letter from the president of the relevant group authorizing the establishment of the referendum committee;
 - (5) A statement signed by the campaign manager that all information contained in the nomination form is accurate, that the campaign manager is aware of the Bylaws, Policies and rules governing conduct of the referendum, and that the campaign manager agrees to ensure the referendum committee follows the Bylaws, Policies and rules governing conduct of the referendum.; and
 - (6) Where the referendum committee contains AMS members, a statement signed by all such members agreeing to be bound by the exclusive jurisdiction of the SGPS Chief Returning Officer and [Elections and Referenda Appeals Committee](#) to make all rulings related to the referendum, including a ruling levying a monetary fine and agreeing to comply with any such rulings.

P.9.68 Campaign Rules

- a. The campaign period shall end at midnight before the first voting day.
- b. No campaigning shall occur for any election or referendum except within the campaign period and during the [two \(2\)](#) day voting period. All campaign material must be removed within three days after the end of the election.
- c. Candidates may, but shall not be required to, designate a campaign manager for their campaign. Referendum committees must designate one campaign manager for their campaign.

- d. No person who is not a candidate, candidate's campaign manager or referendum committee's campaign manager shall authorize the spending of money on campaign expenses.
- e. No SGPS resources shall be expended or used for the purpose of supporting or opposing any candidate or referendum question. Notwithstanding this policy, the Chief Returning Officer may expend resources allocated for election and referendum purposes to distribute messages from candidates and referendum committees only so long as all candidates and referendum committees are provided the same opportunity. All candidates are required to submit any campaign material to the SGPS Chief Returning Officer for approval before use. ~~Any posters, pamphlets or other paper campaign material must be printed at the SGPS (assuming the SGPS has the capabilities to print such materials).~~ Notwithstanding anything in this section, where a referendum is for the establishment or increase of a Class "C" mandatory or optional fee, the SGPS Executive may allocate funds up to the spending limit towards the Yes referendum committee for that fee.
- f. The maximum amount that can be spent on campaign activities by any candidate or by the referendum committees on one side of a referendum question is \$100. All funds spent by candidates will be reimbursed to the candidate by the SGPS at the conclusion of the campaign. No reimbursement will be given to referendum committees.
- g. The cost of any expenditure that supports or opposes more than one candidate or referendum question shall be allocated equally among the relevant candidates and referendum committees.
- h. For the purpose of this policy, without limiting its generality, the following shall be included in the meaning of "campaigning":
 - (1) Placing posters, or leaving up posters already placed, that support or oppose any candidate or referendum question; and
 - (2) Sending e-mail communications supporting or opposing any candidate or referendum question; and
 - ~~(2)~~(3) Sending social media communications. Where possible, all accounts created for campaigning must be set to public, and the CRO must be added as an administrator; and
 - ~~(3)~~(4) Any other method of encouraging support or opposition for any candidate or referendum question.
- i. The following shall not be considered "campaigning":
 - (1) Any communication encouraging members to vote in the election, so long as the communication does not encourage support or opposition for any candidate or referendum question; and
 - (2) Efforts made prior to the deadline for accepting nominations for the purpose of obtaining signatures in support of a nomination.

P.9.79 Conducting Elections and Referenda

- a. SGPS Elections and Referenda shall be conducted using the SGPS Online Voting system, or, when unavailable, paper ballots, provided by the University.
- b. The candidate's name and the position for which they are running will be listed on the online ballot.
- c. The CRO shall vote 24 hours in advance of an election or referendum, and place the ballot in a sealed envelope. This envelope shall be opened and the ballot cast only in the event of a tie vote. Should there be more than two candidates for one position, the Chief Returning Officer shall indicate order of preference on the ballot form. The Chief Returning Officer is not otherwise allowed to vote;

- d. The ~~confirmation of~~ results in an election shall be conducted by the Chief Returning Officer, with the assistance of the ~~Director~~SGPS Speaker. ~~Each candidate and referendum committee may delegate one (1) scrutineer who shall be permitted to observe the confirmation of ballots.~~
- e. The candidate receiving a plurality of votes cast shall be declared the winner.
- f. The Chief Returning Officer shall attempt to advise each candidate and a representative of each referendum committee of the results before publicly releasing the results of any election or referendum.
- g. The CRO shall keep the ~~online~~ records from an election and/or referendum for a period of not less than four months. After that time, they shall be destroyed after issuance of a directive to do so from Council.

P.9.810 Demerit Point System Penalties & Elections and Referenda Appeals Committee

- a. All parties participating in an election or referenda are expected to be familiar with the Election Procedures. Candidates are strongly encouraged to engage their campaigning in a clean, positive, and good faith manner. Candidates are encouraged to contact the CRO about a practice they are unsure about, beforehand.
- b. The CRO shall have sole authority to administer the aforementioned election policies, and reserves the right to make rulings on issues and events not covered in these policies.
- c. Allegations of election violations to the Bylaw and Policy shall be submitted to the CRO in writing. Such allegations must be made within 24 hours of the incident occurring, and prior to the conclusion of the end of the voting days.
- d. If a candidate or referendum committee violates aforementioned Bylaw and Policies for elections and referenda, the CRO will determine, at their discretion, the appropriate number of demerit points to allocate, given the infraction. The CRO will communicate this decision to the candidate(s) and complainant within 24 hours.
- e. Demerit points will be issued at the discretion of the CRO, with consideration to severity, frequency, and intent, of infractions upon their investigation and verification.
- f. All candidates and referendum committees are afforded a maximum of five (5) demerit points, taking into consideration good faith errors. Once five demerit points is exceeded, the candidate or referendum committee will be disqualified.
- g. In the event a candidate has been disqualified during the voting days, the candidate with the second-most votes will be declared the successful candidate. In the event that the disqualification leaves no valid candidates, a by-election will occur as per the timeline set out in policy P.9.1 (j).
- h. All candidates and their representatives are strongly cautioned against committing any of the following infractions, as these will result in immediate disqualification:
 - (1) Harassment of candidates, SGPS members, or community members;
 - (2) Threats to a candidate or intimidation of voters
 - (3) Blatant discrimination, enumerated in the Ontario Human Rights Code
 - (4) Libel, slander, and gross misrepresentation of other candidates
 - (5) Misrepresentation of eligibility for position, as per B.11.2
- i. Decisions by the CRO will be communicated only to the individual receiving demerit(s). However, if a candidate is disqualified, this decision will be posted publicly.
- j. If a candidate is unsatisfied with a formal decision by the CRO involving a demerit point, the point can be appealed to the Elections and Referenda Appeals Committee, through an email to the SGPS Speaker, within 24 hours of the decision being issued from the CRO. Each appeal must involve a single demerit point, and not multiple points or disqualification.

- k. The Elections and Referenda Appeals Committee will be comprised of the SGPS Speaker and two Council members **who will be elected** at the January SGPS Council meeting. **The committee members must be present at the all-candidates meeting and be physically present in Kingston during the election period.**
- l. **The Elections and Referenda Appeals Committee will meet and come to a decision within 48 hours of receipt of an appeal to the SGPS Speaker. The decision of the Committee will be provided to the CRO and candidate; however, if the decision of the committee results in disqualification, it will be posted publicly.**
- a.m. If a complaint is received prior to the conclusion of the voting days, the results of the election will be withheld until the complaint has been processed by the CRO and the candidate permitted the allowed hours to appeal the decision

- ~~b. If an offence clearly gives the candidate an advantage, the penalty shall be determined at the discretion of the CRO. Penalties may include fines or removal as a candidate or referendum committee or invalidation of a referendum.~~
- ~~c. Candidates or referendum committees may appeal rulings of the CRO directly to the Judicial Committee, and must do so within one week of the imposition of a penalty, disqualification or invalidation.~~
- ~~d. Disqualification will occur under the following circumstances:
 - ~~(1) egregious conduct, including but not limited to discriminatory behaviour, slanderous or libelous actions, purposeful and serious misrepresentation and harassment;~~
 - ~~(2) any other circumstance determined by the CRO to give a candidate an unfair advantage where such an advantage cannot be nullified in time for voting; and~~
 - ~~(3) where a penalty is to be levied after the close of voting, in any case where an offence would likely have changed the outcome of the election.~~~~
- ~~e. The Chief Returning Officer may impose a financial penalty not greater than the maximum amount that may be spent by a campaign, and also has the ability to disqualify a candidate based on violation of the Bylaws and Policies for elections and referenda.~~
- ~~f. Any financial penalty or disqualification imposed may be appealed to the Judicial Committee, which must make its decision prior to the voting period, or prior to the next Council meeting in the case of offences that occur during or after the voting period.~~
- ~~g. No individual candidate's election may be ratified while a financial penalty remains outstanding, but Council may defer ratification until its next meeting.~~
- ~~h. Determination on the question of disqualification shall occur at the meeting of Council where the election and referendum results are ratified.~~
- ~~i. Where a candidate is disqualified after the close of voting, the candidate with the next highest number of votes is deemed to have been elected.~~