

*The Student Guild
at
The University of Trinidad and Tobago*



The Executive Student Guild at the University of Trinidad and Tobago
C/O Student Development Office
Lots #74-98
O'Meara Industrial Park, Arima.
Trinidad and Tobago W.I
1(868) 223-4888/642-8888

BYELAW 2 OF THE STUDENT GUILD AT THE UNIVERSITY OF TRINIDAD AND TOBAGO ELECTIONS OF THE STUDENT GUILD

As per the Constitution of the Student Guild at the UTT Section 14.2
with effect from the 25th day of March 2020

**Strength in Unity, Truth & Tenacity
One University**



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Byelaw 2: Elections of the Student Guild at UTT (UTTSG)

1. The following elections are governed by this Byelaw:
 - 1.1 Executive Election, which includes the Executive Student Guild (ESG) Officers as outlined in Byelaw 3 – Officers of the UTTSG.
 - 1.2 Chapter Election, which includes the Chapter Guild Officers as outlined in Byelaw 3 – Officers of the UTTSG.
 - 1.3 Class Representative Election.
 - 1.4 Additional Elections that may be ran or supported by the UTTSG as required.

The Elections Authority. - Returning and Deputy Returning Officers.

2. The ESG will appoint a Returning Officer in accordance with the UTTSG Constitution, who will be independent and should not be a member of the UTTSG nor a student.
3. The Returning Officer, or delegate will appoint Deputy Returning Officers who will have the full delegated responsibility to interpret and rule on the regulations with regards to disputes and complaints, issue sanctions as required and oversee the count.
4. The Returning Officer is the sole competent official to adjudicate on elections decisions except for appeals to their decisions.
5. The Returning Officer may delegate any of their responsibilities to the Deputy Returning Officer whilst taking account of any potential role in complaints and appeals.
6. The Returning Officer is responsible for the conduct of all matters regarding the elections and the certification of results.

Notice of Election.

7. The Deputy Returning Officers shall publish a Notice of Election at the latest four weeks prior to the close of poll.
 - 7.1. For Student Groups and Societies elections, this should be two weeks prior to the close of poll.
8. The Notice of Election shall specify:
 - 8.1. Details of the positions for election.
 - 8.2. Details of eligibility for each of the positions for election.
 - 8.3. Process of Nomination.
 - 8.4. Details of the place, date and time of the Candidates' briefing meeting or interviews, where applicable.
 - 8.5. The Deputy Returning Officer's contact details, or their chosen point of contact.
 - 8.6. Any mandatory and optional election material to be provided with a valid application.
9. The Notice of Election shall be published on all UTTSG communication portals and in such other form as the Deputy Returning Officer shall deem appropriate.



Notice of Poll.

10. The Deputy Returning Officer shall publish a Notice of Poll no later than the following times:
 - 10.1. For ESG Election; within 1 clear working day of the Candidates' Briefing/ Interviews.
 - 10.2. For other elections, 5.00pm on the last working day before the opening of polls.
11. The notice of Poll shall specify:
 - 11.1. The name of each candidate, the position for which they have been nominated and any other relevant information the Deputy Returning Officer deems to be appropriate.
 - 11.2. The location and opening times of polling stations, where applicable.
 - 11.3. Details of the arrangements for online voting.
 - 11.4. The dates, locations and times of any candidates' debate sessions.
 - 11.5. The date and location of the count.
 - 11.6. The Deputy Returning Officer's contact details, including the email which must be used for all correspondence.
12. The Notice of Poll shall be published on all UTTSG communication portals and in such other form as the Deputy Returning Officer shall deem appropriate.

Nominations

13. Validation of each nominee's Membership status is required before the nomination is confirmed.
14. If there are no candidates for a position the Returning Officer may re-open the nominations for that position or declare a new election be held for that position.
15. If a new election is held, it must be held at a time to maximize participation by Active Members.
16. Positions for each election will be advised in the Notice of Election.
17. By standing for election all candidates agree to be subject to the UTTSG's Constitution, Byelaws, regulations, policy and values.

Nominations for ESG:

18. Active Members wishing to stand for elections for any ESG Officer position must submit the following to the Returning officer, within the period specified in the Notice of Election:
 - 18.1. A cover page detailing:
 - 18.1.1. Student ID number.
 - 18.1.2. Current GPA or Cumulative GPA.
 - 18.1.3. The ESG Officer position to which desire to be a candidate.
 - 18.1.4. An essay explaining their desires to run for ESG Officer position and what issues they plan to address if elected for the ESG Officer position.



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18.2. A resume reflecting background, education and any experiences that may be beneficial to the ESG Officer position.

Nominations for Chapter Guild:

19. Active Members wishing to stand for elections for any Chapter Officer position must submit the following to the Returning officer, within the period specified in the Notice of Election:
 - 19.1. A completed official nomination form issued by the Returning Officer detailing:
 - 19.1.1. Names and information of at least two (2) Active Members references of character.
 - 19.1.2. Student ID number.
 - 19.1.3. Current GPA or Cumulative GPA.
 - 19.1.4. The Chapter Guild Officer position to which desire to be a candidate.

Eligibility

20. Only Active Members may nominate and vote in UTTSO elections, subject to constituency-based limitations.
21. Constituency based limitations include:
 - 21.1. ESG Officers; only Chapter Guild Officers may vote for these positions.
 - 21.2. Chapter Guild Officers; only Members that are enrolled within the relative UTT Campus represented by that Chapter Guild Officer can stand for election to or vote for the Chapter Guild Officer position.
 - 21.3. Hall Chairperson; only Members that are residence at the UTT Halls of Residence to be represented by the Hall Chairperson can stand for election to or vote for the position.
 - 21.4. Class Representatives; only Members that are enrolled within that discipline and respective year represented by the Class Representative can stand for election to or vote for the position.
22. Only Active Members enrolled in a Programme that exceeds 1 full Academic Year may stand for election for any UTTSO Officer position except where applicable, an Elected Representative position.
23. Active Members who have already completed three (3) consecutive or non-consecutive terms of office as an UTTSO Elected Officer are not normally eligible to stand for election for any UTTSO position. Eligibility would then be determined by the Returning Officer.
24. It is an election candidate's responsibility to ensure their eligibility to stand, including ensuring their course enrolment record is up to date, before submitting their nomination.
25. An Active Member that has been found guilty of misconduct by the UTT or UTTSO cannot be eligible to be a candidate. This includes a Member who is has been previously convicted of a criminal offence and sentenced to imprisonment or is currently under sentence or has not been given a spent conviction or is standing trial for a criminal activity under the law.



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26. An Active Member that has been undischarged bankrupt or has entered into a scheme of arrangement with creditors cannot be eligible to be a candidate.
27. An Active Member that has been certified as mentally unfit cannot be eligible to be a candidate
28. Any former Elected Officer of the UTTSG who has had their position declared vacant due to excessive absence without apology, resignation or removal may not contest an Election for at least one year after that vacancy was declared.

Campaigning

29. For the avoidance of doubt, reference to Candidates, Campaigners and Supporters are interchangeable and these regulations apply to anyone acting on behalf of a Candidate.
30. Candidates must take reasonable steps to ensure that their supporter's actions always comply with these regulations and must be able to demonstrate this in the event of a complaint against them.
31. Campaigners should not undertake campaign activity which others could not also reasonably do.
32. Campaigners may only alter, move or remove their own campaign materials once in place.
33. Campaigners may only use UTT contact lists where lawful to do so. In most cases this will require the active consent of the Members on the list to use their details. It is not lawful to use any UTTSG provided mailing lists for the purposes of elections campaigning.
34. Campaigners must allow voters to cast their ballot freely and must not communicate with voters in any way once they have begun to complete their ballot.
35. Candidates and campaigners should not allow voters to cast a vote on their Personal Devices and should not touch any electronic voting device being used by a voter, to allow votes to be cast in secret.
36. Candidates are expected to run an ethical campaign. Negative campaigning is not allowed. A candidate may refer to his/her strengths in relation to the other candidates, but no candidate may refer to the weaknesses of any other candidate.
37. Campaigners must not exceed their budget limits set by the Returning Officer.
38. All Candidates must submit a written list of all campaign costs with corresponding receipts to the Deputy Returning Officer no later than 1 hour after polls close. If candidates do not spend any money during their campaign this must be made clear on the submission.
39. Items freely and readily available to all campaigners can be used without itemization.
40. Guidance will be issued to confirm any budgetary restrictions prior to the close of nominations.



General Regulations.

41. It is not lawful to use UTT-provided contact lists for the purposes of elections campaigning.
42. Candidates should not;
 - 42.1. Display campaign materials in public places off-campus, nor in residences where they can be seen from outside the premises.
 - 42.2. Post materials through letterboxes, even where you know that Members may live at the property.
 - 42.3. Attach a poster or banner to any fixed object on campus and leave it unattended.
 - 42.4. Use unauthorized Megaphones or sound systems to campaign.
 - 42.5. Play amplified music where it interferes with lectures or quiet study.
 - 42.6. Conduct a drone flight without lawful authorization.
43. Campaigns will be charged for any cleaning costs, such as removing stickers, and this will be considered a campaign expense.
44. Campaigners may only enter Halls of Residence with the permission of residents and must leave immediately if asked to do so.
45. Campaigners must adhere to UTT policies.
46. All individuals involved with an election campaign must always conduct themselves in an appropriate manner, treating everyone with respect and dignity.

Breaches

47. There are three types of resolution which can be applied to remove any specific advantages gained from misconduct in Campaigning:
 - 47.1. Campaign Penalty - Confiscation of campaign materials, or instructions to alter or remove a social media post.
 - 47.2. Campaign Ban - To prevent a team campaigning for a period, or in a method.
 - 47.3. Disqualification - This is the strongest punishment, applied only in the most serious circumstances.

Voting

48. Only one vote may be cast per position.
49. Voting must be by secret, secure ballot.
50. Only authorized digital voting systems of The UTT shall be used.
51. Validation of the voter's Membership status is required in order to vote.
52. All ballots must include the option to re-open nominations by a vote of no confidence per position. Should a vote of no confidence be reached, the post will remain vacant and a bye-election must be held. The candidate's eligibility for the bye-election shall be determined by the Returning Officer.
53. A vote of no confidence is reached when the total amount of votes to re-open nominations exceeds the vote in favor of the candidate(s) per position.



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54. If there is a tie, then there should be a bye-election called with the candidates with the two highest amounts of ballots cast in their names.

Complaints.

55. Complaints regarding Elections are dealt with solely by the process outlined below and cannot be reviewed by any other policy or procedure:
- 55.1. Complaints will not be accepted in person - they must be made by email or using the form advertised.
 - 55.2. Complaints made during a specific election must be made before a deadline of 1 working day after the voting period closes. Complaints made after this deadline will not be accepted.
 - 55.3. Results will not be announced until all complaints relating to that position have been resolved.
 - 55.4. The process for dealing with complaints is as follows;
 - 55.4.1. Establish if the complaint is valid.
 - 55.4.2. If not valid, the complaint is closed.
 - 55.4.3. If valid, the complaint should be investigated.
 - 55.4.4. Complaint is investigated.
 - 55.4.5. Resolutions suggested to inform decision-making process.
 - 55.4.6. The suggestions made are non-obligatory and do not bind the Deputy Returning Officer.
 - 55.4.7. The Deputy Returning Officer will review the investigation and any supporting evidence and decide.

Appeals

56. Any decision is open to appeal within two working days of the decision being made – any right to appeal will be disclosed to any relevant party; this would normally be the complainant and the campaigner being complained against, when a decision is issued.
57. In the case of an appeal, the Returning Officer will analyze the fairness of the original decision.
58. Appeals may be allowed on the grounds of unfair decision-making, quality of investigation, new information coming available or a punishment being too harsh under the circumstances.
59. If the Returning Officer believes there to be a reason to allow the appeal, a new resolution will be sought. The Returning Officer will then issue a new decision (which may be the same as the original decision), considering the reasons given for allowing the appeal.
60. Any further appeals can be made to the UTT Vice President - Research Academics and Student Affairs or similar office within 1 working day from decision made by the Returning Officer. The office of the UTT Vice President Research Academics and Student Affairs

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would decide following similar process of the Returning Officer, after which such decision would be deemed final.



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This Byelaw and all its provisions detailed within has been approved and is in effect from the _____ Day of
the _____ Month, in the year of our Lord _____.

In the presence of the following Authorities:

Name in Full.

witness) _____

Signature.
UTT VP RASA.

Name in Full.

witness) _____

Signature.
ESG President.