1. Elections

The Union is a democratically led organisation, and elections play a key part in ensuring students choose who represents them.

* 1. Returning Officer

Designation

* 1. The National Union of Students Scotland shall provide a Returning Officer for the purposes of elections and by-elections of the Union. The Returning Officer may appoint such deputies as are necessary to carry out these duties;
  2. The Chief Executive Officer or their nominee shall be the Deputy Returning Officer for the purposes of elections, by-elections and Referenda of the Union.

Remit

On behalf of the Returning Officer, the Deputy Returning Officer shall be responsible for:

* + 1. Overseeing and co-ordinating all elections within the Student Union;
    2. In accordance with this Bye-law, setting the date for, and publicising all elections and by-elections;
    3. Supervising the counting of votes, and may, on request of any candidate, authorise a recount of the votes;
    4. Announcing the result of the election on completion of the final count, and the posting of the votes cast at each stage of the Single Transferable Vote (STV) system, together with the final result.
  1. Disqualification of candidates

The Returning Officer shall be empowered to disqualify any candidate, or request a re-ballot on the basis of:

* + 1. Bribery of the electorate, Union Officers or staff;
    2. Multiple voting;
    3. Interference with voting or the counting of votes;
    4. Making or circulation of defamatory statements;
    5. Violation of such rules and financial constraints governing the conduct of elections as may be specified in the Bye-Laws or approved by the Board of Trustees;
    6. Conspiracy by the candidate acting in concert with others to commit any of the above offences; or
    7. Bringing the Union into disrepute or otherwise threatening the image of the Union by their or their campaign team’s actions.
    8. The disqualified candidate may appeal in writing to the Appointed Returning Officer, such an appeal must be lodged with the Appointed Returning Officer within 24 hours of the initial disqualification.
    9. The Returning Officer’s decision shall be binding on all such appeals.
  1. Conduct of an Election

Voting

Voting in all elections shall be by secret ballot and under the transferable vote system.

Re-open Nominations

* + 1. The ballot paper for elections for Parliament shall contain as an option the statement "re-open nominations";
    2. For the purpose of counting votes the "re-open nominations" box shall be treated as a candidate;
    3. If the "re-open nominations" candidate is elected the vacancy shall be declared unfilled. Another election shall be held for the vacant position as if it was a by-election according to these Bye Laws.

Publicity

The following rules shall apply to the distribution of campaign material for an election.

* + 1. Candidates or their representatives shall not spend more than the approved budget for an election or campaign. Receipts must be lodged with the Returning Officer within one week of the election results being announced;
    2. All literature shall clearly show the originator of the material;
    3. Material placed over official Students Union posters shall be removed;
    4. Material must not be placed near fixed computer facilities on campus or use university email networks for campaigning.

Timing of Publicity

* + 1. The Deputy Returning Officer shall set and publicise the final date of each election or by-election, together with the vacancies occurring at least five working days prior to the close of nominations;
    2. Nominations shall close at least five Notice Days prior to the final date of the election for those vacancies.

Student Members Previously Subject to Removal

* + 1. Student Members who have ever been removed from office as a Full-time Officer, Member of Parliament or Society Committee Member (as described elsewhere in these Bye-laws) are ineligible for election to any Union post for the remainder of that academic year.
    2. Any Student Member who has ever been removed from their position is eligible to stand for election as a Member of Parliament position during any other academic year on condition that they comply with the other relevant regulations.
    3. Student Members who have previously been removed from post must be nominated to stand in an election by 50 Student Members.
  1. General  
     1. Members of Parliament shall hold office for the length of time determined in the elections process, unless they resign, cease to be a Student Member of the Union, or are dismissed;
     2. Members of Parliament shall only occupy one office at any one time. Election to a second office shall automatically remove them from their previous office;
     3. Full-Time Officers can be co-opted by a special resolution at Parliament to occupy a vacant Full-time Officer post.
  2. Election eligibility

Full Time Officers

Full-Time officers shall be elected from and by Student Members of the Student Union by cross campus ballot.

Galashiels Group Member of ParliamenT

The Galashiels Group Member of Parliament shall be appointed by way of a simple majority vote of the Galashiels Group.

Society Group Member of Parliament

The Society Group Member of Parliament shall be appointed by way of a simple majority vote of the Society Group.

Student Life Member of Parliament

The Student Life Group Member of Parliament shall be appointed by way of a simple majority vote of the Student Life & Wellbeing Group.

School Members of Parliament

* + 1. Candidates for School Members of Parliament must be undertaking an undergraduate course of study within the School for which they stand for election. Candidates may not stand for election in any other than their own School.
    2. Candidates undertaking a combined study programme shall be entitled to stand and vote within the School in which they are primarily enrolled by the University.
    3. School Members of Parliament shall be elected from and by all Student Members of the Union from within their School; this may involve a cross-campus ballot.

Wellbeing Member of Parliament

The Wellbeing Member of Parliament shall be appointed by way of a simple majority vote of the Student Life & Wellbeing Group.

Postgraduate Research (PGR) Member of Parliament

* + 1. Candidates for Postgraduate Research Member of Parliament must be undertaking a postgraduate research degree;
    2. The Postgraduate Research Member of Parliament shall be elected from and by all Student Members undertaking a postgraduate research degree by cross-campus ballot.

Postgraduate Taught (PGT) Member of Parliament

* + 1. Candidates for Postgraduate Taught Member of Parliament must be undertaking a postgraduate taught degree;
    2. The Postgraduate Taught Member of Parliament shall be elected from and by all Student Members undertaking a postgraduate taught degree by cross campus ballot.
    3. Elections for the Postgraduate Taught Member of Parliament will take place in Semester 1 of the academic year.

Sports Union Member of Parliament

The Sports Union Member of Parliament shall the Sports President, or a representative appointed by the Sports Union Executive Committee.

Open Place Members of Parliament

The open place Members of Parliament shall be elected from and by Student Members of the Student Union by cross campus ballot.

Parliament Facilitator

Following a recruitment process by the Student Union, a student member will be appointed as the Parliament Facilitator.

* 1. National Conference
     1. Where a National Conference, such as NUS Conference, requires a cross campus ballot, Candidates who are standing for election in other positions shall be allowed to stand for election to National Conference;
     2. Elections for NUS UK and NUS Scotland National conferences shall be held in Semester 1 of the academic year;
     3. Candidates for NUS UK and NUS Scotland Conference shall be made up of Student Members of the Union to the number of the delegation entitlement;
     4. Candidates for NUS UK and NUS Scotland Conference shall be filled in line with current NUS policies on reserved places;
     5. The President shall automatically be elected and appointed as Delegation Leader unless they notify the Deputy Returning Officer in writing before the election that they do not intend to fill this position. Wherever the President is not a member of the NUS Conference delegation the most senior representative elected shall be Delegation Leader;
     6. Candidates for NUS Conferences shall be elected from and by all Student Members of the Union.
  2. By-Elections

Timing of By-Elections

* + 1. There shall be a By-election in Semester 1 where delegations for National Conferences and any vacant MP positions usually elected in a cross-campus ballot shall be elected.
    2. The relevant Group shall appoint a new Member of Parliament upon a vacancy occurring in their nominated post;
    3. Vacancies occurring in any other elected Member of Parliament role up to and including week 8 of Semester One shall be filled by a by-election to be held within 15 working days of the vacancy occurring;
    4. With the exception of Full Time Officers, vacancies occurring in elected Members of Parliament after week 8 of Semester One may be filled by co-opting a member of one of the Groups by way of a simple majority vote of Parliament.
    5. Full Time Officer vacancies occurring after week 8 of Semester One will be dealt with on a case-by-case basis by the Deputy Returning Officer.

Appointment of Acting Members of Parliament

With the exception of the Full Time Officers, during any period for which an MP position remains vacant, Parliament may appoint a member to temporarily fulfil the role until a successor is elected, or until Parliament votes by a two-thirds majority to remove them from the position.

Period of Office

Any person elected or appointed to an office by right of a by-election or mid-year appointment shall take office for the remaining period of their predecessor's term of office.