



**TU DUBLIN SU
ELECTIONS**



Electoral Commission

Terms of Reference

**For Student Council meeting
26th October 2023**



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1. Constitution

The TU Dublin Students' Union Student Council hereby resolves to establish a Committee of the Student Council in accordance with **Article 9.1 & 3** to be known as the Electoral Commission, which shall regulate the operation of all elections, plebiscites, referenda, confirmation ballots or other ballots and advise on the schedules relating to elections.

2. Duties of the Committee (Constitutional Article 9 – Elections and the Electoral Commission)

- 2.1 Voting in Union Elections is by secret ballot by means of the single transferable vote, as per the Electoral Acts, with the exception of Class Representative elections, which shall operate in a manner as decided by the Electoral Commission.
- 2.2 No member may cast more than one vote in any election held under the terms of this Constitution.
- 2.3 The Student Council shall appoint an Independent Chairperson of the Electoral Commission who shall not have been a member of the Union for a period of at least four academic years. They will serve for a three-year term and shall be eligible to be appointed for a second three-year term as set out in Schedule H. The Chairperson shall act as Chief Returning Officer and determine matters of procedure for the Commission in accordance with this Constitution.
- 2.4 The Commission shall include an elected officer of the Union who shall normally be the President.
- 2.5 The Student Council shall also appoint four who are registered students of the University, to be members of the Commission for a one-year term and can be appointed for a maximum of two further one-year terms.
- 2.6 Other casual vacancies in the Commission may be filled by nomination from Council. Where any vacancies must be filled outside of the term of the Council, members may be nominated to the Commission by the Executive, subject to the approval of the Council at its earliest meeting after the co-option.
- 2.7 The Commission shall produce an Electoral Regulations Manual which shall be presented to the Student Council for noting on an annual basis.
- 2.8 The Electoral Commission shall advise the Student Council periodically on the operations of the democratic process, including the provision of communications to inform members of their rights to participate in the democratic process.
- 2.9 The Electoral Commission shall advise the Student Council on determining the basis for the operation of either college or site-based Class Representative Meetings and College Student Fora. The Electoral Commission shall be cognisant of local factors when organising elections for members of the Class Representative Meeting, including factors such as the transition of members from programmes within the Institute.



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- 2.10 The Electoral Commission shall also investigate or cause to investigate complaints against any electoral campaign, candidate, electoral or ballot process or result.
- 2.11 Any person so nominated for an elected office in the Union shall be deemed to have vacated his/her/their membership of the Electoral Commission, with the exception of the President, who shall stand aside from the Electoral Commission for the duration of the Elections
- 2.12 In the event of an equality of votes, the Chairperson shall have an additional or casting vote.
- 2.13 All elections to the office of the President and the office of the Vice President under this Constitution shall take place no later than 15 working days after the close of nominations. Nominations shall remain open for a period not exceeding ten working days.
- 2.14 The Electoral Commission shall make such regulations as it deems fit to provide a timetable for the operation of elections or ballots, including a period for a person to withdraw their candidature and to verify the nominations received.
- 2.15 All other vacancies, including casual vacancies at Student Council, the Class Representative Meeting, or any other such committee or group shall be filled in accordance with regulations laid down from time to time, by the Electoral Commission, which shall include prescribed periods between nominations and polling. A minimum of five working days-notice must be given during term-time to fill all other vacancies.
- 2.16 Polling at every election for the office of President and the office of Vice President shall as far as practicable take place on the same day, or days, for at least eight hours. The Electoral Commission may fix a longer period.
- 2.17 The Electoral Commission shall cause the counting of votes to be held in public, to commence within forty-eight hours of the close of Polls or in accordance with regulations, which may be from time to time fixed by the Electoral Commission.
- 2.18 The Electoral Commission shall plan the conduct of its affairs in consultation with the Student Council.
- 2.19 The Electoral Commission may make such regulations as necessary to conduct an election, including providing for alternative methods of balloting members or by secret postal ballot, but only where it can reasonably ensure that no person may vote twice in the one election.

3. Responsibilities of Electoral Commission

- 3.1 To be responsible for the administration of the democratic and representative functions of the Union and to ensure that they receive adequate and sufficient administrative, clerical, financial and any other resources/support necessary.
- 3.2 To be responsible for all Electoral Commission policies within the Union.



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- 3.3 To be responsible for overseeing the production of all literature relating to the Unions democratic processes i.e. ballot papers, nomination forms, election regulations and schedules of elections.
- 3.4 To be responsible for co-ordinating and conducting regular meetings of the Electoral Commission.
- 3.5 One member of the Electoral Commission should be present at all democratic elections if a secret ballot is to take place.
- 3.6 To consider other related topics as requested by the Student Council.

4. Membership

- 4.1 The Electoral Commission shall have a minimum membership of five persons and a maximum of six members, including the Chairperson (Article 9.2 & 9.4).
- 4.2 Student membership of the Electoral Commission shall be open to all members of the Union or other persons nominated by the Student Council, in a manner to be decided by the Student Council.
- 4.3 The voting members of the Commission shall include the Chairperson - *ex-officio*, the President – *ex-officio*, plus up to 4 students to be elected by the Student Council.
- 4.4 Due to exam and related academic pressures placed on the student members of the Commission, it is recommended that the Electoral Commission should form a three-person executive to develop and present recommendations to the wider Commission. It is recommended that the executive be composed of the following:
 - The Chairperson of the Electoral Commission.
 - The President of TU Dublin Students' Union.
 - One student member of Electoral Commission

Administrative support will be provided for the executive.

- 4.5 In the absence of the Chairperson, the members who are present shall choose from one of their number, to chair the meeting.
- 4.6 Quorum for the executive shall be 2 people.
- 4.7 Quorum for the Commission shall be 50% plus one of its elected membership.



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5. Attendance at Meetings

- 5.1 Relevant personnel may attend Committee meetings on invitation by the Commission, where they made provide specific or additional information according to their area of expertise.
- 5.2 Administrative and technical support will be provided to the Commission.
- 5.3 Where a student member has failed to attend 2 meetings in a row without sending apologies, they will be deemed to have resigned from their position on EC.

6. Frequency of Meetings

The Committee shall meet:

- Once per month, where possible
- The Electoral Commission Executive shall meet as required.

7. Authority

The Committee is authorised by the Student Council to consider any matter within its terms of reference or matter relevant to them. The Committee is authorised by the Student Council to obtain outside professional advice and to secure the assistance of any relevant experience and expertise if it considers this necessary, in accordance with financial resources available.

8. Reporting Procedures

- 8.1 The Commission shall report to the Student Council. These reports shall be in the form of Aide Memoirs
- 8.2 The administrator to the Commission shall circulate the minutes of meetings to all members of Commission.