

Judicial Board  
of the Students' Society of McGill University

BETWEEN

Petitioner

Christopher Bangs

in his capacity as Chair of the No Committees for the 2012 AUS Winter Referenda  
Questions "Online Ratification for the decisions of the AUS General Assembly" and  
"Amending the Constitution"

AND

Respondents

Jade Calver

in her capacity as President of the Arts Undergraduate Society

and

Victor Cheng

in his capacity as Chief Returning Officer of Elections AUS

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Petitioner's Declaration

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## Overview

1. This petition concerns the 2012 Arts Undergraduate Society Winter Referendum Period, the results of which were announced to members of the Society on April 13. The Petitioner alleges that repeated and systematic violations of the AUS Bylaws by Elections AUS compromise the integrity of the elections, and asks that the Judicial Board of the Students' Society of McGill University find that the conduct of the Respondents violated the Bylaws of the AUS and declare null and void the referendum questions "Online Ratification for the decisions of the AUS General Assembly" and "Amending the Constitution".
2. This petition is submitted with no prejudice on the part of the Petitioner. He has a good working relationship with the Respondents, and has worked with Elections AUS many times in the last year. Furthermore, the Petitioner assumes no malicious intent on the part of the Respondents, and believes that they have acted with the best of intentions.
3. The Petitioner is Chair of the No Committees for the aforementioned questions and is a member of the Society.
4. The Respondents are members of Elections AUS—Jade Calver is President of the Arts Undergraduate Society and an advising member of Elections AUS, and Victor Cheng is Chief Returning Officer of Elections AUS.
5. The Judicial Board of the SSMU is constituted under the SSMU, and is endowed by Art. 18 of the Constitution of the AUS to render a decision on this petition.
6. The Respondents clearly violated the Bylaws of the AUS. These violations were numerous and repeated, and although the Respondents attempted to rectify some of their mistakes, egregious errors were left uncorrected.

7. These errors seriously compromised the integrity of the 2012 AUS Winter Referendum Period, and the actions of the Respondents served to disenfranchise the Petitioner, in his capacity as Chair of the No Committees for the aforementioned questions, and all other members of the Society, by stripping them of the rights conferred to them by the Bylaws of the AUS and by undermining the democratic processes of the society.
8. In the Appendix can be found copies of the exchanges between the Petitioners and the Respondent, as well as a copy of all the relevant sections of the AUS Bylaws.

### **Allegation of Facts**

9. The 2012 AUS Winter Referenda Period originally was scheduled to coincide with elections for AUS Executive positions, with voting to last from March 15 to March 21. It came to the Petitioner's attention that the questions to be posed to AUS members were improperly submitted to Elections AUS: they were to be placed on the ballot after receiving the signatures of eight Councilors of the AUS Legislative Council. The Respondents apparently confused the procedures to call an AUS General Assembly, which can be done in this manner, with the procedures to initiate a referendum, which as stated in Art. 6.1 of the Bylaws can only be done through a 2/3s vote of Council or a petition signed by 150 members of the Society.
10. When the Petitioner brought this to President Calver's attention through a letter written March 11, she initiated a new referendum period, announced by the CRO on March 12.
11. The CRO wrote in that email that,

The Deadline for all questions submitted for referendum is Wednesday March 21, 2012 at midnight. The campaign period will run from March 26, 2012 at 9am to March 30, 2012 at 5pm. Those student wishing to form Yes or No committees on a question are encouraged to review the AUS Electoral bylaws, which can be found on the AUS website.  
Advanced polling will begin April 2, 2012 at 9am. Regular polling will begin April 4, 2012 and will close on April 5, 2012 at midnight.
12. Council approved individually all of the questions submitted to members of the Society in the Referenda Period on March 21 in English only. The Speaker did not count the votes, even when there were significant numbers of abstentions.
13. At Council that night, the Petitioner, acting as a gallery member, requested to the President that votes be retaken and counted for the two referenda questions for which he later would Chair the No Committees. She communicated this request to the Speaker, who refused.

14. The No Committees for the two questions were constituted March 23, with the Petitioner as Chair of both.
15. On March 27, the Petitioner asked by text message the CRO if listservs were a student publication, and the CRO responded in the affirmative.
16. On April 2, the CRO announced that the Winter Referendum would be invalidated due to the omission of the supporting Yes Committee statements for one question concerned in this petition. He further said that a new Winter Referendum period would begin April 9.
17. On April 2, the Petitioner sent the CRO an email with several questions. On April 3, the CRO responded. To concerns raised over possible violations of Art. 6.7, he said that they “were simply pushing back the exact same referenda to make edits”.
18. On April 4, the CRO CC-ed the Petitioner in an email to a reporter for the McGill Tribune. This is the first time the Petitioner was told the dates of the voting period, although he was still unaware of the times and locations of the polling period.
19. On April 9, voting started at 9:00. The CRO sent out an email informing members of the Society for the first time of the date, time, and location of this polling period—this email was sent at 19:28, 10 hours and 28 minutes after the start of polling.
20. The Petitioner sent two emails to the CRO on April 9, the first at 9:11 and the second at 16:05. The first asked for clarification regarding Art. 9.2 and 9.3, and the second informed the CRO that the Petitioner believed that those articles had been violated and that the referendum was null and void. The second of those emails was also sent to President Calver. No response was received that day.
21. On April 10, the Petitioner sent additional emails to the Respondents, and did not receive a reply until 19:19 that day. The first email sent to the CRO requested

information on how many people had voted. The second sent to the CRO concerned the lack of a French pensketch for the Yes Committee for the question regarding "Online Ratification for the decisions of the AUS General Assembly". The third was sent to the CRO and to President Calver (originally to her personal email address, and then resent to her official email address), and addressed what additional actions would be taken. The fourth email sent to the Respondents provided the Petitioner's phone number for their use.

22. On April 10 at 19:19, the CRO responded. In regards to the violations of Art. 9.2 and 9.3, the CRO said that objections were invalidated by the lack of malicious intent on the part of Elections AUS.
23. The Petitioner sent two additional emails that day to the CRO, clarifying the violations of the Bylaws and informing the Respondent of the Petitioner's intent to bring a case before the Judicial Board. The CRO responded to the first email on April 10, and President Calver responded to the second on April 11.
24. The Petitioner met with President Calver at approximately 16:50 on Wednesday, April 11. She informed him that she would not invalidate the referenda because of their errors because she did not think they compromised the integrity of the election.
25. The CRO announced the results of the election on April 13.
26. Throughout the course of these interactions, many of the emails from the Petitioner to the Respondents informed them of ongoing violations of the Bylaws, and those concerns were often unaddressed.

### **Concerns Raised by the Petitioner**

27. The Respondents violated numerous sections of the Bylaws, and their actions show a repeated and systematic disregard for those Bylaws. These violations undermine the integrity of the 2012 Winter Referenda Period and serve to disenfranchise the Petitioner, both as the Chair of the No Committees and as a concerned member of the Society.
28. Art. 6.1 was not followed. No vote count was ever taken at Council, and the Petitioner is unsure how the Speaker was able to judge the existence of a super-majority support given the number of abstentions and the number of gallery members present at the time. Therefore, it is the Petitioner's belief that Art. 6.1 was never satisfied, and that Council never truly submitted the referenda questions concerned to Election AUS.
29. Art. 6.2 was not followed. The questions were ratified by Council in English only, not in both official languages of the AUS. Furthermore, the questions were posed to members of the AUS 19 days after ratification, while Art. 6.1 and 6.2 both create a minimum 21 day delay after ratification.
30. Art. 6.7 was not followed. The CRO claimed that the AUS listserv is a student publication, when Art. 1.9 clearly states that a student publication is only the McGill Daily, Le Délit, or the McGill Tribune. To the best of the Petitioner's knowledge, no announcement was ever posted in a student publication, let alone 15 days prior to the opening of the polls.
31. Art. 7.1 was not followed. Campaign period lasted from March 26 to March 30, which is only 4 days. The polling period did not immediately follow campaign period, as it started April 4.



32. Art. 9.2 and 9.3 were not followed. To the best of the Petitioner's knowledge, no notification of the date, time, and location of either of the AUS Winter Referenda periods was published in any student publication at any time.
33. Additional grievous misconduct on the part of Elections AUS took place that did not explicitly violate the Bylaws but violated the spirit of the Bylaws and of the democratic ideals of the AUS.
34. The CRO did not make public the date, time, and location of the second Voting Period until long after it started, not even on the AUS listserv. The Petitioner himself, the Chair of two No Committees, was only aware of duration of the AUS voting period because of an email forwarded him by the CRO sent to a reporter from the McGill Tribune.
35. The CRO to date has never distributed the text of the motions, and the Petitioner does not himself have an official copy.

**Procedures Already Followed**

36. The Petitioner has repeatedly discussed his serious concerns with the Respondents, both in person and over email. The Petitioner has informed them of his intention to submit a case to the Judicial Board. The Respondents refused to take action to rectify the situation.
37. As the email exchanges between the Petitioner and the Respondents make clear, the Petitioner repeatedly brought to the attention of Elections AUS problems regarding the 2012 AUS Winter Referendum. Those problems were largely ignored or dismissed, but the Petitioner made a good faith effort to work with the Respondents to ensure that the Bylaws were followed.
38. If there are other avenues available to the Petitioner to rectify these wrongs, the Petitioner is unaware of them.

## Remedy Requested

39. The Petitioner requests that the Judicial Board of the SSMU:
- i. find that the conduct of the Respondents violated the Bylaws of the AUS, and
  - ii. deem unofficial the polls for the referenda questions “Online Ratification for the decisions of the AUS General Assembly” and “Amending the Constitution” and declare null and void all votes cast in those polls.
40. The Petitioner requests that the Judicial Board deem unofficial only two questions considered in the 2012 AUS Winter Referenda because under Art. 9.3 the questions can go forward despite violations of Art. 9.2 if campaign committees agree. While the No Committees of which the Petitioner was the Chair did not agree, there were no campaign committees formed for other questions.
41. . However, the Petitioner is of the opinion that each of the six unresolved violations of the Bylaws specified above inherently undermines the validity of the polls. The problems created by the failure on the part of the Respondents to follow the Bylaws are such that the Petitioner would think the Judicial Board justified if it were to invalidate the entire 2012 AUS Winter Referenda.

### **Reasoned Argument**

42. The Petitioner argues that the violations of the AUS Bylaws on the part of the Respondents are undeniable, that taken as a whole they constitute a systematic disregard for those Bylaws, and that these egregious violations undermine the integrity of the polls and disenfranchise the Petitioner and other AUS members.
43. The Respondents violated numerous sections of the Bylaws, as outlined in **Concerns Raised by the Petitioner**. It is the Petitioner's belief that each of the violations stated in that section are clearly supported by the evidence and are undeniable, although he invites the Respondents and other concerned parties to prove otherwise.
44. Throughout the course of this poll, six articles of the Bylaws were violated and ignored by the Respondents, and additional sections of the Bylaws were violated and the Respondents took steps to rectify those violations. In addition to the articles specified in **Concerns Raised by the Petitioner**, the Respondents allowed referenda questions to be submitted by the signatures of councilors, and rectified this violation when it was brought to their attention. They also neglected to include a pensketch from the Yes Committee for one question, and they rectified this violation when it was brought to their attention.
45. Given the tremendous number of violations, there is a clear pattern of disregard for the Bylaws on the part of the Respondents.
46. Even more, the Respondents have repeatedly abdicated their responsibilities to uphold the Bylaws and rectify their failures to uphold the Bylaws. The Respondents were willing to fix two of their mistakes, but six additional violations of the letter of the Bylaws and two additional violations of the spirit of the Bylaws went ignored.

47. As such, this shows a systematic disregard for the Bylaws of the AUS on the part of the Respondents, who have the responsibility as members of Elections AUS to uphold Electoral Bylaws.
48. These violations individually are substantial enough and serious enough to merit the remedies requested by the Petitioner. Taken as a whole, they pose a clear and overwhelming case for the remedies requested. Below is detailed how each violation is in and of itself sufficient to merit the remedies requested.
49. Art. 6.1 was not followed. No vote count was ever taken at Council, and the Petitioner is unsure how the Speaker was able to judge the existence of a super-majority support given the number of abstentions and the number of gallery members present at the time. Therefore, it is the Petitioner's belief that Art. 6.1 was never satisfied, and that Council never truly submitted the referenda questions concerned to Election AUS.
50. The failure on the part of the Respondents to adequately ensure that the motions were truly and convincingly passed by Council constitutes a breach of the Bylaws. If in fact the motions *were not* passed by Council, then it is absolutely improper for them to be considered in the first place, and their subsequent consideration is disturbing. There is reasonable doubt that they were never brought to Elections AUS in the first place, and the Petitioner is of the belief that the questions did not receive a 2/3s majority vote.
51. Art. 6.2 was not followed. The questions were ratified by Council in English only, not in both official languages of the AUS. Furthermore, the questions were posed to members of the AUS 19 days after ratification.
52. The requirement that referenda be ratified in both languages of the AUS serves to enfranchise all members of the Society by making Council an accessible space regardless of language preference and serves to ensure that Council initiates referenda whose texts

(and subsequent constitutional changes if applicable) are correct and written as intended by the body. By ignoring this requirement, the Respondents disenfranchised members of the AUS. Furthermore, the French version of the Constitution is an authoritative document, and by not passing a French version of the referenda, Council abdicated its responsibility to ensure the good working of the AUS and left the Constitution up to an unelected official's discretion. It is the Petitioner's opinion that this error means that the referenda questions were never truly initiated by Council, and thus cannot be considered by the Society.

53. Furthermore, the vote was held before the 21-day minimum mandated by that same article and Art. 6.1. Taken together with the confusion surrounding the 2012 AUS Winter Referenda and with the failure on the part of the Respondents to make public the questions being considered, this constitutes a serious violation of the Bylaws, ensures that AUS members could not inform themselves of the questions being considered, and undermines the legitimacy of the poll.
54. Art. 7.1 was not followed. Campaign period lasted from March 26 to March 30, which is only 4 days. The polling period did not immediately follow campaign period, as it started April 4. The Petitioner informed the CRO of this on March 30.
55. By illegally restricting campaigning period by 4 days, the Respondents unjustly restricted the conversation on campus and reduced information available to members of the Society. Furthermore, they disenfranchised the right of the Petitioner, other members of the No Committees, and members of the Yes Committee to campaign for their Committees, which undermines the validity of the poll. And by requiring that campaigning end four days before polling, the Respondents let the conversation on

campus about the questions being considered die, reducing the access of members of the Society to good information about their choices.

56. Art. 6.7 was not followed. The CRO claimed that the AUS listserv is a student publication, when Art. 1.9 clearly states that a student publication is only the McGill Daily, Le Délit, or the McGill Tribune. To the best of the Petitioner's knowledge, no announcement was ever posted in a student publication, let alone 15 days prior to the opening of the poll.
57. Art. 9.2 and 9.3 were not followed. To the best of the Petitioner's knowledge, no notification of the date, time, and location of either of the AUS Winter Referenda periods was published in any student publication at any time.
58. These three articles clearly specify that the date, time, and location of the polls must be published in a student publication. These are specific and clear requirements placed on the Respondents which were not followed. The Bylaws go on to place further specific and clear requirements on the Respondents, which were also ignored. The Respondents were explicitly instructed by Art. 9.3 to declare the poll invalid, which they repeatedly refused to do. Not taking action constitutes a breach of the Bylaws and it is clear beyond a shadow of a doubt that this violation strips the Petitioner of his right as Chair of the No Committees and that it serves as a serious and severe abdication on the part of the Respondents of their duties as Elections AUS CRO and President of the AUS.
59. Additional grievous misconduct on the part of Elections AUS that did not explicitly violate the Bylaws but violated the spirit of the Bylaws took place, and should be considered by the Judicial Board when making its decision.
60. The CRO did not make public the date, time, and location of the second Voting Period until long after it started, not even on the AUS listserv. The Petitioner himself, the Chair

of two No Committees, was only aware of duration of the AUS voting period because of an email forwarded to him by the CRO sent to a reporter from the McGill Tribune, and even that did not contain the times.

61. The CRO to date never distributed the text of the motions, and the Petitioner does not himself have an official copy. The Petitioner requested that the CRO distribute the referenda questions via the listserv.
62. The Respondents have repeatedly acted in a way to restrict necessary information from the members of the AUS. Members deserve to know when and where they will vote, and members deserve to be able to read the questions being considered before they are required to vote on them. This failure is serious and undermines the integrity of the election. The fact that the Petitioner himself both did not know the duration of the AUS voting period and did not have copies of the referenda questions for which he was the Chair of the No Committees is disturbing and regrettable.
63. The CRO claimed that he had not acted with malicious intent, and the Petitioner does not allege that the Respondents have acted in such a way. However the biases or lack thereof of the Respondents do not change one way or another the impacts of their actions. Those actions have been to restrict the rights of the Petitioner, to undermine the integrity of the polls, and to violate the Bylaws. Their actions are equally egregious regardless of intent.
64. These repeated and systematic violations of the Bylaws on the part of the Respondents serve to undermine the integrity of the AUS elections, demonstrate a clear disregard for the Bylaws, and create a strong case for the remedies requested by the Petitioner.



### **Conclusion**

65. The rights afforded to the Petitioner under the Bylaws of the AUS were repeatedly violated, and the actions taken by the Respondents constitute a clear breach of those Bylaws, disenfranchising all AUS members and undermining the legitimacy of the polls.
66. The violations of the Bylaws laid out above require action, and the Petitioner requests that the Judicial Board of the Students' Society of McGill University find that the conduct of the Respondents violated the Bylaws of the AUS and declare null and void the referendum questions "Online Ratification for the decisions of the AUS General Assembly" and "Amending the Constitution".

**Appendix**

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## **Exchanges between the Petitioner and the Respondents**

### **March 9**

**From:** Victor Cheng <mcgillauselections@GMAIL.COM>  
**Subject:** [ELECTIONS-AUS] Final Candidates List and 2012 Referendum Questions  
**Date:** March 9, 2012 11:27:30 AM EST  
**To:** ELECTIONS-AUS@LISTS.MCGILL.CA  
**Reply-To:** Victor Cheng <mcgillauselections@GMAIL.COM>

### **French Version to Follow**

The three 2012 Winter Referendum Questions are attached to this email. Voting for Elections and Referendum Questions will open online on Thursday March 15th at 8 am.

All McGill University Arts and Arts and Science students are eligible to cast their vote.

**Ladies and Gentlemen, the Final Candidates for the 2012 AUS Executive Elections are as follows:**

#### **Running For President:**

Devon Buik, Chris Bangs

#### **Running for VP Academic Affairs:**

Shaina Agbayani, Tom Zheng, Ian Gerald King

#### **Running for VP Communications:**

Adam Casole-Buchanan, Yasmeen Gholmieh

#### **Running for VP External:**

Brian Farnan, Ben Patrick Stidworthy

#### **Running for VP Finance:**

Qazi Saad Uddin, Sean Handrahan

#### **Running for VP Internal:**

McKenzie Kibler, Justin Fletcher

#### **Running for VP Events:**

Agatha Slupek, Josh Greenberg

**Running for Arts Representative to the SSMU:**

Nicole Georges, Colleen Morawetz, Ryan Mitton, Sean Phipps

Les trois questions référendaires de 2012 d'hiver sont attachés à ce courriel. Le vote pour les élections et questions référendaires ouvrira en ligne sur Jeudi 15 Mars à 8 h. Tout l'Université McGill-arts et arts et sciences des élèves sont admissibles à voter.

Mesdames et messieurs, les candidats se présentant pour les élections 2012 de l'exécutif de l'AÉFA sont les suivants :

Pour le poste de Président : Devon Buik, Chris Bangs

Pour le poste de VP aux affaires universitaires :  
Shaina Agbayani, Tom Zheng, Ian Gerald King

Pour le poste de VP aux communications : Adam Casole-Buchanan, Yasmeen Gholmieh

Pour le poste de VP aux relations publiques :  
Brian Farnan, Ben Patrick Stidworthy

Pour le poste de VP aux finances :  
Qazi Saad Uddin, Sean Handrahan

Pour le poste de VP aux affaires internes : McKenzie Kibler, Justin Fletcher

Pour le poste de VP aux événements : Agatha Slupek, Josh Greenberg

Pour le poste de représentants aux arts pour l'AÉUM :  
Nicole Georges, Colleen Morawetz, Ryan Mitton, Sean Phipps

Best,

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Victor Cheng

Chief Returning Officer / Directeur Général des Élections

Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts

McGill University | L'Université McGill

Cell: 514 708 1688

Website: <http://www.ausmcgill.com>

The Arts Undergraduate Society of McGill University is a student association accredited by the gouvernement du Québec. (R.S.Q. Ch.A-3.01)

**March 11**

Subject: **Referenda Questions** [Show in Mailbox](#)  
Date: March 11, 2012 7:45:40 PM EDT  
To: President Aus  
Cc: Speaker AUSouncil , Victor Cheng  
▶ 1 Attachment, 117 KB [Save](#) [Quick Look](#)

Dear Jade,

Please see my attached letter detailing my concerns with two of the referenda questions being considered in the voting period starting on the 15th.

Thanks so much,  
Chris



[Dear Preside...ocx \(117 KB\)](#)

**Attached Letter**

March 11, 2012

Dear President Calver,

I am writing to voice my concerns with two of the referenda questions being brought before Arts Undergraduate Society members this voting period. I am afraid that the “Question Regarding Amending the AUS Constitution for Submission to the Winter 2012 Winter Referendum” and the “Question Regarding AUS General Assembly Quora” might not have been introduced following the Bylaws and Constitution of the AUS.

It is my understanding these questions were introduced by the signatures of Councilors, submitted during a referendum period designated by the President where any interested Arts student could submit questions to be considered by AUS members during this voting period.

To the best of my knowledge, there is no provision in either the Constitution or Bylaws to create a referendum period during which any AUS member can bring question.

To the best of my knowledge, referendum questions can only be brought through a two-thirds vote of AUS Legislative Council, or through a petition of 150 signatures. It is my understanding that neither of two motions were voted on or submitted with a petition.

Therefore, these questions are nothing more than straw polls. If they pass, it will create a Constitutional Crisis in the AUS, where General Assemblies rightly assert their ability to pass binding legislation with a quorum of 150, and executives ignore the democratic decisions based on illegal constitutional amendments.

The “Question regarding the Renewal of the Arts Student Employment Fund (ASEF)” is of a different quality, because section 13.1 of the Arts Student Employment Fund By-Laws of the AUS requires that the existence fund be put to referendum every three years. While section 13.2 also places a requirement on VP Academic to submit the motion to Council, and have Council then pass it with a two-thirds vote, section 13.1 places a positive requirement on the AUS to vote on this referendum question, and thus has to be submitted for consideration this year.

However, the other two questions are optional, and the manner in which they were introduced directly contravenes sections 6.1 and 6.2 of the Electoral By-Laws. Therefore

these referendum questions are polls of AUS members, not adequate processes to amend the Constitution, and should be considered as such.

I urge you to remove these two questions from the ballot this voting period, and follow the By-Laws and Constitution of the AUS in the future. Due to how soon the voting period is, I will send this letter to campus news media tomorrow, and submit an appeal to the Judicial Board on Wednesday. I hope this can be resolved before then.

Sincerely,  
Christopher Bangs

**March 12**

**From:** Victor Cheng <mcgillauselections@GMAIL.COM>  
**Subject:** [ELECTIONS-AUS] New Referendum - High Importance  
**Date:** March 12, 2012 11:03:07 PM EDT  
**To:** ELECTIONS-AUS@LISTS.MCGILL.CA  
**Reply-To:** Victor Cheng [mcgillauselections@GMAIL.COM](mailto:mcgillauselections@GMAIL.COM)

***French Version to Follow***

Dear Students in the Faculty of Arts,

It has come to the attention of Elections AUS that proper procedures were not followed for questions recently advertised for the current AUS referendum period. As a result, the AUS will, as of today, begin a new referendum period.

Questions may be submitted to Elections AUS at [mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com). Questions submitted must either be accompanied by 150 signatures of the Society's members or a two-thirds (2/3) vote of the AUS Council.

The Deadline for all questions submitted for referendum is Wednesday March 21, 2012 at midnight. The campaign period will run from March 26, 2012 at 9am to March 30, 2012 at 5pm. Those student wishing to form Yes or No committees on a question are encouraged to review the AUS Electoral bylaws, which can be found on the AUS website.

Advanced polling will begin April 2, 2012 at 9am. Regular polling will begin April 4, 2012 and will close on April 5, 2012 at midnight.

Should any students have questions regarding the past or current referendum period, please contact Elections AUS at [mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com)

Chers étudiants de la Faculté des arts,

Il a été porté à l'attention d'Élections AÉFA qu'on n'a pas respecté les procédures établies pour la présentation de questions récemment annoncées dans la période référendaire en cours. L'AÉFA commencera donc aujourd'hui une nouvelle période référendaire.

Les questions peuvent être envoyées à Élections AÉFA à [mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com) <<mailto:mcgillauselections@gmail.com>>. Les questions envoyées doivent être accompagnées soit de 150 signatures de membres de l'AÉFA, ou bien doivent avoir obtenu le 2/3 des votes au Conseil de l'AÉFA.

La date limite pour soumettre une question au référendum est le mercredi, 21 mars 2012 à minuit. La campagne débutera le 26 mars 2012 à 9h et se terminera le 30 mars 2012 à 17h.

Nous encourageons fortement les étudiants qui souhaitent former des comités Oui ou Non de consulter les règlements d'Élections AÉFA, qui se trouvent sur le site Web de l'AÉFA.

Le vote par anticipation commencera le 2 avril, 2012 à 21h. La période de vote régulière commencera le 4 avril, 2012 et se terminera le 5 avril 2012 à minuit.

Pour toutes questions en lien avec les référendums passés ou présents, veuillez nous écrire à [mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com) <<mailto:mcgillauselections@gmail.com>>.

Best,

--

Victor Cheng

Chief Returning Officer / Directeur Général des Élections

Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts

McGill University | L'Université McGill

Cell: 514 708 1688

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**March 23**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Subject: Referenda Committee**

**Date:** March 23, 2012 10:15:14 AM EDT

**To:** Victor Cheng <mcgillauselections@GMAIL.COM>

Attached are two petitions to create no committees for referenda passed by council. I am the Chair of both.

Thanks,  
Chris

**March 26**

**From:** Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)>  
**Subject: Re: [ELECTIONS-AUS] New Referendum - High Importance**  
**Date:** March 26, 2012 9:15:43 PM EDT  
**To:** Victor Cheng <[mcgillauselections@GMAIL.COM](mailto:mcgillauselections@GMAIL.COM)>

Victor, can you send out the text of the motions, to let people know they're happening?

---

**March 27**

**From:** Victor Cheng <[mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com)>  
**Subject: Re: [ELECTIONS-AUS] New Referendum - High Importance**  
**Date:** March 27, 2012 6:16:50 PM EDT  
**To:** Christopher Bangs [christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)

Yes just waiting on final translations to get back to me!

On Mon, Mar 26, 2012 at 9:15 PM, Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)> wrote:

Victor, can you send out the text of the motions, to let people know they're happening?

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University | L'Université McGill  
Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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**March 27**

From: Christopher Bangs  
**Subject: Re: [ELECTIONS-AUS] New Referendum - High Importance**  
Date: March 27, 2012 8:34:25 PM EDT  
To: Victor Cheng <mcgillauselections@GMAIL.COM>

I texted you, but I should probably email you instead. Do listservs count as student publications? Some people on the no committees might want to know.

Thanks,  
Chris

---

From: Victor Cheng <mcgillauselections@gmail.com>  
**Subject: Re: [ELECTIONS-AUS] New Referendum - High Importance**  
Date: March 27, 2012 8:35:56 PM EDT  
To: Christopher Bangs [christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)  
Yes please email me from now on thanks!

On Tue, Mar 27, 2012 at 8:34 PM, Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)> wrote:

I texted you, but I should probably email you instead. Do listservs count as student publications? Some people on the no committees might want to know.

Thanks,  
Chris

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University | L'Université McGill  
Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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**March 30**

**From:** Victor Cheng <mcgillauselections@gmail.com>  
**Subject: Fwd: Possible campaigning violation**  
**Date:** March 30, 2012 10:21:21 PM EDT  
**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

Hey Chris,

Please take down the facebook page, thanks! And take a look at the claims by the following and let me know what you think about reason 2.

Best,

Victor

----- Forwarded message -----

**From:** William Hisey <[william.hisey@mail.mcgill.ca](mailto:william.hisey@mail.mcgill.ca)>  
**Date:** Fri, Mar 30, 2012 at 6:20 PM  
**Subject:** Possible campaigning violation  
**To:** "[mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com)" <[mcgillauselections@gmail.com](mailto:mcgillauselections@gmail.com)>

Hi Victor,

I just wanted to alert you to a possible violation of the campaign bylaws on the part of the "No" committee. I was under the impression that the campaign period ended at 5 PM today, but the "No" committee's Facebook event is still up at the following URL: <https://www.facebook.com/events/368197443220903/>. I also have screenshots of the event with the date and time visible. I was also wondering if it is a violation of the bylaws to post misleading information about the text of the referendum itself (specifically regarding "Reason 2," which appears to claim that the GA will no longer be allowed to amend motions).

Thanks!

William

---

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>  
**Subject: Re: Possible campaigning violation**  
**Date:** March 30, 2012 10:29:13 PM EDT  
**To:** Victor Cheng <mcgillauselections@gmail.com>

Victor,

Of course I will. I'm sorry, I assumed that campaign period would go until polling period began, as article 7.1 says it should. But I'll take it down immediately. Could you clarify this?

As for Reason 2, I am not saying that the GA will be unable to do that, just that referenda and GAs are fundamentally different, and the GA allows for more direct participation by all people involved in the process, including debate, discussion, and amendment, while referenda only allows a binary decision, yes or no. The qualities of the two are different, which is what I was pointing out.

Also, you probably shouldn't have sent me the complainant's name.

Thanks,  
Chris

**April 2**

**From:** Victor Cheng <mcgillauselections@GMAIL.COM>  
**Subject:** [ELECTIONS-AUS] Winter Referenda Date Change  
**Date:** April 2, 2012 1:33:19 PM EDT  
**To:** ELECTIONS-AUS@LISTS.MCGILL.CA  
**Reply-To:** Victor Cheng <mcgillauselections@GMAIL.COM>

Hello Everyone,

The current Winter Referenda will be invalidated and a new Winter Referendum will begin next Monday April 9th at 9am. The reason for our invalidation is that supporting YES Committee statements have been omitted from the ballots and unfortunately online system is locked at this time to prevent editing. A reminder will be sent out next Monday once we fix this problem.

Best,

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University | L'Université McGill  
Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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**Subject: Four Things**

**Date:** April 2, 2012 7:35:26 PM EDT  
**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>  
**To:** Victor Cheng <mcgillauselections@gmail.com>  
**Cc:** President Aus <president.aus@mail.mcgill.ca>

Dear Victor,

Four things:

First, do I need to resubmit signatures for the "No" committees I was the Chair of?

Second, could you make the campaign expenditure review from this last election available to me?

Third, section 6.7 says that referenda must be announced at least fifteen days prior to polling. This new polling period was only announced eight days prior. How are you going to rectify that?

Fourth, when is campaign period?

Thanks,  
Chris

---

**Subject: Sorry**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 2, 2012 7:42:29 PM EDT

**To:** Victor Cheng <mcgillauselections@gmail.com>

**Cc:** President Aus <president.aus@mail.mcgill.ca>

Sorry to bombard you with questions, but I just want to make sure: did the Yes committees form by petition?

Thanks,  
Chris

**April 3**

**From:** Victor Cheng <mcgillauselections@gmail.com>  
**Subject: Re: Four Things**  
**Date:** April 3, 2012 2:48:56 PM EDT  
**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

Hey Chris,

The Yes Committee did form by petition.

The referenda was announced 15 days prior to polling, we are simply pushing the exact same referenda back to make edits.

15.3 Elections AUS will invalidate an election or referendum if, in its opinion, a violation of the Constitution and By-laws has adversely affected the outcome of that election or referendum. In making this decision, Elections AUS will consider the conduct of the parties and the seriousness of the violations.

15.4 In the event of an invalidated election, a new election will be held with only the names of those candidates appearing on the initial ballot, excluding any disqualified candidates, for only the race(s) which were invalidated. **This repeat election shall be held within ten (10) working days of the final decision of invalidation, before the end of the exam period.**

There is no new campaign period.

No you do not need to resubmit signatures.

Contact VP Finance for expenditure reviews as candidates had to fill out a form in her office.

Best,

Victor

On Mon, Apr 2, 2012 at 7:35 PM, Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)> wrote:

Dear Victor,

Four things:

First, do I need to resubmit signatures for the "No" committees I was the Chair of?

Second, could you make the campaign expenditure review from this last election available to me?



Third, section 6.7 says that referenda must be announced at least fifteen days prior to polling. This new polling period was only announced eight days prior. How are you going to rectify that?

Fourth, when is campaign period?

Thanks,  
Chris

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University | L'Université McGill  
Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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---

**From:** President Aus <president.aus@mail.mcgill.ca>  
**Subject:** RE: Sorry  
**Date:** April 3, 2012 3:49:51 PM EDT  
**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

Yep!

Jade Calver  
President | Présidente  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University, Montréal, QC  
Tel: (514) 398-1993 | Website: <http://www.ausmcgill.com>

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---

From: Christopher Bangs  
Sent: April 2, 2012 7:42 PM  
To: Victor Cheng  
Cc: President Aus  
Subject: Sorry

Sorry to bombard you with questions, but I just want to make sure: did the Yes committees form by petition?

Thanks,  
Chris

**April 4**

**From:** Victor Cheng <mcgillauselections@gmail.com>  
**Subject: Re: From the McGill Tribune -**  
**Date:** April 4, 2012 2:20:46 PM EDT  
**To:** Julia Chu <julia.chu@mail.mcgill.ca>  
**Cc:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>, Matthew Eidinger <eidinger1@gmail.com>  
Hey Julia,

The ref. is being pushed back to the coming Monday till Thursday. I have cced the people who are in charge of yes and no committees in this email for your convenience.

Best,

Victor

On Tue, Apr 3, 2012 at 3:51 PM, Julia Chu <[julia.chu@mail.mcgill.ca](mailto:julia.chu@mail.mcgill.ca)> wrote:  
Hello Victor,

I'm writing a story for the Tribune covering the AUS GA referendum period, and I'd just like to confirm the logistics of when campaigning and voting began and will end. Also, would you be so kind as to share the contact information of the people from the 'Yes' and 'No' committees (or the person who submitted the motion).

If you have any general comments regarding this period you are of course welcome to share them.

Thank you,

Julia

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
McGill University | L'Université McGill  
Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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**April 8**

**Subject: Re: From the McGill Tribune -**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 8, 2012 1:04:55 PM EDT

**To:** Victor Cheng <mcgillauselections@GMAIL.COM>

Victor, you haven't announced the end date of the voting period is. When will it end?

**April 9**

**Subject: Poll date and time**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 9, 2012 9:11:47 AM EDT

**To:** Victor Cheng <mcgillauselections@gmail.com>Dear Victor,

To my knowledge, the date, time, and location of the Winter Referendum voting period have not been published, and voting started today. Under sections 9.2 and 9.3 of the bylaws, do I have the right to request that the poll be unofficial?

Thanks,  
Chris

9.2 The date, time and location of the polls shall be published in at least one (1) student publication at appropriate times as determined by Elections AUS.

9.3 Polls whose locations have not been published shall be deemed unofficial and all ballots cast in an unofficial poll shall be deemed null and void unless all candidates or committees involved agree otherwise prior to the counting of ballots

---

**Subject: Annuling the Vote**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 9, 2012 4:05:10 PM EDT

**To:** Victor Cheng <mcgillauselections@gmail.com>, President Aus <president.aus@mail.mcgill.ca>

Dear Elections AUS,

I do not know what is going on, but it is now seven hours after the beginning of election period, and AUS members have yet to receive an email with the date, location and times of polling. I hope everything is okay on your end, and that there are no personal emergencies.

This poll's location has not been published, and is therefore unofficial. All ballots cast should be deemed null and void unless committees agree. As Chair of the No Committees for two questions posed in this period--the question on Online Voting for General Assemblies and the question requiring a super majority for all constitutional changes--I do not agree, and I request that the CRO immediately rule the poll unofficial.

Best,  
Chris

---

**From:** Victor Cheng <mcgillauselections@GMAIL.COM>

**Subject: [ELECTIONS-AUS] 2012 Winter Referendum**

**Date:** April 9, 2012 6:00:00 PM EDT

**To:** ELECTIONS-AUS@LISTS.MCGILL.CA

**Reply-To:** Victor Cheng <mcgillauselections@GMAIL.COM>

**Elections AUS**

Polling for the 2012 Winter Referendum is now open. All Arts and Arts and Science students have until 11pm this Thursday to vote at the following link:

<https://ovs.ssmu.mcgill.ca/>

Best,

--

Victor Cheng

Chief Returning Officer / Directeur Général des Élections

Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts

McGill University | L'Université McGill

Cell: 514 708 1688

Website: <http://www.ausmcgill.com>

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**April 10**

**Subject: Quorum**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 10, 2012 10:13:49 AM EDT

**To:** Victor Cheng <mcgillaelections@gmail.com>

Also, would you telling me whenever it's convenient how many people've voted?

Thanks,  
Chris

---

**Subject: Re: [ELECTIONS-AUS] 2012 Winter Referendum**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 10, 2012 11:36:55 AM EDT

**To:** Victor Cheng <mcgillaelections@GMAIL.COM>

I'm sorry to keep on harassing you, but did the Yes committee for the question regarding online voting submit a pensketch in French?

Thanks,  
Chris

---

**Subject: Emails**

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Date:** April 10, 2012 6:47:32 PM EDT

**To:** Victor Cheng <mcgillaelections@gmail.com>, jadecalver@gmail.com

Dear Elections AUS,

I have now sent repeated emails about the ongoing voting period, raising serious and compromising issues that undermine the integrity of the vote. I have not gotten a response. I hope you will respond soon.

Tomorrow at noon I will go to campus media to discuss these issues. I will also begin preparing a case to take to the Judicial Board. I hope this dispute can be resolved without the Judicial Board.

Also, please tell me how many people have voted to date.

Sincerely,  
Christopher Bangs  
No Committees Chair  
Question re: Online Voting  
Question re: Constitutional Amendment

---

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**From:** Victor Cheng <mcgillauselections@gmail.com>  
**Subject: Re: [ELECTIONS-AUS] 2012 Winter Referendum**  
**Date:** April 10, 2012 7:19:01 PM EDT  
**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>  
**Cc:** President Aus <president.aus@mail.mcgill.ca>

Hey Chris,

They did not send a french pensketch. Also I do not have to release any voting information until polling is over but we have met quorum so results will be official. I was away for personal reason's during a national holiday this weekend Chris sorry for not getting back to you sooner! The delay in the list-serv was because usually when I send out a list-serv, Jade gets a confirmation email that she approves before it is sent out to the whole population. This time it seemed to not reach her but as soon as we knew about this issue I re-sent it and ensured it went out properly. I deem that this election is in fact official due to a lack of malicious intent on anyone's part to deliberately delay or affect the outcome of our referenda.

Best,

Victor

On Tue, Apr 10, 2012 at 11:36 AM, Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)> wrote:

I'm sorry to keep on harassing you, but did the Yes committee for the question regarding online voting submit a pensketch in French?

Thanks,  
Chris

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts  
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**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>



**Subject: Re: [ELECTIONS-AUS] 2012 Winter Referendum**

**Date:** April 10, 2012 7:28:22 PM EDT

**To:** Victor Cheng <mcgillauselections@gmail.com>

Victor,

Thanks so much for getting back to me! I appreciate it.

I'm afraid that the section of the bylaws doesn't reference malicious intent. It is my opinion that by abdicating your duty to render this election an unofficial poll (unless you get the consent of committee chairs to make it official), you are disenfranchising students in a really unacceptable manner and violating your responsibilities under the bylaws as CRO of Elections AUS.

If you want to meet in person to discuss this, that would be great. I will be submitting a case to the Judicial Board.

Thanks,  
Chris

---

**From:** Victor Cheng <mcgillauselections@gmail.com>

**Subject: Re: [ELECTIONS-AUS] 2012 Winter Referendum**

**Date:** April 10, 2012 9:11:39 PM EDT

**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Cc:** President Aus <president.aus@mail.mcgill.ca>

Hey Chris,

The Winter Referenda officially was last week and technical errors forced a postponement, not a cancellation of this said referenda. If you look in the previous official email, a statement was made that a reminder on Monday would be sent out once the error was fixed. An email was indeed sent out Monday. As CRO my decisions in this extraordinary situation stands.

6.7 Referenda initiated by Council or by petition shall be announced at least fifteen (15) calendar days prior to the opening of the polls in at least one (1) student publication.

The Winter Referenda was indeed announced 15 days prior to opening of the polls.

Best,

Victor

On Tue, Apr 10, 2012 at 7:28 PM, Christopher Bangs <[christopher.bangs@mail.mcgill.ca](mailto:christopher.bangs@mail.mcgill.ca)> wrote:

Victor,

Thanks so much for getting back to me! I appreciate it.

I'm afraid that the section of the bylaws doesn't reference malicious intent. It is my opinion that by abdicating your duty to render this election an unofficial poll (unless you get the consent of committee chairs to make it official), you are disenfranchising students in a really unacceptable manner and violating your responsibilities under the bylaws as CRO of Elections AUS.

If you want to meet in person to discuss this, that would be great. I will be submitting a case to the Judicial Board.

Thanks,  
Chris

--

Victor Cheng  
Chief Returning Officer / Directeur Général des Élections  
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Cell: 514 708 1688  
Website: <http://www.ausmcgill.com>

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**Subject: Re: [ELECTIONS-AUS] 2012 Winter Referendum**  
**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>  
**Date:** April 10, 2012 9:28:24 PM EDT  
**To:** Victor Cheng <mcgillauselections@GMAIL.COM>

Victor,

You did not announce the date, time and location of the polls until hours after the start of voting. Furthermore, the referenda questions were passed by Council in English only, not in both official languages as is mandated by the bylaws.

Each of those reasons independently undermines the validity of this voting period, and taken together they threaten the integrity of AUS polls.

As is my right under section 9.3 I do not agree that the poll be official. And I do not believe the questions were properly submitted to your office, and so should not be considered at all.

I hope this clears up my objections to the process.

Sincerely,  
Chris

April 11

**From:** President Aus <president.aus@mail.mcgill.ca>

**Subject: RE: [ELECTIONS-AUS] 2012 Winter Referendum**

**Date:** April 11, 2012 10:23:08 AM EDT

**To:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Cc:** Victor Cheng <mcgillauselections@gmail.com>

Mr. Bangs,

While I understand your concerns regarding the referenda period, circumstances of this voting period render them invalid. The date was indeed announced in an e-mail, after we pushed forward the polling dates. Furthermore, polling was announced the same day polls opened.

Concerning the translation of the questions, the questions were translated by the AUS translator. The AUS has upheld throughout the year its commitment to bilingualism. Students currently voting in the AUS referendum are able to see both the English and French versions of the questions.

If you have a formal complaint, I do invite you to submit one to the Judicial Board, but I feel we should discuss this in person. You are welcome to join us in the Arts Lounge at 2pm on Friday after our meeting.

I thank you for your concern regarding elections, and I will see you Friday.

Warm regards,

Jade Calver

---

**From:** Christopher Bangs <christopher.bangs@mail.mcgill.ca>

**Subject: RE: [ELECTIONS-AUS] 2012 Winter Referendum**

**Date:** April 11, 2012 01:04 PM EDT

**To:** President Aus <president.aus@mail.mcgill.ca>

President Calver,

We expect officials to follow the bylaws of the AUS, not what they think the bylaws should be. Regardless of whether Elections AUS is of the opinion that its actions SHOULD not compromise the integrity of the ongoing period, it has repeatedly committed severe violations of the bylaws.

I will be out of town this weekend, and so will not be able to meet with you unless you are free tonight at around 7:00. I will be filing a complaint to the Judicial Board.

Thanks,  
Chris



**April 13**

**From:** Victor Cheng <mcgillauselections@GMAIL.COM>  
**Subject:** [ELECTIONS-AUS] 2012 AUS Winter Referenda Results  
**Date:** April 13, 2012 1:07:11 PM EDT  
**To:** ELECTIONS-AUS@LISTS.MCGILL.CA  
**Reply-To:** Victor Cheng <mcgillauselections@GMAIL.COM>

**2012 AUS Winter Referenda Results:**

Participation: 19.4%

Voted: 1,367 of 7,056

**Ineligibility of B.A. & Sc. Students for the Arts Representative**

No 255 (18.7)%

**Yes 728 (53.3)%**

No Opinion 384 (28.1)%

TOTAL: 1367

**Online Ratification for the decisions of the AUS General Assembly**

No 286 (20.9)%

**Yes 980 (71.7)%**

No Opinion 101 (7.4)%

TOTAL: 1367

**Establishment of a Strike Quorum for AUS General Assemblies**

No 249 (18.2)%

**Yes 999 (73.1)%**

No Opinion 119 (8.7)%

TOTAL: 1367

**Renewal of the Arts Student Employment Fund (ASEF) fund**

No 223 (16.3)%

**Yes 960 (70.2)%**

No Opinion 184 (13.5)%

TOTAL: 1367

**AUS Services**

No 148 (10.8)%

**Yes 642 (47.0)%**

No Opinion 577 (42.2)%

TOTAL: 1367

**Amending the AUS Constitution**

No 316 (23.1)%

**Yes 614 (44.9)%**

No Opinion 437 (32.0)%

TOTAL: 1367

Best,

--

Victor Cheng

Chief RMcGill University | L'Université McGill

eturning Officer / Directeur Général des Élections

Arts Undergraduate Society | L'Association Étudiante de la Faculté des Arts

Cell: 514 708 1688

Website: <http://www.ausmcgill.com>

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## **Relevant Sections of the Bylaws**

### *AUS Constitution*

#### Part V – Judicial Board

#### Article 18 – Judicial Board

18.1 The Judicial Board of the Students' Society of McGill University shall be the final authority on:

- (a) The interpretation of the Constitution and by-laws of the AUS;
- (b) The interpretation and legality of any motion passed by Council;
- (c) The interpretation and legality of the Referendum question;
- (d) Any decisions made by Elections AUS or the CRO.

18.2 The Judicial Board shall have the power to declare invalid any act of the Council or the Committees of the Council which derogates from the Constitution and by-laws of the AUS.

18.3 All decisions of the Judicial Board shall be binding upon all involved parties, and no appeals will be permitted.

18.4 All members of the AUS shall have the right to petition the Judicial Board on matters falling within the AUS's authority, as set out herein.

### *AUS Bylaws*

#### **Article VI: Referenda**

6.1 A referendum may be initiated by a two-thirds (2/3) vote of the AUS Council or by a petition signed by at least one hundred and fifty (150) members of the Society and filed with Elections AUS a minimum of twenty-one (21) days prior to polling.

6.2 In the case of a referendum initiated by the AUS Council, the wording of the referendum question must be ratified by Council, in both official languages of the AUS, a minimum of twenty-one (21) days prior to the opening of the regular polling period.

6.7 Referenda initiated by Council or by petition shall be announced at least fifteen (15) calendar days prior to the opening of the polls in at least one (1) student publication.

#### **Article VII: Campaigning**

7.1 The campaign period shall last no less than six (6) working days and shall be immediately followed by the polling period.

#### **Article IX: Voting**

9.2 The date, time and location of the polls shall be published in at least one (1) student publication at appropriate times as determined by Elections AUS.



9.3 Polls whose locations have not been published shall be deemed unofficial and all ballots cast in an unofficial poll shall be deemed null and void unless all candidates or committees involved agree otherwise prior to the counting of ballots.

**Article XV: Penalization and Disqualification of Candidates, Invalidation and Disqualification of Election and Referenda Results, Re-Election, and Appeal Procedures**

15.3 Elections AUS will invalidate an election or referendum if, in its opinion, a violation of the Constitution and By-laws has adversely affected the outcome of that election or referendum. In making this decision, Elections AUS will consider the conduct of the parties and the seriousness of the violations.

15.5 All decisions made by Elections AUS may be appealed to the Judicial Board of McGill University, as provided in the Constitution of the Arts Undergraduate Society, no later than five (5) working days after the election results have been announced.

15.5.1 The appeal period, as specified in provision 11.5, may not be extended by the AUS Council or the Judicial Board.