

Referendum Regulation Model

Subject of the referendum

1. A student association can consult students by means of a referendum on a question approved by the majority of the members of its executive committee.

Referendum period

Calling of the referendum

2. The holding of the referendum shall be ordered by the chairman of the student association.
3. The poll shall be held on _____.
4. As soon as the referendum is announced, the chief electoral officer shall set up an office and inform the electorate of its location. The office shall be open from (dates) _____ to _____, from (hours) _____ to _____ and shall be accessible to handicapped persons.
5. The chief electoral officer shall prepare and make public a referendum calendar.
6. By not later than the ____th day preceding referendum day, the chief electoral officer shall make available to electors any information necessary for the smooth functioning of the referendum period.

Committees representing the options

7. As soon as the executive committee of the student association approves the question that is to be submitted to the referendum, the committee shall inform the chief electoral officer thereof. The chief electoral officer shall then ask students to register in favour of one of the options to form the two committees representing the options.
8. The chief electoral officer shall, as soon as possible, call a meeting of each committee at the place, day and time he or she indicates. At this meeting, the members of each committee shall adopt the by-laws to govern each committee and shall appoint a chairman.
9. The by-laws governing a committee may determine any matter relating to its proper operation, including the name under which it is to be known.

Referendum fund

10. The student association shall establish the amount of a subsidy for the committees representing the options, to cover the expenses incurred during the referendum. The amount shall be the same for each committee.

11. The agent-representative of a committee may only pay for the cost of a regulated expense out of the referendum fund.

Conseil du référendum

12. As soon as the holding of a referendum is ordered, the chief electoral officer shall set up and chair the Conseil du Référendum composed of _____ students.
13. The Conseil du Référendum shall give its advice on any question of a technical nature pertaining to the holding of the referendum.
14. The Conseil du Référendum shall advise the chief electoral officer in the event of a contestation of the referendum.
15. The Conseil du Référendum shall be dissolved _____ days after the holding of the referendum.

Elector

Qualified elector

16. Every student whose name appears on the list of students provided by the school is a qualified elector.
17. To be entitled to vote, a student must be a qualified elector and his or her name must be entered on the list of electors.

Electoral representation

Electoral divisions

18. The electorate may be divided into electoral divisions delimited in such a way as to ensure a fair representation of electors. The electoral divisions, which number _____, shall be delimited taking into account the number of electors.
19. The electoral division represents a group of students established on the basis of considerations related to the field of studies or the number of years of studies.
20. The list of electoral divisions shall be posted in a public place inside the school, at the start of the referendum period.

Election officers

21. The chief electoral officer and his or her assistants are election officers. Election officers are chosen from among those persons who are qualified electors.
22. All election officers shall take the oath of office before the chief electoral officer.
23. Election officers shall abide by the directives of the chief electoral officer.
24. No election officer shall engage in partisan work on the days stipulated in these regulations for the performance of his or her duties.
25. The chief electoral officer may relieve an election officer who neglects to perform his or her duties or who engages in partisan work.
26. An election officer who no longer performs his or her duties shall give the chief electoral officer all the official documents in his or her possession.

List of electors

Preparation

27. As soon as the referendum has been announced, the chief electoral officer shall prepare the list of electors.
28. The list of electors may be prepared using the school's computerized list and shall contain the nominative information needed to identify the elector.
29. By not later than the ____th day preceding referendum day, the chief electoral officer shall post the list of electors.

Revision

30. The chief electoral officer shall determine the number of boards of revisors.
31. By not later than the ____th day preceding referendum day, the chief electoral officer shall choose the places where the boards of revisors will be located. These places shall be situated in such a way as to accommodate electors and shall be accessible to handicapped persons.
32. Each board of revisors shall be made up of one or more revisors appointed by the chief electoral officer.
33. The chief electoral officer shall give the staff of the board of revisors a copy of the list of electors as well as the material needed for the revision.
34. The board of revisors shall be open from (hours) _____ to _____, from (dates) _____ to _____.
35. An elector who notes that his or her name is not entered on the list of electors may appear in person before the board of revisors to make an application for entry.
36. An elector who notes an error regarding his or her particulars on the list of electors shall appear in person before the board of revisors to make an application for correction.
37. An elector who does not want his or her name to appear on the list of electors shall appear in person before the board of revisors to make an application for striking.

38. The revisor shall transmit to the chief electoral officer the list of entries and corrections made to the list of electors.

Referendum day

Polling stations

39. The chief electoral officer shall establish one polling station for every campus or every pavilion that is part of the school or for every group of ____ electors.
40. Polling stations shall be grouped and situated in a location that offers easy access and shall be accessible to handicapped persons.
41. The chief electoral officer shall give the election officers the directives which he or she deems useful concerning the manner in which they should arrange a place where a polling station is located.

Polling officers

42. The following are polling officers: deputy returning officer, poll clerk and officer in charge of information and order (PRIMO).
43. The chief electoral officer shall appoint an officer in charge of information and order for every place where polling stations are located.

The duties of this person include:

- greeting electors and directing them to the polling station
 - ensuring easy access to and facilitating traffic in the polling station
 - making sure that only one person at a time is admitted to a polling station
 - ensuring that only those electors present on the premises of a polling station at closing time can be admitted to exercise their right to vote
 - ensuring that only authorized persons are present on the premises of a polling station
 - informing the chief electoral officer of any situation requiring his intervention
44. The chief electoral officer shall appoint a deputy returning officer and a poll clerk for each polling station.
 45. The duties of the deputy returning officer include:
 - being responsible for the arrangement of the polling station
 - ensuring that voting proceeds smoothly and maintaining order
 - facilitating the exercise of the right to vote and ensuring the secrecy of voting
 - counting the votes
 - transmitting the results of voting to the chief electoral officer and giving him or her the ballot box
 46. The responsibilities of the poll clerk include:
 - verifying if the names of electors are entered on the list of electors
 - entering in the poll book the particulars related to the conduct of the poll
 - assisting in the counting of the votes

- assisting the deputy returning officer.

Agent-representative of the committee

47. The chairman of each committee may designate a person that he or she mandates to represent the committee at the polling station.

Ballot papers and ballot boxes

48. The chief electoral officer shall cause the ballot papers to be printed according to the stipulated model.
49. The ballot paper shall clearly identify the question that electors are being asked. It shall also contain a space specially and exclusively set aside for the mark by which the elector expresses his or her choice.
50. The chief electoral officer shall have custody of the ballot boxes.
51. In the ___ days before referendum day, the chief electoral officer shall give the deputy returning officer a ballot box, the memoranda concerning the work of polling officers, the list of electors, the material needed to vote and for the counting of the votes.

In addition, the chief electoral officer shall give the deputy returning officer an envelope containing a number of ballot papers that is slightly greater than the number of electors entered at the polling station.

Preliminary formalities

52. The officer in charge of information and order, the deputy returning officer, the poll clerk and the agents-representatives of the committees shall be present at the polling station _____ minutes before it opens.
53. The location of the polling stations as well as the polling officers shall be clearly indicated.
54. At the time specified for opening the poll, the deputy returning officer and the poll clerk shall make sure that the ballot box contains no ballot papers. The ballot box shall then be sealed and placed on the polling station table in such a way as to be visible to polling officers.

Polling hours

55. Polling shall take place from _____ to _____.
56. The chief electoral officer shall be available during polling hours.

Exercise of the right to vote

57. Only one elector at a time may be admitted into a polling station.
58. The elector shall state his or her surname and given name to the deputy returning officer and the poll clerk, and shall present his or her student card. If the student does not present this card, he or she must take the oath of the elector.
59. The deputy returning officer shall give the elector admitted to vote the ballot paper after having affixed his or her initials on the back of the ballot paper.

60. After having received the ballot paper, the elector shall go to the polling booth, mark the ballot paper, fold it; he or she shall allow the deputy returning officer, the poll clerk or the agent-representative of a committee to examine the deputy returning officer's initials, if they so wish; the elector shall then put the ballot paper in the ballot box, in view of the persons present.
61. The elector shall blacken one of the circles on the ballot paper using a pen or, where applicable, the pencil that the deputy returning officer gave him or her at the same time as the ballot paper.
62. As soon as an elector has voted, the poll clerk shall indicate this fact in the space reserved for this purpose on the list of electors.
63. When a ballot paper is inadvertently marked or spoiled, the deputy returning officer shall ask the elector to blacken each circle. The deputy returning officer shall then cancel the marked or spoiled ballot paper and shall give the elector a new ballot paper.
64. Before the deputy returning officer gives a person a ballot paper, the deputy returning officer, the poll clerk or the agent-representative of a candidate may require that the person state under oath, according to the formula prescribed by regulation:
 - that he or she is a qualified elector
 - that he or she has not already voted in the current referendum
 - that he or she does not have in his or her possession a ballot paper that may be used in the current referendum.
 - The poll clerk shall record in the poll book the name of the person who asked for the statement under oath and the reasons for this requirement.
65. The deputy returning officer shall not give a ballot paper to a person who refuses to take the oath, and this fact must be recorded in the poll book.
66. No person may use a sign indicating support for or opposition to one of the options submitted to the student referendum, or engage in any other form of partisan publicity on the premises of a polling station.

The chief electoral officer may have removed any prohibited partisan publicity if the committee refuses or neglects to do so after having been notified thereof.

67. If the poll cannot begin at the set time, is interrupted by reason of an act of God or cannot be completed by reason of a lack of ballot papers, it shall continue until it has lasted ____ hours.
68. Those electors present on the premises of a polling station at closing time and who have not already voted can exercise their right to vote. The deputy returning officer shall then declare the poll closed.
69. Voting is secret.
70. No elector may, on the premises of a polling station, make known in any way whatsoever, the option in favour of which he or she plans to vote or has voted.
71. No agent-representative or election officer may, on the premises of a polling station, try to find out the option in favour of which an elector plans to vote or has voted.
72. No person may be compelled to disclose the option for which he or she plans to vote or has voted.

73. After the poll closes, the deputy returning officer, assisted by the poll clerk, shall proceed to count the votes. The agents-representatives of the committees may be present.
74. Before opening the ballot box, the poll clerk shall enter in the poll book the names of the persons who acted as an election officer or an agent-representative of a committee.
75. The deputy returning officer shall open the ballot box, shall proceed to count the votes by taking, one by one, each ballot paper put in the ballot box and shall allow each person present to examine the ballot papers.
76. The deputy returning officer shall declare valid every ballot paper marked in the manner stipulated in the election regulations for the holding of a referendum. However, the deputy returning officer shall reject a ballot paper that:
 - has not been furnished by him or her
 - does not bear his or her initials
 - has not been marked
 - has been marked in favour of more than one option
 - has been marked in favour of an option that is not one of the options submitted to the referendum
 - has been marked elsewhere than in one of the circles
 - bears fanciful or injurious remarks
 - bears a mark by which the elector can be identified
77. After counting the ballot papers and drawing up a statement of votes, the deputy returning officer shall place, in separate envelopes, the ballot papers marked in favour of each option, the ballot papers rejected during the counting of the votes as well as the spoiled or cancelled ballot papers. He or she shall then seal the envelopes. The deputy returning officer, the poll clerk and the agents-representatives who wish to, shall affix their initials to the seals.

The envelopes, poll book, list of electors, statement of votes and ballot box shall be delivered to the chief electoral officer.

Declaration and publication of the results

78. The chief electoral officer shall draw up a declaration indicating the option that obtained the greatest number of votes. He or she shall post the declaration and send it to the chairman of each committee.
79. The chief electoral officer shall keep the documents pertaining to the counting of the votes that were transmitted to him or her for _____ months.
80. The chief electoral officer shall, as soon as possible after the referendum, publish a return, containing, in particular, the results of the votes cast in each polling station. He or she shall transmit the return to the student association.

Control of regulated expenses

Regulated expenses

81. The cost of any goods or services used during the referendum period to promote or oppose, directly or indirectly, an option submitted to the referendum is a regulated expense.
82. The following are not referendum expenses:
 - the publishing, in a student newspaper, of articles, editorials, news, interviews, columns or letters to the editor, provided that they are published without payment
 - the broadcasting, by the student radio or television, of a program of public affairs, news or commentary, provided that the program is broadcast without payment
83. Every committee must have an agent-representative to incur regulated expenses.
84. Only the agent-representative of a committee may incur or authorize referendum expenses during the referendum period.
85. The agent-representative may only pay for a referendum expense out of the referendum fund.
86. No person may accept or execute an order for regulated expenses not given or authorized by an agent-representative of a committee.
87. The agent-representative of a committee shall, in the _____ days following polling day, deliver to the chief electoral officer a return of all the regulated expenses incurred by the committee that he or she represents.
88. The chief electoral officer shall allow every elector to consult the returns of regulated expenses for _____ days.

Contestation of the referendum

89. Every elector who has the right to vote may contest the results of the referendum if he or she has serious grounds for doing so.
90. The results of the referendum are contested by way of an application to the chief electoral officer. The chief electoral officer shall inform the Conseil du Référendum thereof and shall make a decision in the ____ days following the date of the application. The decision of the chief electoral officer is without appeal.
91. The application shall be filed in the _____ days following the publication of the results.

Chief Electoral Officer

Appointment

92. The student association shall appoint, by resolution approved by ____ of the members of its executive committee, the chief electoral officer.
93. The term of office of the chief electoral officer shall be _____ (days, weeks or months).
94. The chief electoral officer may resign at any time by transmitting a written notice to the student association.
95. Before beginning to perform his or her duties, the chief electoral officer shall take the oath of office before the student association.

Functions and powers

96. The chief electoral officer is responsible, in particular, for overseeing the application of the referendum regulations.
97. In respect of these regulations, the chief electoral officer shall:
 - ensure the training of election officers
 - prepare the list of electors
 - supervise the progress of the revision and voting
 - issue directives for the administration of the referendum regulations
 - receive complaints and make inquiries when he or she considers it necessary
98. In respect of public information, the chief electoral officer shall, in particular:
 - provide any person applying therefor with advice and information regarding the administration of the referendum regulations
 - give public access to the information, reports, returns or documents relating to the referendum regulations
 - make any public advertisements he or she considers necessary
99. If, during the referendum period, it comes to the attention of the chief electoral officer that, subsequent to an error, an emergency or an exceptional circumstance, a provision of the election regulations for the holding of a referendum does not meet the demands of the situation, he or she may adapt such provision in order to achieve its object. Where applicable, the chief electoral officer shall take the appropriate steps to inform the chairmen of the referendum committees and electors thereof.
100. The chief electoral officer may refuse to make an inquiry when he considers the request frivolous or made in bad faith, or unnecessary in the circumstances.

Personnel of the chief electoral officer

101. The chief electoral officer shall define the duties of the members of his personnel and direct their work.