

ST. JOSEPH'S COLLEGE

STUDENTS' UNION 2020-2021

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7 Kennedy Road, Central, Hong Kong.



This document is only a **DRAFT** of the Students' Union Election Regulations prepared by the 146th Students' Union. **The School Authority reserves the final right for any amendments.**

St. Joseph's College Students' Union Election Regulations

PART 1 PRELIMINARY

Article 1 Short title

This regulation may be cited as the Election Regulations.

Article 2 Interpretation

In this regulation, unless the context otherwise requires—

Chairman means a person holding office as a Chairman of the Commission under Article 7;

Commission means the Electoral Affairs Commission established by Part 3 of this regulation;

Election means an election held for the purpose of electing the Union;

Elector means a person who is entitled to vote at an election;

Presiding Officer means a person holding office as a Presiding Officer under Article 7;

Promotional activities mean—

- (a) displaying promotional materials on or off campus and/or in any form of electronic medium, including but not limited to any social media platform, email, video conferencing and video streaming media;
- (b) distributing items;
- (c) canvassing;
- (d) giving speeches to electors;
- (e) any other activities that aim to promote a Candidate;

Election activities mean—

- (a) holding a debate and/or forum on or off campus and/or in any form of electronics medium;
- (b) interviewing candidates;
- (c) any other activities involving the candidates and are related to the election;

School means St. Joseph's College, Central, Hong Kong;

School Authority means the school authority of St. Joseph's College;

Student means a current student of St. Joseph's College;

Union means the Students' Union of St. Joseph's College.

Article 3 Principle

The Election Regulations shall govern all election matters of the Union.

PART 2 TIME FRAME OF ELECTORAL AFFAIRS

Article 4 Time frame

All electoral affairs must terminate **before the first school day** of the next academic year as prescribed by the School Authority.

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PART 3

ELECTORAL AFFAIRS COMMISSION

Article 5 Establishment of the Commission

The Commission shall be established to be responsible for the conduct and supervision of an election.

Article 6 Structure of the Commission

The Commission shall comprise the following:

- (a) One (1) Chairman;
- (b) One (1) or more Vice-chairmen.

All positions must be held by current students studying at the School.

Article 7 Appointment of officials

1. Appointments to the office of a Chairman and the office of a Vice-chairman of the Commission must be made by the School Authority.
2. The School Authority must designate anyone holding the office of a Vice-chairman as Presiding Officer(s).
3. Commissioners may be appointed by the Chairman to facilitate operations of the Commission.

Article 8 Power to issue guidelines and orders

The Commission may issue guidelines and/or orders relating to—

- (a) the conduct and/or supervision of and/or procedure at an election;
- (b) the activities, in connection with an election;
- (c) election expenses;
- (d) election advertisements or other publicity materials.

Article 9 Duty of the Commission

The Commission must—

- (a) designate an election schedule;
- (b) organise the election forum;
- (c) announce all updates on any election affairs through the Commission's social media and the public announcement of the School.

Article 10 Regulations of the Commission

1. All members of the Commission must not be a candidate at an election.
2. The Commission must take a neutral stance.

PART 4

APPLICATION

Article 11 Designation of application period

The Commission must designate an application period no fewer than seven (7) calendar days.

Article 12 Absence of application

If no applications have been made during the application period, the Commission may extend the period for at most fourteen (14) calendar days.

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Article 13 Eligibility to apply

Each application must include—

- (a) one (1) candidate for the office of President;
- (b) two (2) candidates for the offices of Vice-presidents.

Article 14 Eligibility to be a candidate

1. A student is eligible to be a candidate for the office of President at an election if he—
 - (a) is a current Secondary 4 student of the School;
 - (b) is ranked not lower than thirty (30) across the form in the **Half-Yearly** Examination;
 - (c) attains a conduct grade not lower than B in the **First Term**;
 - (d) **has served as the Junior Committee of the Union for at least two (2) years.**
2. A student is eligible to be a candidate for the offices of Vice-presidents at an election if he—
 - (a) is a current Secondary 4 student of the School;
 - (b) is ranked not lower than forty (40) across the form in the **Half-Yearly** Examination;
 - (c) attains a conduct grade not lower than B in the **First Term**;
 - (d) **has served as the Junior Committee of the Union for at least one (1) year.**

Article 15 Election proposal

1. Candidates must submit to the Commission an election proposal.
2. The election proposal must be written in English.
3. The election proposal must contain—
 - (a) the name, class, class number, student number, proposed office of each candidate;
 - (b) a student photo of each candidate in JPEG format;
 - (c) the name and contact email address of the proposed cabinet;
 - (d) a list of seven (7) to eleven (11) proposed Executive Committee members, excluding the proposed President and proposed Vice-presidents;
 - (e) the name, class, class number, student number of each proposed Executive Committee member;
 - (f) policy platform;
 - (g) annual plan (proposed activities, if any, must be specified with “subject to approval of the School Authority”);
 - (h) election campaign.
4. The election proposal must be in PDF format.
5. The election proposal must be delivered to the Commission by email to (the Commission’s email).
6. **The election proposal must not be publicised.**
7. **Late submission of the election proposal will not be entertained.**

Article 16 Acknowledgement for the receipt of applications

The Commission must acknowledge the receipt of any applications by email to the applicant within twenty-four (24) hours after the receipt.

Article 17 Validity of applications

1. The Commission must, as soon as practicable after receiving an application, decide its validity.

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2. If the Commission detects on an election proposal—
 - (a) an error and/or an omission; or
 - (b) anything which may affect the validity of the application,the Commission may give the candidates a reasonable period of time to rectify it.

Article 18 Notice of valid applications

The Commission must, within three (3) calendar days of the expiry of the application period, publish a notice which includes the list of valid applications.

Article 19 Withdrawal of applications

1. Any valid applications who wish to withdraw from the election must contact the Commission by email to (the Commission's email) at least one (1) day before the election forum.
2. The withdrawal will only be in place after the confirmation of the Commission.
3. The Commission must, as soon as practicable after confirming the request, announce the withdrawal through the Commission's social media and the public announcement of the School.
4. Late submission of a withdrawal request will not be entertained.

PART 5

CANDIDATE PROMOTION CAMPAIGN

Article 20 Designation of promotion period

The Commission must designate a candidate promotion campaign period no fewer than fourteen (14) calendar days.

Article 21 Regulations of promotion

1. All promotional activities must be approved by the Commission beforehand.
2. All promotional activities must follow the election campaign listed in the election proposal.
3. Applications to promote must be delivered to the Commission through email three (3) calendar days in advance.
4. All promotional activities in teachers' names are strictly prohibited.
5. All promotional activities involving other schools including but not limited to supporting schools, proposed joint-school activities are strictly prohibited.
6. All promotional materials must be approved by the Commission.
7. Candidates may send to the Commission the soft copy of the promotional materials to avoid wastage.

Article 22 Candidates number of valid application

1. If there is more than one (1) valid application, a draw must be held by the Commission for the assignment of a candidate number for each valid application.
2. A valid application may appoint up to three (3) students to attend at a drawing station to observe the drawing procedures.

Article 23 Use of title of a valid application

A valid application must include "Candidate Number X of St. Joseph's College Students' Union" in all promotional activities, especially those of external nature, with X being an assigned candidate number.



Article 24 Cooling-off period

All promotional activities must suspend starting from one (1) calendar day before polling day.

PART 6 ELECTION FORUM

Article 25 Specification of date for holding election forum

The Commission must designate a date during the promotion period for holding an election forum.

Article 26 Regulations of election forum

1. All candidates must participate in the election forum.
2. The election forum is to be held in both Cantonese and English.
3. Candidates must follow the instructions given by the Commission.
4. Candidates must not make false statements to the audience.
5. Candidates must not threaten or verbally attack other candidates and/or the audience.
6. Candidates must not use any inappropriate language.

Article 27 Procedure of election forum

The Commission must publish a “Guidelines for Election Forum” that includes—

- (a) the date, time and venue in which the election forum is to be held;
- (b) a description of different sections of the election forum;
- (c) the time limit for each section;
- (d) additional rules that are not mentioned in this regulation;
- (e) any other information that the Commission should publicise regarding the election forum.

PART 7 OTHER ELECTION ACTIVITIES

Article 28 Definition of other election activities

All election activities not held by the Commission are regarded as other election activities.

Article 29 Permission to hold other election activities

1. Individuals and/or parties must inform the Commission by email to (the Commission's email) at least three (3) calendar days before the activity.
2. Individuals and/or parties holding other election activities must clarify their identity to participants to avoid misunderstandings.
3. The result of other election activities is not admitted by the Commission.
4. All activities held must comply with the Election Regulations.
5. The Commission may disapprove of any other election activities.

Article 30 Permission to participate in other election activities

All candidates may participate in other election activities approved by the Commission.

Article 31 Cooling-off period

All election activities must suspend starting from one (1) calendar day before polling day.



PART 8

ELECTION METHOD

Article 32 Contested and uncontested election

1. If there is only one (1) valid application, it will be an uncontested election.
2. If there is more than one (1) valid application, it will be a contested election.

Article 33.1 System of voting (for a contested election)

1. The valid application to be elected is the list that obtains the greatest number of votes.
2. The voting at the poll is to be by secret ballot.

Article 33.2 System of voting (for an uncontested election)

1. The valid application is to be elected if the number of votes of confidence is larger than the number of votes of no confidence.
2. The valid application is not to be elected if the number of votes of confidence is smaller than the number of votes of no confidence.
3. The voting at the poll is to be by secret ballot.

PART 9

POLLING

Article 34 Designation of polling station

The Commission must designate one (1) or more designated place(s) as polling station(s) for conducting a poll in respect of an election;

Article 35 Specification of date for holding election

The Commission must designate a date for holding an election.

Article 36 Specification of polling hours

The Commission must designate the hours during which electors can cast their votes on polling day.

Article 37 Eligibility to vote

All current students of the School on polling day are entitled to one (1) vote in an election.

Article 38 Appointment of polling agents

1. A valid application may appoint up to two (2) students to attend at a polling station to observe the procedures for voting.
2. A valid application must give notice of appointment of polling agent(s) to the Commission at least five (5) days before polling day.

Article 39 Sealing of ballot box before commencement of poll

1. Immediately before the commencement of the poll, the Presiding Officer must show each ballot box, empty, to the candidates and/or polling agent(s) appointed by the candidate(s) present within the polling station.
2. The Presiding Officer must then seal the ballot box.

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Article 40 Procedure for voting

1. An elector should present his student card to voting staff for identification.
2. When an elector is issued with a ballot paper, he must immediately mark the ballot paper as appropriate.
3. An elector must mark a single "✓" in the circle next to
 - (a) the elector's choice of valid application if it is a contested election; or
 - (b) the vote of confidence or the vote of no confidence if it is an uncontested election.on his ballot paper with the pen provided
4. After marking the ballot paper, the elector must, before leaving the polling station, conceal the mark on it in an appropriate manner and put it into the correct ballot box.
5. The elector may ask for another ballot paper if—
 - (a) the ballot paper is damaged; or
 - (b) the elector has cast an unwanted option.The invalid ballot paper must be returned to the Presiding Officer and must not be counted.
6. An elector must cast his vote without undue delay. An elector must leave the polling station as soon as he has put the ballot paper into the ballot box.

Article 41 Regulations of voting

1. A person must not enter a polling station other than to vote unless otherwise permitted.
2. A person must not put anything other than a marked ballot paper into the ballot box.
3. A person must not take away any ballot papers from a polling station.
4. A person must not use any electronic devices in a polling station without the Presiding Officer's consent.
5. A person must not take photos or record videos in a polling station.
6. The Presiding Officer may exclude anyone violating the Election Regulations or causing disorder from a polling station.
7. The Presiding Officer may not exclude from a polling station—
 - (a) members of the Commission;
 - (b) commissioners;
 - (c) teachers on duty;
 - (d) polling agents.

PART 10 COUNTING

Article 42 Designation of counting station

The Commission must designate one (1) designated place within the School as a counting station for counting of votes.

Article 43 Appointment of counting agents

1. A valid application may appoint up to three (3) students to attend at a counting station to observe the counting of the votes.
2. A valid application must give notice of appointment of counting agent(s) to the Commission at least five (5) days before polling day.

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Article 44 Opening of ballot box

The Presiding Officer must open the ballot box by breaking the seal. This must be done in the presence of the candidates and/or their counting agents if present.

Article 45 Procedure for counting

1. Immediately after the termination of the poll, the Presiding Officer must announce the commencement of the counting of votes.
2. Containers labelled with the number of respective lists of candidates if it is a contested election or "VOTE OF CONFIDENCE" and "VOTE OF NO CONFIDENCE" if it is an uncontested election, "UNMARKED" and "QUESTIONABLE" must be placed on the counting table.
3. Ballot papers are to be sorted according to the choices marked by electors.
4. After sorting, counting staff will scrutinize the ballot papers one by one to ensure that the vote is validly marked for the respective valid application.
5. The counting staff will each time pass ten (10) ballot papers to another counting staff for rechecking.
6. The rechecking staff must group every ten (10) ballot papers into one (1) stack.
7. The Presiding Officer or his deputies must tie every five (5) stacks into one (1) pile with a rubber band.

Article 46 Invalid ballot papers

A ballot paper of any of the following descriptions is not to be regarded as valid—

- (a) on which there is writing;
- (b) which is unmarked;
- (c) a ballot paper which is not marked in accordance with Article 40;
- (d) which contains votes for more than one (1) valid application; or
- (e) void for uncertainty.

Article 47 Determination of questionable ballot papers

1. The Presiding Officer must make decisions on questionable ballot papers.
2. A candidate or a counting agent, if present at the counting zone, may—
 - (a) inspect the ballot paper;
 - (b) make representations concerning the ballot paper.
3. After considering the representations (if any), the Presiding Officer shall determine whether the ballot paper—
 - (a) is valid and the vote shall be counted; or
 - (b) shall not be counted pursuant to Article 46.
4. The decision of the Presiding Officer is final.

Article 48 Same number of votes (for a contested election)

1. If the most successful valid applications have an equal number of votes, the Presiding Officer shall review the invalid ballot papers.
2. If the result remains the same, the Presiding Officer must call for a recount.
3. If the result still remains the same, the Commission must call for a re-election after another promotion period.
4. If the result of the recount remains the same, the result shall be decided by a draw.

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Article 49 Recount

1. The Presiding Officer must make known the result of the counting of votes to the candidates and counting agents who are present at the counting zone.
2. A candidate or a counting agent may request the Presiding Officer to recount the votes.
3. The Presiding Officer must comply with the request unless he believes that the request is unreasonable.

Article 50 Regulations of counting

1. A person must not enter the counting zone within the counting station unless otherwise permitted.
2. A person must not use any electronic devices in a counting station without the Presiding Officer's consent.
3. A person must not take photos or record videos in a counting station.
4. The Presiding Officer may exclude anyone violating the Election Regulations or causing disorder from the counting station.
5. The Presiding Officer may not exclude from the counting station—
 - (a) members of the Commission;
 - (b) commissioners;
 - (c) teachers on duty;
 - (d) counting agents;
 - (e) candidates.

PART 11

DECLARATION OF RESULTS

Article 51 Declaration of result (for a contested election)

When the counting of votes is completed and the result of the election is determined, the Chairman must declare the valid application which is successful at the election to be elected.

Article 52 Declaration of result (for an uncontested election)

1. When the counting of votes is completed and the result of the election is determined, the Chairman must declare the valid application
 - (a) if successful at the election to be elected; or
 - (b) if unsuccessful at the election to not be elected.

Article 53 Only valid application not being elected (for an uncontested election)

1. If the only valid application is not elected at the election, the Commission must order a re-election.
2. If no other candidates apply for the re-election, the valid application must reassemble its cabinet by at least changing the proposed office for president.
3. The only valid application shall present its reassembled cabinet to the School Principal for examination.
4. The Chairman must declare the only valid application to be elected with the School Principal's consent.



PART 12 RE-ELECTION

Article 54 Designation of application period (for re-election)

The Commission must designate an application period no fewer than two (2) calendar days.

Article 55 Eligibility to apply

1. Refer to Article 13, 14.
2. Unsuccessful candidates at the election may participate in the re-election.

Article 56 Designation of promotion period (for re-election)

The Commission must designate a candidate promotion campaign period no fewer than four (4) calendar days.

Article 57 Cooling-off period (for re-election)

There will not be a cooling-off period for re-election.

Article 58 Voting (for re-election)

Refer to Part 9.

Article 59 Counting (for re-election)

Refer to Part 10.

Article 60 Declaration of results (for re-election)

Refer to Article 51.

PART 13 FINANCES

Article 61 Election expenses

Each valid application can spend no more than HKD \$6 000 for the election.

Article 62 Subsidy

Each valid application can claim from the School Authority at most HKD \$2 000 for its election expenses subject to approval of the Commission.

Article 63 Financial statement

All valid applications must deliver their financial statements and related documents to the Commission through email within seven (7) calendar days after the election.

Article 64 Free products and services

As for free goods or services that are related to the election, their estimated value will be treated as election expenses incurred. If the person providing the goods or services also provides similar goods or services to all members, their estimated value should be assessed based on the lowest price charged to all members at that time; otherwise, their estimated value should be assessed based on the lowest market retail price at that time.



PART 14 SANCTIONS

Article 65 Misbehaviour

Candidates are prohibited to—

- (a) solicit or accept any advantage as a candidate;
- (b) use force or duress or threaten to do so towards electors or other candidates;
- (c) engage in deceptive behaviour in relation to electors or other candidates;
- (d) make false statements to the Commission or any officials;
- (e) conduct promotion activities without prior approval of the Commission;
- (f) incur election expenses exceeding prescribed amount;
- (g) willfully violate the Election Regulation or instructions given by the Commission.

Article 66 Complaints

1. If anyone would like to file a complaint against anyone who is suspected to violate the Election Regulations, they may contact the Commission by email to (the Commission's email).
2. The identity of the complainant will be kept confidential.
3. Only complaints filed after the start of the application period till two (2) days after the declaration of results will be entertained.
4. The election must not begin until all complaints filed before the election day have been solved.
5. The valid application which is successful at the election must not take the office of Union until all complaints have been solved.

Article 67 Disciplinary hearing

1. If the Commission receives complaints or finds it necessary, it may initiate a disciplinary hearing to investigate the issue.
2. The concerned parties have the right to submit evidence to the Commission.
3. The decision of the Commission is final.

Article 68 Disciplinary action

If the Commission finds any candidate guilty of misbehaviours in accordance with Article 65, the Commission may—

- (a) warn the respective candidate;
- (b) publicly censure the respective candidate;
- (c) publicly reprimand the respective candidate;
- (d) reduce the amount of subsidy granted to the respective candidate.

Article 69 Disqualification

1. A valid application is disqualified when—
 - (a) the candidate running for the office of President is—
 - i. ranked lower than 30 across the form in the Final Examination; or
 - ii. unable to attain a conduct grade not lower than B in the Second Term; or
 - (b) any one of the candidates running for the offices of Vice-president is—
 - i. ranked lower than 40 across the form in the Final Examination; or
 - ii. unable to attain a conduct grade not lower than B in the Second Term.

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2. A valid application is disqualified if the Commission finds the disciplinary actions available in Article 68 are manifestly inadequate. The Commission may suggest the Principal of the School to disqualify the respective candidate.
3. The respective candidate has the right to submit evidence to the Principal of the School.
4. The decision of the Principal of the School is final.
5. The Principal of the School may order a re-election if all successful candidates are disqualified.