

**THE STUDENTS' REPRESENTATIVE COUNCIL OF THE UNIVERSITY OF  
NEW BRUNSWICK IN SAINT JOHN, INC.**

**BY-LAW NO. 1**

A By-Law relating generally to the conduct of the affairs of THE STUDENTS' REPRESENTATIVE COUNCIL OF THE UNIVERSITY OF NEW BRUNSWICK IN SAINT JOHN, INC.

**BE IT ENACTED AND IT IS HEREBY ENACTED** as a By-Law of THE STUDENTS' REPRESENTATIVE COUNCIL OF THE UNIVERSITY OF NEW BRUNSWICK IN SAINT JOHN, INC. (hereinafter called the "Company") as follows:

**SEAL**

1. The seal, an impression of which is stamped in the margin hereof shall be the seal of the Company.

**MEMBERSHIP FEES**

2. Membership fees shall be collected from those students attending the University of New Brunswick in Saint John and the Dalhousie Medicine New Brunswick Program hosted in Saint John. These fees shall from time to time be fixed by resolution of the Company subject to ratification by the Board of Governors and shall be collected in such manner as may be specified in such resolution and approved by the administration officers of the University of New Brunswick in Saint John.
3. Upon payment of the requisite membership fee to the Company, Members shall receive a receipt for payment and shall enjoy all the rights and privileges of a qualified member of the Company, including but not limited to the right to vote at elections held during the academic year.

**MEMBERS**

4. The Members of the Company shall consist of those undergraduate students enrolled to attend the University of New Brunswick in Saint John and those students attending the Dalhousie Medicine New Brunswick Program hosted in Saint John who have paid the requisite membership fee, established from time to time by the Company.
5. Membership shall commence on the day the membership fee is paid and shall terminate on the thirty-first day of August subsequent to the said payment.

6. On or before the last day of September and the last day of January in a given year, a Company Registry shall be created by the Vice President Finance in which shall be entered the names, student numbers and e-mail addresses of all persons who are or shall be Members of the Company. The Company Registry shall at all times during business hours be open for inspection to all Members of the Company and the Director of the New Brunswick Companies Act or his or her representative. In case any person requires inspection of the current and up to date Company Registry, such registry shall be provided for inspection to all Members of the Company and the Director of the New Brunswick Companies Act or his representative within ten (10) days of the request.
7. Students withdrawing from the University of New Brunswick in Saint John shall cease to be a Member of the Company and shall forfeit all rights and privileges hereunder. Such student shall not receive any refund on fees paid to the Company.

#### **MEETINGS OF MEMBERS**

8. The Company shall hold an annual meeting of its Members not more than 12 months after the acceptance of these By-Laws and subsequently, not more than 12 months after the holding of the last preceding annual meeting (the “**Annual Meeting**”). Such meeting shall not occur during the months of May, June, July and or August in a given year. The Annual Meeting of the Members shall be held at the head office of the Company or such other place on the University of New Brunswick, Saint John campus, on such day in each year and at such time as the Student Council may by resolution determine. At the Annual Meeting there shall be presented a report from each member of the Executive with respect to of the affairs of the Company for the previous year, a financial statement of the Company, the auditor’s report and such other information or reports relating to the Companies affairs as the Student Council may determine.
9. Notice of the Annual Meeting and the general nature of the business to be transacted shall be published by such means as the Student Council may from time to time determine.
10. Every question submitted at a meeting of the Members shall be decided by majority vote given by way of a show of hands, unless otherwise specifically provided by statute or these By-Laws. In case of an equality of votes, the chairperson of the meeting shall have a second or casting vote.

11. At any meeting, unless a poll is demanded, a declaration by the chairperson that a resolution has been carried or carried unanimously or by a particular majority or lost or not carried by a particular majority shall be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the motion.

## DIRECTORS

12. The Directors shall manage the affairs of the Company.

13. The Directors of the Company shall be:

- (a) The person elected to the office of President;
- (b) The person elected to the office of Vice-President Student Life;
- (c) The person appointed to the office of Vice-President Finance & Operations;
- (d) The person appointed to the office of Vice-President External; and,
- (e) Those persons elected as Councillors.

Those Directors described in paragraph (a) through (d) above shall be collectively referred to as the “**Executive**” while those Directors described in paragraph (e) shall be referred to as “**Councillors**”. Collectively, members of the Executive and the Councillors shall be referred to as the “**Student Council**”.

14. Pursuant to the provisions of the New Brunswick Companies Act, the following persons are disqualified from Student Council:

- (a) Anyone who is less than nineteen years of age;
- (b) Anyone who is of unsound mind and has been so found by a Court in Canada or elsewhere;
- (c) A person who is not an individual;
- (d) A person who has the status of bankrupt; or
- (e) A person convicted of an offence under the Criminal Code (Canada) or the criminal law of any jurisdiction outside of Canada
  - (i) In connection with the promotion, formation or management of a corporation, or
  - (ii) Involving fraud,

unless three years have elapsed since the expiration of the period fixed for suspension of the passing of sentence without sentencing or since a fine was imposed, or unless the term of imprisonment and probation imposed, if any, was concluded, whichever is the latest, but the disability imposed by this paragraph ceases upon a pardon being granted.

15. In addition, the following persons are disqualified from being on Student Council:

- (a) Any person who is not in good academic standing as defined by the current University of New Brunswick Calendar; or
- (b) Any student who is not a Member in good standing of the Company.

16. A position on Student Council shall be automatically vacated where:

- (a) Such person resigns from office by delivering a written resignation to the President of the Company;
- (b) They cease to have any of the eligibility qualifications set forth in paragraphs 14 and 15 above;
- (c) Notwithstanding paragraphs 41 through 47, at the discretion of Student Council by majority vote, if he or she does not attend three (3) consecutive meetings of Student Council; or
- (d) On death.

### **ELECTION OF DIRECTORS AND OFFICERS**

17. The Student Council shall be elected in accordance with paragraphs 52 through 69, inclusive.

### **MEETINGS OF STUDENT COUNCIL**

18. Student Council meetings shall be held not less than six (6) times per twelve (12) month period and shall be held at the head office of the Company or any other convenient place within the Province of New Brunswick.

19. Notices of meetings of Student Council shall be given by any member of the Executive, or any other two Councillors at least seventy-two (72) hours before each meeting by letter, mail, electronic mail, or in any other practical way, but a meeting of Student Council may be held at any time or place without previous notice if all the Executive and Councillors are present or if the absent individuals sign a written waiver of notice of the time and place of such meeting.

20. All acts done by any meeting of Student Council shall, notwithstanding that it be afterwards discovered that there was some defect in the election or appointment of any such person or persons acting as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly elected or appointed and was qualified to be a member of the Executive or a Councillor.

### **IN-CAMERA/CLOSED DOOR MEETINGS OF STUDENT COUNCIL**

21. It is recognized by the Company that in-camera meetings (meetings which prohibit attendance by any person who is not a member of the Executive or a Councillor) are an effective mechanism to resolve and work through potentially contentious

issues so that the best interests of the Company are served. The following is a list of issues that rightly should be considered first by the Student Council in-camera:

- (a) Identifying and resolving internal factions of Student Council;
  - (b) Reviewing compensation and status of employees;
  - (c) Legal advice and litigation;
  - (d) Possible acquisition or disposition of property; and
  - (e) When deliberations are likely to include information that could prejudice the interest of the Company or a person the Company has an obligation to protect.
22. The minutes of and all records generated from the in-camera meeting shall be kept separate and apart from other records and minutes of the Company so as to maintain confidentiality for as long as is warranted in the circumstances.
23. As in-camera meetings are designed to uphold the integrity of the company, breach of confidentiality during these meetings can result in disciplinary action. Student Council, by two thirds (2/3) vote, may effect, but are not limited to, suspension and/or termination to the affected individual's office pending the results of a formal inquiry.
- (a) A formal inquiry is an official investigation sanctioned by the Company to investigate the claims brought to Council. An ad-hoc committee will be formed for the purpose of the investigation and will include Company members along with Directors that the Council deems fit.

#### QUORUM

24. Commencing the first day of classes in September up to and including April 30<sup>th</sup>, two (2) members of the Executive and a majority (50% plus one) of the Councillors shall be necessary and sufficient to constitute a quorum for the transaction of business. Between May 1<sup>st</sup> and the commencement of classes in September, two (2) members of the Executive and three (3) Councillors shall be necessary and sufficient to constitute a quorum for the transaction of business. For quorums occurring between May 1<sup>st</sup> and the commencement of classes in September, attendance by teleconference or videoconference shall be considered valid and sufficient for the purpose of constituting a quorum.
25. The acts taken and approved at any Student Council meeting of which there is a quorum shall be the act of the Student Council, except as may be otherwise specifically provided by Statute or in the Letters Patent or By-Laws of the Company. If less than a quorum shall be in attendance at the time for which a

meeting of Student Council shall have been called, the meeting may, after the lapse of fifteen (15) minutes from the time appointed for holding the meeting, be adjourned from time to time for a period not exceeding one (1) month at any one time without any notice other than by announcement made until a quorum shall attend. Any meeting at which a quorum is present may also be adjourned in like manner for such time as may be determined by vote. At any adjourned meeting at which a quorum shall attend, any business may be transacted which might have been transacted if the meeting had been held as originally called.

### **VOTING**

26. Unless otherwise indicated in these By-Laws, questions arising at any meeting of Student Council shall be decided by majority vote of the Executive and the Councillors. In cases of a tie, the President shall cast the deciding vote.

### **PROTECTION OF THE EXECUTIVE AND COUNCILLORS**

27. The Executive and the Councillors acting in relation to any of the affairs of the Company, their heirs, executors and administrators, shall be indemnified and secured harmless out of the assets of the Company from and against all actions, costs, charges, losses, damages and expenses which they or any of them, their or any of their heirs, executors or administrators shall or may incur or sustain by or by reason of any act concurred in or omitted in or about the execution of their duty or supposed duty in their respective office or trusts, except such (if any) as they shall incur or sustain by or through their own wilful neglect or default respectively.
28. The Company will maintain appropriate insurance with respect to such indemnified liabilities of the Executive and the Councillors.

### **HONORARIA**

29. The President shall receive an honorarium equal to the amount obtained by calculation the average cost of domestic full-time tuition for all disciplines (Arts/Business/Computer Science/Engineering/Nursing/Science) and multiplying by two (2) and adding One Thousand Dollars (\$1000), which total amount is payable in three (3) equal instalments. The first instalment shall be paid by September 1<sup>st</sup> in the year so elected, the second instalment by December 31<sup>st</sup> in the year so elected, and the third instalment by April 30<sup>th</sup> in the year so elected.
30. The Vice-President Finance & Operations, Vice-President External and Vice-President Student Life shall receive an honorarium equal to the amount obtained by calculating the average cost of domestic full-time tuition for all disciplines (Arts/Business/Computer Science/Engineering/Nursing/Science) and adding One

Thousand Dollars (\$1000). A summer instalment of One Thousand Dollars (\$1000) per positions shall be paid by the 1<sup>st</sup> of September in the year so elected. The balance shall be paid in two (2) equal instalments. The first instalment shall be paid by December 31<sup>st</sup> in the year so elected and the second instalment shall be paid by April 30<sup>th</sup> in the year so elected.

31. Councillors shall receive an honorarium equal to Twenty-Five Dollars (\$25.00) for each regularly scheduled meeting of the Company attended, payable in two (2) equal instalments. The first instalment shall be paid by December 31<sup>st</sup> in the year so elected and the second instalment by the second Monday in April in the year so elected.
32. In the event that a member of the Executive or a Councillor resigns or is dismissed before his or her term of office expires, honoraria payments shall be prorated based on the number of days worked.

#### EXECUTIVE OFFICERS

33. In each year, those students registered to attend the University of New Brunswick in Saint John shall elect a) President, and b) Vice-President Student Life.
34. Where any one of the President, Vice-President External, Vice-President Finance & Operations or Vice-President Student Life does not take office or resigns or is dismissed, the Student Council shall appoint a Member in good standing to fill the vacancy until such time as an election, provided it is reasonable to do so, can be held.
35. The Executive shall hold minimum office hours from Monday to Friday between the hours of 8:30 a.m. and 5:00 p.m. as follows:

President	<p>Summer: fifteen (15) office hours per week.</p> <p>Winter: twenty-five (25) office hours per week commencing with the start of classes in September to April 30<sup>th</sup>.</p>
Vice-President Finance & Operations	<p>Summer: five (5) office hours per week.</p> <p>Winter: fifteen (15) office hours per week commencing with the start of classes in September to April 30<sup>th</sup>.</p>
Vice-President External	<p>Summer: five (5) office hours per week.</p> <p>Winter: fifteen (15) office hours per week commencing with the start of classes in September to April 30<sup>th</sup>.</p>

Vice-President Student Life	Summer: five (5) office hours per week. Winter fifteen (15) office hours per week commencing with the start of classes in September to April 30 <sup>th</sup> .
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**PRESIDENT**

36. The President shall be charged with the general management of the Company and shall, in the absence of a Chairperson, preside at Student Council meetings. The President shall see that all orders and resolutions of the Student Council are carried into effect and shall:

- (a) Provide direction and leadership for the advancement and promotion of the objectives of the Company;
- (b) Be the official spokesperson for the Company;
- (c) Act as a liaison between the Company and the University Administration, any and all media, other student organizations, and other entities which the company liaises with which are not specified;
- (d) Be responsible for the appointment of all student representatives to university committees, or committees from external organizations;
- (e) Support the priorities of all Directors and ensure the Executive team works as a cohesive unit with unified goals;
- (f) Foster an effective workplace for the Executive team and facilitate professional development and team building through the provision of opportunities;
- (g) See to the fulfillment of the duties and responsibilities of all Executives during a vacancy until such a time as the role is filled or they return to the position;
- (h) Present a report of all activities undertaken on behalf of the Company at all Student Council meetings;
- (i) Be the secondary delegate for any and all external student advocacy organizations, and in conjunction with The Vice President External, collaborate with these organizations on advocacy activities;
- (j) Present an annual report to Student Council before leaving office;
- (k) Be a non-voting member of all standing and ad hoc committees unless otherwise appointed to the committee; and
- (l) Fulfill such other duties as they become apparent or unassigned to any other officer.

**VICE-PRESIDENT EXTERNAL**

37. The Vice-President External shall communicate with other post-secondary institutions and National and Provincial organizations regarding student issues. The Vice-President External shall perform all duties and responsibilities of the President in the event of the President's absence and shall automatically assume the position of Acting President in the event that the President for whatever reason resigns or is



dismissed until such time as a by-election for the position of President is held. In addition, the Vice-President External shall:

- (a) Research, develop, and maintain external policies created by the Company on behalf of the students of UNB Saint John;
- (b) Actively seek advocacy opportunities with all levels of government, external organizations, university administration, and any other groups that affect students;
- (c) Be the primary delegate for any and all external student advocacy organizations affecting Members and collaborate with these organizations on advocacy activities, including but not limited to policy development, research, campaigns, and student consultation;
- (d) Host and organize voting opportunities in Federal, Provincial, or Municipal election years;
- (e) Develop strategies on how to effectively lobby the Company's policies;
- (f) Ensure that an Advocacy Week in collaboration with key stakeholders on the Federal, Provincial, and Municipal levels is executed;
- (g) Facilitate partnership with employers with the objective of attracting employment opportunities to students;
- (h) Present a report of activities undertaken on behalf of the Company and various Federal, Provincial, and Municipal lobby groups at all regular meetings of the Directors;
- (i) Continually work to strengthen the relationship between the Company and the greater Saint John community;
- (j) Perform other tasks from time to time as requested by the President;
- (k) Present an annual report to the Council before leaving office; and
- (l) Be responsible to the President.

#### **VICE-PRESIDENT FINANCE & OPERATIONS**

38. The Vice-President Finance & Operations shall be the Chief Financial Officer of the Company and shall have care and security of all funds and securities of the Company in such bank or banks as required from time to time and shall:

- (a) Upon request exhibit the books and accounts to any Member of the Company;
- (b) Be responsible for the enforcement of the financial policy of the Company;
- (c) Report monthly on the financial condition of the Company and all committees, clubs and organizations to which the Company provides funding;
- (d) Advise Student Council and administer the budgets and special grants of recognized clubs and organizations pursuant to the financial policy of the Company;

- (e) Act as a liaison between the Company and the recognized clubs and societies and organizations;
- (f) Collect from each club and society, no later than September 30<sup>th</sup>, a constitution and member's list.
- (g) Prepare and distribute a mailing list for all recognized clubs and societies to anyone whom requests it;
- (h) Hold club sign-up week no later then the third week in September;
- (i) Hold a meeting with the executives of each recognized club and society, one no later then the end of September and one no later then the end of February, to give event planning training;
- (j) Hold no less than two (2) clubs and societies meetings per academic term and bring any relevant issues to council;
- (k) Present a report of activities undertaken on behalf of the Company at each regular meeting of Student Council;
- (l) At the request of the Company report within one (1) week upon the general financial condition of the Company;
- (m) Perform other tasks from time to time as requested by the President;
- (n) Present an annual report to Student Council at the last meeting prior to the Spring Election; and
- (o) Be responsible to the President.

#### **VICE-PRESIDENT STUDENT LIFE**

39. The Vice-President Student Life shall be responsible for the organization and execution of social events for students, be responsible for duties and activities executed by the Orientation Chair, Marketing and Communications Coordinator, and Wellness Coordinator, and shall:

- (a) Plan and coordinate social activities on behalf of the Company;
- (b) Assist with the planning and execution of events planned by those clubs/societies that are recognized on campus;
- (c) Attend all social functions to ensure the smooth execution of student events;
- (d) Review club and society event request forms with VP Finance & Operations to avoid duplication and conflict;
- (e) Be responsible for improving and maintaining student involvement on campus;
- (f) Will actively search for ways to make student life more enjoyable and prosperous on campus;
- (g) Will hold no less than four major events, as defined by the Executive team, open to all Members of the Company, not including Orientation;
- (h) Present a report of activities undertaken on behalf of the Company at each regular meeting of the Directors;
- (i) Will assist the Marketing and Communications Coordinator and continually seek ideas to better communicate and market events to the students of UNB Saint John;

- (j) Will assist the Orientation Chair to coordinate, organize and execute Orientation at UNB Saint John;
- (k) Will assist the Wellness Coordinator to plan and coordinate informative, educational, and wellness events;
- (l) Perform other tasks from time to time as requested by the President;
- (m) Present an annual report to the Council before leaving office; and
- (n) Be responsible to the President.

40. The Company Secretary shall keep proper records of all meetings of Members of all meetings of Student Council and shall have charge of the books and records of the Company except insofar as may be otherwise arranged by Student Council. The Secretary shall give notice of all meetings of members and Student Council and shall perform such other duties as may be assigned to him or her and shall have the custody of the seal of the Company.

### IMPEACHMENT

41. A notice of motion for dismissal or expulsion may be given by any member of the Executive or Councillor at a meeting of Student Council naming the person affected and stating the reason for the proposed removal.

42. After the notice of motion has been given, Student Council, may by majority vote, effect a suspension from all rights, duties and privileges pertaining to the affected individual's office pending the results of a formal inquiry.

43. When a Notice of Motion for removal has been given, Student Council shall form a committee to conduct an inquiry and obtain legal advice with respect to the proposed impeachment not earlier than one (1) week and not later than two (2) weeks after the meeting at which time the notice of motion was given. The individual affected may waive this period and request that the inquiry be conducted sooner.

(a) In the event of the removal of the Indigenous Representative, the removal process outlined shall be preceded by a talking circle, or some other means of mediation, organized by the Indigenous student community at the University of New Brunswick within seven (7) days of notice of removal to discuss the removal of the Representative and to select a new Indigenous Representative.

44. Upon completion of the inquiry, the committee shall submit its recommendations to the Student Council at which a motion to effect dismissal or expulsion may be proposed.

45. A two thirds (2/3) vote shall be required to adopt the motion effecting dismissal or expulsion, which vote shall be final and not subject to appeal.
46. An officer shall be deemed to be dismissed from office upon the receipt of a petition containing at least fifty percent (50%) plus one (1) of the Members of the Company. The said petition must set out the name of the person to be dismissed and the reasons for their dismissal. The identification number of each Member who signs the petition must be included beside his or her signature.
47. If a vacancy shall occur in any office by reason of death, resignation, disqualification or otherwise, the Directors may by resolution appoint a person to fill such vacancy.

### COMMITTEES

#### 48. Finance Committee

The Finance Committee shall consist of the Vice-President Finance & Operations, who shall act as chairperson, any four (4) members of Student Council so named by the Chairperson of the Company and any two (2) members of the Company who are not members of Student Council, and shall receive applications in the form prescribed by the Committee chairperson from time to time for funding from those clubs and societies recognized by the Company from time to time. The Committee chairperson shall, in accordance with the provisions of the Letters Patent of the Company and these By-Laws, present to the Student Council on or before the \_\_\_ day of \_\_\_\_\_ a detailed budget for discussion and approval. In connection with the preparation of the budget the Committee chairperson shall:

- (a) Request in writing receipt of an application for funding from all active Clubs and Societies;
- (b) Review each application based on its merits and determine the amount of funding to be granted;
- (c) Report its recommendations to Student Council for approval;
- (d) Require that each organization maintain an accounting of all sources of revenue and expenses;
- (e) Request in writing and obtain from each Club and Society an itemized report setting out all expenses incurred along with copies of all invoices and receipts received during the year and present the reports to the Directors of the Company; and,
- (f) Request in writing and obtain from each Club and Society all surplus amounts remaining in the organizations account as at the thirtieth day of April in a given Academic Year.

49. Student Council may from time to time and as deemed necessary appoint committees of such number of persons as may be deemed desirable and may prescribe their duties.
50. Any committee so appointed may meet for the transaction of business, adjourn and otherwise regulate its meetings as it thinks fit. Unless otherwise determined by Student Council, two (2) members of a committee shall be a quorum.
51. (a) Any purchase/expenditures over \$5,000 shall be submitted to the Student Council for approval.
- (b) Student Council shall be notified of the plan for any purchases/expenditures over \$2,500, not including predetermined purchases/expenditures. Upon notification, the Student Council reserves the right to decline the purchase/expenditure within 3 business days, failing which, the purchase/expenditure is deemed approved.
- (c) Student Council shall be notified of the plan for any purchases/expenditures over \$1,500, outside of the general operating budget. Upon notification, the Student Council reserves the right to decline the purchase/expenditure within 3 business days, failing which, the purchase/expenditure is deemed approved.

### SPRING ELECTION

52. The Spring Election shall take place no later than one (1) week after the close of nominations and be held in the month of April or at such other time as determined from time to time by the Chief Returning Officer (the "Spring Election").
53. There shall be a total of two (2) executive positions available during the Spring Election as follows:
- (a) President; and,
  - (b) Vice-President Student Life.
54. The Vice-President Finance & Operations and Vice-President External shall be appointed within three (3) weeks after the Spring Election following an interview process which shall include the incoming President, the incoming Vice-President Student Life, the outgoing President and the General Manager of the Company.
55. No person who has held one or more executive positions for three (3) consecutive years shall be eligible for nomination or appointment to an executive position.
56. The Executive shall assume office on the first day of May in the year of Election.

57. There shall be a total of nine (9) Councillor positions available during the Spring Election as follows:

- (a) One (1) representative from the Faculty of Arts
- (b) One (1) representative from the Faculty of Business;
- (c) One (1) representative from the Faculty of Science, Applied Science and Engineering;
- (d) One (1) International Student representative who shall be an international student whose country of origin is not Canada;
- (e) One (1) Equity, Diversity and Inclusion representative;
- (f) One (1) LGBTQ+ representative;
- (g) One (1) Nursing/Health Sciences representative;
- (h) One (1) Member At Large representative; and,
- (i) One (1) Mature Student representative who must be deemed a mature student by the Office of the Registrar.

58. There shall be a total of four (4) Councillor positions available as follows:

- (a) One (1) representative from Residence, who shall be nominated by the Residence Executive, such nomination to be delivered to the President by the Residence Executive; and
- (b) One (1) Dalhousie Medical representative appointed by the Dalhousie Medical New Brunswick Student Union.
- (c) One (1) Athletics representative as appointed by the Student Athletic Advisory Committee.
- (d) One (1) Indigenous Student representative as appointed by the Indigenous student community at the University of New Brunswick Saint John, by whatever method they deem appropriate.

i. The Students' Representative Council agrees to provide any support necessary to facilitate the selection process by the Indigenous members of the Students' Representative Council, should such support be requested.

59. Councillors shall assume office at the next regularly scheduled meeting of Student Council.

60. No member of Student Council who is dismissed or impeached in accordance with these By-Laws shall be eligible for nomination to the office of President, Vice-President External, Vice-President Finance & Operations or Vice-President Student Life for a period of two (2) years.

## FALL ELECTION

61. The Fall Election shall be held at the discretion of the Chief Returning Officer and the Student Council (the "**Fall Election**") with respect to fulfilment of:
- (a) One (1) Councillor position to be filled by a first-year student who shall have completed fewer than thirty (30) credit hours; and
  - (b) All positions which remain or have become vacant after the Spring Election.

## CHIEF RETURNING OFFICER

62. The Chief Returning Officer, who must be a Member in good standing of the Company, shall be appointed by the Executive and shall have the responsibility and/or authority to:
- (a) Conduct elections, by-elections and referenda;
  - (b) Appoint and determine eligible poll clerks who cannot be candidates in an election, by-election or referendum, or a campaign organizer or manager for any candidate in an election, by-election or referendum and who must be members in good standing of the Company;
  - (c) Deliver to each candidate a copy of the Campaign Regulations as set out by the Chief Returning Officer;
  - (d) Cause to be advertised to the student body through all forms of communication available no less than one (1) week prior to the opening of nominations a statement as to the opening and closing date on which nominations will be received and the number of positions available, the date of the election, the closing date for campaigning, the requirements to vote and the office location of the Chief Returning Officer;
  - (e) Maintain an office where nominations may be submitted;
  - (f) Provide at least seven (7) days' notice to all candidates setting out the time and place for candidate debates and/or speeches.

63. In the event that the Chief Returning Officer resigns or is dismissed, the Executive shall appoint a Member of the Company to execute the duties of the Chief Returning Officer.

## NOMINATIONS

64. Nominations in the form prescribed by the Chief Returning Officer from time to time shall be accepted for a period of five (5) days, said days to begin on Monday and to end on Friday (the "**Nomination Period**").

65. Nominations for the Fall Election shall close not later than the last Friday in September at 12:00 p.m., while nominations for the Spring Election shall close not later than the last day prior to March Break at 12:00 p.m.
66. Where there is an insufficient number of nominations to fill the number of positions available, the Chief Returning Officer may extend the period for receiving nominations by a period not to exceed five (5) days.
67. If there are no more candidates nominated than are necessary to fill any one position, the individual running for said position shall still campaign and be subject to a 'yes' or 'no' vote by the student body.

### **ELECTION RESULTS**

68. The Chief Returning Officer shall submit to the Executive a final report setting out the official election results in all categories of the polling.
69. Upon completion of all recounts and/or appeals and upon receipt of the final report of the Chief Returning Officer, the Executive shall:
  - (a) Notify the successful candidates of their victory;
  - (b) Cause to be published a listing of the successful candidates along with the title of the position held.

### **APPOINTMENTS**

70. After the Spring Elections, the incoming Executive shall receive applications in the prescribed form as determined from time to time by the Executive for the following positions:
  - (a) Chairperson of the Company;
  - (b) Chief Returning Officer;
  - (c) Orientation Chair;
  - (d) Marketing and Communications Coordinator; and
  - (e) Wellness Coordinator.

It is up to the Executive members to decide on who is given the position. There shall be no less than two (2) Executives present during any interview processes throughout the year.



## **ORIENTATION CHAIR**

71. The Orientation Chair, who must be a Member in good standing of the Company, shall be appointed by the Executive and shall have the responsibility and/or authority to:
- (a) To coordinate, organize, and execute Orientation at UNB Saint John, under the direction of the Vice-President Student Life;
  - (b) To maintain ten (10) office hours a week from May to August;
  - (c) To report directly to the Vice-President Student Life;
  - (d) To update the Vice-President Student Life weekly, and the Executive team monthly on the progress of Orientation planning;
  - (e) To recruit and select Orientation Leaders and volunteers;
  - (f) To work alongside UNB Saint John faculty and staff in the organization of Orientation planning and execution for all new students;
  - (g) To act as liaison between the Company and the University for coordination of all Orientation activities;
  - (h) To prepare welcome packages for new students;
  - (i) To arrange all entertainment, bookings, food, any necessary logistics related to Orientation;
  - (j) In collaboration with the Marketing and Communications Coordinator, engage and assist when needed for the advertising during Orientation Week;
  - (k) To be responsible for seeking sponsorships and partnerships for Orientation Week and to fulfill all requirements set forth in sponsorship/partnership agreements;
  - (l) To prepare detailed outlines of estimated expenses and revenues to be submitted to the Company's President and Vice-President Finance & Operations by the end of June;
  - (m) Be present at all Orientation Week activities;
  - (n) To prepare and submit a transition report to the Executive by the end of September;
  - (o) Other duties as assigned by the Vice-President Student Life.

## **MARKETING AND COMMUNICATIONS COORDINATOR**

72. The Marketing and Communications Coordinator, who must be a Member in good standing of the Company, shall be appointed by the Executive and shall have the responsibility and/or authority to:
- (a) Coordinate and organize advertisements and marketing materials with the Executive;
  - (b) To maintain ten (10) office hours a week from September to April;
  - (c) Control and maintain all official company social media;

- (d) Promote all activities as requested by Directors of the Company -- which do not relate to Clubs and Societies unless otherwise instructed by members of the Executive;
- (e) Search for new ways to reach students through means of media presence;
- (f) Continuously maintain and update the official website of the Company;
- (g) Coordinate with the Executive to create a regularly scheduled newsletter distributed to Members of the Company;
- (h) Will review any official statements made on behalf of the Company;
- (i) Perform other tasks from time to time as requested by the Executive;
- (j) Be responsible to the Vice-President Student Life.

### **WELLNESS COORDINATOR**

73. The Wellness Coordinator, who must be a Member in good standing of the Company, shall be appointed by the Executive and shall have the responsibility and/or authority to:
- (a) Will maintain and operate the Resource Centre for a period determined by the Executive;
  - (b) Supervise the operation of the Resource Centre and give direction to the Executive as needed;
  - (c) Plan and coordinate informative, educational, and wellness events on behalf of the Company. These events include, but are not limited to Sustainability Week, Affordability Week, Wellness Week, and Sex Week;
  - (d) Will assist the Vice President External to facilitate partnership with employers with the objective of attracting employment opportunities to students;
  - (e) Perform other tasks from time to time as requested by the Executive;
  - (f) To maintain ten (10) office hours a week from September to April;
  - (g) Will assist the Vice President External in any Federal, Provincial, or Municipal Election Voting Campaigns during election years;
  - (h) Ensure the Company is acknowledging, honoring, and participating in recognition based events;
  - (i) Be responsible to the Vice-President Student Life.

### **VACANCY PETITION**

74. Following the by-election period for the Students' Representative Council the Chief Returning Officer shall create a Vacancy Petition form for all vacancies on the Students' Representative Council.

- (a) The Vacancy Petition form, to be filled out by the candidate, shall include: The name, e-mail, faculty, and ID number of the candidate seeking to fill the vacancy; and a signed acceptance of the petition by the

candidate; and a signed letter for the candidate from their faculty confirming that they are in good academic standing under University regulations; and a list of nominators including the names and student identification numbers.

(b) In order for the petition to be declared valid, the candidate must collect a greater number of signatures from nominators than 25.

(c) The completed Vacancy Petition shall be submitted to the Students' Representative Council upon its completion for validation of nominators, if applicable.

(d) The first valid Vacancy Petition submitted for a given seat will trigger a seven (7) day period after which no other petitions will be received per vacant seat.

(e) If no other valid Vacancy Petitions are received within the seven (7) day period, the successful candidate shall be declared a Councillor for the vacant seat for the remainder of that term.

(f) If two or more candidates submit valid Vacancy Petitions for the same seat during the seven (7) day period outlined in (d), the candidate with the most signatures at the end of this period shall be the winner. Any candidate shall be allowed to retrieve their petition during the seven (7) day waiting period to collect more signatures, so long as the final petition is re-submitted by 5:00pm on the last business day prior to the deadline.

(g) Individuals that are ineligible to submit Vacancy Petitions include:

- i. Any member of Students' Council; or
- ii. The Chair of Students' Council; or
- iii. The Chief Returning Officer; or
- iv. Any student who ran during the previous general election or by-election and lost to none of the above; or
- v. Any student who has previously used this mechanism in the last 365 days.

(h) The period for Vacancy Petitions to be submitted shall be from the first business day following the fall by-election to February 1<sup>st</sup> of the subsequent year.

### CONFLICT OF INTEREST

75. Any member of Student Council who is party to or is a director of officer of or has a material interest in any person who is a party to a material contract or proposed material contract with the Company shall disclose in writing to the Company or request to have entered in the Minutes of Student Council the nature and extent of his or her interest at the time and in the manner provided by the Company By-Laws and the New Brunswick Companies Act and shall absent themselves from discussion and resolution of the matter.

## **CHEQUES, DRAFTS AND NOTES**

76. All cheques, drafts, orders for the payment of money, all notes, acceptances and bills of exchange shall be signed by such person or persons, whether or not members of the Executive, as the Council may from time to time designate.

## **EXECUTION OF INSTRUMENTS**

77. Contracts, documents or any other instruments in writing requiring the signature of the Company may be signed by the President or the Vice-President Finance & Operations, together with general manager, and all contracts, documents and other instruments in writing so signed shall be binding upon the Company without any further authorization or formality. Student Council may from time to time by resolution appoint any members of the Executive or any person or persons on behalf of the Company either to sign contracts, documents and other instruments in writing generally or to sign specific contracts, documents and other instruments in writing.
78. The seal of the Company may, when required, be affixed to contracts, documents and other instruments in writing signed as aforesaid by any member of the Executive, person or persons appointed as aforesaid by resolution of the Council.

## **AUDITORS**

79. Auditors shall be appointed by the Executive. The Auditors of the Company, when appointed, shall hold office until their successors are approved.

## **FISCAL YEAR**

80. The fiscal period of the Company shall terminate on the last day of April of each year.

## **AMENDMENT OF BY-LAWS**

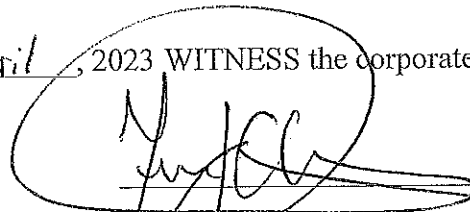
81. Any member of Student Council may by motion move to repeal, amend, add to or re-enact these By-Laws or any of them or any other By-Laws of the Company, but any proposed amendment must receive a two thirds (2/3) majority vote from Council, at which time the proposed amendment(s) shall be referred to an ad hoc committee which shall be struck for the purpose of reviewing the proposed amendment(s). The Committee shall, at the next regularly scheduled meeting of Student Council, deliver a report setting out the scope and purpose of the proposed amendment(s) and the specific effect or result that the proposed amendment(s) shall have on the Company and/or its Members, along with further recommendations.

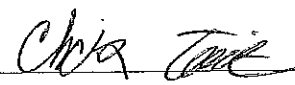
82. Upon delivery of the Committee's report, any member of Student Council may then put forth a motion to adopt the recommendation of the Committee or any variation thereto, at which time the proposed amendment(s) will be given reading before Student Council, requiring a two thirds (2/3) majority vote.
83. Second reading shall take place at the next regularly scheduled Student Council meeting or at such other mutually agreeable time where two thirds (2/3) of Student Council must approve the proposed amendment(s) or any variation thereto.
84. After the proposed amendment has passed second reading, notice of the proposed amendment(s) shall be posted online and for one (1) week. Such notice shall set out the purpose of the proposed amendment(s) and the date, time and place of Student Council meeting where the proposed amendment(s) will be subject to third and final reading, requiring a two thirds (2/3) majority vote.
85. Upon third and final reading, requiring a two thirds (2/3) majority vote, the proposed amendment(s) shall be deemed passed and shall be enforceable as if it were contained in the By-Laws.
86. With respect to any By-Law amendments it is mandatory that such amendments be reviewed and approved by legal counsel of the Student Council.

#### INTERPRETATION

87. In all By-Laws of the Company, the singular shall include the plural and the plural the singular, the word "person" shall include firms and corporations, and the masculine shall include the feminine.

ENACTED this 14<sup>th</sup> day of April, 2023 WITNESS the corporate seal of the Company.

  
\_\_\_\_\_  
Acting President

  
\_\_\_\_\_  
Vice-President Finance and Operations