

# CHIEF RETURNING OFFICER / ELECTIONS & REFERENDUM COMMITTEE RULING

## ***Toronto Metropolitan Students' Union By-Elections 2023***

*The following is a ruling of the Election & Referenda Committee relating to the 2023 TMSU By-Election.*

The rules and procedures of the election are determined by the TMSU By-Laws and the Election Procedure Code, which can be found here: [yourtmsu.ca/election](http://yourtmsu.ca/election)

Ruling Code #	ERC#002SK
Date Received:	11/16/2023
Date of Ruling:	11/23/2023
Related Rulings	N/A
Type of Decision	Initial Ruling
Nature of Decision	The initial complaint would have been about an Election Procedures Code violation if it was founded
Complainant/CRO:	Complaint
Nominee/ Candidate:	Slate: Vibe & Thrive
Alleged Violation in By-laws or the Code	The alleged section of the code being breached is section 8.1.36.4
Relevant Penalties provided in the Code	Not defined - general breach



## **Evidence presented by the Complainant:**

Team Vibe & Thrive commented on the Instagram post announcing candidates for the upcoming by-elections. Their comment included reference to the hashtag #TMSUVotes23, which is not the authorized hashtag announced by the TMSU to see candidates (the authorized hashtag being #TMSUVotes as per Elections Procedure Code 8.1.36.4). The hashtag only included posts from the Team Vibe & Thrive slate and no other slate. Essentially, they campaigned on official TMSU social media, violating Elections Procedure Code 8.1.36.13.

## **Evidence presented by the Nominee/Candidate:**

No evidence needed to be presented but the hashtag #TMSUvotes23 was indeed the correct hashtag as emailed to all candidate participating in the election on November 15, 2023

### **\*\* Email from CRO \*\***

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

From: Chief Returning Officer TMSU <[cro@yourtmsu.ca](mailto:cro@yourtmsu.ca)>

Date: Wed, Nov 15, 2023 at 10:45 AM

Subject: TMSU By-election Hashtag

To:

Hello everyone,

We wanted to inform all candidates that the hashtag to be used for the 2023 TMSU By-Election is:

### **#TMSUvotes23**

If you have already made social media posts, please edit the caption/post so that it contains the new hashtag. We will be giving candidates until **today (November 15) at 5:00pm** to edit their post to reflect the changes.

For any urgent questions relating to this matter please email [dro@yourtmsu.ca](mailto:dro@yourtmsu.ca)

Thank you,

**Chief Returning Officer | Toronto Metropolitan Students' Union**



**ERC Decision:**

The ERC finds that this complaint did not violate the Elections Procedure Code since the slate used the correct hashtag as directed by the CRO

CRO/ERC Decision	
Penalties Issued	N/A
Deadline to Appeal	N/A this is an ERC ruling

