

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

Ruling Code #	ERC#007MD
Date Received:	11/22/2023
Date of Ruling:	11/24/2023
Related Rulings	N/A
Type of Decision	Initial ruling
Nature of Decision	If this violation was committed by a Candidate it would have violated the Fair Play provision in the Elections Procedures Code
Complainant/CRO:	Complainant
Nominee/ Candidate:	N/A
Alleged Violation in By-laws or the Code	If committed by a Candidate this conduct would have applied to section 8.1.10 and 8.1.11 of the Code under Fair Play
Relevant Penalties provided in the Code	Maximum of 20 demerit point - Intentional misrepresentation of the facts and a maximum of 20 points - Failure to comply with the spirit and purpose of the Code



Evidence presented by the Complainant:

The complainant provided a poster for the Presidential Candidate for Vibe & Thrive. The poster shows a picture of the Presidential Candidate for Vibe & Thrive with the word "predator" written across it. There is also additional text on the poster that reads "5 women have already complained" and "Vote against Nathan Sugunalan, Vibe & Thrive on November 20, 21, 22 through your TMU email". It also states to "follow @forthestudentstmu for more details"

Evidence presented by the Nominee/Candidate:

Since this is not a complaint against a specific candidate or slate there is no other evidence presented. Furthermore, the instagram account mentioned in the poster does not belong to a Candidate or Slate.

ERC Decision:

The ERC cannot rule on this infraction since there is no accused Candidate or Slate

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

