

***Ruling #3***

March 2016 Students' Council and General Faculties Council Election  
Unapproved Campaign Materials – Monica Lillo

***Parties to the Ruling***

- Monica Lillo, candidate for Students' Council and General Faculties Council (Arts)
- Ben Angus, candidate for Students' Council (Arts)
- Frederique Ndatirwa, candidate for Students' Council (Arts)
- Ranya El-Sharkawi, Deputy Returning Officer
- Jessica Nguyen, Chief Returning Officer

***Applicable Bylaw, Rules, and Regulations***

- Section F: Elections Regulations and Guidelines

***Facts***

1. Monica Lillo, candidate for Students' Council (Arts), had a proxy present at the mandatory candidates' meeting on March 7. All Rules & Regulations and Bylaws were discussed at this meeting.
2. Shortly prior to the end of voting on March 18, the Chief Returning Officer was made aware that unapproved handbills were being printed off at Monica Lillo's home. The Chief Returning Officer was made aware of this by Monica Lillo herself.
3. After a thorough discussion with Monica Lillo, she clarified that there was a misunderstanding and that she was not aware that this was not permitted. She returned all of the handbills printed and claimed that to the best of her knowledge, no handbills had been distributed by herself or her friend who was in possession of some of the handbills.
4. However, during campaign clean up between 5 PM and 6 PM on March 18, candidates Ben Angus and Frederique Ndatirwa, both candidates for Students' Council (Arts), mentioned that they had seen the unapproved handbills from the Monica Lillo campaign in the HUB-Humanities pedway as well as around the fishbowl in Humanities. Ben Angus and Frederique Ndatirwa estimate that approximately 10 handbills were scattered in these areas and proceeded to discard of them in a recycling bin for the purposes of clean up.
5. Following this information, Deputy Returning Officer Ranya El-Sharkawi went to the HUB-Humanities area to confirm whether or not these claims could be validated as these claims had not been backed up with any evidence. The Deputy Returning Officer confirmed that these handbills could be found in recycling bin on the pedway.
6. Furthermore, Monica Lillo claimed that 180 handbills were printed (6 handbills per sheet, 30 sheets). The Deputy Returning Officer counted the handbills received from Monica Lillo and 182 handbills were received.

***Ruling***

1. All candidates and their volunteers are required to read, understand, and comply with all Rules & Regulations and Bylaws and were informed as such in the nomination package and at the

mandatory candidates' meeting. Monica Lillo, candidate for Students' Council and General Faculties Council (Arts), had a proxy in attendance at the mandatory candidates' meeting.

2. The rules and regulations state that all materials must be approved by the Elections Office prior to their printing and distribution.
3. The Schedule of Fines and Penalties affixed to the nomination package denotes that the use of unapproved campaign materials will result in a counterbalancing fine of the removal of said materials plus an equal number of materials.
4. The Chief Returning Officer does not believe that a substantial number of students were reached through these 10 unapproved handbills.
5. The Chief Returning Officer was satisfied the information provided was accurate to the best of Monica Lillo's knowledge. The Chief Returning Officer appreciates that the Monica Lillo campaign was forthcoming making the contravention known to the Chief Returning Officer, therefore no punitive fine will be levied.
6. Any campaigning done on behalf of the Monica Lillo campaign must still be accounted for with a penalty as it was done with unapproved materials, whether or not that was done with her knowledge.
7. With regards to a penalty, since an equal number of materials cannot be removed at this time, the Chief Returning Officer finds it fair that the printing cost of the approximate number of the handbills released be levied against the Monica Lillo campaign instead.

***Penalty***

1. The Monica Lillo campaign will be levied a fine for two sheets of handbills (12 handbills, rounded up from 10 handbills since printing occurred in increments of 6 handbills per page), or a total of \$0.90 against the candidate budget. The SUBprint cost for candidates for a single-sided 8.5" by 11" page is 45 cents. With a total budget of \$31.60, this fine brings up the expenses of the Monica Lillo campaign to \$32.50, which is well under her maximum budget limit.

So decided on: Wednesday, March 23 @ 12:30. Time limit for appeal: Thursday, March 24 @ 16:30.

Please direct any inquiries towards:

Jessica Nguyen  
Chief Returning Officer  
University of Alberta Students' Union