

Member Association By-Laws

OF

The Modern Chinese Language Student Association

Created on October 6th, 2014
Amended by Membership on April 1st, 2015

SECTION 1: DEFINITIONS

1. **Definitions.** Unless there exists an express contrary provision or unless the context clearly indicates otherwise, in the Annex C of the Association the term or expression.

“Academic Year”: refers to June 1st until May 31st of the following year;

“ASFA”: refers to the Arts and Science Federation of Associations, the umbrella association for the faculty of Arts and Science at Concordia University;

“The Association”: refers to the Modern Chinese Language Student Association;

“These By-Laws”: refers to these By-Laws;

“Election Expense”: Refers to the cost of any goods or services used during the election period to promote or oppose, directly or indirectly, the election of a candidate.

“Campaign materials”: refers to any printed matter, paid advertisement in any media, emails, or any other object used to promote, oppose, directory or indirectly, the election of a candidate;

“Council”: refers to ASFA Council of Representatives;

“Deputy Electoral Officer”: refers to an assistant hired by the Chief Electoral Officer. It shall be abbreviated as DEO;

“Election Committee”: refers to a group of students organized by the Chief Electoral Officer for the purpose of coordinating electoral proceedings;

“Member Association”: refers to any departmental association under ASFA;

“Polling Period”: refers to a period of at least two (2) academic days during which the polls in an election will be open no later than 10h00 and close no earlier than 18h00;

“Public Notice”: refers to the placement of posters in prominent view at Sir George Williams and/or Loyola campuses, dependent on the location of the association;

“School Day”: refers to a day in which the University is open for normal operation;

“**University**”: shall mean Concordia University in Montreal, Quebec.

SECTION 2: THE ASSOCIATION

2. **Name.** The name of the Association hereby established shall be the Modern Chinese Language Student Association, abbreviated as MOCHI.
3. **Objectives.** The purpose of the Association shall be
 - a) To represent their membership;
 - b) To organize social events and create a spirit of community within their membership;
 - c) To provide academic services for their membership;
 - d) To follow any and all objectives of the association prescribed in their by-laws.
4. **Membership.** Every student enrolled in a minor or certificate in Modern Chinese Language and Culture, or taking a Modern Chinese Language and Culture (MCHI) course shall be considered a Member of the Association.

SECTION 3: THE EXECUTIVE BODY

5. The Association shall be composed of the following Executives, who form the Executive Body:
 - a) President;
 - b) VP Finance;
 - c) VP Social Affairs;
 - d) VP Academic Affairs;
 - e) VP Communications;
 - f) VP Internal Affairs;
6. **The President.** The President shall be responsible for overseeing the Association. They shall be the main spokesperson of the Association. They shall also be responsible for delegating tasks, if required to the rest of the Executive Body. The President will be one of the two signing authorities of the Association.
7. **VP Finance.** The VP Finance shall be the primary spokesperson for all matters related to the Association’s finances. They shall be responsible for the creation of a budget at the beginning of the Academic Year as per ASFA’s By-Laws. They shall also be responsible for the regular upkeep of the budget and ensuring that the Association has sufficient funds for their events. The VP Finance will be one of the two signing authorities of the Association.
8. **VP Social Affairs.** The VP Social shall be responsible for the organization of the Association’s social events. They shall host a minimum of one event per semester. They must also take into consideration the diversity of their membership.
9. **VP Academic Affairs.** The VP Academic shall be the primary spokesperson for the Association’s academic matters. They shall be the main liaison between the (department or programs) and shall ensure that the academic interests of the students have been met. They shall also be responsible for organizing academic events. The VP Academic will be the booking authority of the Association.
10. **VP Communications.** The VP Communications shall be responsible for the distribution of information to the membership. The VP Communications shall keep the Association website up-to-date.

11. **VP Internal Affairs.** The VP Internal shall be the primary liaison between the Association and the Department. The VP Internal shall be the main representative of the Association on all matters relating to curriculum within the Department.
12. The Executive Body must be elected or appointed as per these By-Laws.

SECTION 4: MEETINGS OF THE MEMBERS

13. The annual general assembly shall be the decision-making body of the Association and must be held every year.
1. Quorum shall be four percent (4%) or fifteen (15) members of the Association [minimum], whichever is higher.
2. A Special General Assembly may be called, as the need arises, by decision of the Executive Body, or by a petition of four percent (4%) or fifteen 15 members [minimum], whichever is higher. The Executive body must make public notice of the special general assembly five (5) school days in advance of the special general assembly. The Public notice must include the location, date, time and agenda for the special general assembly.

SECTION 6: ELECTIONS & REFERENDA

Subsection A: Parties to an Election

Part I – Electors

3. Every member, as defined in Section 2 of these By-Laws, who is registered by the first day of the polling period is an elector.
4. Each elector may cast one ballot in an election for each office open for election.

Part II – Election Committees

5. Every person who is an elector is eligible to participate in an Election Committee.
6. Notwithstanding the foregoing, any election officer is ineligible to participate in an Election Committee.

Part III – Member Association Chief Electoral Officers (CEOs)

7. CEOs shall be appointed by the Association for a term following the general election period, or until such time as they are no longer a a petition of 15 members, whichever is higher. The Executive body must make public notice of the special general assembly five (5) school days in advance of the special general assembly. The Public notice must include the location, date, time and agenda for the special general assembly.

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12. CEOs shall be appointed by the Association for a term following the general election period, or until such time as they are no longer a *Member Defined in the ASFA By-Laws* or resign, whichever comes first. Notice of appointment must be sent to the ASFA VP Internal, who shall verify the student status of the appointed CEO. If required, ASFA's Administration and Internal Committee may train the CEO.
13. The CEO may resign by notifying the ASFA VP Internal and the ASFA Administration and Internal Committee in writing.
14. CEOs shall be paid in the following way:
 - a) CEOs will be paid an honorarium of \$200.00 per by-election, referenda, or annual general elections, up to a maximum of \$400.00 for the academic year.
 - b) The CEO's honorarium shall be paid following services rendered Association within ten (10) school days.
 - c) CEOs in charge of multiple Member Association elections shall receive the full amount for their first election, and half of the full amount for all other obligations on the same campus. The total amount shall be divided equally amongst all Member Associations involved.
 - d) DEOs, polling clerks and other electoral officers shall be paid a total maximum of \$50.00 per by-election, referenda, or annual general elections decided by the CEO. All amounts over \$50.00 shall come out of the CEO's honorarium.
15. The CEO is responsible for adhering to these By-Laws and fulfilling all duties mandated therein.
16. The CEO shall:
 - a) verify that all parties participating in an election comply with these By-Laws;
 - b) issue directives on the fulfillment of these By-Laws;
 - c) receive and examine the reports and returns transmitted;
 - d) inquire into the legitimacy of the election expenses;
17. The CEO shall:
 - a) provide any person who requests it, information regarding the specifications of these By-Laws and the fulfillment of duties there;
 - b) give public access to all information, reports, returns or documents relating to these By-Laws.

Part IV – Electoral Officers

18. The electoral officers include the CEO and, as the case may be, any assistant, DEO, polling clerks, and any other person whose services are temporarily required by the CEO for the purpose of administering the election.
19. The following persons are not eligible to hold office as an electoral officer:

- a) Members of the ASFA Executive;
 - b) The executive body of an ASFA Member Association;
 - c) Members of the CSU Council of Representatives;
 - d) Members of the CSU executive;
 - e) A candidate currently running for a position on a Member Association;
 - f) Member of the Member Association hiring the CEO;
 - g) The Council Chairperson;
 - h) Members of the Judicial Committee.
20. The CEO shall ensure that the election is properly conducted, and, for that purpose, shall see to the training of the electoral officers and direct their work.
21. The CEO may act as polling clerk or enlist the help of polling clerks.

Subsection B: Election Proceedings

Part I – Election Period

22. Elections for their Executive Body and Councillor must be held annually in the winter semester by March 31st. By-elections, should they be required, must be held in the fall semester by November 30th.
23. If there are vacant seats within the Executive Body or in the absence of a Councillor, a By-Election must be held to fill said seats.

Part II – Nomination of Candidates

24. The nomination period shall begin ten (10) school days before the polling period and will end at midnight the day before the campaigning period is scheduled to take place.
25. Every eligible person may be nominated as a candidate for one office in an election by filling out a nomination paper from the CEO.
26. A candidate who is an elected executive of another Member Association can run and sit on the executive body of the Association so long as there is no conflict of interest.
27. The nomination paper shall, under pain of rejection, contain the required number of signatures no later than the last day of the nomination period.
28. The nomination paper shall state the name of the candidate as well as their Concordia I.D. number, address, telephone number, e-mail address, and the office for which they are a candidate.
29. The nomination paper shall include a statement signed by the candidate(s) to the effect that they consent to the nomination.
30. The nomination paper shall include the printed name, signature, and Concordia I.D. number of no less than ten (10) electors or as prescribed by the associations' By-Laws, who are eligible to vote for the office for which the candidate is being nominated.
31. Upon filing the nomination form, the candidate shall be provided with:
- a) a receipt for the nomination;
 - b) a copy of these regulations;

- c) the dates, times, and locations of all information sessions as soon as they are organized by the CEO in accordance with these regulations;
 - d) a form to be used for the return of election expenses provided for by these By-Laws; and
 - e) other information the CEO deems appropriate.
32. The CEO shall have the sole authority to verify the validity of the nomination papers.
33. A candidate may withdraw their nomination by transmitting a notice to the CEO in writing to that effect.

Part III – Announcement of Poll

34. At the beginning of the nomination period, the CEO shall issue a Public Notice to announce the holding of a poll.
35. Such announcements shall include, as the case may be:
- a) the particulars of the offices open for election;
 - b) the place(s) where the nomination forms may be obtained;
 - c) the place(s) and dates fixed for the filling of nomination papers in accordance with these regulations;
 - d) the place(s) and dates fixed for the formation of election committees; and
 - e) the dates on which the polling will take place in accordance with these regulations.

Part IV – Campaigning Period

36. The campaigning period shall begin at least five (5) school days before the polling period and will end at midnight the day before the polling period is scheduled to take place.
37. At the beginning of the campaign period the identity of all candidates will be made public by the CEO.
38. The CEO will notify the ASFA VP Internal of the candidates running in the election at the beginning of the campaign period.
39. Campaign material may be distributed, posted, published, broadcast, or otherwise disseminated only during the campaigning period. If the candidate fails to respect this regulation, they will be disqualified from the election by the CEO and have their name immediately removed from the ballots.
40. No space or facilities used or maintained by the University and/or ASFA and/or its Member Associations or its affiliated groups and associations may be used for campaign purposes by any candidate unless it is equally available to all other candidates for the same office.

Part V – Poll

41. No later than five (5) school days before the polling period, the CEO shall give a Public Notice setting forth the following particulars, as the case may be:
- a) the designation of each office, for which a poll must be held;
 - b) the names of the candidates for each office;
 - c) the day(s), time(s), and place(s) where the polling station(s) will be open for the poll;
 - d) the particulars relating to the office and the name must correspond to those appearing on the nomination paper
42. Polling for the annual general elections of a member association shall be held the week following the campaigning period and last no fewer than two (2) school day and no longer than three (3) school days.

43. Quorum is four percent (4%) of regular members or fifteen (15) regular members [minimum], whichever is higher, unless a higher minimum is prescribed by member association's By-Laws.
44. The CEO shall create numbered ballots, should they be required.

Part VI – Election Expenses

45. Only a candidate may incur election expenses.
46. The maximum amount of election expenses that may be spent by a candidate for a particular office is fifteen dollars (\$15).
47. Every payment of an election expense must be justified by an invoice showing the name and address of the supplier, listed goods or services supplied, the date the goods or services were supplied, and the amount of the expense.

Part VII – Election Results

48. The CEO shall submit the results of the election, including the ballots, to ASFA's VP Internal within five (5) school days after the last day of the polling period.
49. In case a the Association cannot provide legitimate election results including, but not limited to electoral fraud, lack of quorum, or absence of elections to the Chief Electoral Officer by the given deadline, the Association shall be placed under the trusteeship of ASFA's Administration and Internal Committee, who shall oversee the hiring of a new CEO, notwithstanding Article 31 (reference) of these By-Laws.
50. In the event of a tie for a position, it shall be determined by another day of polling with canvassing after five (5) school days but within ten (10) school days, should neither candidate withdraw from the election. All eligible voters are allowed to vote again. In the event of a tie, the polling period may extend past the March 31st or November 30th deadline.
51. The executive is elected for a term of at most one year starting earliest on June 1st and ending latest on May 31st the following year.

Subsection C: Referenda

52. Referenda may be called by the Executive Body, by the Association's annual general meeting (AGM) or by a petition with the signatures of four percent (4%) of the members or fifteen (15) members [minimum], whichever is higher.
53. The Association's CEO shall give public notice of a referendum question at least ten (10) school days prior to the referendum.
54. The Association's executive shall submit the referendum questions to ASFA's VP Internal at least ten (10) school days prior to the referendum.
55. Quorum is four percent (4%) of regular members or fifteen (15) regular members, whichever is higher [minimum].

Subsection D: Vacancies in the Executive Body

56. In the event of a vacancy in the Executive Body, an interim executive may be appointed by the current Executive Body. The appointee cannot be act as a signing authority or booking authority. The interim executive will hold office until the by-elections or annual general elections of the Member Association.

SECTION 6: RELATIONSHIP TO ASFA

57. The Association shall exist as a Member Association of ASFA and shall be subject to the applicable policies and regulations.

Part I – ASFA Council

58. A Councillor shall also be elected during the by-elections or annual elections. The Councillor must be a member of the Association. This position is separate from that of the Executive Body and as such an individual running for an Executive position may also simultaneously run for that of Councillor.
59. Should a Councillor not be elected, an interim Councillor shall be appointed by the Executive Body from within the Association's members. The interim Councillor shall hold office until the by-elections or annual general elections.

Part II – Financial Relationship to ASFA

60. The Member Association shall adhere to all of the financial policies set forth in Annex B of the ASFA by-laws.
61. The Member Association shall adhere to any and all additional financial policies approved by a duly convened meeting of ASFA council.

Part III – Legal Relationship to ASFA

62. When conflicts between Member Association by-laws and ASFA's by-laws arise, ASFA's By-Laws and Regulations shall take precedent.

Part VI -- Composition of the Association's Executive.

63. The Association must consist of two (2) executives who shall be the signing authorities to exist as a Member Association under ASFA. The VP Finance and President shall be the signing authorities of the Association. In the case of a vacancy in these positions, the Executive Body may appoint another executive to act as a signing authority.
64. The Association must also appoint one (1) executive whose responsibilities shall include booking space for the association to be able to book space within the University. The VP Academic shall be the booking authority of the Association. In the case of a vacancy in the position of VP Academic, the Executive Body may appoint another executive to act as the booking authority.

SECTION 7: REMOVAL FROM OFFICE

65. An elected executive may be removed from office based on the following:
- a) Recurring, unwarranted behaviour deemed hostile and or a threat to the welfare of Concordia

- students and/or faculty;
 - b) Any violations of the Quebec *Charter of Human Rights and Freedoms* on Concordia University grounds;
 - c) Misappropriation of funds;
 - d) Dereliction of duties;
 - e) Violations of ASFA's By-Laws or that of the Member Association.
66. To remove an elected Executive from office, a petition undersigned by ten percent (10%) of members or thirty-eight (38) members [minimum], whichever is higher; a two thirds (2/3) majority vote from the Council of representatives; or a two thirds (2/3) majority vote from the Executive in question to then be ratified by the Council of representatives. Should one of these occur it shall be submitted to the VP Internal of ASFA who shall then present it to ASFA's Judicial Committee (JC).
67. The person to be removed must be given at least a one-week notice of the meeting of the Council of Representatives to ratify or vote upon their removal.
68. The person to be removed must be given at least a one-week notice of the meeting of JC that shall consider their removal.
69. The person to be removed must be given the opportunity to respond to the accusations made against them, in accordance with the procedures listed in Annex E.
70. A removal resolution requires a two-thirds (2/3) majority vote of JC.

SECTION 8: AMENDMENTS TO THESE BY-LAWS

71. The executive can present proposed changes to the By-Laws which will be brought to a Special General Assembly of the membership. Public notice of the Assembly must be given at least five (5) school days prior, along with the nature of the proposed changes.
72. Regular members of the association can propose changes to the By-Laws by submitting a petition of four percent (4%) or fifteen (15) members [minimum], whichever is higher to the Executive Body which will be presented in a Special General Assembly of the membership. The Executive Body has five (5) school days to accept the petition and give public notice for the event.
73. Amendments to the By-Laws must be ratified by a two-thirds (2/3) majority.
74. Amendments to the By-Laws may also be done by referendum, as outlined in Section 6, Subsection C.