

**CONSTITUTIONAL INSTRUMENT OF THE ELECTORAL
COMMISSION OF THE DISTANCE EDUCATION STUDENTS'
ASSOCIATION OF THE UNIVERSITY OF EDUCATION, WINNEBA.
(FOR THE CONDUCT OF THE 2023/2024 DESA-UEW ELECTIONS)**

**PRESENTED BY
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(ELECTORAL COMMISSION CHAIRPERSON DESA-UEW)**

REGULATIONS.

1. Qualification
2. Nomination and Application
3. Vetting Panel
4. Voting Processes
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In the exercise of the powers conferred on the Electoral Commission by article 65 (a, b, c, d) of the Constitution of the Distance Education Student' Association of the University of Education, Winneba, these regulations are made.

1.QUALIFICATION/ELIGIBILITY TO BECOME A CANDIDATE.

- A. A student shall not be qualified for election to any executive office unless he/she;
- i. Is a student of CODEL-UEW
 - ii. Is a full time Bachelor's Degree student in the case of National positions and Diploma or Bachelor's Degree student for Centre and Regional positions.
 - iii. has considerable experience and exposure in students' affairs.
- B. A person shall not qualify to be an Executive Officer if he/she;
- i. has been adjudged, or otherwise declared to have misappropriated funds, or conducted

himself/herself in such a manner that cause depreciation in respect to loss, or otherwise in any cash or property entrusted to him/her; or

- ii. has been found by any Committee of Inquiry to be incompetent to hold any office, or is a person in respect of whom a committee or Commission of Enquiry
- iii. has found that, while holding any office, he or she has acquired asset unlawfully, or defrauded the Association, or abused his/her office, or willfully acted in a manner prejudicial to the interest of the students, and the finding has not been set aside on appeal or judicial review; or,
- iv. has once been removed from any student office on this campus.

C. Without prejudice to any provision of the Constitution, a student shall qualify to stand and contest elections for any executive office provided he/she is **NOT** a final year student;

- i. Final year student shall be defined to include all who receive a degree, or diploma, or certificate awards at the end of the academic year in which elections are being held.

D. In accordance with the undergraduate students' handbook on rules and regulations, a candidate shall have a CGPA of not less than **3.0** for President and Vice and **2.7** for other National, Regional and Center Executives at the time of contesting for the election.

- iv. Has not deferred his or her course at the time of contesting for the election.

2. NOMINATION AND APPLICATION FOR NOMINATIONS.

- A. A candidate must apply for a Nomination Form.
- B. All Nomination Forms shall be received from the Electoral Commissioner or the deputies.
- C. Nominations shall be filed in respect of the Executive Officers to the Association. The nomination form for the President shall have a column for the name of the Vice-President that he/she intended to appoint.
- D. The Electoral Commissioner shall have the power to delegate the issuance of nomination forms to the deputies who in turn, shall issue them to prospective candidates, who shall return them within a period to be fixed by the Electoral Commissioner.
- E. For such nominations to be valid, they must be supported by twenty (20) genuine student signatories across the country in the case of National Executives, fifteen (15) across the region in the case of regional executives and ten (10) genuine student

signatories in the case of centers also with that of the nominee, provided however that each student signatory, shall not support the nomination of other candidates for the same position. Provided further that if such a situation should arise, the Electoral Commissioner shall give the candidates involved, not more than 48 hours to secure fresh signatories or forfeit their candidature.

- F. After all signatories have been attained and application filling completed, the candidate must submit the application to the Electoral Commission by email via an email address communicated to the nominees by the Electoral Commission only.
- G. The Electoral Commission shall receive and acknowledge receipt of nomination forms on the stipulated dates for the receipt of nomination forms.
- H. Upon submission of nomination forms, prospective candidates will make payment of the prescribed fee as set out in the table in Schedule B.
- I. The prescribed fee must be paid to the Electoral Commission through a Momo Account only from the Commission.
- J. Payment of the prescribed fee is **non-refundable**.
- K. Nomination is subject to rejection if they are not filed and signed correctly.

3. VETTING PANEL.

- A. The Vetting Panel shall be selected from among the Members of the Electoral Commission formed by NEC with the approval of NC
- B. The nominees shall be vetted, to ensure that they fully satisfy the provisions of the constitution and the Electoral Commission's regulations while ensuring that they understand completely the nature and duties of the office they wish to contest.
- C. The vetting committee shall publish the list of qualified nominees, who will be known as Candidates.
 - i. A person can be deemed a candidate only after he/she has been vetted and duly passed by the Electoral Commission.
- D. The vetting panel shall hold the right to disqualify any candidate who does not satisfy provisions of the constitution, the Electoral Commission's regulations, and understand completely the scope, nature, and duties of the office they wish to contest.
- E. Vetting shall be done in an open environment and shall be video-recorded in the case of National Aspirants.

F. All National aspirants including the running mates of candidates contesting for the President shall submit their Curriculum Vitae (CV) to the Vetting Committee five (5) clear days before the first day of vetting through the Commissions' Secretary.

G. It is an offence for any aspirant to start campaigning openly before being declared qualified by the Vetting Committee. Any aspirant who violates this provision shall automatically be disqualified from contesting any position.

4. VOTING PROCESSES.

- A. Voting will be done **ELECTRONICALLY/MANUALLY** at the center and regional level but **MANUALLY** for National Elections.
- B. There shall be no voting by proxy.
- C. Each voter will be required to go through a verification process before casting his/her vote.
- D. Each voter can and must vote once.
- E. Voting will be by secret ballot in the case of National Elections.
- F. A person shall be considered as duly elected by simple majority of votes cast.
- G. An unopposed candidate shall have fifty percent plus one of the valid votes cast. The Electoral Commission shall reopen nomination in the event of the fifty plus one vote of the valid votes cast not attained within **2HOURS**.
- H. In the event of the same candidate is being retained as unopposed for the second time, he or she shall be deemed as duly elected.

5. DECLARATION AND PUBLICATION OF RESULTS.

- A. The Electoral Commission shall, immediately after the election, declare results, and unless or until such results are challenged, as provided for under Article 87 of the constitution.
- B. In the event of a delay, the Electoral Commission shall inform Congress of the reasons.
- C. Where the top two (2) candidates gain the same total number of valid votes casted in their favor (a tie), there shall be a run-off election between the top two (2) candidates, with the same total number of valid votes casted in their favor.
- D. Also, for all other Executive offices to wit; if there is a tie between the top two (2) candidates, for each office stated above, there shall be a run-off election between the top two (2) candidates.
- E. There shall be an instrument to which;
 - i. is executed under the hand of the chairperson of the Electoral Commission and the seal of the commission; and

- ii. state that the person named in the instrument was validly elected as an Executive Officer at the election shall be prima facie evidence that the person was so elected.
- F. Where the election is postponed for whatsoever reason(s), only candidates who were qualified to contest at the election, should it have been held, shall be qualified to contest

6. COLLATION CENTRE (STRONG ROOM).

- A. There shall be a collation center (strong room) where voting results will be displayed in real-time in the full glare of everyone.
- B. The strong room shall contain duly appointed and verified representatives from each candidate and members of the Electoral Commission.
- C. Each candidate, fully certified as duly nominated by the Electoral Commission, shall appoint two (2) strong room agent, whose names should reach the Electoral Commission five (5) working days before voting.
- D. Agents will not be allowed to leave the room for any purpose. If the agents leave the strong room that will be at their own expense.

7. CHALLENGING THE ELECTIONS OF AN EXECUTIVE OFFICER.

- A. The validity of the election of an Executive Officer may be challenged by a student, who may present a petition for that purpose to the Judicial Board, within **24 hours** after the declaration of the result of the position in respect of which the petition is presented.
- B. The Judicial Committee findings shall be made known to Congress within **2 hours** after the petition has been received by its chairperson.
- C. A declaration of Judicial Committee shall be binding without prejudice to anyone.

8. OTHER RULES AND REGULATIONS.

- A. A person put up as a candidate may withdraw his/her candidature before the start of the face-to-face.
- B. A candidate who wishes to withdraw after face-to-face has commenced may do so by formally writing a withdrawal letter. However, it shall be granted on terms that the Electoral Commission deems fit.
- C. A candidate cannot withdraw his/her candidature a week to the voting day.

- D. No candidate, his/her representatives nor supporters should campaign whilst voting is in progress.

B. FILLING FEE

PORTFOLIO	FEE (GHC)
NATIONAL PRESIDENT	300.00
SECRETARY AND FINANCE OFFICER	250.00
ALL OTHER NATIONAL EXECUTIVES	200.00
ALL REGIONAL PRESIDENTS	150.00
ALL REGIONAL EXECUTIVES	70.00
ALL CENTER PRESIDENTS	50.00
ALL CENTER EXECUTIVES	10.00

