

Decision of the IEC

March 24, 2011

Complainant: N/A
Respondent: Nicholas Wong
Issues: Campaign during voting period
Decision: Disqualification

Per the **Independent Electoral Commission**

- [1] At the beginning of voting period on March 22nd the Independent Electoral Commission discovered in excess of 80 posters remaining around campus belonging to Nicholas Wong. These posters contravene the prohibition on campaigning during voting period in By-Law 14 s.15(a), R-17 s.10(e), and R-17 s.12(g).
- [2] This is a significant infraction of much greater severity than similar infractions in the past, such as *Brandon Yau* (Nov. 4, 2010), who failed to remove around 15 posters. The posters were promptly removed upon discovery, but as stated in *Jay Chen* (Nov. 4, 2010), this fact does not excuse the candidate for the substantial unfairness they would cause were it not for IEC intervention.
- [3] The candidate submitted a statement via email. He claimed that he was a victim in the recent traffic accident on Gagliardi Way. He also stated that, as a result, he was unable to post or take down posters. Instead, he had been relying on friends to post the materials, and they have evidently failed to remove the posters on time.
- [4] This is an unfortunate situation, and members of the IEC are deeply sympathetic to the candidate. However, it does not nullify the significant unfairness to other candidates, nor does it absolve the candidate of the responsibility to abide by elections rules and regulations, so long as he chooses to remain in the election. Had the candidate spoken with the IEC beforehand to communicate the situation, appropriate arrangements could have been made. Unfortunately, this was not done.
- [5] As a matter of basic fairness to other candidates, the IEC is unable to overlook the vast amount of remaining posters. We must therefore disqualify Nicholas Wong.