

CHIEF RETURNING OFFICER RULING

Carleton University Students' Association General Elections 2026

Date of Ruling: January 28, 2026

Ruling Code: 2026GE-CRO-002

This public report is issued pursuant to Section 67(a) of the CUSA Electoral Code. It summarizes the outcome of a ruling made by the Chief Returning Officer (CRO) in relation to a review conducted during the Campaign Period of the 2026 CUSA General Election.

I. Authority

This Notice of Decision is issued pursuant to the authority of the Chief Returning Officer (CRO) under the CUSA Electoral Code, including but not limited to Sections 59, 63, 66, and Schedule IV.

II. Summary of Review

This matter arose from direct observation by the Chief Returning Officer, including in-person monitoring of campaign activity and review of publicly accessible online campaign materials associated with a presidential candidate.

The CRO identified concerns regarding the public use and distribution of campaign materials prior to obtaining CRO approval, contrary to the requirements of the Electoral Code and guidance issued to candidates.

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III. Candidate

Maxwell Heroux

Prospective Presidential Candidate, 2026 CUSA General Election

IV. Standard of Proof

Pursuant to Section 58 of the Electoral Code, the burden of proof for electoral offences is beyond a reasonable doubt.

No finding of violation is made unless the CRO is satisfied that each essential element of the alleged offence has been established to that standard.

V. Findings

After reviewing the observed conduct, supporting materials, and written submissions provided by the candidate, the CRO determined beyond a reasonable doubt that:

- campaign materials associated with the candidate were publicly accessible online prior to receiving CRO approval;
- campaign materials were displayed and distributed at tabling locations prior to CRO approval;
- a campaign-adjacent feedback form was publicly accessible via a campaign Linktree without prior CRO approval; and

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- the candidate was aware, or reasonably ought to have been aware, that CRO approval was required prior to any public use of campaign materials, including online posting, display, or distribution.

VI. Electoral Code Violations

The following minor electoral offence was established under Schedule IV of the Electoral Code:

- Failure to obtain CRO approval for campaign materials prior to public use.
- Campaigning contrary to required procedures/ Undermining the Electoral Process.

VII. Consideration of Explanations and Mitigating Factors

The CRO carefully reviewed all explanations and submissions provided by the candidate, including arguments relating to timing constraints, past practice, perceived consent, and good-faith compliance.

While these explanations were considered, the CRO determined that they did not excuse or justify non-compliance with the Electoral Code. In particular:

- administrative inconvenience or campaign timing pressures do not negate the requirement for prior approval;
- silence, courtesy, or lack of immediate instruction to remove materials does not constitute approval or a waiver under the Electoral Code; and
- CRO approval is prospective, not retroactive, and does not validate materials that were publicly used prior to approval.

The CRO further noted that failure to comply with the approval requirement after training undermines the integrity, fairness, and uniform enforcement of the electoral process.

VIII. Penalties Issued

In accordance with Schedule IV of the Electoral Code, the following penalty was imposed:

- 2 demerit points for failure to obtain CRO approval for campaign materials
- 2 demerit points for Campaigning contrary to required procedures/ Undermining the Electoral Process

No additional sanctions were imposed.

IX. Additional Information

A full Notice of Decision, containing the complete findings of fact, analysis, evidence considered, and rationale, has been provided directly to the candidate in accordance with Section 67(b) of the Electoral Code.

This public report is provided for transparency and does not include confidential or identifying information.