



Date: 2026-04-10

Reference: 2026 ACUOSU 11

UNIVERSITY OF OTTAWA STUDENT UNION'S APPEALS COMMITTEE

BETWEEN

DANIEL THORP

The Appellant

AND

CHIEF ELECTORAL OFFICER

The Respondents

Indexed as

Thorp v Chief Electoral Officer

In a matter concerning an appeal of a decision of the Elections Appeal Board decision under the University of Ottawa Student Union's Constitution

Before: a panel of the UOSU Appeals Committee composed of:

Philippe Giguère, Chair of Appeals Committee

Élodie Proulx, Faculty of Law Member

Charles-Édouard Corgier, Alternate Faculty of Law Member

For the Appellant: Daniel Thorp

For the Respondents: Ben Cameron, Chief Electoral Officer

REASONS FOR DECISION

I. Decision

1. This matter comes before the Appeals Committee as an appeal from a decision of the Election Appeals Board dismissing an appeal of the Chief Electoral Officer concerning the denial of reimbursement of campaign expenses based on timeliness.
2. Mr. Thorp submits that the Election Appeals Board erred in dismissing his appeal as untimely.
3. The Chief Electoral Officer submits, as a preliminary matter, that the appeal is not properly within the jurisdiction of either the Election Appeals Board or this Appeals Committee under the *Elections Code* (“*the Code*”).
4. The hearing of the appeal was scheduled for April 10, 2026, at 4:00 p.m. All parties, including Mr. Thorp confirmed their attendance, but only the the Chief Electoral Officer appeared at the hearing.
5. The Appeals committee waited for 5 minutes to see if Mr. Thorp would attend. We adjourned the hearing until 4:15pm and attempted to contact Mr. Thorp noting his absence and lack of notification for his delay. The Appeals Committee also notified Mr. Thorp that the hearing would proceed at 4:15pm and a decision could be issued in his absence.
6. Mr. Thorp did not join the hearing at 4:15pm or any time thereafter. The Appeals Committee proceeded to hear arguments from the Chief Electoral Officer. It later rendered its decision on the bench dismissing Mr. Thorp’s appeal as abandoned and or for lack of jurisdiction. The Appeals Committee indicated that the reasons for its decision would be communicated in writing shortly after the conclusion of the hearing.
7. For the reasons that follow, the Appeals Committee finds that the Appeal has been abandoned by Mr. Thorp and should be dismissed on that basis. In this case, we are satisfied that the Mr. Thorp received an appropriate notice of the hearing date, time, and location.
8. Mr. Thorp elected to not present himself for his own appeal hearing, despite confirming his attendance. He has showed a clear lack of interest in advancing his case by failing to attend the hearing. The Appeals Committee also made sufficient attempts to offer Mr. Thorp a chance to be heard, by adjourning the hearing and providing him with a warning of the consequences of failing to appear.
9. When a party fails to appear at a hearing and the Appeals Committee is satisfied that the hearing notice was sent to that party, it may proceed to hear the complaint without further notice.

10. Parties have the right to a timely elections appeal hearing under the *Constitution*, without undue delay, despite one party's lack of interest in presenting its case.
11. Mr. Thorp's lack of interest, as shown by his failure to appear at the hearing is sufficient to show that he has abandoned his appeal. The public interest and the effective administration of justice also weigh in favour of considering the appeal as abandoned
12. In conclusion, the Appeals Committee wishes to inform Mr. Thorp that the people involved in these files, used their scarce time and resources to schedule and hear his appeal. If Mr. Thorp had no intention of pursuing his appeal, he should have advised the Appeals Committee in a clear and timely manner. His actions show a lack of consideration towards the Appeals Committee and Chief Electoral Officer.
13. In the alternative, the Appeals Committee concludes that Mr. Thorp's appeal should be dismissed as it is not appealable under the *Constitution* and *Elections Code*.
14. The jurisdiction of the Appeals Committee is defined and limited by the *Constitution* and the *Code*.
15. Article 14.4.1 of the *Constitution* provides that:

"The Appeals Committee shall hear election appeals, as prescribed by the Elections Code."
16. Accordingly, the Appeal Committee's jurisdiction is not open-ended. It exists only where an appeal is expressly authorized by the *Code*.
17. Section 10.2.1 of the *Code* governs which decisions of the Chief Electoral officer may be appealed to the Election Appeals Board:

"10.2.1 Decisions and determinations of the Chief Electoral Officer under sections 6.1.5, 6.2.3, 7.2.1, 9.2.1, 9.2.2, and 9.4.1 may be appealed to the Election Appeals Board."
18. Moreover, Section 10.4.1 of the *Code* defines the jurisdiction of the Appeals Committee:

"10.4.1 The Appeals Committee shall hear appeals of:
 - i. Decisions of the Election Appeals Board made pursuant to section 10.2.1; and*
 - ii. Decisions and determinations of the Chief Electoral Officer appealable under section 10.2.1 if the Election Appeals Board does not rule on the matter within seventy-two (72) hours, as described in section 10.3.3."*
19. Together these provisions establish a narrow scheme of appealable matters. Only those decisions of the Chief Electoral Officer enumerated in section 10.2.1 may be appealed to the Election Appeals Board, and only those same matters may ultimately come before this Appeals Committee.

20. In Mr. Thorp's case, his appeal concerns a decision from the Chief Electoral Officer which denied the reimbursement of campaign expenses under section 7.3 of the *Code*.
21. Section 7.3 is not listed among appealable matters in section 10.2.1 of the *Code*. As a result, the Chief Electoral Officer's decision which forms the basis of his Appeal was not appealable to the Election Appeals Board or to this Appeals Committee.
22. It thus necessarily follows that the Appeals Committee has no jurisdiction over Mr. Thorp's appeal regardless of the merits of the case and the appeal must therefore be dismissed for lack of jurisdiction.
23. Given this conclusion, it is unnecessary to address the remaining issues raised by the parties, in particular, the Appeals Committee makes no finding on the timeliness of the appeal or the fairness consideration advanced by Mr. Thorp. Even if those arguments were accepted, they could not overcome the absence of jurisdiction.

II. Conclusion

24. The Appeals Committee finds the appeal has been abandoned and or that the underlying decision of the Chief Electoral Officer is not appealable under the *Constitution* and section 10.2.1 of the *Elections Code*.
25. As a result, the appeal is dismissed.

III. Order

26. The decision of the Chief Electoral Officer denying Mr. Thorp's reimbursement request is maintained.
27. The decision of the Election Appeals Board dismissing Mr. Thorp's appeal is maintained but its reasons are substituted with these reasons.
28. Mr. Thorp's appeal is dismissed for abandonment and or lack of jurisdiction.

April 10, 2026

Philippe Giguère, Chair of Appeals Committee
Elodie Proulx, Faculty of Law Member
Charles-Édouard Corgier, Alternate Faculty of Law Member