

By-law 6

BOARD ELECTIONS

In accordance with Rule 85 of the EIANZ Rules of Association, this By-law is prescribed by the Board of the Association to give better effect to Rules 47 and 48; which provide for the election of the Board and the conduct of a ballot.

Returning Officer

- (1) An election referred to in Rule 47 is to be conducted by the General Manager of the Association who is to be the Returning Officer for the election. The Returning Officer may delegate any of the powers or functions of the Returning Officer to an employee or contractor to the Association.
- (2) If the General Manager is for any reason unavailable to be the Returning Officer, the Board of the Association shall appoint another person as the Returning Officer in accordance with Rule 48.
- (3) Subject to the Rules and this By-law, detailed arrangements for the conduct of any election shall be made by the Returning Officer.

Calling for and Receipt of Nominations

- (4) The Returning Officer shall prepare and circulate to all members a notice calling for nominations for each position on the Board of the Association eighty four (84) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
- (5) The notice shall clearly state who is eligible to be a member of the Board of the Association, the membership categories that are voting members of the Association, and the address and closing date for receipt of nominations by the Returning Officer.
- (6) The closing date for receipt of nominations shall be fifty six (56) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
- (7) The Returning Officer shall check the validity of all nominations received at the close of nominations and advise each candidate of the acceptance or reasons for the rejection of a nomination.
- (8) The Returning Officer must reject any nomination where the candidate has served three consecutive terms of office as a member of the Board of the Association.
- (9) The Returning Officer must reject any nomination where the candidate is not an Ordinary Member or Fellow Member of the Association.
- (10) The Returning Officer must reject any nomination where the candidate is not, at the time for the close of nominations, a financial member of the Association.
- (11) The Returning Officer must reject any nomination received after 5.00pm (at the address for receipt of nominations) on the day appointed for the close of nominations.

Form of Nomination

- (12) A nomination must be in writing in a form determined by the Returning Officer that generally conforms to the form set out in Attachment 1 to this By-law, signed by two voting members of the Association, and accompanied by the signed consent of the nominee.

- (13) The nomination form must contain a declaration by the nominee that they are eligible to be elected and are willing, if elected, to serve in the position to which elected.

Withdrawal of Nomination or Death of a Candidate

- (14) A candidate duly nominated for any position on the Board of the Association may subsequently withdraw their nomination by notice in writing sent electronically or by post to the Returning Officer.
- (15) A nomination cannot be withdrawn after the close of nominations.
- (16) If, notwithstanding By-law 6 (15), a candidate withdraws their nomination or dies between the close of nominations and the close of the ballot, the Returning Officer is to disregard that candidate in the final ranking of candidates.

Uncontested Elections

- (17) Where only one nomination is received and a ballot is not required, the Returning Officer shall declare the nominated candidate elected in accordance with Rule 47(4).
- (18) Where no nominations are received for a position on the Board of the Association, the Returning Officer shall advise the Annual General Meeting accordingly.
- (19) The Annual General Meeting may receive further written nominations, in the approved form, for positions on the Board of the Association for which the Returning Officer has declared that no nominations were received.
- (20) The members present in person and eligible to vote at the Annual General Meeting, shall vote on such nominations.
- (21) Where a position on the Board of the Association remains unfilled after the Annual General Meeting it shall be filled in accordance with Rule 51 as if it were a casual vacancy.

Roll of Eligible Voters

- (22) The roll of eligible voters shall be prepared by the Returning Officer based on the information contained in the Association's Register of Members.
- (23) Eligible voters are members of the Association, other than Associate Members and Student Members, who have been members of the Association for more than fourteen (14) days, and whose membership rights are not suspended for any reason.
- (24) The roll of eligible voters shall be closed at 5pm on the day appointed by the Returning Officer for the close of nominations for any election.

Form and Counting of Ballots

- (25) The Returning Officer shall ensure that any election for the Board of the Association is conducted as a secret ballot.
- (26) The Returning Officer shall determine the outcome of the ballot by counting the number of formal votes received for each candidate for each position in accordance with the optional preferential method of vote counting.
- (27) To make a formal vote a person must:
- a. if only one candidate is to be elected; place the number 1 in the square opposite the name of the candidate of the voter's first preference and, if the voter so desires, the number 2 and consecutive numbers in the squares opposite the names of other candidates in order of the voter's preference;
 - b. if more than one candidate is to be elected; place consecutive numbers

beginning with 1 in the squares opposite the names of the candidates in the order of the voter's preference until the voter has indicated a preference for a number of candidates equal to the number to be elected and then, if the voter so desires, by continuing to place consecutive numbers for one or more additional candidates in the squares opposite the names of other candidates in order of the voter's preference.

- (28) For the positions of President, Vice President (Australia), Vice President (New Zealand), Secretary and Treasurer, the candidate having the highest number of votes after the distribution of preferences shall be declared elected.
- (29) For the two positions of Ordinary Members of the Board of the Association, the two candidates having the highest number of votes after the distribution of preferences shall be declared elected.
- (30) A ballot paper is informal and is not to be counted if it
 - a. has no vote recorded on it,
 - b. does not indicate the order of the voter's preference for at least the total number of candidates to be elected, or
 - c. uses marks other than Arabic numerals to indicate an order of preference, or is otherwise altered or defaced.

Information for Voters

- (31) Each candidate must provide with the nomination form a statement in support of their nomination not exceeding 200 words in length setting out the skills and experience they bring to the position for which they are nominated; and may provide a passport size photograph taken in the previous 12 months.
- (32) If a statement exceeds 200 words in length, the Returning Officer will exclude all words after the 200th word.
- (33) Candidate's photographs and statements must reach the Returning Officer with the candidate's nomination, and prior to the close of nominations, to be included in the material distributed by the Returning Officer to eligible voters.
- (34) The Returning Officer shall publish information about the purpose of the ballot, the method of correctly completing the balloting materials, and the candidate information on the Association's web site; in a consistent format with the candidates appearing in the same order as their names appear on the ballot paper(s).
- (35) Candidates are not permitted to use the Association's social media sites for the purpose of promoting their candidacy, or commenting on any other candidate, in the course of any election process.
- (36) A candidate breaching this requirement may be subject to disciplinary proceedings in accordance with Division 3 of the EIANZ Rules of Association.

Scrutineers

- (37) Each candidate may, in writing, appoint a scrutineer to act on their behalf in any election process.
- (38) Scrutineers have the right to observe all facets of the election process.

Conducting a Ballot

- (39) Where a ballot is required in accordance with Rule 47(5) of the EIANZ Rules of Association, the Returning Officer shall conduct the ballot in accordance with Rule 48 and this By-law.

- (40) The Returning Officer shall conduct the ballot for the position of Vice President (Australia) only amongst the eligible voters from the Australian Chapter as determined by the voter's place of residence recorded in the Association's Register of Members.
- (41) The Returning Officer shall conduct the ballot for the position of Vice President (New Zealand) only amongst the eligible voters from the New Zealand Chapter as determined by the voter's place of residence recorded in the Association's Register of Members.
- (42) The order of names on the ballot paper (ballot web page where conducted electronically) shall be determined by lot in the following way:
- a. the Returning Officer shall write the names of the candidates on separate and like slips of paper, fold each slip of paper so as to prevent identification, mix the slips in a suitable container, and without unfolding them randomly draw the slips, and
 - b. the Returning Officer shall open each randomly drawn slip and list the candidate's names on the ballot paper in the order drawn.
 - c. The Returning Officer shall conduct the ballot for positions for which an election is required by electronic ballot, or in the event that an electronic balloting system is not available to conduct the ballot, then by postal ballot. The balloting arrangements are to conform to the following requirements:
 - d. **Electronic Ballot**
 - i. By sending to all eligible voters an email notice to the last known email address recorded in the Association's Register of Members, informing them of the web address for the on-line voting system, accompanied by a sheet containing information about the candidates for election.
 - ii. The email notice is to be dispatched to eligible voters forty two (42) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
 - iii. The web based electronic balloting system is to open forty two (42) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
 - iv. The web based electronic balloting system is to close fourteen (14) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
 - e. **Postal Ballot**
 - i. By sending to all eligible voters by airmail post to the last known mailing address recorded in the Association's Register of Members, papers that are to consist of a sheet containing information about the purpose of the ballot and the method of correctly completing the balloting materials, one or more ballot papers issued by the Returning Officer, a sheet containing information about the candidates for election, an envelope carrying no identification of the voter in which the ballot papers are to be sealed by the voter, and a postpaid envelope, which on its reverse has the printed name and signature of the voter, for the airmail return to the Returning Officer of the sealed envelope.
 - ii. Balloting materials are to be dispatched to eligible voters forty two (42) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
 - iii. Completed balloting materials are to reach the Returning Officer by 5.00pm (at the address for return of balloting materials) fourteen (14) days prior to the date set for the Annual General Meeting in the year in which the election is being held.
- (43) Eligible voters may only vote once in an election.

Security of the Ballot

- (44) The Returning Officer shall ensure that all ballots received as part of an election, whether by post or electronically, are kept secure from tampering or loss during the conduct of the election.
- (45) The Returning Officer shall keep all election materials, other than electronic and written correspondence which is to be kept in accordance with the Association's correspondence archiving and disposal policy, for a period of six (6) months following the declaration of the election result after which period it may be securely destroyed.

Close and Declaration of the Ballot

- (46) As soon as practicable after the close of the ballot, the Returning Officer shall count the formal votes cast by eligible voters.
- (47) The count may be conducted electronically or by hand tally.
- (48) When the Returning Officer is satisfied that the votes have been correctly tallied, and not less than seven (7) days prior to the date set for the Annual General Meeting in the year in which the election is being held, the Returning Officer shall declare the results of the elections by reporting in writing to the Secretary:
 - a. the names of the persons elected to each position on the Board of the Association and any positions that have not been filled,
 - b. the number of eligible voters,
 - c. the total number of formal votes cast,
 - d. the total number of informal votes cast,
 - e. the total number of votes cast for each candidate.

Disputes

- (49) Where the Board receives a notice in writing setting out the grounds of a complaint by a member relating to the validity or conduct of any Ballot, the Board shall appoint a committee of three members chaired by a Fellow Member of the Association to investigate the complaint and report.
 - (50) The committee shall report to the Board within sixty (60) days of a complaint being referred to the committee by the Board.
 - (50) After receiving the report of the committee the Board shall hear the complaint and determine the matter in accordance with Rule 48(7).
-

ENVIRONMENT INSTITUTE OF AUSTRALIA AND NEW ZEALAND INC.

**NOMINATION FORM FOR MEMBERSHIP OF THE BOARD
(Only current financial members may nominate for office)**

PLEASE PRINT CLEARLY

POSITION SOUGHT:
(President, Vice President (Australia), Vice President (New Zealand), Secretary, Treasurer, Ordinary Member)

PERSON SEEKING OFFICE:

Print Name:

I am a current financial member in the following Membership Category: Ordinary Member / Fellow Member (**Cross out whichever does not apply**) and, if elected, am willing to serve in the position for which nominated for the term of two years.

I have provided with this form the required **200 word** statement of skills and experience that I bring to the position for which I am nominated.

Signature:

Date: Day / Month / Year

To be valid this Nomination must be endorsed by two persons who are Ordinary Members or Fellow Members of the Environment Institute of Australia and New Zealand. The two Members or Fellows endorsing the Nomination must be current financial members. Nominations cannot be endorsed by Student Members or Associate Members.

ENDORISING MEMBER NO 1:

Print Name:

I am a current financial member in the following Membership Category: Ordinary Member / Fellow Member (**Cross out whichever does not apply**)

Signature:

Date: Day / Month / Year

ENDORISING MEMBER NO 2:

Print Name:

I am a current financial member in the following Membership Category: Ordinary Member / Fellow Member (**Cross out whichever does not apply**)

Signature:

Date: Day / Month / Year

STATEMENT OF SKILLS AND EXPERIENCE
(Must not exceed 200 words in length)

This statement is given in compliance with Rule 47(2)(b) of the EIANZ Rules of Association.

Print Name:

X

This statement is limited to 200 words starting at X

Signature:

Date: Day / Month / Year

Note: Candidates are invited to supply, with this nomination, a passport size photograph of the candidate taken in the previous 12 months.