



## By-law 6 – Board Elections

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

### **6.1 Returning Officer**

- (1) An election referred to in Rule 47 is to be conducted by the Chief Executive Officer 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 Chief Executive Officer 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

### **6.2 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 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.
- (6) 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.

### **6.3 Roll of Eligible Voters**

- (7) 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.

### **6.4 Form and Counting of Ballots**

- (8) 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 preferential method of vote counting.
- (9) 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.



## **6.5 Information for Voters**

- (10) 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.
- (11) A candidate breaching this requirement may be subject to disciplinary proceedings in accordance with Division 3 of the EIANZ Rules of Association.

## **6.6 Scrutineers**

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

## **6.7 Conducting a Ballot**

- (14) By sending to all eligible voters an email notice to the last known electronic 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.
- (15) The electronic 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.
- (16) 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.
- (17) 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.
- (18) Eligible voters may only vote once in an election.

## **6.8 Close and Declaration of the Ballot**

- (19) 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.

## **6.9 Disputes**

- (20) Where the Board receives a notice in writing setting out the grounds of a complaint by a voting 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.
- (21) The committee shall report to the Board within sixty (60) days of a complaint being referred to the committee by the Board.