

January 22, 2020

File: 1680-04 EMB ELRUL

DELIVERED BY EMAIL

Jim Collins, Chair
BC Broiler Hatching Egg Commission
250 – 32160 South Fraser Way
Abbotsford, BC V2T 1W5

Dear Mr. Collins:

**BRITISH COLUMBIA BROILER HATCHING EGG COMMISSION 2019 ELECTION
RULES AND PROCEDURES REVIEW – APPROVAL**

Under the *British Columbia Broiler Hatching Egg Scheme*, s. 4(2), election rules and procedures do not come into effect until approved by the BC Farm Industry Review Board (BCFIRB). I have been appointed by the Chair of the BCFIRB as a one-person panel to review proposed changes to commodity board and commissions election rules and procedures in 2019.

On December 13, 2019, the BC Broiler Hatching Egg Commission (the Commission) submitted the following to BCFIRB:

- a request for approval of proposed changes to its 2016 Rules and Procedures for the Election of Elected Commission Members; and,
- a request for a one-time amendment for the 2020 election.

The proposed changes to the 2016 Election Rules are summarized as follows:

- Changing a Commission member's term of office from three years to four;
- Updating references to include the use of email and online voting;
- Extending the Election Rules and Procedures review to every five years;
- Adding the Natural Products Marketing (BC) Act Regulations sections 3(h) and (j) ; and,
- Minor revisions to improve clarity.

Decision

Proposed changes

I hereby approve the changes being proposed, with the exception of adding NPMA Regulations sections 3(h) and 3(j). Upon consideration, the addition of these sections “as is” does not directly affect the election process itself and takes away from the overall clarity of the election rules. The existence of the clauses within the NPMA Regulations is sufficient should any party challenge the Commission's authority over its election process, or the validity of the Commission's acts should there be an election irregularity. In lieu of including the sections in the election rules, the

**British Columbia
Farm Industry Review Board**

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

Location:
780 Blanshard St
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard

Commission could consider an Appendix or accompanying document to the election rules listing the relevant NPMA Regulation provisions for transparency.

One-time Amendment for 2020 Election

With the above approval, a Commission member's term is now four years.

In order to transition from a schedule of two elections per year to a schedule of one election per year, the Commission requested a one-time exception to the new four-year member term (Rule 2) for their 2020 election.

The requested one-time amendment would allow for one member to be elected for a three-year term, and the second member to be elected for a four year-term in the 2020 election. The 2020 election would be run according to the approved 2019 Rules and Procedures for the Election of Commission Members. The Commission reports that the Chair will conduct a coin toss to determine which elected member will serve the three year-term and which member will serve the four year-term.

I hereby approve a one-time amendment for the 2020 election to the Commission's 2019 Election Rules and Procedures to allow for the election of one member for a three-year term and one member for a four-year term. I approve the use of a coin toss by the Commission Chair to determine which member will serve the three-year term and which will serve the four-year term on the condition that the coin toss is conducted in the presence of two members at a minimum.

Next Steps

Please provide an updated Word version of the election rules, including the date of Commission approval under "Effective Date". Upon receipt my signature will be attached.

BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD

Per:



Tamara Leigh
Presiding Member

Cc: BCFIRB web site