

# BCTMB ELECTION RULES AND PROCEDURES

*These rules and procedures are made subject to provisions of the British Columbia Turkey Marketing Scheme (B.C. Reg. 432/88) and the Natural Products Marketing (BC) Act Regulations (B.C. Reg. 328/75) (collectively, the “Regulations”) and in some cases, paraphrase the wording in the Regulations. In the event of any conflict between the Regulations and these rules and procedures, the Regulations will govern. Persons who need to rely on the text of these rules and procedures for legal or other purposes should review the Regulations and/or the orders of the British Columbia Turkey Marketing Board, as appropriate.*

## **Board Composition**

The British Columbia Turkey Marketing Board (BCTMB or Board) consists of:

- a chair appointed by the Lieutenant Governor in Council; and
- three members who are registered growers, elected by registered growers.

## **Regular Election:**

An election will be conducted each year to elect one of the three elected members to the BCTMB.

A regular election will be initiated at least seven (7) weeks prior to the BCTMB’s Annual General Meeting (AGM), which is to be held no later than March 31<sup>st</sup> in each year.

## **Term of Office and Vacancies**

The term of office of an elected member is three years. An elected member’s term begins as of the end of the AGM where they were elected.

If a vacancy arises as a result of the expiry of a member's term, that member may serve until a successor is elected or appointed as provided for in these rules.

A member ceases to hold office when:

- the person is convicted of any offense under the *Natural Products Marketing (BC) Act* or the British Columbia Turkey Marketing Scheme;
- the person resigns in writing; or
- the member is absent from the province for three consecutive months, or fails to attend to his or her duties for a like period of time, and the position is declared vacant by the remaining board members.

A member may stand for re-election in the year that their term expires if they are a valid nominee.

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Where circumstances require that more than one board member is to be elected due to a member leaving their term before it is completed the nominee receiving the higher number of votes will fill the longer term and the nominee with the lesser number of votes will fill the shorter term.

### **Special Election to Fill Vacancy**

If a vacancy occurs, the Board shall call a special meeting of registered growers, to be held within 60 days of the date on which the vacancy occurs, to elect a member for the balance of the unexpired term.

The special election to fill a vacancy will be conducted as set out in these Rules and Procedures for a regular election with the ballots counted and the results announced at the special meeting..

### **Loss of Quorum**

BCFIRB may fill any vacancy in the membership of the BCTMB when the members do not constitute a quorum.

Once members constitute a quorum the BCTMB shall call a special election to fill the vacancy.

### **Election Irregularities**

In the event of any delay or irregularity occurring in the conduct of any election or any doubt arising as to the validity of any election, the British Columbia Farm Industry Review Board (BCFIRB) shall have authority to determine who are the members of the Board, extend the time for making nominations, or direct that a special election be held at any time.

### **Registration**

The Board shall keep a record (to be known as the Register of Growers) of all growers whose names and addresses have been registered in accordance with orders of the Board. The BCTMB will at all times maintain a current and accurate Register of Growers and the register shall be open to inspection at all reasonable times at the Board office.

As provided in the general orders of the BCTMB, to be entitled to be named in the Register of Growers, a grower must:

- hold a current grower license issued by the Board; and,
- be issued quota in accordance with the Quota Regulation.

A registered grower's name may be deleted from the Register of Grower according to the provisions set out in the General Order

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Registered growers are eligible to stand for election, nominate candidates for election and vote in the election of members to the BCTMB.

In accordance with the Regulations every registered grower that is a partnership or corporation shall, in writing, appoint an individual to vote on its behalf and shall file with the Board a copy of such appointment. Any changes to these appointments must be received at least one week before ballots are mailed (or made available electronically).

## **Returning Officer**

The BCTMB will appoint a person or firm who is independent of the Board and the staff as the Returning Officer to oversee the election and certify the results.

## **Election Schedule**

At least seven (7) weeks prior to an election, the Board or Returning Officer will send out via electronic or regular mail a notice to each registered grower:

- (a) stating the date fixed for the election (i.e. date of the AGM or special meeting to fill a vacancy);
- (b) identifying the Returning Officer;
- (c) identifying the position for election and the term of office;
- (c) calling for nominations;
- (d) stating the deadline for nominations;
- (e) Identifying the date when ballots will be circulated or made available online;
- (f) stating the deadline for receipt of ballots at the office of the Returning Officer; and
- (g) providing a copy of the election rules and procedures.

## **Nominations**

The Returning Officer will receive and validate all nomination forms and ballots.

All nomination forms must:

1. Be signed by five registered growers.

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2. Be received by the Returning Officer by the deadline for nominations.
3. Be signed by the individual to be nominated as a candidate for election;

### **Conflict of Interest**

Each eligible nominee will be informed by the Returning Officer that upon election to the BCTMB, a signed declaration must be provided that identifies any office and directorships currently held by the grower.

Where a member of the Board holds an office or directorship that may result in a conflict of interest that could impair the member's ability to fulfill his or her obligations on an on-going basis as an elected member of the BCTMB, the BCTMB may require that member to undertake to divest himself or herself from such office or directorship or to resign as a member of the Board.

### **Candidate Information**

Nominees may provide a short one page biography that will be forwarded to all eligible voters with the voting package. The biographies must be submitted to the Returning Officer by the deadline for nominations.

### **Voting**

If only one person is nominated as a candidate for an open office, that valid nominee will be elected by acclamation as of the date fixed for the holding of the election.

If there is more than one candidate for any open office, the election will be held.

The date for counting of the ballots will be the respective AGM or special meeting called to fill a vacancy. Any ballots received after the deadline will not be counted.

An individual who is a registered grower, or an individual appointed to vote on behalf of a partnership or corporation that is a registered grower, is entitled to vote in an election (eligible voter).

Only one vote may be cast per registered grower. If more than one vote is cast by a registered grower none of that growers' votes will be counted.

If the BCTMB has approved an on-line voting system that meets appropriate security, safety and ease of use requirements, the Returning Officer will advise all eligible voters of the option to vote on-line or by mail-in paper ballot.

If both voting options are available, each eligible voter choosing to vote by mail-in paper

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ballot must inform the Returning Officer of their choice in accordance with the instructions provided by the Returning Officer. If the Returning Officer is not informed of an eligible voters choice to vote by mail-in paper ballot, that voter must vote by on-line ballot.

### *Voting on-line*

Each Grower voting online will be sent an individual email from the Returning Officer by the date identified in the Election Schedule. The email will include a web link to the online voting site, and a one-time use individual access code.

### *Voting by paper ballot*

Each eligible voter voting by mail-in paper ballot will be sent a small ballot envelope and a mailing envelope addressed to the Returning Officer.

To vote by mail-in ballot, the voter must:

- Mark the ballot with their choice of candidate
- Place the marked ballot in the ballot envelope
- Make no identifying marks on the ballot envelope
- Seal the ballot envelope
- Insert the ballot envelope in the mailing envelope
- Identify the voter on the back of the mailing envelope
- Seal and mail the mailing envelope to the Returning Officer

After confirming eligibility to vote, the Returning Officer will retrieve the ballot envelope from the mailing envelope, discard the mailing envelope, and place the ballot envelope into the ballot box.

### **Ballot Count**

All ballots cast must be received by the Returning Officer by the deadline set in the Election Schedule and validated by the Returning Officer. The valid ballots will be opened and counted by the Returning Officer at the respective BCTMB AGM or special meeting to fill a vacancy. Candidates may appoint a scrutineer to observe the count of ballots.

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## **Election Outcome**

The candidate receiving the highest number of votes will be elected to the BCTMB. In the event of a tie all ballots will be recounted. If a recount confirms the tie result, the BCTMB Chair will cast the deciding vote.

The Returning Officer will announce the election results at the AGM or special meeting and contact all candidates to notify them of the election outcome.

A written report prepared by the Returning Officer will be submitted to the BCTMB and BCFIRB upon completion of the election.

All ballots will be kept by the Returning Officer until the BCTMB passes a motion for destruction.

## **Review Process**

The Election Rules and Procedures shall be reviewed by the BCTMB in consultation with registered growers every four years, with the next review scheduled for 2017. The BCTMB will also review the Election Rules and Procedures upon receipt of a written request from the B.C. Turkey Association or upon receipt of written request by 20 registered growers. Any changes to the Election Rules and Procedures must be approved by BCFIRB prior to implementation.

## **Effective Date**

Approved by the BC Turkey Marketing Board on: December 23rd, 2013

Approved by BCFIRB on: January 3, 2014



Diane Fillmore  
Member, BCFIRB

These Election Rules and Procedures come into effect on January 3, 2014 and replace all previous rules and procedures for election of members.