

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.

British Columbia Turkey Marketing Board

The British Columbia Turkey Marketing Board is continued and consists of a chair appointed by the Lieutenant Governor in Council and the members elected under subsection 18 (1.1) of the Scheme.

The British Columbia Turkey Marketing Board

1. Must include 3 members who are registered growers, elected by the registered growers, and
2. May include 1 additional member who is a registered grower, elected by the registered growers.

Regular and Special Elections:

- (a) A regular election will be conducted at least once per year to elect one of the three mandatory elected members to the Board.
- (b) A regular election will be initiated at least seven (7) weeks prior to the Board’s Annual General Meeting (AGM), which is to be held no later than March 31st in each year.
- (c) If an additional member is to be elected to the Board, the election for that additional member may be incorporated into a regular election or held as a special election at some other time.

Term of Office and Vacancies

The term of office of an elected member is three years, unless otherwise provided in these rules. The term shall commence immediately after the AGM or the special meeting.

A member of the Board shall cease to hold office if he or she is convicted of any offence under the Natural Products Marketing (BC) Act or of the British Columbia Turkey Marketing Scheme under which he or she is elected or appointed, or if by notice in writing to the Board he or she resigns his or her office, or if his or her office is declared vacant by reason of being absent from the Province for 3 consecutive months or failing to attend to his or her duties for a like period.

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

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.

Fourth Board Member

The Board may at its discretion call for the election of a fourth Board Member at the AGM or mid-term. The election for a fourth Board Member shall be carried out in the same fashion as a special election. The end of the fourth Members term will be at the discretion of the Board.

The Board will consult with Growers to seek their opinion before a special election for a fourth Board member will be held. This consultation will include the following:

- The date of the special election
- The reason for the special election
- The length of term for the fourth Member

The Board will consider all feedback received before determining if a special election is in the best interest of the industry.

Loss of Quorum

If any vacancy occurs in the membership of the Board by reason of death or through any member ceasing to hold office, and the remaining members do not constitute a quorum, the BCFIRB may appoint a temporary member to fill the vacancy.

When a temporary member has been appointed by the BCFIRB, the Board will call a special election to fill the position then occupied by the temporary member with an elected member.

Election Irregularities

The acts of the Board shall notwithstanding any defect or irregularity in the appointment or election or qualifications of any member thereof be as valid as if the Board and every member thereof had been duly appointed or elected and were duly qualified.

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Registration

The Board shall keep at its head office 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. Such record shall be amended from time to time by the addition thereto of the names and addresses of all growers who are entitled to be registered and by the deletion therefrom of the names and addresses of growers who are not entitled to be registered; provided, however, that before the name of any grower is removed from the said register, the Board shall give the person 2 weeks' notice in writing of the intention to do so, and the name of such grower shall not be removed as aforesaid if that person shall, within the said period, give to the board sufficient reason for the retention of that person's name on the said register.

“registered grower” means a grower who is licensed by the Board as a grower and who is entitled to have his or her name entered in the Register of Growers in accordance with Division 2 of this Order;

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 one week before ballots are mailed (or distributed 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;
- (d) calling for nominations;
- (e) stating the deadline for nominations;

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- (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 (5) registered growers.
2. Be received by the Returning Officer by the deadline for nominations.
3. The individual consents in writing 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, *they will be required to sign a declaration* 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 (maximum single-sided 8½" x 11" 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

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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 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.

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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.

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 five years, with the next review scheduled for 2026. 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: June 24, 2021

Approved by BCFIRB on: August 17, 2021.



Tamara Leigh,
Member, BCFIRB

These Election Rules and Procedures come into effect on August, 17 2021 and replace all previous rules and procedures for election of members.