

## Rules and Procedures for Election of Members to the British Columbia Chicken Marketing Board

### **1. Composition of the BC Chicken Marketing Board:**

The British Columbia Chicken Marketing Board (BCCMB) consists of:

- The Chair appointed by the Lieutenant Governor in Council;
- Two members appointed by the Lieutenant Governor in Council;
- Two members who are registered growers elected by registered growers.

### **2. Election Officer:**

The BCCMB will appoint a person or firm who is independent of the BCCMB and the chicken industry as the Election Officer to oversee the election and certify the results.

The election procedures include:

- Notice of election by regular mail or electronic mail to all registered growers along with timelines for:
  - o commencement and close of nominations
  - o notice of candidates and
    - candidate's biography (optional)
  - o deadlines for appearing on the list of voters
  - o deadline for registering a change in voting method (mail or electronic)
  - o deadline for receipt of completed ballots
- Receipt and validation of nomination forms
- Administration and collection of all ballots
- Counting all ballots
- Announcing the final vote result at the BC Chicken Growers' Association Annual General Meeting.
- Destroying all ballots

### **3. Nominations:**

Every person who is nominated as a candidate for election as a member of the Board:

- (a) must be a natural person who is a grower or who is authorized to represent a grower in accordance with section 3.03(2) of the BC Chicken Marketing Scheme, 1961 and whose name and address are recorded on the Register of Growers, and

- (b) must have his or her nomination endorsed in writing by not less than 5 growers whose names are recorded on the Register of Growers before the deadline for close of nominations. No natural person, whether an individual grower or a representative of one or more growers, may endorse the nomination of a candidate more than once, but may nominate multiple candidates.

In order to hold office or continue to hold office as an elected member of the Board, the member must meet the requirements of paragraph (a) above at all times.

Nominations must be received by the Election Officer no later than 4:00 p.m. on the date of close of the nominations. The nomination may be accompanied by a candidate biography which will be mailed to all growers along with the notice of candidates.

If there is only one nomination, the candidate will be elected by acclamation. If there is more than one candidate, an election will be held.

#### **4. Eligibility to Vote:**

The BCCMB will maintain a list of growers who are eligible to vote in the election of Board members (the Voting Grower List). For purposes of these Rules and Procedures, a “Voting Grower” means:

- (i) a registered grower who is a natural person (in this case the registered grower – e.g. John Smith -- is automatically added to the Voting Grower List) OR
- (ii) a natural person who has been appointed by a registered grower that is a partnership, firm or corporation to vote on its behalf in accordance with section 3(p) of the Natural Products Marketing (BC) Act Regulation (in this case, Old McDonald’s Farm Ltd. or Smith Farm, which is a partnership of John and Mary Smith, must appoint a natural person – e.g. James McDonald Jr. or Mary Smith – as its voting grower representative for the representative’s name to be added to the Voting Grower List).

A registered grower that is a partnership, firm or corporation may appoint a natural person to vote on its behalf under section (ii) by filling out the relevant area on the annual licence application form or by filling out the prescribed form.

The BCCMB will update the Voting Grower List annually based on information on the Register of Growers and licence applications, and at other times as required.

In order for an individual’s name to appear on the Voting Grower List for an election, a grower under (i) above must be listed on the Register of Growers, no later than 4:00 p.m. on the “Deadline to be added to the Voting Grower List”, as indicated on the election timeline for that

election. An e-mail address must be provided for the Voting Grower who chooses online voting. A mailing address must be provided for the Voting Grower who chooses paper ballot voting.

In order for an individual's name to appear on the Voting Grower List for an election, an appointment to the Voting Grower List under section (ii) must be received at the offices of the BCCMB no later than 4:00 p.m. on the "Deadline to be added to the Voting Grower List", as indicated on the election timeline for that election. An e-mail address must be provided for the Voting Grower in the choice of online voting. A mailing address must be provided for the Voting Grower in the choice of mail-in voting.

In order to be a Voting Grower, an individual must be at least 19 years of age.

An individual whose name does not appear on the Voting Grower List is not eligible to vote.

The Voting Grower List will be available for viewing during normal office hours at the BCCMB office and will be posted on the BCCMB website at [www.bcchicken.ca](http://www.bcchicken.ca).

## **5. Elections:**

In the year an election is held, it shall take place in the month of February, or as soon afterwards as it may conveniently be held.

All voting will be conducted by secret ballot.

A Voting Grower may vote by mail-in paper ballot, or, if the BCCMB has approved an on-line voting system that meets appropriate security, safety and ease of use requirements, by an on-line vote, provided their name has been added to the Voting Grower List within the specified timelines.

Completed ballots will be held by the Election Officer until the deadline for receipt of ballots as outlined in the timeline.

## **6. Voting:**

Each registered grower choosing to vote must indicate on their annual licence form whether they will vote by paper mail-in ballot or, if available, on-line ballot.

If registered growers do not have an email address, or do not complete the election section of their annual licence form they will receive a paper mail-in ballot.

Growers may change their preferred method of voting in accordance with the voting instructions and deadline provided by the Election Officer.

## **Voting On-line**

Each Voting Grower voting by online ballot will be sent an individual email from the Election Officer by the date identified in the election timeline. 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 Voting Grower voting by mail-in ballot will be sent a ballot, a small ballot envelope and a mailing envelope addressed to the Election Officer (including postage). To vote by mail-in ballot, the Voting Grower must mark the ballot with his choice or choices, 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, and seal and mail the mailing envelope to the Election Officer. For all ballots received before the deadline for receipt of ballots, eligibility will be confirmed and then the Election Officer will retrieve the ballot envelope from the mailing envelope, discard the mailing envelope, and place the ballot envelope into the ballot box.

All completed ballots will remain in the custody and control of the Election Officer until they are destroyed in accordance with these Rules and Procedures.

At the time designated at the BC Chicken Growers Association (BCCGA) AGM, the Election Officer will count all ballots. A candidate may appoint a scrutineer to observe the ballot counting.

In the case of a tie, all ballots will be recounted. If the recount confirms a tie result, the BCCMB chair will cast the deciding vote. The Election Officer will announce the results at the BCCGA AGM.

The first newsletter mailed to all growers by the BCCMB after the election will also announce the outcome.

## **7. Terms of Office and Re-election of Board Members:**

The term of office of an elected member is three years. An elected members' term begins at the end of the BCCGA Annual Meeting where they were elected.

If a vacancy arises as a result of the members' term expiring, that member may serve until a successor is elected or appointed in accordance with these Rules and Procedures.

A member of the Board may stand for re-election if they meet the requirements for nominee.

A person elected to the BCCMB continues to hold office until:

- He or she
  - o is convicted of any offence under the Natural Products Marketing (BC) Act; or
  - o resigns in writing; or
  - o ceases to be a grower or authorized to represent a grower in accordance with section 3.03(2) of the BC Chicken Marketing Scheme, 1961 and ceases to have his or her name and address recorded on the Register of Growers; or
  - o is absent from the province for three consecutive months and the other members declare his office vacant, or
- As a consequence of a formal remedy prescribed by the BCCMB Code of Conduct the position is declared vacant by the remaining Board members.

A vacancy that occurs on the Board other than by expiration of the term of office of an elected member, either by the death of the member or in the circumstances noted above, may be filled for the unexpired term by a quorum of the remaining members, subject to approval by the British Columbia Farm Industry Review Board (BCFIRB).

BCFIRB will fill any vacancies in the membership of the Board where the members do not constitute a quorum.

## **8. Election Timeline:**

Terms are staggered so that one grower member is elected in each election.

The Board, in consultation with the BCCGA, will set a date in February, or as soon afterwards as may be convenient, for conduct of a regular election.

The Election Officer will establish an Election Timeline based on the election date set by the Board. The Election Timeline will be in keeping with the Election Timeline Example (Appendix 1).

## **9. Review Process:**

These Rules and Procedures for Election of Members to the BCCMB shall be reviewed every three years (the next review to occur in 2020). The review process will include consultation with the BCCGA. The BCCMB will also review the procedures upon receipt of a written request

from the BCCGA. There will be no triggering of the review process once the election process has commenced.

Any changes to the Rules and Procedures for Election of Members to the BCCMB must be approved by BCFIRB prior to implementation.

## **10. Effective Date:**

These Rules and Procedures for Election of Members to the BC Chicken Marketing Board shall come into force upon approval by BCFIRB and shall replace all previous rules and procedures for the election of Board members.

Approved by the BCCMB on: August 11, 2017

Approved by BCFIRB on: October 2, 2017



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Diane Pastoor, BCFIRB

The rules shall be posted on the BCCMB website.

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