

GARRICK THEATRE CLUB INC.

BY-LAW: 21/04

TITLE: CONDUCT OF ELECTIONS AT AGM

PURPOSE

The Rules provide some detailed guidelines regarding the administration of elections at the Annual General Meeting. However, they are not specific in some areas and the following set of guidelines was drawn up in 2013 to ensure consistency and fairness from year to year. It is considered that these guidelines should now be contained in a by-law.

DETAIL

Rules for the Administration of the Elections

1 Returning Officer

- 1.1 The Returning officer is appointed each year at the AGM in advance for the following year.
- 1.2 The Returning Officer shall coordinate all aspects of the election process as far as it relates to nominations, determination of the need for a ballot, voting procedures and the declaration of the poll. If the Returning Officer is unclear on any issue he/she shall consult the Committee of the Club for clarification.

2. Procedures Prior to the Annual General Meeting.

- 2.1 A Club newsletter or some other approved form of communication will:
 - 2.1.1 Call for nominations for President, Vice-President, Secretary and Treasurer and a specified number of ordinary committee members at least 4 weeks before the AGM.
 - 2.1.2 Include an official Nomination Form on which all nominations must be made.
 - 2.1.3 Advise the closing date for nominations.
- 2.2 All nominations must be forwarded directly to the Returning Officer who will check that the nomination is completed correctly.
- 2.3 Within 24 hours of the close of nominations, the Returning Officer will prepare a list of accepted nominations for each position. This list will be displayed in a prominent position at the Club premises. The Returning Officer will also formally advise the Club President of the list of nominations.
- 2.4 Not less than 14 days before the AGM the list of nominations will be communicated to all members in a manner approved by the Committee. This will normally require an additional Club newsletter.

3. Procedures at the Annual General Meeting

- 3.1 The Returning Officer will conduct the election at the AGM at the appropriate time on the agenda.
- 3.2 The Returning Officer will appoint at least two scrutineers who will assist with any ballots required. These scrutineers must not be candidates for any position at these elections.

- 3.3 The procedures and order of business will be as follows:
- 3.3.1 Nominations for the position of President will be announced. If there is one nomination, then that nominee will be declared elected. If there is more than one nominee, each nominee will be invited to address the meeting for a maximum of 2 minutes. The Returning Officer will then conduct a secret ballot by the method of “first past the post”. Following the ballot, the Returning Officer will declare the successful candidate elected. If there are no nominations for this position the Returning Officer will call for nominations from the floor of the meeting and then proceed as above.
 - 3.3.2 Nominations for the position of Vice-President will be announced. If a nominee for this position has already been elected to a previously declared position their nomination for this position will be regarded as expired. The election will then proceed as in 3.3.1.
 - 3.3.3 Nominations for the position of Secretary will be announced. If a nominee for this position has already been elected to a previously declared position their nomination for this position will be regarded as expired. The election will then proceed as in 3.3.1.
 - 3.3.4 Nominations for the position of Treasurer will be announced. If a nominee for this position has already been elected to a previously declared position their nomination for this position will be regarded as expired. The election will then proceed as in 3.3.1.
 - 3.3.4 Nominations for the ordinary committee positions will be announced. If a nominee for one of these positions has already been elected to a previously declared position their nomination for this position will be regarded as expired.
 - 3.3.4.1 If the number of remaining nominees is equal to or less than the required number to be elected they will all be declared elected. If there were less than the required number of nominees declared elected, the Returning Officer will call for nominations from the floor of the meeting for the remaining positions. If the number of such nominees equals the number of remaining positions, those nominees will be declared elected. If the number of such nominees is greater than the number of remaining positions, a ballot will be conducted as in 3.1.1.
 - 3.3.4.2 If there are more than the required number of nominees for the ordinary committee positions then a ballot will be conducted as in 3.3.1.
- 3.4 The precise manner in which the Returning Officer organises a secret ballot is at the discretion of the Returning Officer and will depend on the circumstances. It is normal to write the name(s) of the preferred candidate(s) on the ballot papers. However, in a situation, for example, where there are seven candidates for six positions the Returning Officer may instruct voters to write the name of the one person they do not wish to vote for on the ballot paper.
- 3.5 If there is a tied vote for the election of an office-bearer the Returning Officer will determine the successful candidate by the toss of a coin.

4. Dispute Resolution

If, during the election process at the AGM, it is determined that a majority of members present disagree with a ruling or decision of the Returning Officer, the following procedures will be followed:

- 4.1 Where the Chair determines that it is clear, or reasonable to interpret, that the Returning Officer has acted in accordance with the procedures in this document, the Returning Officer's ruling or decision will stand.
- 4.2 Where the Chair determines that it is clear that the Returning Officer has not acted in accordance with the procedures in this document, the Returning Officer will be directed by the Chair to revise his/her ruling or decision to be in accordance with this document.
- 4.3 If the Returning Officer refuses or fails to comply with the directive in 4.2 the Chair may call for a motion to declare the position of Returning Officer vacant and call for nominees for the position. If there is more than one nominee, the chair will conduct a simple ballot by a "show of hands". The Chair will declare the successful candidate elected as Returning Officer and the business of the Committee elections will proceed.

AGM and Election Timelines (2021)

The following table brings together all deadlines and necessary dates relating to the calling of the AGM and notifications regarding elections. These dates are all in accordance with the requirements of the relevant clauses of the Constitution. The 2021 dates are used.

	No later than
October Committee Meeting – last practical date for approving new financial members who can vote at the AGM	TBA
Latest date for calling for nominations for Committee. (Rule 34 (1) – at least 35 days before the AGM) This is effectively the date by which the “October” newsletter must be received by all members. It can be done earlier if desired.	Friday 8 th October 2021
Specified date for close of nominations. (Rule 34 (2) – 21 days before the AGM)	Friday 22 nd October 2021
Latest date of Notice of AGM <i>including any proposed amendments to the Constitution</i> and the publication of nominations for Committee (Rule 54 (1) – not less than 14 days before the AGM) NOTE: If there is to be a Special Resolution to be considered this notice must be 21 days. This will require an additional newsletter which will have to be received by members by this date and will have to be finalized, printed and distributed within one week.	Friday 29 th October 2021 OR Friday 22 nd October 2021 if a Special Resolution to be considered
Annual General Meeting	Friday 12 th November 2021

DATE APPROVED BY COMMITTEE: / / .

DATE ADOPTED BY GENERAL MEETING: / / .

REVIEW: **3 YEARS FROM ADOPTION**