



R S L N S W

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Sub-Branch Election Procedures

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1. Overview

The scope of this SOP is to outline sub-Branch Election Procedures.

2. Term of Office

2.1 sub-Branch Executive, Delegates and Auditor

A member of a sub-Branch Executive will hold office for the period set out in clauses 13.11 – 13.12 of the Constitution. The terms of clause 13.11 – 13.12 also apply to the positions held by any General Committee Member, delegate (being a delegate to District Council, Annual Congress or the Annual General Meeting [other?]) or Auditor.

2.2 Casual Vacancy

Clause 13.13 of the Constitution sets out the manner in which a casual vacancy on a sub-Branch Executive is created and filled. The terms of this clause also apply to the positions held by any General Committee Member, delegate or Auditor.

3. Sub-Branch Election Procedures

3.1 Nominations

- a) A sub-Branch must, at least one month prior to the annual general meeting of the sub-Branch determine whether:
 - (i) nominations for sub-Branch Executive, Committee, Delegates or Auditor are required to be made verbally or in writing;
 - (ii) and if votes for nominees are to be:
 - A. submitted by postal ballot (if applicable); or
 - B. based on a show of hands of those members present and voting at the meeting; or
 - C. conducted by secret ballot of those members present and voting at the meeting; or
 - D. conducted by a combination of one or more of the above.
- b) The sub-Branch's determination under clause 3.1 must be made and communicated.
- c) If nominations are required to be made verbally:
 - (i) the nomination must be made at the annual general meeting of the sub-Branch; and
 - (ii) the sub-Branch Secretary must record each nomination received by the sub-Branch and the time and date received, in the minutes of the meeting
- d) If nominations are required to be made in writing, the nomination must be received by the sub-Branch Secretary at least 14 days prior to the annual general meeting and signed by two members of the sub- Branch.
- e) All candidates for nomination must be a Service Member, Life Member or an Affiliate Member of the sub-Branch except that an Affiliate Member may not be nominated or hold the positions of President or Vice President. Nominees must accept the nomination.

3.2 Returning Officer and Scrutineers

- a) For any election of persons to the sub-Branch Executive, the members of the sub-Branch must endorse a returning officer. The returning officer is responsible for the proper administration and facilitation of the election and must not be a nominee for a position in the election. The returning officer will usually be the sub-Branch Secretary unless the secretary is nominating for a position.
- b) Any nominee for a position must may appoint a scrutineer to observe the proper procedure of the election on their behalf at the annual general meeting. The scrutineer must be appointed by the relevant nominee. The scrutineer must not be a nominee for a position in the election.
- c) A challenge to the proper conduct of the election may only be raised by the scrutineer [how]. In the event of such challenge, the returning officer must make a determination which determination is final and binding.
- d) Any person nominating for positions listed at section 3.3(a) below must not be appointed as the returning officer or scrutineer.

3.3 Conduct of Election

- a) The election of Sub-Branch Trustees, Executive Committee Members, Delegate and Auditor positions will be in the following order:
 - (i) Trustees (if applicable and in accordance with 3.4 below);
 - (ii) President;
 - (iii) Vice Presidents;
 - (iv) Secretary;
 - (v) Treasurer;
 - (vi) Committee Members;
 - (vii) Delegates to District Council, State Congress and State Annual General Meeting; then
 - (viii) Auditor.
- b) The election must be conducted in accordance with the determination made by the sub-Branch pursuant to clause 3.1(a) above.
- c) Where an election is not based solely on a show of hands and is conducted in whole or in part by way of ballot, if a ballot paper is not filled in in accordance with the returning officer's directions the returning officer will declare the ballot an informal vote.
- d) The nominee who receives the highest number of votes will be elected to the office they nominated for and accepted.
- e) If two or more candidates record the same number of votes the position will be determined by the returning officer drawing one of the nominees' names out of a suitable container.
- f) If only one candidate is nominated to fill a position, then they may be elected to the position if their nomination is seconded by a person entitled to vote pursuant to 3.2(d) above.
- g) The Chair must declare the name of each nominee elected and the position to which they have been elected at the annual general meeting of the sub-Branch.
- h) The election to the sub-Branch positions will take immediate effect except that any Trustee appointment will be subject to clause 3.4 below.

3.4 Appointment of sub-Branch Trustees (for unincorporated associations only)

- a) Trustees must be appointed in accordance with clauses 13.52 – 13.60 of the Constitution.
- b) Nominations for the position of Trustee at a general meeting of the sub-Branch may be made verbally at that meeting or by written notice received by the sub-Branch Secretary at least 14 days prior to the general meeting and signed by two members of the sub- Branch, eligible to participate in an election in accordance with clause 3.5.
- c) The sub-Branch secretary must record each nomination received by the sub-Branch and the time and date received, in the minutes of the general meeting.
- d) If more than one eligible person is being nominated to fill the position of Trustee, then the election may be in the discretion:
 - (i) based on a show of hands of those members present and voting at the meeting; or
 - (ii) conducted by secret ballot of those members present and voting at the meeting.
- e) If the [INSERT] determines that the election is to be conducted by secret ballot, then a returning officer and scrutineer (if the nominee so wishes to appoint one) must be appointed in accordance with clause 3.2 above.
- i) Where an election is not based solely on a show of hands and is conducted in whole or in part by way of ballot, if a ballot paper is not filled in in accordance with the returning officer's directions the returning officer will declare the ballot an informal vote.
- j) The nominee for a position who receives the highest number of votes will be elected to that position.
- k) If two or more candidates record the same number of votes the position will be determined by the returning officer drawing one of the nominees' names out of a suitable container.
- l) If only one candidate is nominated to fill a position, then they may be elected to the position if their nomination is seconded by a person entitled to vote pursuant to 3.2(d) above.
- m) The Chair must declare the name of each nominee elected and the position to which they have been elected at meeting of the sub-Branch at which the election was held.
- f) Following the appointment of sub-Branch Trustees, the sub-Branch must approach a Solicitor to prepare a Declaration and register it in accordance with clause 13.62 of the Constitution.
- g) Trustee duties and legal obligations are set out in the Roles, Responsibilities and Duties SOP.

3.5 Eligibility to Participate in Election

Only Members who have paid their membership fees in any year in accordance with clause 12 Annexure B of the Constitution and who are therefore financial members, can participate in elections whether by nominating, endorsing a trustee nomination in accordance with clause 3.4(b), standing for nomination, voting or election.

4. Document Control

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