



COLLEGE OF NATUROPATHIC PHYSICIANS OF BRITISH COLUMBIA

CNPBC ELECTION PROCEDURE 2009 AGM

1. Composition of the board

1. The board consists of four (4) elected board members and the appointed board members.

2. Eligibility for election to the board

2. (1) Subject to subsections (2) to (3), only a full registrant in good standing is eligible to be elected in an election under section 17 (3) (a) of the Act.
- (2) A registrant is not eligible to be elected if, within the six (6) year period immediately prior to the date of the election,
 - (a) his or her registration has at any time been suspended or cancelled for any reason other than non-payment of fees, or
 - (b) his or her authorization to practice naturopathic medicine has at any time been otherwise restricted or limited by
 - (i) any terms, limits or conditions of a consent or undertaking given by the registrant under section 36 of the Act, an order under section 35 or 39 of the Act, or a deemed order under section 37.1 of the Act, or
 - (ii) any terms or conditions attached to the registration under section 20 (2.1) of the Act.
- (3) A registrant who has served as an elected board member for the maximum number of consecutive terms allowed under section 8 (2) of the bylaws is not again eligible to be elected until a period of at least two (2) years has elapsed since the expiry of his or her most recent term of office as an elected board member.

3. Eligibility for voting in election

3. Only a full or non-practising registrant in good standing is eligible to vote in an election under section 17 (3) (a) of the Act.

4. Notice of election

4. (1) At least forty-five (45) days prior to the date of an election under section 17 (3) (a) of the Act, the registrar must deliver notice of the election to each registrant.

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- (2) The notice must contain information about the nomination procedure and the election procedure.
- (3) The accidental omission to deliver notice of an election to, or the non-receipt of such a notice by, any registrant, board member or committee member entitled to receive notice does not invalidate the election, any proceedings in relation thereto, or the results thereof.

5. Nomination procedure

5. (1) Only a full registrant in good standing may nominate a person for a board position to be filled in an election under section 17 (3) (a) of the Act, and he or she must do so by delivering such nomination to the registrar, together with a letter of consent from the nominee.
- (2) A nomination under subsection (1) must be received by the registrar at least twenty-one (21) days prior to the date of the election.
- (3) Despite subsections (1) and (2), if the number of board positions to be filled in an election is greater than the number of qualified nominations existing immediately prior to the election, a full registrant in good standing may nominate a person from the floor, with that nominee's consent, for a board position to be filled in the election.
- (4) A nominee under subsection (1) or (2) must, prior to the election, declare in writing that he or she will comply with the Act, the regulations and these bylaws and the procedures established by the registrar under section 7 (7).
- (5) The registrar must disqualify any nominee whose nomination contravenes the Act, the regulations or these bylaws, who is not eligible under section 3 to be elected or who does not comply with subsection (3).

6. Election procedure

6. (1) At each annual general meeting, an election under section 17 (3) (a) of the Act must be held to fill the elected board member positions that are vacant.
- (2) At least seven (7) days prior to the date of an election, the registrar must prepare and deliver a proxy to each registrant who is eligible to vote in the election.
- (3) A registrant who is eligible to vote in an election is entitled to one (1) ballot and may vote for one (1) candidate for each board position to be filled in the election.
- (4) Voting in an election must be by secret ballot.
- (5) The candidate, or candidates, receiving the most votes on the return of the ballots is, or are, elected.
- (6) In the case of an equality of votes during an election, the registrar must select the successful candidate, or candidates, by random draw.

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- (7) The registrar must supervise and administer all elections and may establish procedures, consistent with these bylaws, for that purpose.
- (8) The registrar may determine any dispute or irregularity with nomination, ballot or election.
- (9) If, at the close of nominations for an election, the number of qualified nominations under section 6 is less than or equal to the number of board positions to be filled in the election, the nominee is, or the nominees are, elected by acclamation, and, if any elected board member position remains vacant immediately following the election, the board may act under section 10 in respect of that vacant board position whether or not the vacancy occurred as described in section 10 (1), and, if any elected board member position remains vacant immediately following the election, the board may act under section 10 in respect of that vacant board position whether or not the vacancy occurred as described in section 10 (1).
- (10) The registrar must use Form 1 to certify newly elected board members under section 17.1 (1) of the Act.

7. Terms of office

7. (1) The term of office for an elected board member expires on the date of the second annual general meeting following the date that his or her election was began, as certified under section 17.1 (1) of the Act.
- (2) An elected board member may serve a maximum of four (4) consecutive terms.
- (3) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.

8. Removal of elected board member

8. (1) An elected board member ceases to hold office if he or she
 - (a) ceases to be a registrant in good standing, or
 - (b) dies
- (2) An elected board member may be removed from office by special resolution of the board, or by the registrants at a general meeting in accordance with section 36.

9. Vacancy

9. (1) If, before the expiry of his or her term of office, an elected board member
 - (a) resigns,
 - (b) is removed from office under section 9, or

(c) otherwise ceases to hold office,

the board may, by special resolution, appoint a full registrant to fill the resulting vacant board position.

- (2) Only a registrant who is eligible under section 3 to be elected may be appointed under subsection (1).
- (3) The term of office for a registrant appointed under subsection (1) expires on the date of the next annual general meeting following the date of his or her appointment.

10. Voting by proxy

10. (1) A registrant who is eligible to vote in an election under section 17 (3) (a) of the Act or at a general meeting may, by proxy, appoint in writing another registrant as his or her proxy holder to vote in the election or attend and act at the general meeting in the manner, to the extent and with the power conferred by the proxy.
- (2) A proxy holder has the same rights as the registrant who appointed him or her to vote in the election or speak at the general meeting.
- (3) A proxy ceases to be valid following the election or general meeting specified in the proxy.
- (4) A proxy must contain
 - (a) (a) the date it is executed,
 - (b) (b) the name of the proxy holder, and
 - (c) (c) the signature of the registrant who executed the proxy.
- (5) A proxy may be revoked by the registrant in writing.
- (6) A proxy must be received by the registrar at least twenty-four (24) hours prior to the date of the election or general meeting for which it is executed.
- (7) A registrant may hold a maximum of 2 proxies for any election or general meeting.
- (8) A proxy vote may be exercised in writing, if received by the board no less than 24 hours before the date of the election or general meeting for which it is written, and if it pertains to issues about which the registrant has been sent by the registrar the written information that is the subject of the vote.
- (9) ***Please note:*** The bylaws and procedures allow for voting by proxy but do not allow for voting by mail (absentee ballot). If a registrant is unable to attend the AGM wishes to vote in the election, he/she must follow the voting by proxy procedure above and designate a registrant who will be attending the meeting to vote on his/her behalf. The proxy holder will

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receive a ballot at the AGM as long as the proxy form is received by the registrar as per 10(8) above.

11. Election Validation

17. (1) Immediately after an election the registrar must

- (a) certify the person who is elected as a member of the board, and
 - (b) specify in the certificate the dates the member's term of office begins and ends
- (2) Subject to this section, a certificate under subsection (1) is conclusive evidence that the person named in the certificate has been elected a member of the board
- (3) A registrant may question a certificate under subsection (1) by petition to the Supreme Court within 30 days of the certificate being issued by the registrar setting out the grounds on which the registrant questions the certificate
- (4) A petition must be served on the registrar and on the person certified to be elected
- (5) A petition must be heard in a summary way
- (6) The court may give directions on procedure and on persons to be served with the petition
- (7) The court may decide that a person was elected or may order a new election and give directions
- (8) A decision of the court is not subject to appeal and the college and all other persons must be governed by it
- (9) Subsection (1) applies and subsection (3) does not apply to a new election held under subsection (7)

1 to 10 of the above are derived from the CNPBC Bylaws and Policy, 11 is from the Health Professions Act (Article) 17.1.