



**THE INSTITUTION OF FIRE ENGINEERS**

**AUSTRALIA BRANCH RULES  
FOR  
COUNCIL ELECTIONS**

**ADMINISTRATIVE POLICY  
2021**

## **PREAMBLE**

Following passage of the *Special Resolution* at the IFE Australia Branch 2014 Annual General Meeting and in accordance with any subsequent amendments to this policy agreed to by the majority of Branch Council Directors, the number of members (Directors) comprising the Australia Branch Council has been restructured to incorporate the following eight (8) positions;

### **Four (4) Office-Bearers**

- National President
- National Vice President (President Elect)
- National Secretary
- National Treasurer

### **Three (3) Ordinary Members**

- These Members are not Office-Bearers.

### **IFE - NFER Director**

- a. A financial member of both IFE Australia Branch and the National Fire Engineering Register (NFER) who will assume general, but not exclusive responsibilities, to represent the views of the NFER members at Branch Council.
- b. For an interim period this person will be directly appointed (co-opted by means of S.6a of the Branch Constitution) by the Branch Council to the position.
- c. It is proposed that once the number of IFE Australia Branch members on NFER exceeds seventy (70) persons the election of an IFE - NFER Director will occur through the process outlined in IFE's Schedule of By-Laws (specifically By-Law 25d) but with the electorate ring-fenced to Australian Branch Registrants only.
- d. Election of the IFE - NFER Director will follow the process adopted for other BC Directors, or as close to it as is reasonably practicable, and at all times demonstrate procedural fairness and transparency.
- e. The IFE - NFER Director shall be duly appointed or elected, (as applicable), and be ratified at the following AGM and shall serve a term of One (1) Year from that date
- f. Appropriate paperwork to facilitate the IFE - NFER Director's election shall be prepared and published on IFE Australia Branch's website once approved by Branch Council.

Remodelling the Branch Council to this framework enabled the **Australia Branch Constitution and Rules** to meet the conventions of the Model Constitution developed by New South Wales Department of Fair Trading under the *Association Incorporations Act 2009*.

Reference in the new Constitution to the publication "Australia Branch Rules for Council Elections" (S5.b) is taken to mean this document as amended from time to time.

## Following are the **RULES** and **PROCESS** for Australia Branch Council Elections:

### **RULES**

- 1) The Offices of NATIONAL PRESIDENT and NATIONAL VICE PRESIDENT shall not become vacant unless:
    - The holder stands down from Office of their own volition,
    - The holder is removed from Office by the Branch Council,
    - The holder has completed three (3) consecutive Terms in Office,
    - The holder passes away whilst in office; or
    - The holder ceases to be a financial member of the Branch
  
  - 2) The persons holding the Offices of NATIONAL PRESIDENT and NATIONAL VICE PRESIDENT shall be elected by the Branch Council from amongst their number.
  
  - 3) All other Branch Council positions shall be deemed vacant at the end of each year; i.e. at the Annual General Meeting (i.e. nominally held in October of each year).
  
  - 4) Therefore there shall be six (6) vacant positions, for which eligible nominations will be called for, each year.
  
  - 5) These vacant positions\* shall be:
    - National Secretary
    - National Treasurer
    - Ordinary Member
    - Ordinary Member
    - Ordinary Member
    - IFE - NFER Director
- \* see Glossary for definitions
- 6) Any financial member of the Branch of any class is eligible for nomination. Only members of NFER are eligible for nomination to the position of IFE - NFER Director; and only once an election process for that position has commenced (see IFE – NFER para.c). Nonetheless, in accordance with Section 5(e) of the Branch Constitution there cannot be any more than two (2) Students, Graduates or Affiliates members in total on the Branch Council at any one time.
  
  - 7) All Nominations must be received by the Office administrator (presently the National Vice President) by the due date and on the appropriate pro-forma (Appendices ‘A’ or ‘D’). The names of the Proposer, Secunder and Supporter are to be written legibly

(use of membership number is permitted) and all co-signers must be financial members of the Branch.

- 8) Incoming Nomination Forms/Manifestos shall be managed by the Office administrator and Public Officer at the time of arrival into the National Office. All relevant details shall be recorded onto the Official Ballot Papers (Appendices 'B' or 'E') and a copy made of each Nomination Form. The Original Forms shall be 'date-stamped', signed by the Office administrator then forwarded to the Public Officer to be held until after the AGM at which point they will be archived.
- 9) Following closure of the Nomination period all Nominees shall be assessed and recorded as either 'Eligible' or 'Not Eligible' by the Public Officer; supported by an independent person nominated by Branch Council. Every Nominee shall receive a written response from the Office administrator regarding their election status; such advice may include reason/s for ineligibility, and also indicate whether or not they will be subject to a formal ballot.
- 10) Once the Ballot Paper and relevant Manifestos have been prepared they shall be posted on the Australia Branch's Official Website for download by members. They shall be displayed on the 'Home Page'. Relevant advice shall be sent to all members advising them of the Ballot Process and how documents can be sourced and votes lodged.
- 11) Ballot Papers, posted or emailed, shall be returned to either an Official Postal Box or an Official Drop Box respectively, both of which shall remain secured and not accessed or opened until after **5.00pm AEST on the Return Date**. They shall be accessed and opened only by the Public Officer together with two independent persons nominated by Branch Council at the time; one of whom shall be appointed **Returning Officer**.

## **PROCESS**

1. The Branch President shall, upon approval from the Branch Council, send out general advice to all members by **31 July in each year** calling for nominations for up to six (6) vacant positions. The 'Call for Nominations' shall specify the dates at which Nominations will commence and close by; these will be known as **Commencement Date** and **Closing Date** respectively.
2. Notification of the 'Call for Nominations' shall be;
  - Forwarded to the personal email address, or mailing address where email is not recorded, of every financial member of IFE Australia according to Branch Records
  - Posted and highlighted on the Australia Branch's Official website on the Homepage.

Branch Members shall be deemed to have “received” the Call for Nominations when the above process has been completed. This process must be completed by the Commencement Date.

**NB:** Although further promulgation of the ‘Call for Nominations’ may occur via other related websites, social media and various IFE Conferences, Roadshows and Workshops this is not an official requirement.

3. Except in the case of the IFE - NFER Director, financial members, of any class, may nominate another financial member, of any class, as a Nominee to one only of the vacant positions for an upcoming Election. The pro-forma shall designate the position for which the member has been nominated and include the names and signatures of the ***Nominee, Proposer, Seconder and Supporter*** all of whom must be financial members of the Branch. If no Nominations are received by the due date the BC will ‘Call’ another Election. If insufficient Nominations are received to fill all the vacancies the Election will proceed and all casual vacancies that ensue shall be filled in accordance with S.6(a) of the Constitution immediately following the AGM.
4. Completed Nomination Forms (Appendices ‘A’ or ‘D’) can be received by the Office administrator up until 5.00 pm (AEST) on Closing Date. Forms received after this time will not be accepted.
5. Each Nomination Form must be accompanied by the Nominee’s Manifesto (Appendix ‘C’) duly signed by the candidate that will be used in the event that a Ballot is required.
6. Nomination Forms (including the Manifesto) shall be managed in accordance with **Rule 8** and **Rule 9**.
7. Following confirmation of the eligibility of all Nominees the Office administrator, with the assistance of the Public Officer, shall prepare final Ballot Papers (Appendix B and/or E) to enable voting to occur. Vacant positions with only one Nominee shall be deemed filled and marked as closed for voting purposes.
8. Within two (2) weeks of the Closing Date the Ballot Form/s shall be;
  - Forwarded to the personal email address, or mailing address where email is not recorded, of every financial member; in accordance with Branch Records
  - Posted and highlighted on the Australia Branch’s Official website as an appropriate link on the Home Page.

9. The Ballot Form/s shall specify the date by which voting shall close and this will be known as the **Return Date**. Ballot Forms can be received by the Office administrator up until 5.00 pm (AEST) on the designated **Return Date**. Forms received after this time will not be accepted.
  
10. Members may forward their completed Ballot Forms, one vote for each Vacancy requiring a selection, and the successful Nominee is that person receiving the most number of votes (i.e. a first past the post system). In the event of equality of voting Branch Council members shall each cast a second vote to decide the successful candidate.
  
11. Ballot Papers shall be opened and managed in accordance with **Rule 11**. The ‘votes’ shall be counted and the outcomes duly recorded by the Returning Officer. The results will be notified to the Branch President as soon as practicable after counting has concluded.
  
12. The names of successful candidates shall be notified to the current Branch Council as soon as practicable after the Ballot has concluded. The official outcome of the Election Process shall be announced during the AGM and successful candidates shall formally take up their respective positions at the next Branch Council meeting after that AGM and announcement. Only Nominees can request a recount.

## Glossary

### **Australia Branch Constitution and Rules**

The 'Branch Constitution' and premier governance document of IFE Australia Branch designed to account for the Branch's legal obligations under the *NSW Association Incorporations Act 2009* and align with the Model Constitution developed by the New South Wales Department of Fair Trading.

### **Australia Branch Rules for Council Elections:**

Is a reference to this document, as amended from time to time and the guiding policy on how IFE Australia Branch members will elect their Branch Council.

### **Ballot Paper**

The official Form, identified at Appendix 'B' and 'E', to be used for voting Nominees to a position on Australia Branch Council

### **Commencement Date**

The date upon which the Nominating period starts and members may begin to send Nomination forms into the Branch's National Office.

### **Closing Date**

The date upon which the nominating period ceases and any Nominations received by the National Office after 5pm AEST on that date shall be declared invalid.

### **Call for Nominations**

The official advice from the Branch President to all members advising of a Commencement and Closing Date for nominations for Election to Branch Council to be made and sent to the National Office.

In order to be deemed "received" by members the "Call for Nominations" must be forwarded to the personal email address of every financial member (as currently recorded in the Branch Records) or mailing address if no email address is recorded, and be displayed on the Australia Branch's Official National Website.

### **Financial Member**

Members, of any class, who are not in arrears with their subscriptions. 'Life Members' are automatically deemed financial members as they are not required to pay subscriptions.

NB: Members who have failed to pay their annual subscriptions by the due date may not, at the time of Election, have been struck off the Membership Roll, however, they remain ineligible for (1) being Nominated or (2) Proposing, Seconding or Supporting a Nomination.

### **IFE - NFER Director**

The person appointed or elected to Branch Council to represent generally, but not exclusively, the views of Australian Branch members on the National Fire Engineering Register.

**Manifesto**

A short biographical outline of a Nominee's personal and professional qualifications, experience and intended contribution to the Australia Branch, identified at Appendix 'C', and used in support of their Nomination when a Ballot is required.

**Nomination Form**

The official Form, identified at Appendix 'A' and 'D', to be used for nominating someone to a position on Australia Branch Council

**Office-Bearers**

The four persons holding the offices of Branch President, Branch Vice President, Branch Secretary and Branch Treasurer.

**Ordinary Member**

The four persons on Branch Council who are not Office Bearers.

**Public Officer**

Is the person holding the position of Public Officer in accordance with S.5 (h) of the Branch Constitution.

**Return Date**

The date upon which the voting period ceases and any Ballot Papers received by the Office Administrator after 5pm AEST on that date shall be declared invalid.

**Returning Officer**

One of the two nominated persons appointed to assist with the management, counting and outcomes of the Ballot. The Returning Officer is ultimately responsible for the conduct of the vote count and the subsequent formal notification to the National President.

**Special Resolution:**

In the context of this Policy it refers to the proposal passed at the 2014 AGM giving rise for the need to have a Policy on Branch Council Elections.

**Term**

Is a period of one year. Officially this will be from one AGM until the next AGM and nominally from October till October. Persons holding the Offices of National President or National Vice President cannot hold office for more than three consecutive Terms. On completion of their third Term they are required to Stand Down; they may however be nominated for one of the other 5 vacant positions on the Branch Council.