



MUSIC ARRANGERS' GUILD OF AUSTRALIA INCORPORATED

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13. ELECTION OF OFFICERS AND TRUSTEES

For the purposes of election of Office Bearers and Trustees of the Guild, the following rules shall apply:

- (a) Nominations to read: Each nomination shall be in writing and shall be signed by two (2) financial members of the Guild and the candidate shall assent thereto and authenticate the same by his/her signature which assent shall be on the nomination paper. The candidate and both his/her nominators shall have been financial members of the Guild for a period of one (1) year at least, prior to the nomination.
- (b) Nominations to read: Nominations for the said offices and positions shall be called for by the Guild on a date to be fixed biennially at least one (1) month before the close of nomination in which an election to fill the said offices and positions is required to be conducted, under the Rules of the Guild. Nominations shall be lodged by being delivered or posted to the Returning Officer within the said period.
- (c) The President, Vice-President, Secretary (Public Officer), Treasurer, Trustees and the other members of the National Executive shall be elected biennially by secret postal ballot of all financial members of the Guild.

Where a secure online electronic voting system is available the Secretary may utilize this system in place of a physical postal ballot. Members who are able to, may elect to receive their "postal ballot" by this method, otherwise they will receive it in the mail as previously described.

The following items apply regardless of the method of delivery of the postal vote.

- (d) Any member entitled to receive a ballot paper shall be supplied with an addressed election envelope and ballot paper. The ballot paper, in such envelope, shall be posted by him/her to the Returning Officer who shall insert it in the ballot box. The ballot paper shall not be marked in such a way as to indicate the person voting, and any such votes in which the envelope is postmarked after the time fixed for the closing of the voting, shall not be counted in the election.
- (e)
 - (i) At least one (1) month prior to calling for nominations, the National Executive shall appoint a Returning Officer.
 - (ii) The Returning Officer need not be a member of the Guild.
 - (iii) The Returning Officer must not be either an Office Bearer (co-opted or otherwise) of the Guild, or a National Executive Member (co-opted or otherwise) of the Guild, or a Trustee (co-opted or otherwise) of the Guild or appointed State Representative (co-opted or otherwise) of the Guild.

- (f) Each candidate may, if he so desires, appoint in writing a scrutineer who shall be a financial member of the Guild, to represent him throughout the ballot, provided that such candidate shall be responsible for any expenses incurred by such scrutineer. The candidate appointing a scrutineer shall, before the commencement of the ballot, notify the Returning Officer in writing of the name of the scrutineer.
- (g) A scrutineer shall be entitled to represent the candidate throughout the ballot and may query the inclusion or exclusion of any vote in the count but the Returning Officer shall have the final determination of any votes so queried.
- (h) A scrutineer shall not be entitled to remove, mark, alter or deface any ballot paper or other document used in connection with the election. A scrutineer shall not impede the prompt and continuous performance by the Returning Officer of any of his/her duties in connection with the election.
- (i) The Returning Officer shall receive all nominations from the nominators and shall check all nominations received to see that they comply with the requirements of the rules and reject any that do not comply.
- (j) If there be no more nominations than there are vacancies for a position, the Returning Officer shall declare the nominated person or persons elected to the position.
- (k) If more nominations are received than there are vacancies for a position, the Returning Officer shall have the ballot papers printed and delivered to him/her containing the names of the candidates, indicating the number of persons to be elected, the manner in which votes shall be recorded and the date and time of the closing of the ballot. He/she shall declare the candidate with the highest number of votes elected.
- (l) The Returning Officer shall be responsible for the safe custody of the ballot papers.
- (m) The Returning Officer shall obtain from the printer a certificate of the number of ballot papers printed.
- (n) The Returning Officer shall initial every ballot paper prior to distribution, but shall not otherwise mark it.
- (o) The Returning Officer shall control a ballot box provided for the reception of ballot papers and in the presence of the scrutineers, if they so desire to be present, he/she shall see that the said box is empty immediately prior to the opening of the voting, and thereupon seal the said box and ensure that it remains sealed until the time fixed for the closing of the ballot.
- (p) At a time fixed for the counting of the ballot, the Returning Officer shall open the ballot box in the presence of the scrutineers and count all the votes cast, immediately.
- (q) The Returning Officer shall declare in writing, the result of each election and submit a full report of the ballot, indicating the number of ballot papers printed, the number distributed and the number in hand, and any other relevant matters, and such report shall be presented to the presiding Secretary within twenty-four (24) hours after the counting of the ballot has concluded.

- (r) Any candidate who wishes to circulate personal promotional material for any Guild election shall lodge a copy of such material with the Returning Officer for perusal and, providing the text does not contain any misrepresentation or statement defamatory to any other candidate and meets with the approval of the Returning Officer, copies of the text shall be forwarded with the postal ballot forms by the Returning Officer.

A copy of the text shall be lodged with the Returning Officer not less than fourteen (14) days prior to the close of nominations and, after approval, the quantity of copies for circulation, which shall be typed in twelve (12) pitch on one (1) page of A4 paper, and when required shall be advised by the Returning Officer. The cost of producing the material shall be the responsibility of the candidate. Where the Returning Officer rejects such material, the candidate may submit a copy of an amended text to be lodged with the Returning Officer not less than seven (7) days prior to the close of nominations. Any promotional material that has not been approved by the Returning Officer and circulated by the candidate, nominator(s) or any other person shall disqualify the candidate from the ballot and any votes for the candidate shall not be counted. The decision of the Returning Officer in all matters concerning the Guild elections shall be final.

- (s) It shall be the duty of every member to record his/her vote at each election.