

NATIONAL COUNCIL ELECTION GUIDELINE - APPROVED

1. Background - What is EESA and what does it do?

The Electric Energy Society of Australia (EESA) is an incorporated not-for-profit society established to advance the knowledge of all participants in the electric energy area. It is a learned Technical Society of Engineers Australia. EESA facilitates the continued professional development of its members across the Australian Electric Energy area by providing a unique environment for individuals and organisations to gain knowledge, share industry-wide experiences and establish intra-industry constructive relationships. The areas covered include all forms of generation, transmission, distribution and customer end use of electric energy.

Membership of the Society is open to all persons and organisations who are interested in the purpose and objectives of the Society, particularly those persons and organisations involved with the electric energy industry.

2. The Objectives of the Society

- To be a national and regional based learned society focusing on electric energy.
- To be active in career development, information sharing and provide opportunities for continual learning.
- To promote electric energy with an emphasis on engineering technology as well as management.
- To provide the expert focus of Engineers Australia in electric energy matters.
- To be active across all broad categories of electric energy including generation, transmission, distribution and retail as well as end-use applications of electric energy.
- To stimulate research and innovation in the fields of electric energy generation, transmission, distribution, retail and customer end-use.
- To improve communications with and networking of members.
- To recognise member contributions and increase membership, in particular to increase the number of young Australians developing careers in the electric energy industry.
- To run effective conferences and seminars, satisfying conference and seminar needs by developing close relationships with suppliers.
- To promote EESA members to the community, represent community interest on electricity energy industry matters, influence government energy industry policy, develop good working relationships with the media and improve relationships and co-ordinate activities with other industry groups, in accordance with Engineers Australia guidelines.
- To encourage members to seek formal recognition of their competency and continued professional development.
- To exchange and disseminate matters related to the electric energy industry with like organisations both locally and internationally.

More information can be obtained from the EESA Website: www.eesa.org.au

3. National Council – Eligibility

In accordance with section 8.1 of the EESA Constitution, any financial EESA member can nominate and be elected as a member to the EESA National Council. National Council nominees shall:

- Be a member of:
 - Electric Energy Society of Australia; and
 - if seeking the position of President, Vice President, or Honorary Treasurer a member of;

- Engineers Australia
- Not have a conviction for:
 - An indictable offence; or
 - An offence relating to the practice of engineering, against a law applying, or that applied, in the Commonwealth of Australia or a foreign country;

4. National Council – Composition

The National Council must consist of eight National Council members appointed or elected under these guidelines and the EESA Constitution. The Secretary, an appointed Honorary Treasurer, and Immediate Past President are in addition to the minimum of 8 National Council members. There is to be a minimum of 1 and a maximum of 2 members representing each state chapter excluding the Secretary, Honorary Treasurer and Immediate Past President.

5. National Council – Appointments

- The National Council may appoint a person to be a member of the National Council if there is a vacant position prior to the expiry of a term;
- The National Council shall consider the mix of age, gender, location and other aspects of diversity, representation, skills and technical proficiency, relevant to carrying out the functions of the National Council when appointing a member due to a vacancy;

6. Appointment, duties and powers of returning officers – Secretary of EESA

- The Returning Officer shall be the Secretary of EESA and shall be appointed by the EESA National Council to conduct each election for office as outlined in the EESA Constitution;
- Where a Returning Officer is required to conduct an election for any position, the Returning Officer shall apply these election guideline, together with those in the EESA Constitution, to the conduct of an election for office;
- The Returning Officer may engage an independent external provider to act as the voting service provider;
- The Returning Officer shall prepare and circulate a notice calling for nominations in accordance with these rules and the EESA Constitution;
- After the close of nominations the Returning Officer shall consider all nominations received during the nomination period. The Returning Officer shall reject any nominations received after the nomination period has closed;
- The Returning Officer shall accept all nominations which satisfy the requirements listed in the subsequent sections of this guideline;
- The Returning Officer shall treat any defective nominations listed in the subsequent sections of this guideline in the manner prescribed;
 - The nomination shall be removed from consideration;
 - The nominee shall be informed by the Returning Officer why the nomination was defective;
- Where a ballot is required, the Returning Officer shall conduct the ballot;
- The Returning Officer may be assisted by two members to act as Scrutineers who are not subject to the election process and nominated by the National Council;

7. Eligibility to vote in elections

- Subject to this guideline, a person is eligible to vote in an election if:
 - the person is a financial member of the society at the voter eligibility cut-off time for the election;
- Number of votes
 - Each financial member has 1 vote in an election;

8. Nominations

- For each election the Returning Officer must publish a notice:
 - if the election is for a Councillor – advising members of the election; and
 - setting out the eligibility criteria for the election; and
 - calling for nominations for candidates for the election in a form approved by the returning officer.
- The period for which nominations must remain open for 14 days;
- A nomination of a person as a candidate is valid only if:

- the candidate is eligible to nominate for the position concerned as at the nomination closing time;
- the candidate has consented in writing to the nomination, and to serving if elected, and the consent is not withdrawn before the nomination closing time;
- the nomination is in writing, signed by the candidate and supported by 1 person who is, at the nomination closing time, a current member of EESA; and
- A nomination includes a candidate statement and a photograph of the candidate.

9. Requirements for candidate statements

- A candidate statement must not exceed 500 words;
- The Returning Officer may reject a candidate statement on the ground that the statement contains false, misleading, deceptive or defamatory matter;

10. Where election necessary

- If:
 - at the nomination closing time for the election, the number of candidates nominated equals or is less than the number of vacant positions for which each candidate has been nominated; and
 - each candidate is eligible to be nominated; then, despite anything else in this guideline, no election is necessary and each candidate is, by this guideline, appointed to the office.
- In all other cases, an election must be held for the office in accordance with this guideline and the EESA Constitution.

11. Voting

- The returning officer must approve a voting form for each election;
- A voting form must set out:
 - the number of vacant positions; and
 - the names of candidates and the chapters they represent, arranged in random order, with a box next to each; and
 - voting instructions.
- Voting instructions must state:
 - the voting date; and
 - that to vote an eligible voting member must:
 - mark the voting form by:
 - putting “1” in the square next to the candidate that the member most favours from those listed on the voting form; and
 - then putting numbers in sequence in the squares next to the nominees that the member also favours from those listed on the voting form, in the order of the member’s preference, so that **ALL** squares listed on the voting form are filled;
- The Returning Officer may use an electronic voting system to achieve the equivalent of the requirements listed above;

12. Validity of election not affected

- None of the following affects the validity of an election:
 - the accidental or inadvertent mistake in a voting form;
 - a member not actually receiving a voting form or an invitation to use an electronic voting system;

13. Invalid votes

- A vote is invalid, and is not to be counted, if any of the following apply:
 - the eligible voting member has not marked a “1” next to any candidate; or
 - the voting intention of the member cannot be determined from the voting form; or
 - all boxes are not numbered; or
 - the electronic voting form was not completed or submitted as per the intended instructions;

14. The count

- As soon as practicable after the closing time for an election, the returning officer must determine whether or not each vote is valid in accordance with these guidelines;

- for each candidate, add the number of votes cast as first preference votes and allocate each candidate into their state chapter;
- if a candidate has the highest number of first preference votes – declare that candidate elected for that state chapter;
- If, on a count:
 - after working out the total number of first preference votes for the candidates of each state chapter, no single candidate has the highest number of votes:
 - exclude the candidate with the fewest first preference votes, and allocate each voting form with a first preference vote for that candidate to the candidate (if any) with the next preference from the same state chapter as shown on the voting form; and
 - repeat the process of excluding the candidate with the fewest votes, and re-allocating voting forms, until 1 candidate from each state chapter has the highest number of votes;
 - 2 or more candidates (lowest ranking candidates) from each state chapter has an equal number of votes; and
 - one of them has to be excluded; the candidate to be excluded is the candidate with fewer votes than any of the other lowest ranking candidates;
 - there are only 2 candidates from a state chapter and with the same number of first preference votes, the Returning Officer shall decide by lot which candidate is to be elected;
- The Returning Officer is to repeat the steps outlined above until a candidate from each state chapter is elected; and
- Once a candidate is elected from each state chapter, the remaining 2 candidates will be elected by:
 - Returning the ballot back to first preference votes;
 - Distributing the first preference votes from the elected candidates to the remaining unelected candidates with the next preference of an unelected candidate as shown on the voting form; and
 - Adding the distributed votes to the number of first preference votes held by each unelected candidate; and
 - The highest 2 candidates will be elected such that there is no more than 2 candidates from each state chapter;
- If, on a count:
 - after working out the total number of first preference votes for the remaining candidates, and 2 candidate from the same state chapter have the highest number of votes:
 - exclude the candidate with the fewest first preference votes from the 2 candidates which have the highest number, and allocate each voting form with a first preference vote for that candidate to the unelected candidate (if any) with the next preference as shown on the voting form;
 - after working out the total number of first preference votes for the remaining candidates, no two candidates have the highest number of votes:
 - exclude the candidate with the fewest first preference votes, and allocate each voting form with a first preference vote for that candidate to the unelected candidate (if any) with the next preference as shown on the voting form; and
 - repeat the process of excluding the candidate with the fewest votes, and re-allocating voting-forms, until 2 candidates have the highest number of votes;
 - 2 or more candidates (lowest ranking candidates) have an equal number of votes; and
 - one of them has to be excluded; the candidate to be excluded is the candidate with fewer votes than any of the other lowest ranking candidates;
- The Returning Officer is to repeat the steps outlined above until the remaining 2 candidates are elected;
- In this guideline:
 - the state chapters are 1. QLD, 2. NSW/ACT, 3. VIC, 4. TAS, 5. SA/NT, 6. WA;
- A determination of the Returning Officer under this guideline is final, and is not capable of being subject to any further review or appeal, unless it is established that it was not made in good faith;
- The Returning Officer must report the results at the EESA Annual General Meeting, and must publish the declaration to members generally;

15. EESA Constitution

The 'EESA Constitution' can be found at the EESA web site. It provides valuable information about EESA: <https://www.eesa.org.au/LiteratureRetrieve.aspx?ID=176208>

Approved – Prepared by David Van Bergen – 27th September 2018