

**BC Cranberry Marketing Commission
Election Procedures**

1. Size and composition of the Commission

- ◆ Section 3.02 of the Scheme states the Commission shall consist of a Chair appointed by the Lieutenant Governor in Council and up to four elected members.
- ◆ Effective with the approval of these rules and procedures, the Commission will be comprised of the appointed Chair and three elected members whose positions will be filled by the process described below.

2. Terms of Office and Temporary Vacancies

- ◆ Except as provided below for members appointed or elected to fill vacancies, terms of office for Commission members shall be 3 years. In all cases terms of office shall expire or commence as required at the close of the Annual General Meeting (AGM).
- ◆ Terms shall be sequenced so that normally one member is elected each year. (Allen May's term expires at the 2010 AGM, Todd May's term expires at the 2011 AGM and Jeff Hamilton's term expires at the 2012 AGM)
- ◆ A Commission member whose term is expiring is eligible for re-election.
- ◆ A person elected to the Commission continues to hold office during his term until:
 - ◆ The person is convicted of an offence under the Natural Products Marketing (BC) Act or the British Columbia Cranberry Marketing Scheme; or
 - ◆ the person resigns in writing; or,
 - ◆ the member is absent from the province for three consecutive months, or fails to attend to his or her duties for three consecutive months, and the position is declared vacant by the remaining board members.
- ◆ If a vacancy occurs by death or any of the reasons above, the remaining members of the Commission, if constituting a quorum, may make a temporary appointment of a new member to the Commission.
- ◆ Temporary appointments must be approved by the FIRB before they take effect.

- ◆ The appointed member shall only serve until the next AGM where an election shall be held for that position.
- ◆ A member elected to replace a member who vacated office before his term expired, shall be elected for a term equal to the balance of the term of member who vacated office.

3. Independent Elections Officer (IEO)

- ◆ Prior to the AGM, the Commission will appoint an Independent Elections Officer to oversee the election procedures and to certify the results. The IEO shall be a person who is independent of the cranberry industry and of the Commission.

4. Eligibility to vote

- ◆ Any Registered Grower may nominate, vote, and stand for office. Registered Growers include Producer Vendors.
- ◆ As required in Section 3(p) of the Regulations to the Natural Products Marketing (BC) Act, every partnership or corporation that is a Registered Grower shall in writing appoint an individual to vote on its behalf and shall file the appointment with the Commission. This may be done by completing an applicable section on an annual license application to the Commission or by filing the appointment to vote with the Commission. A change in the appointment to vote may be made at any time by filing with the Commission a written appointment of a different individual appointed to vote on behalf of the partnership or corporation. To be effective for an upcoming election an an AGM, appointments to vote must be received by the Commission at least 14 days before an AGM.
- ◆ The Commission will maintain a register of individuals eligible to vote in an election (the Election Register)
- ◆ An individual whose name does not appear on the Election Register for an AGM and who believes that they are eligible to vote at that AGM shall be given the opportunity to appeal their eligibility to vote to the IEO. The Commission shall notify the individual if they were eligible to vote at the previous AGM and their name does not appear on the Election Register for the current AGM. Any Election Register appeals shall be considered by the IEO and if the IEO determines the individual is eligible to vote, the Commission's Election Register will be amended accordingly.

5. Election Procedures

- ◆ Elections for Commission members shall take place at a duly convened AGM of the Commission.

- ◆ The Commission shall give notice to each Registered Grower of the forthcoming election and details of the election procedures at least five weeks in advance of the AGM date.
- ◆ To be nominated a candidate must be supported by a minimum of five Registered Growers who shall each sign the nomination form.
- ◆ Nomination forms must normally be filed with the Commission at least 5 days before the AGM to allow time for verification. Nomination forms may be presented at an AGM if the candidate and all supporting Registered Growers are in attendance.
- ◆ Candidates will be announced at the AGM
- ◆ Unless the nomination form is filed at the AGM, candidates need not be present in person.
- ◆ The IEO will verify the identity of all individuals attending the Commission's AGM and who wish to vote and that they are listed on the Election Register. The individual must sign the Election Register and that person shall receive one voting ballot.
- ◆ There shall be no proxy voting.
- ◆ If there is only one valid nomination the candidate will be elected by acclamation.
- ◆ If there is more than one nomination the candidate receiving the most votes is elected. Vote counting shall be conducted, or supervised, by the Independent Elections Officer and voting shall be scrutinized by a person appointed by the general meeting. As provided in Section 3(i) of the Regulations to the Natural Products Marketing (BC) Act, in the event of a tie vote, the Chairman of the Commission shall cast a vote.

6. Officers

- ◆ The Commission shall elect a Vice Chair and a Secretary at its first meeting following the AGM.

7. Review

- ◆ These procedures shall be reviewed upon the request of the BC Cranberry Growers Association, or by a motion passed at any Commission AGM, and in any case not later than 2011. Any proposed changes, additions or deletions take effect when approved by the BC Farm Industry Review Board.

8. Effective Date

- ◆ These rules and procedures take effect on approval of the BC Farm Industry Review Board.