

**BC Cranberry Marketing Commission  
Election Rules and Procedures**

**1. Size and composition of the Commission**

- ◆ Section 3.02 of the British Columbia Cranberry Marketing Scheme states the BC Cranberry Marketing Commission shall consist of a Chair appointed by the Lieutenant Governor in Council and up to four elected members who are registered growers, elected by registered growers.
- ◆ "Registered grower" is defined in the Scheme as any person owning, leasing or licensing and operating a cranberry bog of 2 acres or more fully planted in cranberries in BC. The term Registered Grower as used in these Election Rules and Procedures shall have the same meaning as in the Scheme and includes both registered growers and producer vendors as defined in the General Orders provided such persons meet the Scheme definition of owning, leasing or licensing and operating a cranberry bog of 2 acres or more fully planted in cranberries in BC.
- ◆ 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 for temporary appointments or members elected to fill vacancies, terms of office for Commission members shall be 3 years.
- ◆ A Commission member whose term is expiring is eligible for re-election.
- ◆ 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.
- ◆ 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 Commission 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 BC farm Industry Review Board (BCFIRB) 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 (IEO) 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. Nominations**

- ◆ To be nominated and stand for election, a candidate must be a Registered Grower supported by a minimum of five Registered Growers who shall each sign the nomination form.
- ◆ The deadline for nominations will be 7 days before the Annual General Meeting.

### **5. Eligibility to vote**

- ◆ All Registered Growers may vote in Commission elections.
- ◆ 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.
- ◆ A partnership or corporation may change its voting appointee by filing with the Commission, a written appointment, of a different individual.
- ◆ To vote at an Annual General Meeting, the appointment must be confirmed by the IEO referencing the Commission's current list of Registered Growers.
- ◆ The Commission will maintain a register of individuals eligible to vote in an election (the Election Register) and the register is open to inspection by any Registered Grower.
- ◆ An individual whose name does not appear on the Election Register and who believes that they are eligible to vote shall be given the opportunity to appeal their eligibility to vote to the IEO. If the IEO determines the individual is eligible to vote, the Commission's Election Register will be amended accordingly.

## **6. Election Procedures**

- ◆ The objective of the procedures is to ensure that all eligible voters are advised of the forthcoming election, and of the processes to be followed.
- ◆ At least 5 weeks prior to any Election, all Registered Growers shall be informed by regular or electronic mail, of the Election, the vacancy or vacancies to be filled, and of the procedures to nominate candidates.
- ◆ Voting for Commission members shall be conducted by secret ballot at a duly convened AGM of the Commission. The IEO will confirm the eligibility of voters. 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 at the Annual General Meeting and voting shall be scrutinized by a person appointed by the general meeting.
- ◆ In the event of a tie between two or more nominees for the highest number of votes, all ballots will be recounted.
- ◆ If after a recount, a tie vote count remains, as provided in Section 3(i) of the Regulations to the *Natural Products Marketing (BC) Act*, the Chairman of the Commission shall cast a vote.

## **7. Officers**

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

## **8. 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 2014. Any changes, to the Election Rules and Procedures take effect when approved by the BC Farm Industry Review Board.

## **9. Effective Date**

- ◆ These Election Rules and Procedures come into effect on approval of the BCFIRB and replace all previous rules and procedures for the election and appointment of members.

Approved by the BC Cranberry Marketing Commission on: December 15 2011

Approved by the BCFIRB on: December 16 2011