



FINANCIAL PLANNING
ASSOCIATION *of* AUSTRALIA

REGULATION 02/02

ELECTIONS

Effective 2 August 2018



Contents

Chapter Elections	2
1. Preamble	2
2. Eligible Voters	2
3. Frequency of Elections	2
4. Chapter Committee Elections	2
4.1. NOTICE OF MEETING	2
4.2. NOMINATIONS	2
4.3. VOTING	3
4.4. "LOBBYING OF FPA MEMBERS"	3
4.5. ELECTRONIC VOTING	3
4.6. INSTALLATION OF CHAPTER COMMITTEE	4
4.7. CASUAL VACANCY	4
Board Director Elections	5
1. Preamble	5
2. Eligible voters	5
3. Establishment	5
4. Transition Arrangements	5
5. Board Director Rotation	5
6. Nominations for Election as Board Directors	5
7. Voting	6
8. Extraordinary Election	7
9. "Lobbying" of FPA Members	7
10. Electronic Voting	7
Annex A	8
Annex B	9
Annex C	10
Annex D	11

Chapter Elections

1. Preamble

This regulation is made in accordance with Clause 40.3 of the Constitution which gives the Board the power to determine all procedural matters relating to Chapters.

2. Eligible Voters

All financial members of the Financial Planning Association of Australia Limited are eligible for nomination and election to Chapter Committees.

Eligible voters may only belong to one Chapter and vote in the elections for that Chapter.

3. Frequency of Elections

The Association will hold elections for each Chapter Committee once every second year. An illustrative outline of the election timetable process is at Annex A.

4. Chapter Committee Elections

4.1. NOTICE OF ELECTION

Secretary shall call a Chapter Committee Election in the period between 77 days and 28 days prior to the next FPA Annual General Meeting. The Chapter Committee Election may coincide with the Annual General Meeting of the Chapter.

The notice of the election, including the date and time of the election, must be supplied to all Chapter members at least 14 days prior to the election or via an official published notice.

4.2. NOMINATIONS

At each Chapter Committee Election all members of the Chapter Committee must retire from office. Chapter Committee members shall be entitled to hold office until the start of the next Chapter Committee Election that occurs after their election, (unless appointed to fill a casual vacancy under 3.6) and shall be entitled to be elected for further consecutive terms.

The Secretary or the outgoing Chair (or if the Chair is not available, a person elected by those eligible to vote to act as Chair) shall call for nominations for the eight (8) positions. The nominations can only be provided by members who are eligible to vote.

Nominations will not be accepted unless the Secretary or Chair is satisfied that the nominee is prepared to accept the nomination.

Each eligible nominee may provide a written resume of not more than one A4 page containing details of qualifications, experience and reasons for standing for office to members eligible to vote

4.3. VOTING

A Chapter Committee is made up of no more than eight (8) members. If the number of eligible nominations is equal to or less than eight (8), then those members shall be declared by the Chair as elected as the Chapter Committee.

If the number of nominations for the Chapter Committee exceeds eight (8), the Chair shall call for an election by secret ballot.

If a meeting is held, rather than an online anonymous voting system the meeting shall appoint two members who have not been nominated as scrutineers. The Chair shall call for eligible voters at the meeting to write down on a blank ballot paper (supplied by the outgoing Chapter Secretary or Chair of the meeting) the names of up to eight (8) preferred candidates. If more than eight (8) names are entered only the first eight names are counted by the scrutineer. The ballot paper will be similar to Annex C.

Each vote shall have equal value. Accordingly, members need not rate their preferences 1 to 8, but merely nominate their eight preferred candidates. No other marks should be made on the election paper, particularly any mark that may identify the voter.

The completed ballot papers shall be folded by the voters so as to conceal the votes, collected by the scrutineers and counted. Each candidate shall have recorded against his/her name the number of votes received at the meeting. A report stating the result of the election is to be signed by the scrutineers and presented to the Chair of the meeting. The report statement will be similar to Annex D.

The Chair shall announce the names of the eight candidates who have received the highest number of votes. The report and tally sheets shall be held by the secretary to be placed on the Chapter Committee Elections file. This file shall be available for members of the Chapter to inspect if they so wish.

In the event where two or more candidates receive the same number of votes thereby exceeding the maximum number of eight positions, the Chair will draw by lot the name(s) of the tied candidates. The drawn candidate(s) shall then be declared successful together with the other candidates who received the highest number of votes.

4.4. "LOBBYING" OF FPA MEMBERS

Except as specified in these Regulations, candidates for FPA Elections must not use official FPA Publications, the FPA website or FPA letterhead during an election period for the purposes of campaigning or for the lobbying of votes from FPA members in a manner that would imply endorsement by the FPA of their nomination. Candidates will not use information they have as a result of any FPA office they hold to campaign for votes.

4.5. ELECTRONIC VOTING

The FPA may adopt electronic nomination and voting procedures in lieu of paper based elections. The procedures outlined above may be adapted and/or changed accordingly.

4.6. INSTALLATION OF CHAPTER COMMITTEE

The newly elected Chapter Committee shall assume responsibility for the affairs of the Chapter from that date or at a date (as decided by a majority of members eligible to vote) no later than 28 days prior to the date of the FPA Annual General Meeting in the same year the Chapter election is held.

At the first meeting of the new Chapter Committee the following positions (known as “the management committee”) shall be filled by vote of the new Chapter Committee members:

- (a) Chair (must be a CFP® or Financial Planner AFP®)
- (b) Secretary
- (c) Treasurer

The outgoing Chair shall open the meeting. The outgoing Chair shall conduct the vote by a show of hands.

The Chapter Committee may appoint eligible voters who are not Chapter Committee members to other positions required by the Chapter Committee.

The Chapter Secretary shall advise the Chief Executive Officer in writing at least 21 days prior to the FPA Annual General Meeting the names and positions held by the members of the Chapter Committee.

Each Chair shall be entitled to hold office until the start of the next Chapter Committee Election Meeting that occurs after their election as Chair, and be re-elected Chair for a further consecutive term. Any person who has been Chair for two consecutive terms shall continue to be eligible for election to the Chapter Committee, and shall be eligible to stand for election as Chair at the second Chapter Committee Election Meeting that occurs after their second term of office ends.

4.7. CASUAL VACANCY

Where any Chapter Committee member resigns or where a Chapter Committee member’s position on the Chapter Committee otherwise becomes vacant, the Chapter Committee may appoint an eligible voter to fill such vacancy until the next Chapter Committee Election meeting.

Board Director Elections

1. Preamble

The following regulations apply to the appointment of the Member elected Directors of the Board. Clauses 27 & 31 of the Constitution give the Board the power to establish Election Regulations which govern the procedure for election of Board Directors.

In addition to the elected Directors, the Board also comprises the Chief Executive Officer in accordance with Clause 32 of the Constitution and the Board of Directors may also appoint up to three (3) Additional Directors in accordance with Clause 31.1(b) of the Constitution.

2. Eligible voters

The FPA Board of Directors is comprised of financial members elected under the process outlined in this Regulation, which incorporates the changes to the Constitution from July 2011. An illustrative outline of the election timetable process is at Annex B.

Only a financial Member may nominate and / or vote for the election of Members.

3. Establishment

Clause 31.1 of the Constitution requires that the Board of Directors consists of, amongst others, six (6) Members elected as Directors in accordance with these regulations.

4. Transition Arrangements

The two Principal Directors elected to serve until the 2011 AGM will continue to serve their term until they retire at the 2011 AGM.

5. Board Director Rotation

Member Director appointments are automatically staggered so that:

- a) Three (3) member Directors will retire at the conclusion of the AGM in Year 1, and every third AGM after that.
- b) Three (3) member Directors will retire at the conclusion of the AGM in Year 2, and every third AGM after that.
- c) There will be no retirements or new appointments at the AGM in year 3, and every third AGM after that.

6. Nominations for Election as Board Directors

The Chair must nominate a Returning Officer for the election of Board Directors.

The Association must call for nominations for the election of Board Directors not less than 84 days before each FPA Annual General Meeting. The nomination paper for the members may be provided by the FPA in electronic form.

The nomination of a Member for election as a Board Director must be received by the Association at least 70 days before the next FPA Annual General Meeting. Nominations received after 5.00pm on the 70th day before the next FPA Annual General Meeting will

not be accepted. Nominations must be returned to the Association using the method(s) provided by the FPA.

In accordance with Clause 31.3, the Board may from time to time determine the procedures and rules for the nomination and election of Member Directors and the qualifications, skills and experience the Board considers appropriate, which will be communicated to all nominees.

Each nomination must contain a resume of the candidate containing details of qualifications, skills, experience and reasons for standing for office. Resumes greater than two A4 pages or containing information considered inappropriate may be edited by the Remuneration Committee.

7. Voting

After the close of nominations, the Returning Officer must determine the number of nominations received for Board Directors.

Irrespective of the total number of nominations, where only two (2) or less of the nominees are practicing Certified Financial Planners then these practicing Certified Financial Planners will be appointed as Board Director/s.

If the number of eligible nominations for the Board Director positions is equal to or less than three (3), then:

- provided that the criteria set out in Clause 31.1(a) of the Constitution that at least four of the total six elected Directors are practicing Certified Financial Planners remains satisfied, then those members shall be declared by the Returning Officer as elected to the Board of Directors.
- Any unfilled elected Member Director positions will be treated as a casual vacancy in accordance with Clause 34.5(b) of the Constitution.

Where the total original nominations exceeds three (3), and after taking into account any appointments above, the Returning Officer shall call a ballot of the remaining nominees for the remaining position/s. The two (2) practicing Certified Financial Planners with the highest number of votes plus the nominee with the next highest number of votes will be appointed as Board Directors.

The ballot papers must list the names of the candidates in alphabetical order and must be sent to members eligible to vote not less than 56 days before the next FPA Annual General Meeting. The ballot paper for the members may be provided by the FPA in electronic form.

The Association must send with each ballot paper an instruction letter for members containing:

- a) clear instructions on how to complete the ballot paper; notification of the time of closure of the ballot; and how to submit their vote.
- b) the resume of each candidate provided by that candidate.

Members will be asked to vote for their three preferred candidates on the ballot paper. Each vote has equal value.

The ballot shall close at 5.00pm in the city where the Registered Office of the FPA is held at least 35 days prior to the FPA Annual General Meeting. Any vote received after that time is deemed informal and will not be counted.

In the event where two or more candidates receive the same number of votes thereby exceeding the maximum number of positions available, the Returning Officer will draw by lot the name(s) of the tied candidates. The drawn candidate(s) shall then be declared successful together with the other candidates who receive the highest number of votes.

The Returning Officer must advise the Chair and Chief Executive Officer of the results of the election not less than 28 days before the next FPA Annual General Meeting.

8. Extraordinary Election

In the event of a casual election pursuant to Clause 34.5 of the Constitution, the election and voting procedures listed above will apply with the exception of timing of notices which shall be as follows:

- (a) Nominations will close after a period of 14 days
- (b) Voting will commence 14 days after close of nominations
- (c) The ballot will close after a period of 21 days of voting commencing
- (d) The results of the election will be declared within 7 days of close of ballot.

9. "Lobbying" of FPA Members

Except as specified in these Regulations, candidates for FPA Elections must not use official FPA Publications, the FPA website or FPA letterhead during an election period for the purposes of campaigning or for the lobbying of votes from FPA members in a manner that would imply endorsement by the FPA of their nomination. Candidates will not use information they have as a result of any FPA office they hold to campaign for votes.

10. Electronic Voting

The FPA may adopt electronic nomination and voting procedures in lieu of paper based elections. The procedures outlined above may be adapted and/or changed accordingly.

Annex A

Election Timetable for Chapter Committees

77 days prior FPA AGM:	Chapter Committee elections may commence
28 days prior to FPA AGM:	Chapter Committee elections must be completed
21 days prior to FPA AGM:	Secretary to advise CEO of names and positions of chapter management committee

Annex B

Election Timetable For Board Directors

84 days prior to FPA AGM:

- Nominations for Election of National Board Directors open

70 days prior to FPA AGM

- Nominations for election of National Board Directors close

56 days prior to FPA AGM:

- Ballot papers for election of National Board Directors issued

35 days prior to FPA AGM:

- Ballots for election of National Board Directors close

28 days prior to FPA AGM:

- Returning Officer to advise appropriate personnel of election results

NAME CHAPTER COMMITTEE ELECTIONS

Election Year

BALLOT PAPER

For the election of eight (8) members to the **NAME** Chapter Committee.

VOTING DIRECTIONS

1. The ballot paper must be completed by you the eligible voter personally.
2. Do not put any mark on the ballot paper by which you may be personally identified.
3. Mark your votes by writing the names of your preferred candidates up to the maximum number of eight (8) elected positions available. Please write the surname first.
4. These votes are counted as primary votes and all have equal value.

After marking your votes:

1. Fold the ballot paper to conceal your vote.

PLEASE PRINT CLEARLY

1	
2	
3	
4	
5	
6	
7	
8	

NAME CHAPTER COMMITTEE ELECTIONS

Report to Chief Executive Officer

Election Results

Election Year

The following _____ members (up to 8) have been elected to the

_____ Chapter Committee

PLEASE LIST SURNAMES FIRST

	NAME	POSITION
1		
2		
3		
4		
5		
6		
7		
8		

NAME
XXX Chapter Chair