



## **College of Opticians of British Columbia Election Policy and Procedures**

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### **College of Opticians of BC: Bylaws**

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#### **Elected registrants**

2. The board includes 6 elected registrants.

#### **Electoral districts**

3. (1) The following electoral districts are established for the purpose of the election of the members of the board.
  1. Electoral district I Lower Mainland.
  2. Electoral district 2 Vancouver Island
  3. Electoral district 3 Okanagan and Kootenays
  4. Electoral district 4 Cariboo
  5. Electoral district 5 (The nominee must be a registrant registered as a Contact Lens Fitter with the College of Opticians.)
- (2) Only a registrant shall be eligible to vote in an election of members to the Board.
- (3) Each registrant who is eligible to vote is eligible to vote both in electoral district 5 and in one of Electoral Districts I to 4, being the electoral district in which the member principally resides.

#### **Number of Members Elected**

4. One member shall be elected to the Board from each of the electoral districts, except electoral district I, from which two members will be elected.

#### **Eligibility' for Election**

5. A registrant is eligible for election to the Board in an electoral district if the date of the election,
  - (1) he or she is engaged in the practice of opticianry in the electoral district for which he or she is nominated, or if he or she is not engaged in the practice of opticianry, is resident in the electoral district for which he or she is nominated;
  - (2) he or she is not in default of payment of any prescribed fees;
  - (3) his or her certificate of registration is not subject to a term, condition or limitation;
  - (4) he or she is not a candidate for election in, or already of a member of the Board for, another electoral district
  - (5) in the case of electoral district 5, the member must currently be registered as a contact lens fitter with the College.

#### **Nomination procedure**

6. (1) At least 150 days prior to the date of the election, the registrar must notify every registrant in the college of a pending vacancy and provide information about the voting procedure and of the nomination procedure by sending a written notice to each registrant to his or her last known address.
- (2) The nomination of a candidate for election as a member of the Board shall be in writing and shall be given to the Registrar at least 90 days prior to the date of the election.

- (3) The nomination shall be signed by the candidate and by at least five registrants who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.
- (4) A candidate may withdraw his or her nomination for election to the Board by written notice to the Registrar.
- (5) The registrar must disqualify any nominee whose nomination or election contravenes the Act, the regulations, or these bylaws.

### **Election procedure**

7. (1) The registrar must supervise and administer all board elections.
- (2) The registrar must prepare and mail to each registrant an election ballot not less than 30 days prior to the date of the election.
- (3) A registrant may cast as many votes on a ballot in an election of members to the Board for each electoral district in which he or she is eligible to vote as there are members to be elected to the Board from each such electoral district.
- (4) A ballot must not be counted unless it is received no later than 5:00 p.m. on the date of the election and is contained in an envelope on which the registrant's name and signature appears.
- (5) The person or persons receiving the most votes on the return of such valid ballots must be deemed to be elected.
- (6) In the case of a tie vote, the registrar must cast one additional vote for one of the tied candidates by lottery.
- (7) In the event of any irregularity or dispute with respect to any nomination, the registrar must be the sole arbitrator thereof, and his or her decision must be final.
- (8) Where the number of nominees is less than or equal to the number of positions, the registrar will declare the nominees to be elected by acclamation.

### **Subsequent Election Dates and Terms of Office**

9. (1) Subject to the provisions regarding the first elections, an election to the Board for an Electoral District shall be held in the month of December in the year in which the term of office of that District(s) members(s) expire(s).
- (2) Subject to the provisions regarding first elections, the terms of office of the elected member to the Board shall be three (3) years.
- (3) An elected member is eligible for re-election for a maximum of one (1) term
- (4) The Board shall set the date for each election of the members of the Board.
- (4.1) Elections will be held for two (2) members of the board each year, to be selected from all of the Electoral Districts in accordance with the following schedule, which is to be repeated on three year cycles;
  - (a) in 2005 and every third year thereafter, elections will be held to elect the two (2) members of the Board for District 1 (Lower Mainland)
  - (b) in 2006 and every third year thereafter, elections will be held to elect one member of the Board from each of District 3 (Okanagan and Kootenays) and District 5 (Contact Lens Fitter)
  - (c) in 2007 and every third year thereafter, elections will be held to elect one member of the Board from each of District 2 (Vancouver Island) and District 4 (Cariboo).
- (5) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation of an elected board member shall take effect immediately upon delivery of a notice in writing to the registrar.
- (6) An elected board member may be removed by a three-quarters vote of the board.

## College of Opticians of BC: Election Policies and Procedures

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1. The Registrar provides notice of the election pursuant to section 6 of the Bylaws of the College.
2. The Registrar provides information on voting and nomination procedures at the time notice is given, normally through the Newsletter.
3. The Registrar advises all registrants at the time of notice that nomination forms are available from the College Office. The nomination forms and notice specify the due date for receipt of nominations by the Registrar.
4. As nomination forms are received, the Assistant to the Registrar checks the status of the nominee, nominator, and supporters on the register to determine whether they are in good standing and are from the appropriate district, and notes this on a sheet attached to the nomination form. At the same time, the Assistant to the Registrar writes the address of the nominee on an attached sheet for future reference.
5. The Registrar reviews the nominations to ensure that they are in order and retains them in a secure place until the deadline date. After that date, no further nominations will be accepted. However, facsimile nominations received prior to the deadline date followed by originals after the deadline date will be accepted. In the case of an incomplete, incorrect, or unsatisfactory nomination, the nominator will be notified as quickly as possible, but the nomination will still be due by the deadline date.
6. The Registrar notifies the nominee of the names and districts of all nominees and of the election process, and requests that a biographical summary in standard form be submitted by the nominee.
7. Once all biographical summaries are submitted, they are keyed in by the Assistant to the Registrar using standardized abbreviations and correcting typographical errors but making no other editorial changes. These summaries are forwarded to the Registrar for inclusion in the Newsletter, if time permits, or the next general mailing, if circumstances allow.
8. Voting information is prepared by the registrar and included with the biographical summaries, on the reverse of the latter or on separate sheets.
9. Stamped ballot papers are prepared by the Registrar and printed, the ballot paper for each district containing only the names of the appropriate nominees. Envelopes are obtained and printed with spaces for "Name", Registration #", "Signature", and "Date", along with the College's address information and a certification statement. An unmarked envelope is also included. The ballot papers and envelopes are forwarded to the registrant voters along with the biographical summaries and voting information. Voters will be advised to place their marked ballot(s) inside the unmarked envelope, seal it and place it inside the envelope with their name and registration number on the front, and seal that envelope. Voters are then instructed to place the sealed, signed envelope in the envelope addressed to the College Office and mail it.  
  
This must be a grouped mailing since residents of electoral districts will receive the special ballot paper for their district and not for other districts.
10. The Registrar must prepare and mail to each registrant an election ballot package not less than 30 days prior to the date of the election.
11. Votes are due no later than 5:00 p.m. on the day of the election and must be contained in the envelope with the registrant's name, number, and signature. As votes come in, the Assistant to the Registrar checks the registration numbers in the database to ensure that the voter is in good standing and that there is no duplication. If there is no problem, he places the sealed envelope unopened in the secured holding area where it is held until 5:00 p.m. on the day of the election. For the 1996 election, this means that all ballots must be returned by 5:00 p.m. on Dec. 2nd, 1996.

12. Ballots are held in a secure location in the College until 5:00 p.m. on the day of the election and are subsequently forwarded to the scrutineer. The ballots will be counted under scrutiny of an appropriate agency, and the results will be announced to the nominees within one week of the closure of the voting process, and to all registrants in as timely a manner as possible. Those elected will be notified first, followed by those who were not elected.
13. In the case of a tie vote, the Registrar must cast one additional vote for one of the tied candidates by lottery.
14. Where the number of nominees is less than or equal to the number of positions, the registrar will declare the nominees to be elected by acclamation.

## **On Eligibility**

### Voting

- 1) All Registrants of the College may vote
- 2) All Registrants may vote in Electoral District 5
- 3) For all other Electoral Districts (1-4), only registrants who reside principally in a given district may vote in that district.

- i.e. - a registrant who lives in Kelowna votes in Districts 3 and 5  
- a registrant who lives in Vancouver votes in Districts 1 and 5  
- a registrant who lives in Toronto votes only in District 5  
- a registrant who lives in Pemberton but works in Lillooet votes in Districts 1 and 5 (because his or her residence is in Pemberton; place of work is irrelevant for voting)

### Candidacy

Any Registrant who lives and/or practises Opticianry in B.C. may run in the district in which

- 1) he or she lives or
- 2) he or she practises Opticianry

#### **Providing that:**

- a) he or she is not in default of payment of any prescribed fees
- b) his or her certificate of registration is not subject to a term, condition, or limitation.
- c) he or she is not a candidate for election in, or already a member of the Board for, another electoral district.
- d) in the case of Electoral District 5, the member must currently be registered as a contact lens fitter with the College.

## Health Professions Act

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### Board for health profession college

- 17 (1) For each college established under section 15, there is a board.
- (2) The minister must
- (a) appoint persons to the first board for a college, who hold office until the time at which the board members referred to in subsection (3) (a) are first elected, and
  - (b) specify the date on or before which the first election referred to in paragraph (a) must be held.
- (3) Following the first election referred to in subsection (2) respecting a college, the board for the college consists of
- (a) not fewer than 3 registrants elected in accordance with the bylaws, and
  - (b) not fewer than 2 persons appointed by the minister.
- (4) The number of persons appointed under subsection (3) (b)
- (a) must not be less than 1/3 of the total board membership, and
  - (b) must not be more than the number of persons elected under subsection (3) (a).
- (5) A member of a board who resigns or whose appointment term has ended may
- (a) continue to serve until a successor is appointed, and
  - (b) even if a successor is appointed, continue to serve as a member of a committee established under section 19 (1) (t) to complete work of the committee that began before the resignation or end of term.
- (6) Persons appointed by the minister under subsection (2) (a) or (3) (b) need not be registrants or eligible to be registrants.

### Election validation

- 17.1 (1) Immediately after an election the registrar must
- (a) certify the person who is elected as a member of the board, and
  - (b) specify in the certificate the dates the member's term of office begins and ends.
- (2) Subject to this section, a certificate under subsection (1) is conclusive evidence that the person named in the certificate has been elected a member of the board.
- (3) A registrant may question a certificate under subsection (1) by petition to the Supreme Court within 30 days of the certificate being issued by the registrar setting out the grounds on which the registrant questions the certificate.
- (4) A petition must be served on the registrar and on the person certified to be elected.
- (5) A petition must be heard in a summary way.
- (6) The court may give directions on procedure and on persons to be served with the petition.
- (7) The court may decide that a person was elected or may order a new election and give directions.
- (8) A decision of the court is not subject to appeal and the college and all other persons must be governed by it.
- (9) Subsection (1) applies and subsection (3) does not apply to a new election held under subsection (7).



## Certificate of Election

COLLEGE OF OPTICIANS OF BRITISH COLUMBIA  
Certificate No.01/2007

### CERTIFICATION OF ELECTION

The Board of the College of the College of Opticians hereby certifies that **Registrant, Address, City, Province of British Columbia**, has been elected as a member of the board of the College in accordance with the *Health Professions Act*. The term of office as a member of the board of the College will commence on January 1 in the year of 2007 and terminate on December 31 in the year of 2009.

GIVEN under the seal of the board at 420- 2025 West Broadway, Vancouver, British Columbia, this day of January 1, 2007.

A handwritten signature in blue ink, appearing to read "Nick Atkinson", is written over a faint circular seal.

Nick Atkinson  
Registrar