

BRITISH COLUMBIA VEGETABLE MARKETING COMMISSION

Election Policy

Overview

The Election Policy of the BC Vegetable Marketing Commission (Commission), a marketing commission established under the *Natural Products Marketing (BC) Act* and pursuant to the British Columbia Vegetable Scheme (Scheme), is to serve as the document that informs registered Producers about all facets of elections, including eligibility to vote and stand for office.

The Election Policy is set out under two divisions; namely “Guidelines” and “Rules and Procedures for the Election of Commission Members”.

The Guidelines division describes the composition of the Commission; term of office; and eligibility to vote and stand for election.

The Rules and Procedures for the Election of Commission Members division provides information about the nomination process and the casting and counting of ballots. As well, this division sets out how the BCVMC is to create a list of eligible voters; issue notice calling for nominations; and other matters pertaining to the holding of an election.

Supervision by the BC Farm Industry Review Board

The *Natural Products Marketing (BC) Act* creates a body termed the BC Farm Industry Review Board (BCFIRB). One of its chief purposes is to supervise the marketing boards and commissions in British Columbia, including the assurance that each has an approved Election Policy in place.

The Commission Election Policy is one of many policies that are not set out in the General Order, but are widely circulated from time to time; are available on the Commission’s web site; and are freely available on request.

Review of Election Policy

From time to time BCFIRB calls for the review of the Election Policy and on providing its approval of the policy, may specify a period of time that it is to operate before it is to be reviewed once again.

The Commission will also review the Election Policy upon the passing of a motion requesting a review at an Annual General Meeting. Any changes to the Election Policy must be approved by BCFIRB prior to implementation.

GUIDELINES

Composition of the Commission

The Commission is comprised of 8 members who are “commercial producers” (as defined in the Scheme) elected by the commercial producers, plus an appointed chair.

The election of Commission members corresponds to the information set out in Table 1 below.

Table 1

Representation Category	District	Election Year
Greenhouse Tomatoes	Districts I & II	even
Greenhouse Peppers	Districts I & II	even
Greenhouse Cucumbers	Districts I & II	odd
Greenhouse Crops	District III	odd
Storage Crops (Position 1)	District I	even
Storage Crops (Position 2)	District I	odd
Storage Crops	Districts II & III	even
Processing Crops	District I	odd

Term of Office, Frequency of Elections, Continuity of Holding Office, Absence of Term Limits and Quorum

Term of Office

The term of office is 2 years. A term commences April 1.

Frequency of Elections

Four Commission members are to be elected each year. See Table 1 above.

Continuity of Holding Office

A person elected to the Commission continues to hold office during his or her term unless he or she:

- is convicted of any offence under the Natural Products Marketing (BC) Act or the British Columbia Vegetable Scheme; or
- tenders in writing their resignation; or
- is no longer a commercial producer (as defined by the Scheme).

Also, unless arrangements satisfactory to the Commission have been made in advance, if any member of the Commission is absent from the Province for 3 consecutive months or fails to attend to his duties for a like period, the other members of the Commission may declare his office vacant.

Absence of Term Limits

There is no limit to the number of terms that a Commission member may serve.

A sitting member of the Commission who remains an eligible commercial producer is able to stand for re-election.

Vacancy

If a vacancy occurs in the membership of the Commission, where three or more members remain, the remaining members shall constitute the Commission until the vacancy is filled.

If constituting a quorum, the remaining members may appoint a commercial producer to fill a vacancy, the appointment to be subject to approval by BCFIRB.

Rules and Procedures for the Election of Commission Members

General

The Rules and Procedures for the Election of Commission Members provide the framework by which commercial producers are elected to serve as a Commission member either as a result of an election or by acclamation.

In accordance with the Scheme, a “commercial producer” means a producer whose name has been entered and remains registered in the register of commercial producers. A producer qualifies to be registered as a commercial producer if, during the immediately preceding 12 months, regulated product of at least a gross value to the producer of \$5,000 has been grown on the farm operated by the producer and marketed as ordered or directed by the commission.

1. Commission members are to be nominated and elected on the basis of representation category and district (see Table 1).
2. A commercial producer may seek and obtain nomination to serve as a Commission member provided their farming operation representation category and district coincides with the representation category and district for which they seek election.
3. To nominate another commercial producer as a Commission member, a commercial producer’s farming operation representation category and district must coincide with the representation category and district for which the nominee is seeking election.
4. If a commercial producer is a member of any of the other British Columbia agricultural marketing boards or commissions, this will not disqualify that person from standing for Commission election.
5. In the event that an election is held, a commercial producer may cast a ballot for a nominee whose name appears on a ballot so long as the commercial producer’s farming operation representation category and district coincides with the election representation category and district for which the nominee is seeking election.

Independent Election Officer (IEO)

5. The Commission shall appoint an Independent Election Officer (IEO) to oversee all election procedures and to certify election results.

Election Schedule

6. Elections shall be completed by March 31st of each year.
7. On an annual basis and at least 60 days before the election the Commission shall establish and circulate a schedule of election events, including all necessary deadline dates.

Voters List and Eligibility to Vote

8. Each year the Commission shall prepare a preliminary list of eligible voters for each representation category and district for which there is an election, consisting of all commercial producers in that representation category and district. All persons on a preliminary list shall receive information concerning the forthcoming election for that representation category and district, including nomination papers and all applicable deadline dates. Any person may inspect the lists of voters at the Commission's offices at all reasonable times.
9. To remain on the final list of eligible voters for a representation category and district, the Commission must confirm that a producer is a commercial producer in that representation category and district.
10. Confirmation of eligibility for being included in the list of eligible voters for a representation category and district may be made by an agency on behalf of a producer or for producers not marketing through an agency by affidavit.
11. Every commercial producer that is structured as a partnership or corporation and qualified to vote shall, in writing, appoint an individual to vote on its behalf. This appointment shall be filed with the Commission. The voting appointment is to occur at the time of license issuance; is valid for one-year; and may be changed by submitting notice in writing to the Commission.
12. During any period that a producer has been exempted from all of the provisions of the Commission's General Orders that person shall not be entitled to be on a list of eligible voters.
13. Any commercial producer who was eligible to vote in the previous election for a representation category and district, but who no longer appears eligible to vote must be notified that the Commission intends to strike them from the list of eligible voters. A person receiving such notification will be given the opportunity to appeal their being struck from the list. The Independent Election Officer's recommendation as to whether or not the producer is to be struck from the list of eligible voters will be considered by the Commission in determining eligibility to vote.

Nomination Procedure

14. Nomination forms must be signed by at least three other commercial producers eligible to vote in the representation category and district in which the nominee intends to seek election. The nominee must sign the nomination form to indicate acceptance of the nomination. All nominations must be confirmed for compliance with these rules before the nominee is declared by the Independent Election Officer as an eligible candidate. To be eligible to stand for office a nominee must be:
 - a commercial producer in the representation category and district for which the nominee seeks election; and
 - in compliance with the Commission General Orders.

Elected by Acclamation

15. If for any representation category and district only one (1) eligible nomination is received by the nomination deadline date, the nominee shall be declared by the Independent Election Officer to be elected by acclamation.

Vote by Ballot

16. All voting shall be conducted by ballot using the conventional mail for delivery and return of voting materials. Ballots, with the names of the candidates for the representation category and district, shall be sent to each eligible voter for the respective representation category and district. Ballots shall be structured in such a way so that when completed they allow voter anonymity to be maintained and protected.
17. Completed ballots shall be directed to, opened and counted by the Independent Election Officer.
18. Candidates shall be informed of the date, time and location for counting the ballots and given the opportunity to be present, or to have a representative present, to observe the counting of the ballots.
19. The candidate with the most votes in each representation category will be declared elected. In the event of a tie vote the Chair of the Commission shall cast the deciding vote.

Approved: November 17, 2009