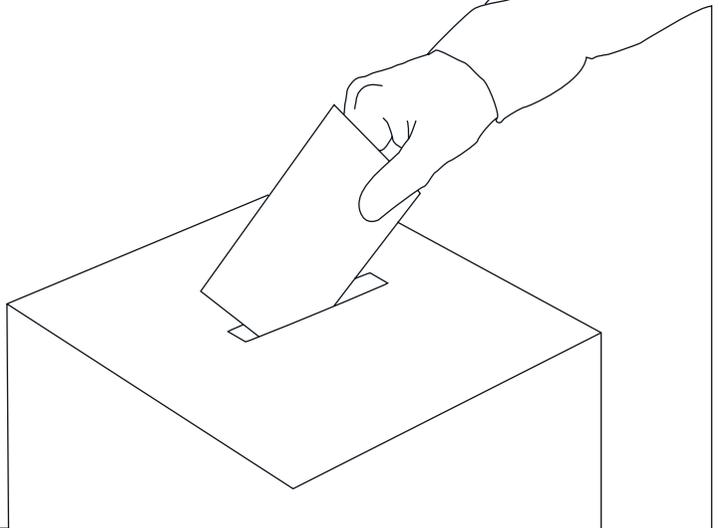


# **General Council Election**

## **Election Regulations 2019**



## **Northern Ireland Public Service Alliance**

# **General Council Election Election Regulations for 2019**

### **General**

1. These regulations have been prepared by the General Council under Rule 6.31 of the union. Subject to any amendments which may be issued, the regulations will govern the conduct of the 2019 General Council elections. They are binding on all members.
2. Only ordinary members of the union may take part in the elections. Associate, honorary or life members may not be nominated for office nor cast a vote.
3. The General Council shall consist of 25 members. Rule 6.2 states; The Council shall consist of the President, the Vice-president and Honorary Treasurer (together called “the Honorary Officers”) and 22 other members (called “the Ordinary Members”).
4. In accordance with rule 6.5, subject to nominations having been received:
  - (a) members of the Public Officers’ Group shall fill at least 5 seats on the Council; and
  - (b) members of the Civil Service Group shall fill at least 5 seats on the Council.

5. If, following the counting of the votes cast, none of the seats specified in paragraph 4 of the regulations is filled, the highest polling candidates for each of the categories in (a) and (b) of paragraph 4 shall fill the seats for these categories, provided nominations have been received for the categories concerned.

## **Nominations**

6. Nominations may be made only by branches at branch meetings of which due notice, including notice of the business to be transacted, has been given in accord with the NIPSA Constitution.
7. All nominations must be sent in writing to the General Secretary at Harkin House, 54 Wellington Park, Belfast, BT9 6DP.
8. Rule 6.36 states that nominees must give their consent for their nomination to be valid.
9. Official nomination papers shall be issued to all Branches by the General Secretary not later than Monday 26 November 2018 and shall be received by the General Secretary duly completed not later than **2.00 p.m. on Tuesday 22nd January 2019.**
10. A nomination shall only be valid if made on an official nomination paper with a certificate signed by the Branch Chairperson and Secretary (or in the case of absence, by another Branch Officer) that the rule relating to the holding of Branch meetings has been complied with and giving the date and place of the meeting held.

11. At the branch meeting held to consider nominations all ordinary members shall be entitled to vote.
12. Once elected no member shall be required to resign their position by reason of any change in their employment, provided they remain an ordinary member of the union.

### **Candidates' Written Statements and Election Addresses**

13. Each duly nominated candidate may supply to the General Secretary of the union (at Harkin House, 54 Wellington Park, Belfast, BT9 6DP) by not later than **2.00 p.m. on Tuesday 22nd January 2019** statements which should consist of the following:
  - (a) a statement of the candidate's Branch, gender and grade; and
  - (b) an election address which may consist of 100 words (or fewer) and no other material.
14. Under the Trade Union and Labour Relations (NI) Order (1995) no person other than the candidate shall be subject to any civil or criminal liability in respect of the candidate's election address.
15. Where a candidate's election address exceeds 100 words the union will publish only the first 100 words.
16. While the union will make arrangements to type handwritten statements no responsibility will be accepted for transcription errors.

## **Voting Arrangements**

17. Entitlement to vote will be accorded equally to all ordinary members whose subscriptions are fully paid up at 31st December 2018. No member will be entitled to vote more than once. Every member will be allowed to vote without interference or constraint and, so far as is reasonably practicable, without incurring any direct personal cost.
18. So far as is reasonably practicable, every member who is entitled to vote in the election will:
  - (a) have sent to them at their proper address, and by post or other means provided for in law:
    - (i) a voting paper which lists candidates in the elections;
    - (ii) a copy of the written address submitted by each candidate;
    - (iii) a statement giving the branch, grade and gender of each candidate;
    - (iv) a pre-paid envelope; and
  - (b) be given a convenient opportunity to vote by post.
19. Every member has a duty to notify the union in writing of their proper address which shall be either their workplace address, home address or some other address which they wish the union to treat as their postal address.

20. The closing date for the return of the completed voting paper will be clearly marked thereon. The closing date will be **2.00 p.m. on Tuesday 26th February 2019.**

## **Uncontested Election**

21. In the case of an uncontested election, no ballot will be held and the candidates nominated will be declared elected.

## **Returning Officer**

22. The Returning Officer (and Independent Scrutineer under the Trade Union and Labour Relations (NI) Order 1995) for the elections to be finalised (to be advised).
23. The Returning Officer will supervise the production and distribution of voting papers and will keep a record of the name and address of each member to whom a voting paper is sent. All completed voting papers must be returned so as to reach the Returning Officer by the closing date, in the pre-paid envelope provided. Voting papers not so received will not be counted.
24. The Returning Officer will be responsible for the fair and accurate counting of votes. Any inaccuracy in counting will be disregarded if it is accidental and on a scale which could not affect the result. The decision of the Returning Officer with regard to the rejection of any voting paper as invalid will be final.

25. The Returning Officer will retain custody of all voting papers returned for the purposes of the elections until the end of a period of one year from the announcement by the union of the election results.
26. The Returning Officer will make a report to the union as required under the Trade Union and Labour Relations (NI) Order 1995, including a statement of the result of the elections. The President and General Secretary of the union will be responsible for announcing the result, and the report of the Returning Officer will be published in the next available issue of the union journal.
27. The Returning Officer will make available to the union's staff such assistance as they may require to enable them to carry out their duty in relation to the General Council election.

## **Honorary Officers**

28. The President, Vice-President and the Honorary Treasurer (together called the Honorary Officers) will be elected annually by a ballot vote of branches at the Annual General Delegate Conference from among those elected to the General Council.

## **Complaints Concerning General Council Elections**

*(Paragraphs 29-33 refer to Rules 6.42-6.46 of the NIPSA Rule Book).*

29. The General Secretary shall satisfy himself/herself that the rules relating to any nominations have been complied with and that the consent of the nominee to stand has been given. If the General Secretary is not satisfied he or she shall refer the matter to the Returning Officer.
30. The General Secretary shall refer the matter to the Returning Officer in any case where there is a complaint as to the validity of a nomination.
31. Any complaint as to an alleged breach of the rules relating to General Council elections shall be made in writing to the Returning Officer. If in the opinion of the Returning Officer there has been a breach of these rules, the Returning Officer shall consult the President. The Returning Officer shall then decide whether the election shall proceed, whether an election shall be declared void or the election of any person void or any nominee disqualified, and take such decisions as may seem proper to him or her.
32. The decision of the Returning Officer on any matter under this section of the rules shall be final and binding on all members. The General Secretary shall publish to branches the written report of the Returning Officer on any investigation conducted

by him/her, together with the Returning Officer's decision thereon.

33. These regulations are subject to the rights prescribed by law for a person who claims that a trade union has failed to comply with statutory requirements on secret ballots for trade union elections.

### **Guidance to candidates and their supporters during and prior to election**

34. Any candidate or their supporters **may** circulate election material of any candidate/group of candidates. This can be by leafleting outside or inside buildings, via social media, face to face or by email.

35. Any candidate or their supporters **shall not**:

- (a) use any centrally funded service eg text messaging paid out of NIPSA's funds. This also includes NIPSA supplied mobile phones and laptops;
- (b) interfere or intercept ballot papers for the election. Post for the election must arrive with the member without interference. It is a breach of the Election Regulations for anyone to attach or append any additional material to the official post/envelope;
- (c) use the NIPSA Headquarters or Regional Office address in any campaigning material;

- (d) use the NIPSA official logo in campaigning material which could be construed as being a NIPSA officially sanctioned document. Photographs of protests etc which include the NIPSA logo are acceptable.
- (e) claim travel expenses from NIPSA for campaigning in the election;
- (f) seek information or assistance from any NIPSA staff member regarding any element of the election;
- (g) NIPSA staff [or representatives] shall not supply any data or membership information to any member which may be in breach of the General Data Protection Regulation (GDPR). Any and all activity is subject to NIPSA's Data Protection Policy (available on the NIPSA website).

36. Any post that cannot be delivered direct to the member in a timely fashion should be returned to the Returning Officer – whose address is on the reverse of the ballot envelope.

### **Copy of Regulations**

37. The union will supply any member on request with a copy of these regulations free of charge.

## Timetable Summary

38. The timetable for the election will be as follows:

(a) Closing date for receipt of nominations	<b>2:00 p.m. on Tuesday 22nd January 2019</b>
(b) Closing date for receipt of election addresses etc	<b>2:00 p.m. on Tuesday 22nd January 2019</b>
(c) Despatch of voting papers and election addresses etc	<b>Tuesday 5th February 2019</b>
(d) Closing date for return of completed voting papers	<b>2:00 p.m. on Tuesday 26th February 2019</b>



[www.nipsa.org.uk](http://www.nipsa.org.uk)

**Headquarters**

**54 Wellington Park  
Belfast BT9 6DP**

**Tel: 028 9066 1831**

**Regional Office**

**30 Great James Street  
Derry BT48 7DB**

**Tel: 028 7137 4977**

**Contact**

**Email: [info@nipsa.org.uk](mailto:info@nipsa.org.uk)  
Web: [www.nipsa.org.uk](http://www.nipsa.org.uk)**

**Fax: (Belfast): 028 9066 5847  
Fax (Derry): 028 7137 2961**

