

Bye Laws VI.1, VI.2, V1.4 and VI.6 – Amendments as adopted by the Board

EOB/18-1-13

VI. ELECTION OF BF DIRECTORS

1. Procedure

- (a) The ballot shall be held within the timetable stipulated in the Articles.
- (b) (i) The Board shall, in respect of each year’s ballot, select a date ("**the Qualifying Date**") as the date at which a Member must be a Qualifying Voting Member in order to be eligible to vote in the ballot.

(ii) The Board shall at the same time specify the date by which completed ballot papers must be received ("**the Closing Date**"), which shall be:

- (1) not less than twenty working days and not more than three months after the Qualifying Date; and
- (2) not less than fifteen working days after the last date for the dispatch of the ballot papers (See Bye-law VI.4(b)).

[Note: see paragraph VI.2(g) below for the fixing of the Nomination Date and publication of the Qualifying Date and the Nomination Date.]

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(d) The ballot may be conducted by electronic voting only (that is, voting through a website and/or by means of such other electronic media as the Board may approve), or may be conducted by a combination of electronic voting and traditional paper voting, as the Board decides. In the case of electronic voting, all expressions used in these Bye Laws which are referable to paper voting shall be construed as necessary to apply them to electronic voting; for example (for illustration but not by way of limitation): (i) references to a ballot paper include a secure electronic form or web page on which a voter enters his/her vote instead of completing a traditional paper ballot; (ii) references to dispatching or sending a ballot paper or Nomination Form include making it available by electronic means; (iii) references to "writing" on a ballot paper or completing a Nomination Form include marking by electronic means.

2. Nominations

All candidates for election must have been validly nominated.

The conditions for making valid nominations are:

(a) Nominations must be made by either:-

(i) 15 paid-up Members who are **Qualifying Voting Members** as at **the Qualifying Date**. (See also Bye Law VI.2(h)(v)); or

(ii) the Board. In the case of a nomination made by the Board, the Nomination Form shall require only the signature of the Chair of the Association, or failing him another Director (not being the nominee) appointed by the Board for the purpose, in place of the signatures of 15 Members.

(b) (i) No Member shall sign as a nominator for more candidates than the number of Vacancies. If this limit is exceeded, that Member’s nomination signature shall be deleted from one or more of the Nomination Forms on which it appears so as to reduce that Member’s number of nominating signatures to the maximum permitted number, under the supervision of the Electoral Officer, as follows:

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• The signature shall be deleted first from any Nomination Forms on which it appears which would still have the required 15 nominating signatures even after the deletion; if further deletion is still needed after that, then:

• If the chronological order in which BF Head Office received the Nomination Forms containing nomination signatures by the Member in question is known, the deletion shall be done from the last received backwards.

• If or to the extent that the chronological order is not known, or the nominations were received at the same time, the deletion shall be done in an order established by the Electoral Officer drawing lots.

(ii) The Board shall not nominate more candidates than the number of Vacancies. If this limit is exceeded, so many of the nominations made by the Board shall be eliminated as is necessary to reduce the number of candidates nominated by the Board to the maximum permitted number, under the supervision of the Electoral Officer, as follows:

• If the chronological order in which BF Head Office received the Board's nominations is known, the elimination shall be done from the last received backwards. Each nomination by the Board shall be deemed to have been received at BF Head Office on the date on which the Board passed the resolution to make that nomination.

• If or to the extent that the chronological order is not known, or the nominations were received at the same time, the elimination shall be done by the Electoral Officer drawing lots.

(iii) (1) Where any Nomination Form signed by members is rendered invalid under paragraph (b)(i) for want of the necessary number of signatures, the affected candidate shall be informed as soon as reasonably possible. The Nomination Form may be resubmitted with the necessary additional valid signature(s), but must still be received by BF Head Office by the Nomination Date.

(2) Where any nomination by the Board is eliminated under paragraph (b)(ii), the Chair of the Board and the Chief Executive shall be informed as soon as reasonably possible. The Board may still submit up to the permitted number of Nomination Forms, but the Forms must still be received by BF Head Office by the Nomination Date. A fresh resolution of the Board will be required to decide which forms are to be submitted.

(iv) There is no appeal against any deletion or elimination properly made under this clause.

(c) Home Country Fencing Organisation Presidents and Treasurers shall not be eligible for nomination. (However, for the avoidance of doubt, this does not prevent Home Country Fencing Organisation Presidents and Treasurers from nominating candidates in accordance with the terms of these Bye Laws.)

(d) Every nominee must be a paid-up Member on the date on which the Nomination Form is received at BF Head Office; otherwise, the nomination is invalid.

(e) Each nomination must be made on an official Nomination Form.

(f) (i) The Nomination Form shall incorporate a form giving details of the candidate ("Details of Candidate Form") and shall contain and/or be accompanied by

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instructions for the nomination of Directors and submission of Nomination Forms. The Nomination Form shall be in a form approved by the Board or the Electoral Officer (see paragraph VII below). The Nomination Form must be duly completed in accordance with the said instructions. From here on, references to the Nomination Form include, where the context so admits or requires, all those documents and matters required to be incorporated or contained in, or to accompany, the Nomination Form.

(ii) Nomination Forms shall be made available electronically on the BF website by not later than 5 working days after the date on which the Nomination Date is announced under paragraph (g)(ii) below. In addition, a paper or electronic copy of the Nomination Form shall be sent promptly to any Member who, by not later than 5 working days before the Nomination Date fixed under paragraph (f) below, has requested one in writing from BF Head Office.

(g) (i) At the same time as it fixes the Qualifying Date and the Closing Date, the Board shall also fix the date ("the Nomination Date") by which completed Nomination Forms must be received by BF Head Office.

(ii) The Qualifying Date, the Nomination Date, and the job description(s) for the Vacancy/ies shall be announced on the BF website as soon as possible after being fixed by the Board. They may also be published in "The Sword" magazine, and/or in such other way as the Board may decide. The announcement may be accompanied, for information only, by an election timeline chart in the form of the attached example, or such other form as the Board or the Electoral Officer may approve.

(iii) There must be a period of at least one month between the date on which the Nomination Date is published or announced and the Nomination Date.

(h) (i) Each duly completed and signed Nomination Form, including the Details of Candidate Form, must be received by BF Head Office on or before the Nomination Date.

(ii) The Forms may be sent to BF Head Office by post or by email or fax, or delivered by hand, or if the Directors have so approved may be submitted through a website.

(iii) In all cases, the signatures of the nominating Members or Director (or copies of them, in the case of forms submitted electronically), must be clearly visible, and the names and BF membership numbers of the signatory/ies must be clearly legible.

(iv) Signatures may be collected on more than one copy of the relevant part of the Nomination Form, as long as all the necessary copies are submitted with the nomination.

(v) (i) The Nomination Form for any candidate (not being a candidate nominated by the Board) may contain up to, but not more than, 20 nominating signatures. This is to allow some margin of error in case any signatures are deemed invalid for any reason. BF (or other person conducting the election on behalf of BF) shall not be obliged to check more than 20 signatures for any candidate. BF will check the signatures in the order submitted by the candidate, or – if that order is not clear – then may do so in any order.

(ii) If a candidate provides more than 15 valid nominating signatures, the first 15 only (or, if the order is not obvious, then any 15 only) shall be used.

(iii) The names of any valid nominating signatories above the limit of 15, and the names of any signatories whose signatures are not valid, shall not be published with the candidates' details.

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4. Dispatch of Ballot Papers; Closing Date; Publication of candidates

- (a) The ballot paper dispatched to Members must include or be accompanied by:
- (i) in respect of each valid nomination, the information contained in the Details of Candidate Form and either a statement that the candidate has been nominated by the Board, or the names of the 15 Members (selected if necessary in accordance with Bye Law VI.2(h)(v)) who have validly nominated the candidate;
- (ii) instructions for voting, which must be followed if the ballot paper is to be counted as valid; and
- (iii) a statement of the Closing Date.
- (b) The ballot papers shall be dispatched (as to which, see Bye Law VI.1(d)) on or after, but not more than five working days after, the Qualifying Date.
- (c) The information contained in the ballot papers shall be published on the BF website at the same time as, or as soon as possible after, the ballot papers are sent out.

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VI.6 The outcome of the election

- (a) Subject to paragraphs (b) and (c) of this Bye-law, the candidates in each ballot who shall individually have polled the most votes, up to the number necessary to fill the available Vacancies (or to fill as many of the Vacancies as there are candidates for), shall be elected, and they shall take office from the conclusion of the next following annual general meeting. *(For 2013 only, see also (bb) below.)*
- (b) Under Article 47 it is provided that if the number of candidates for election does not exceed the number of Vacancies, such candidate or candidates shall be deemed to have been elected. In order to allow time to verify the valid nomination of all candidates, the deemed election of a candidate or candidates under Article 47 shall take effect on the next working day after the Nomination Date. Any candidate so deemed to have been elected shall take office from the conclusion of the next following annual general meeting. *(For 2013 only, see also (bb) below.)*
- (bb) Provided that Directors elected or deemed to have been elected during the first election held in 2013 (which is likely to be the only election in that year) shall take office upon the fifth working day after notification is sent out by BF under paragraph (c) of this Bye Law. This paragraph (bb), and the references to it in paragraphs (a) and (b) above, shall be automatically deemed to be deleted from these Bye Laws following completion of the first election of 2013.)*
- (c) Written notification of the names of the candidates who have been elected or deemed to have been elected shall be sent to all candidates by BF on the next working day after the outcome becomes known to BF Head Office.
- (d) The name(s) of the candidate(s) who have been elected or deemed to be elected shall be published on the BF website within five working days after the date on which notification is given to the candidates under paragraph (c) of this Bye-law.

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