

Proposal to alter the CALC Constitution to permit electronic voting in the future

Background

At the CALC Conference in Edinburgh, there was discussion about the desirability of electronic voting. The Council undertook to investigate the matter and to bring a proposal back to members.

After considering the matter, the Council decided:

- that the Council should put forward, and support, changes to the CALC constitution that would enable electronic voting at some time in the future; but
- that that the Council should not attempt to implement an electronic voting system for the CALC General Meeting to be held in Melbourne in 2017.

As a consequence, the CALC Council has developed proposed Constitutional amendments that will be put to the General Meeting in Melbourne.

To assist with consideration of the Constitutional amendment, the Council has produced a draft of the type of electoral rules that it is envisaged could be made by a future Council if a decision was made to introduce electronic voting.

An additional change has been made in clause 12 to make it easier for the provision to work in practice. At the moment it may be difficult for members seeking to call a meeting to determine whether one sixth of members have given notice. The number (100) that is proposed is quite large but is substantially less than the current requirement.

Proposed revised provisions of Constitution

The underlining and strike-out show changes from the existing CALC Constitution.
Only the clauses that will change have been included.

9 Membership of the Council and conduct of elections (including electronic voting for nominated candidates for offices, or on ballots for special resolutions)

- (4) The following rules apply to the conduct of an election—
 - (a) if there are more nominations for an office than the number to be elected, a secret ballot must be held;
 - (b) a full member may vote for the following number of candidates ~~on a ballot paper~~—
 - (i) for an election for President, Secretary, Vice-President or Treasurer, 1 candidate;
 - (ii) for an election for non-executive members for a region, no more than 2 candidates;
 - (c) if only 1 office of the same kind is to be filled in an election, the candidate with the most formal votes is elected;
 - (d) if 2 offices of the same kind are to be filled, the 2 candidates with the most formal votes are elected;
 - (e) if, in order to determine the outcome of an election, it becomes necessary to resolve a tie, the person presiding at the general meeting must decide which candidate is to be elected by drawing lots.
- (5) The Council may make rules about the conduct of an election that are not inconsistent with subclause (4). The rules may permit the whole or a part of an election or ballot (for example, a ballot on a special resolution to be moved at an ordinary or extraordinary general meeting of CALC) to be conducted electronically and make provision for the conduct of that election or ballot or that part of the election or ballot.
- (6) An election or ballot, or a part of an election or ballot, that is conducted electronically and that is conducted in accordance with rules made under subclause (5) is taken to be a secret ballot conducted at the relevant general meeting of CALC.

12 General meetings of CALC

- (2) The President must convene an extraordinary general meeting of CALC—
 - (a) on being requested to do so by written notice signed by not fewer than ~~one-sixth of the 100~~ members of CALC, or
 - (b) on a resolution of the Council requiring the convening of such a meeting.

17 Proxies at general meetings of CALC

- (1) A full member of CALC may, in writing signed by the member, appoint another member of CALC as a proxy to attend and vote instead of the member at a general meeting of CALC. However, such an appointment is not effective unless the document of appointment is lodged with the Secretary no later than 24 hours before the time appointed for the start of the meeting.
- (2) A member holding a proxy for another member is not entitled to exercise the proxy in an election or ballot if the other member has voted electronically in that election or ballot.

Sample revised electoral rules

Note: These rules are an example of the type of rules that the Council could make after the Constitutional amendment has been approved by the CALC members. The final form of the rules (and whether and when they should be made) will be a matter for the Council at the time.

Example of possible CALC Election Rules

The following Rules are made by the CALC Council under clause 9 of the CALC Constitution. The underlining and strike-out show changes from the existing CALC Election Rules.

1 Nominations to be in writing

- (1) Nominations for offices must be made in writing and sent to the email address specified by the Secretary by the date specified by the Secretary.
- (2) A nomination must specify the name of the candidate, the name of the full member of CALC who is nominating the candidate and the name of the full member of CALC who is seconding the nomination and contain a statement that the candidate accepts the nomination.
- (3) The date specified by the Secretary must be no earlier than ~~3 weeks~~ one month before the ordinary general meeting at which the election is to be held.

2 Nominations to be put on CALC website

- (1) The Secretary must arrange for details of each nomination that is received to be posted on the CALC website as soon as practicable after the nomination is received.
- (2) The Secretary must arrange for any information that is provided by a candidate in support of the candidate's nomination to be posted on the CALC website as soon as practicable after the information is received.
- (3) The Secretary may arrange for information about candidates to be provided to CALC members in any additional ways that the Secretary determines, however, no speeches in support of candidates are to be made at the CALC general meeting.

Note: It is intended that this information that is included on the CALC website and otherwise made available by the Secretary would be sufficient for CALC members to make an informed choice.

3 Process to be followed if insufficient nominations

If there are insufficient nominations made in accordance with Rule 1 to fill an office, any member who has been nominated for that office in accordance with that Rule and has not withdrawn their nomination will be declared elected at

the ~~ordinary~~ general meeting. Nominations will then be called for to fill any remaining office. If there are then more nominations for that office than the number to be elected, a secret ballot will be held in accordance with Clause 9(4) of the Constitution.

4 Electronic voting

- (1) The Council and the Secretary must, by complying with this rule, take all reasonably practical steps to make arrangements for members to vote electronically if:
- (a) there are more nominations under Rule 1 for any office than the number to be elected; or
 - (b) there are any matters before a meeting that require a special resolution; or
 - (c) both paragraphs (a) and (b) apply.

- (2) The Council may determine that any one or more of the following methods may be used by a member to lodge votes electronically for a particular ballot or election:
- (a) the member lodging a vote through the CALC website in a manner that enables the Secretary to determine which members have voted and that each member has only voted once;
 - (b) the member sending an email to the Secretary at a specified email address specifying the member's vote.

However, before making a determination, the Council must be satisfied that the method is available, reliable, reasonably secure and is able to be used by most members.

- (3) The Council may determine the period during which members may vote electronically. However, the period must be at least 2 weeks.
- (4) The Secretary must provide the results of the electronic vote in each ballot or election to the returning officer for the ballot or election. The Secretary must not reveal this information to any other person.
- (5) The Secretary must provide a list of all members who have voted electronically in a particular ballot or election to the returning officer for the ballot or election.

Note: The returning officer will use this list to ensure that no member votes twice.

- (6) The Secretary, and any person assisting the Secretary, must preserve the secrecy of all votes received.
- (7) The Secretary may reveal the total number of votes received electronically on each ballot or election.