

Item 7
SC No. 84a-21



THE CONDUCT OF REGIONAL ELECTIONS TO STANDING COMMITTEE

Term of Office

Election to fill casual vacancy arising in Region 12 (Convention 2020 – Convention 2022)

ADOPTED BY STANDING COMMITTEE 15TH OCTOBER 2015 AND AS
AMENDED 5TH MAY 2017 FOR USE IN STANDING COMMITTEE GENERAL
ELECTIONS AND ELECTIONS TO FILL CASUAL VACANCIES AND AS FURTHER
AMENDED 16TH OCTOBER 2020 BY STANDING COMMITTEE IN LIGHT OF
PREVAILING PUBLIC HEALTH CONDITIONS

20TH AUGUST, 2021

Issued by Kieran Christie, General Secretary, ASTI

THE CONDUCT OF REGIONAL ELECTIONS TO STANDING COMMITTEE

20TH AUGUST, 2021

1. INTRODUCTION:

Rule 96 of the Rules and Constitution of the ASTI governs the procedures for election of Regional Representatives on Standing Committee.

- (a) the constitution of Standing Committee;
- (b) the regional basis for the election of Standing Committee;
- (c) the electoral system;
- (d) the branch election arrangements;
- (e) eligibility for candidature and nomination procedures;
- (f) election and counting procedures;
- (g) ballot counting;
- (h) terms of office;
- (i) the filling of vacancies;
- (j) the role of regionally elected members;
- (k) the review of electoral divisions and procedures.

The following regulations set out the procedures to be applied in the organisation of Standing Committee regional elections.

2. TERM OF OFFICE AND REGIONS:

2.1 The term of office for regionally elected representatives shall normally be two years.
The term of office for region 12 will come to an end at the close of Annual Convention 2022.

2.2 The Standing Committee Regions are as follows:

- Region 1: Sligo, Donegal, Iar Thuaisceart Thir Chonail.
- Region 2: West Mayo, East Mayo, Carrick-on-Shannon.
- Region 3: Galway, Tuam, East Galway.
- Region 4: Clare, Limerick North, Limerick South, Nenagh.
- Region 5: West Limerick, Kerry, Desmond.
- Region 6: Cork South, Carbery.
- Region 7: Fermoy, Cork North, East Cork, West Waterford, Dungarvan.
- Region 8: Waterford, New Ross, Enniscorthy, Wexford.
- Region 9: Tipperary, Roscrea, Kilkenny.
- Region 10: Kildare, Laois, Carlow.
- Region 11: Athlone, Mullingar, Longford, Navan, Tullamore.
- Region 12: Cavan, Monaghan, Dundalk, Drogheda
- Region 13: Dublin South County, Dublin South 2.
- Region 14: Stillorgan, Dun Laoghaire, Bray, Wicklow.
- Region 15: Dublin North West, Dublin South West.
- Region 16: Dublin North 1, Dublin North Central.
- Region 17: Dublin North East, Fingal.
- Region 18: Dublin South 1, Dublin South Central.

3. BRANCH OFFICER CANDIDATE:

A member seeking nomination to become a candidate for election to Standing Committee, or a member who is a duly nominated candidate, **shall not act as a branch officer** during the electoral period i.e. from the date the nomination process commences to the date of the Standing Committee election in the relevant branch **inclusive**. The branch may if necessary elect a member to undertake the duties of the office holder during the electoral period.

4. NOMINATION OF CANDIDATES:

- 4.1 Nomination forms for the election shall be sent to each branch secretary by the **23rd August, 2021**.
- 4.2 Nomination forms shall also be available to members from the General Secretary.
- 4.3 **The nomination form shall be signed by the candidate as evidence of availability for office.**
- 4.4 Each branch may nominate one candidate. Members of the branch must be notified that the question of selecting a branch nominee will be on the agenda for the meeting at which it is proposed to select the branch nominee. Where there is more than one candidate for the branch nomination, the selection of the branch nominee shall be by secret ballot. **All procedures normally used by the branch for the election of CEC representatives should be applied.**
- 4.5 A candidate may be nominated by the signature of at least fifty members from the relevant region.
- 4.6 Candidates must be nominated from amongst those who are full members of the Association for at least **two years**.
- 4.7 Candidates must be nominated in the period between **Monday 20th September 2021 and Friday 1st October, 2021** (inclusive) i.e. a candidate may only be nominated either at a branch meeting held during this period or by the collection of fifty signatures during this period. A candidate shall be deemed to have been duly nominated when the nomination form, properly completed, has been received by the General Secretary. In any event, completed nomination forms must be received by the General Secretary not later than **5.00 p.m. on the 6th October 2021**.
- 4.8 Where the candidate's nomination is a branch nomination it is the responsibility of the branch secretary to return the nomination form by the due date. Where the nomination is by signature of fifty members the responsibility for return of the nomination form lies with the candidate.
- 4.9 In the event of a candidate's nomination being deemed unacceptable, the Auditors shall be so informed and at the earliest opportunity the original nomination form shall be returned to the candidate explaining the reason for the decision.
- 4.10 Where only one candidate has been duly nominated for a region, then such candidate shall be deemed to have been elected for that region.
- 4.11 Not later than the **14th October 2021**, the General Secretary shall forward to each branch secretary in the appropriate region the names of candidates for election in that region.

4.12 On receipt of a duly completed nomination form in Head Office, the General Secretary shall supply to the nominated candidate:

- (i) a list of the names, addresses and telephone numbers of branch secretaries in the relevant region.
- (ii) a list of the schools in the region, and
- (iii) a current list of the members in the region (cf. regulation 5.2).

4.13 A nominee for election may withdraw from the election on giving written notice to be received by the General Secretary on or before the **13th October, 2021**.

5 ELECTION ARRANGEMENTS

At the Standing Committee meeting held on **19th to 20th August 2021** by *Zoom* the following was adopted.

5.1 REGIONAL ELECTIONS – BY-ELECTION REGION 12 – 2020-2022

Standing Committee agreed that the election of the Standing Committee Regional Representatives for Region 12 (2020 – 2022) should be held by postal ballot. It was noted that this was a revision of arrangements for elections compared to previous years

5.2 For the purposes of this Election the following shall apply: Only those who are recorded in Head Office as members **on 31st December of the previous year (2020)** shall be eligible to vote. Where there is a dispute regarding membership or eligibility to vote, then the "member" should be permitted to vote. However, the ballot of any such "member" should be submitted to head office in the identification envelope separately from other ballots. The decision on the acceptability of any such ballot shall be taken by the ASTI auditors.

5.3 Ballots will be sent to electors at their last home address made known to ASTI. **It shall be the responsibility of the elector to provide an alternative address before commencement of the ballot, if different from their last home address made known to ASTI, for the purposes of this election.** Proof of posting will be secured from An Post. No further ballot will be issued unless the originally issued ballot has been returned.

5.4 Ballots must be received in Head office by the date and time stated – such date and time having been determined by the Officers of the ASTI. The date and time deadline, determined by the Officers of ASTI, shall be made known to the electors and published on the ASTI website. No ballots received after the deadline will be included in the count.

5.5 The ballots will be counted independently by the ASTI auditor.

6. COUNTING OF BALLOTS:

6.1 The Auditors shall be asked to make appropriate arrangements to allow each candidate or a representative of each candidate to be present at the counting of votes. The name of such representative shall be notified in writing by the candidate to the General Secretary before the (Date to be determined by the Officers of ASTI).

6.2 The ballot paper envelopes shall be removed from the identification envelopes. The auditors shall ensure that no ballot envelopes are opened until all identification envelopes have been removed.

6.3 The count shall be conducted on the principles as apply in parliamentary and local Government elections, as set out in S.I. 128, 1965, Local Elections Regulations, Chapter III, Rules for the Counting of Votes (available from Government Publications Office).

The following is an outline of the procedure:

- (a) The total valid poll in each region shall be identified.
- (b) The first preference votes given to each candidate shall be identified.
- (c) Should a candidate have half of the total valid poll plus one of the votes cast, that candidate shall be declared elected.
- (d) In the event of no candidate being elected on the first count, then the candidate with the lowest number of votes shall be eliminated.
- (e) The transferable second preference votes of the eliminated candidate/s shall then be distributed to the remaining candidates.
- (f) Should a candidate then have half of the total valid poll plus one, such candidate shall be declared elected.
- (g) In the event of no candidate being elected on the second count, the process shall be repeated for a third and further counts if necessary.
- (h) Any candidate for a region or a duly nominated candidate's representative in attendance at the counting of ballots may request a recount on the conclusion of a count or part of a count for that region.

6.4 The auditors shall notify the General Secretary of the results of the ballots. The General Secretary shall notify each candidate and each branch of the result of the election in their particular region.

6.5 Questions regarding the count or matters of dispute related to the count must be notified in writing by the relevant candidate or branch secretary to reach the General Secretary within seven days of the issue by the General Secretary of the result of the election.

6.6 The formal declaration of the election of candidates shall take place at Annual Convention. The newly elected representatives shall take up office at the end of Annual Convention.

7. ROLE OF THE AUDITORS:

The Auditors may on their own authority carry out an investigation into any aspect of the electoral process.

8. Election Disputes and Challenges:

In the event of a challenge arising out of the election process the following procedures shall apply:

- (i) any challenge must be submitted immediately in writing to the General Secretary.
- (ii) the challenge must clearly specify the particular grounds on which it is based.

- (iii) the General Secretary shall bring such matters to the attention of Standing Committee at the earliest opportunity.
- (iv) the General Secretary shall send a copy of the written challenge to the relevant parties and shall invite a written response.
- (v) in reaching a determination on the matter, Standing Committee shall take account of the clearly expressed wish of the electorate if the election votes have already been counted.
- (vi) if Standing Committee determines that there is no basis to the challenge or that the challenge, although proven, does not undermine the outcome of the particular election process then the relevant parties shall be so advised.
- (vii) if the Standing Committee determination is to the effect that the challenge is upheld and undermines the outcome of the election process, then Standing Committee will direct that the election process in question shall be repeated with effect from the point where the breach in procedure arose, e.g. if the breach of procedure occurred in the counting process then the counting process would have to be repeated

9. ELECTION CODE FOR CANDIDATES:

9.1 The purpose of this voluntary code is:

- (a) to try to ensure that no member is inhibited from standing for election by lack of the funds necessary to compete in a campaign;
- (b) to limit the use of branch funds in the support of branch candidates;
- (c) to assist the electorate by providing standardised information about candidates.

9.2 Candidates for election to committees and offices within the ASTI should adhere to the following regulations:

- (a) There shall be **no use of the funds of the Association** or the funds of any branch of the Association for the purposes of assisting any individual or individuals in an election other than as provided in "c" below.
- (b) The structures and facilities of the union may not be used for the purposes of the collection of funds to finance the election campaign of any member.
- (c) Branch mailing facilities shall only be used for the purpose of advising other branch secretaries of the candidates nominated by a branch.
- (d) Candidates offering themselves for election may use the official ASTI "Candidate Information Form" for the purposes of promoting their candidature.
- (e) Blank copies of the "Candidate Information Form" shall be available from the General Secretary on request.
- (f) Completion, copying and distribution of the above form shall be the responsibility of the candidate. Candidates must also take responsibility for the accuracy of statements on the form and for any legal liability accruing.